E.M.C.T.
2008-2009
Euromediterranean Master in Culture and Tourism

"Learning from the past, looking at the present, moving into the future."

University EMUNI

Università degli Studi di Bari

Comunità delle Università Mediterranee

Polo Euromediterraneo Jean Monnet

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Euromediterranean Master in Culture and Tourism

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The EMCT Master's Degree (***Euromediterranean Master in Culture and Tourism***) aims to provide students with the necessary knowledge to take decisions related to the management of tourism, culture & heritage activities in the Mediterranean area.
The Master's Degree course is open to anybody with an official university qualification, (degrees and diplomas from foreign countries must enable the applicants for the Master to be admitted to postgraduate studies in the country where obtained them). The ***Euromediterranean Master in Culture and Tourism*** is organized by the University of Bari with the international and scientific cooperation of the ***Community of Mediterranean Universities*** (CMU) and the ***Jean Monnet Euromediterranean Center of Excellence*** and with the financial support of the ***EMUNI Foundation***. Center EMUNI is a public institution, established by the Government of the Republic of Slovenia on 11 October 2007. Its aim is to overcome boundaries and differences, as well as build a mutual understanding among Euro-Mediterranean countries; to create an academic network among higher education and research institutions; to establish an international Euro-Mediterranean University. The ***Euromediterranean Master in Culture and Tourism*** develops a network of specialised postgraduate study programme among Euro-Mediterranean universities. International comparability will be ensured with respect to credits, courses, as well as scientific and professional qualifications. As for the fields of study, special emphasis will be given to topics related to the Euro-Mediterranean region. The study programmes will be taught out by several professors coming from different networks (CMU and Jean Monnet Euromediterranean Center of Excellence co-founders of the Euro-Mediterranean University) and Universities such as: Italy (University of Bari, University of Salento, University of Bergamo), Slovenia (EMUNI and University of Maribor), France (C.I.R.E.T. of Aix-en-Provence), Spain (University URV in Catalonia), Albania (Università Nostra Signora del Buon Consiglio of Tirana), Egypt (Tanta University)

Structure : **400 hours** of frontal lessons (16 ECTS in Slovenia)
112 hours of alternative lessons (on-line)
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294 hours of stage + study for final test
Total of **1.500 hours** corresponding to the total of **60 ECTS**
Courses are taught in English. Optionally, some subjects may be taught also in French/Italian.

THE FIELDS OF THE MASTER

Thematic Fields	Credits ECTS	Frontal lesson FL	On-line lesson OL	FL + OL	Individual Studies(IS)
	n.	Hours	Hours	Hours	Hours
Cultures & Languages Tourism Law EU Policy	12	96	34	130	170
Heritage – ICT Quality Management in Tourism Communication	8	64	26	90	110
Rural Geography Touristic Regions in Europe	6	48	6	54	96
EuroMediterranean Studies (EMUNI)	10	90	26	116	134
Religions, History & Human Rights	12	96	20	116	184
Stage + Final test 2 CFU + 10 CFU	12	6	6	294	
Total	60	400	112	512	988
					1.500

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A Rewarding challenge
How the multiplicity of language could strengthen Europe
Proposals from the Group of Intellectuals for Intercultural Dialogue set up at the initiative of the European Commission

Braxelles 2008

European Commission
Commission européenne

Europe's challenge in a globalised world.
Les défis de l'Europe dans un monde globalisé.

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A REWARDING CHALLENGE

HOW THE MULTIPLICITY OIF LANGUAGE COULD STRENGTHEN EUROPE

Proposals from the
Group of Intellectuals for Intercultural Dialogue
set up at the initiative of the European Commission
Brussels 2008

The President of the European Commission, Mr. José Manuel Durão Barroso, and the Commissioner for Multilingualism, Mr. Leonard Orban, asked that a group of personalities active in the area of culture be formed to advise them on the role multilingualism could play in regard to the intercultural dialogue and the mutual comprehension of the citizens of the European Union.

The Group, chaired by Mr. Amin Maalouf, writer, included :
Ms Jutta Limbach, President of the Goethe Institut,
Ms Sandra Pralong, expert in communication,
Ms Simonetta Agnello Hornby,writer,
M. David Green, President of the EUNIC (European Network of National Cultural Institutes), former director general of the British Council,
Mr. Eduardo Lourenço, philosopher,
Mr. Jacques de Decker, writer, permanent secretary of the Belgian Royal Academy of French Language and Literature,
Mr. Jan Sokol, philosopher, former Minister for Education of the Czech Republic,
Mr. Jens Christian Grøndahl, writer,
M. Tahar Ben Jelloun, writer.

Three rounds of meetings were held in Brussels in June, October and December 2007. The report which follows was drafted by Mr. Maalouf draws on the ideas of all the members of the Group and is a reflection of the discussions that took place.

Linguistic diversity is a challenge for Europe, but, in our view, a rewarding challenge. To manage this diversity effectively, the European Union has to address issues which in today's world have become priority issues and can no longer be sidestepped if the future is not to be jeopardised. These issues are: how do we get so many different populations to live together in harmony, how do we give them a sense of a shared destiny and of belonging together? Should we be seeking to define a European identity? If so, can this identity take on board all our differences? Can it accommodate elements of non-European origin? Is respect for cultural differences compatible with the respect for fundamental values?

We have sought to tackle these very delicate issues frankly and dispassionately. Our brief was to reflect on multilingualism and what role it could play in European integration and the dialogue between different cultures. We accordingly opted to leave aside the most optimistic and the most alarmist of our presuppositions in order to take the most neutral observation as a starting point, viz. that in any human society linguistic, cultural, ethnic or religious diversity has both advantages and drawbacks, and is a source of enrichment but also a source of tension. The wise course is to recognise how complex this is and at the same time endeavour to maximise the positive effects and minimise the negative effects. This was how we approached our work between June and December 2007.

While being persuaded that such issues will continue to be debated for many generations to come, we nevertheless wanted to come up with some answers and propose to the European leaders and to our fellow citizens a possible approach. Throughout our meetings, we were moved by the firm conviction that the European project pursued since the end of the Second World War is one of the most promising the world has ever known; and, in particular, that efficient management of our linguistic, cultural and religious diversity would produce a reference model indispensable to a planet tragically afflicted by chaotic management of its own diversity.

The principles

Needless to say, language diversity entails constraints; it weighs on the running of the European Institutions and has its cost in terms of money and time. This cost could even become prohibitive if we wanted to give dozens of languages the rightful place which their speakers could legitimately wish for.

Against this background, there is therefore a strong temptation to tolerate a *de facto* situation in which a single language, English, would be dominant in the work of the European Institutions, in which two or three other languages would more or less manage to hold their own for a little longer, while the vast majority of our languages would have but a symbolic status and would hardly ever be used in joint meetings.

A turn of events of this kind is not desirable. It would be damaging to the economic and strategic interests of our continent and all our citizens irrespective of their mother tongue. It would also be contrary to the whole ethos of the European project, in more ways than one:

I – Respect for our linguistic diversity is not only to take due account of a cultural reality stemming from history. It is the very basis of the European ideal as it emerged from the ashes of the conflicts which marred the 19th century and the first half of the 20th.

While most of the European nations have been built on the platform of their language of identity, the European Union can only build on a platform of linguistic diversity. This, from our point of view, is particularly comforting. A common sense of belonging based on linguistic and cultural diversity is a powerful antidote against the various types of fanaticism towards which all too often the assertion of identity has slipped in Europe and elsewhere, in previous years as today.

Born of the will of its diverse peoples who have freely chosen to unite, the European Union has neither the intention nor the ability to obliterate their diversity. On the contrary, its mission historically is to preserve, harmonise, strike a balance and get the best out of this diversity, and we think that it is up to the task.

We even believe that it can offer the whole of humanity a model for an identity based on diversity.

II – Europe is today pondering its identity and how to define what that entails, keeping an open mind vis-à-vis itself and the rest of the world. Our belief is that the way to address this delicate issue in the most constructive, the most dispassionate and the healthiest way is by reflecting upon its own linguistic diversity.

Europe's identity is neither a blank page nor a pre-written and pre-printed page. It is a page which is in the process of being written. There is a common artistic, intellectual, material and moral heritage of untold richness, with few equivalents in the history of humanity, constructed by generation after

generation and which deserves to be cherished, acknowledged and shared. Each and every European, wherever he or she may live, wherever he or she may come from, must be able to access this heritage and recognise it as his and hers, without any arrogance but with a legitimate sense of pride.

Our heritage is not, however, a closed catalogue. Every generation has a duty to enhance it in all areas without exception according to every person's sensitivity and as a function of the various influences which today come from all four corners of the earth.

Those entering Europe – and this could include people as diverse as immigrants, citizens of the new Member States, and young Europeans from all countries as they begin to discover life – must be constantly encouraged in this dual path, i.e. the desire to gain acquaintance with the common heritage and the desire to make their own contribution, too.

III – While it is indispensable for Europe to encourage the diversity of cultural expression, it is equally essential for it to assert the universality of essential values. These are two aspects of a single credo without which the European project would lose its meaning.

What constitutes the *raison d'être* of the European project as embarked upon in the aftermath of the Second World War is the adherence to certain values. These values have often been formulated by European thinkers, but have to a large extent also been the result of a healthy reaction to bloody and disgraceful chapters in the history of Europe itself.

The European Union came into being against the devastation of war, against totalitarian ventures, against racism and anti-Semitism. The first steps in the construction of Europe also coincided with the end of the colonial era and heralded a change in the nature of relations between Europe and the rest of the world.

It is never easy to accurately or exhaustively pinpoint those values to which everyone should adhere if they are to be welcomed fully into the European fold. However, this lack of precision, which stems from legitimate intellectual caution, does not mean we have to resign ourselves to relativism when it comes to fundamental values.

Upholding the dignity of human beings, men, women and children, sticking up for one's physical and moral integrity, halting the deterioration of our natural environment, rejecting all forms of humiliation and unjustified discrimination on the grounds of colour, religion, language, ethnic origin, gender, age, disability, etc. — are values on which there must be no compromise in the name of any specific cultural feature.

In a word, the European ideal is founded on two inseparable conditions: the universality of shared moral values and the diversity of cultural expression; in particular, linguistic diversity for historical reasons is a major component as well as being — as we will try to illustrate — a wonderful tool at the service of integration and harmonisation.

The way forward as we see it

In the light of these principles we have been working towards a solution which would be both ambitious and realistic.

Ambitious in that the objective set is not to "delay the inevitable", but on the contrary to anchor linguistic diversity in a sustainable way in the lives of the people of Europe — its citizens, its peoples and its institutions; ambitious because the solution should be able to function whatever the number of languages involved and also because the aim is not just to find a compromise which will not impede European integration, but to find a way which will allow significant headway to be made towards European integration.

At the same time we would like our approach to be realistic. Throughout our discussions we never lost sight of the fact that what we are seeking to do would be meaningless if the outcome did not produce proposals which could be applied on the ground. Obviously there are no simple solutions to such complex problems, but it is essential to map out where we want to go.

Our approach involves two ideas which are in fact the two sides of one proposal:

A – The *bilateral* relations between the peoples of the European Union should hinge by way of priority on the languages of the two peoples involved rather than on another language.

This means that every European language should have, in each of the countries of the European Union, a substantial group of proficient and highly motivated speakers.

Numbers would of course vary substantially depending on the language concerned, but the number should everywhere be large enough for its speakers to be able to cater for all aspects — economic, political, cultural, etc. — of the « binary » relations between the two countries concerned.

B – In order to allow cohorts of speakers to be formed, the European Union should advocate the idea of *personal adoptive language*.

The idea is that every European should be encouraged to freely choose a distinctive language, different from his or her language of identity, and also different from his or her language of international communication.

As we see it, the *personal adoptive language* would in no way be a second foreign language but, rather, a sort of second mother tongue.

Learned intensively, spoken and written fluently, it would be part and parcel of the school and university curriculum of every European citizen, and of everyone's occupational curriculum.

Learning that language would go hand in hand with familiarity with the country/countries in which that language is used, along with the literature, culture, society and history linked with that language and its speakers.

Using this approach, we would hope to overcome the current rivalry between English and the other languages, a rivalry which results in the weakening of the other languages and which is also detrimental to the English language itself and its speakers.

By drawing a clear distinction, when the choice is made, between a language of international communication and a personal adoptive language, we would encourage Europeans to take two separate decisions when it comes to language learning, one dictated by the needs of the broadest possible communication, and the other guided by a whole host of personal reasons stemming from individual or family background, emotional ties, professional interest, cultural preferences, intellectual curiosity, to name but a few.

For each of these decisions the choice would be as open as possible.

As regards language of international communication, we are well aware that most people would today opt for English. However, some could well choose French, Spanish, Portuguese, Mandarin or any other language.

As regards a *personal adoptive language*, the choice is virtually unlimited. Needless to say, many Europeans would go for one of the major emblematic languages which have played a leading role in the history of our continent; indeed these languages could thus stem their decline and begin a vigorous new lease of life.

At the same time, the languages which have fewer speakers, including those which are very much minority languages, would get an unprecedented boost. The logic of a policy based on a *personal adoptive language* is that the choice of language would be made in the same way as the choice of a profession. Achieving fluency in a comparatively rare language would give the individual an added advantage comparable to that of a rare specialisation in a leading-edge field. In the long run, all the languages would have their speakers, albeit in a very uneven, but still significant way.

And, in particular, in a lasting way. One of the big advantages of the approach we propose is that every European language would have a special place in the *bilateral* exchanges with all European partners, that none would be condemned to disappearance, none would be reduced to the status of local dialect. Accordingly, the native speakers of that language, however few they may be, would no longer have to feel belittled, excluded or overwhelmed.

To neglect a language is to run the risk of seeing its speakers becoming disenchanted with the European project. People cannot be expected to be wholeheartedly behind Europe unless they feel that their specific culture, and primarily their language, is fully respected and that the integration of their country in the European Union contributes to the flourishing of their language and culture rather than marginalising them. So many of the crises we have witnessed in Europe and elsewhere stem from the fact that a community has sometime in the past felt that its language was not respected; we have to remain careful to head off such feelings from emerging in the years and decades ahead, for they would undermine European cohesion.

Every language is the product of a unique historical experience, each is the carrier of a memory, a literary heritage, a specific skill, and is the legitimate basis of cultural identity. Languages are not interchangeable, none is dispensable, none is superfluous. To preserve all the languages of our heritage, including the ancestral European languages such as Latin and ancient Greek; to encourage, even for languages which are very much minority languages, their development in the rest of the continent, is inseparable from the very idea of a Europe of peace, culture, universality and prosperity.

What do we expect to achieve?

True to the ideals which give modern Europe its *raison d'être*, the approach we advocate should also have an impact on the quality of life of the citizens of Europe, on the quality of relationships between the European nations, on the relations of our continent with the rest of the world, on the harmonious coexistence of cultures in our societies, on the smooth running of the Community institutions, and, more generally, on the pursuit and consolidation of European integration.

1 - For the people of Europe, old and young alike, intensive and in-depth knowledge of a language and all the culture that it transmits is a major factor of fulfilment.

In a civilisation in which communication is becoming so important and in which there is an increasing amount of free time, to add to one's existence this exploration of another linguistic and cultural universe can only bring enormous professional, intellectual and emotional satisfactions.

Moreover, mastering a *personal adoptive language* and familiarising oneself with the universe of its speakers should be conducive to a more outward-looking attitude to the world and others, and strengthen the sense of belonging to Europe ; not at the expense of belonging to one's country or culture of origin, but in addition to it, particularly as, in his or her relations with the speakers of the *personal adoptive language*, a European citizen would naturally tend to extend to them knowledge of their own country and their own culture.

From the professional point of view, the pointers would all seem to indicate that English will in the future be increasingly needed, but at the same time less and less sufficient on its own. While in certain areas of activity, English is already virtually essential, the inclusion in one's *curriculum vitae* of a language which might already have been mentioned by all the other candidates does not give the applicant any additional asset in the quest for a job, or in pursuing an activity. This is already the case to a very large extent today and will be increasingly so in the future. People will have to have another string to their bows to stress their distinctiveness, to mark out their specific « domain », and thus enhance their profile in the employment market; to do that, they will have to have another language, their own language, their distinctive language, not as ordinary as English, and at the same time different from the one they already share with their compatriots.

For those Europeans whose mother tongue has a dominant place in the world, and we think immediately of the British, acquiring a *personal adoptive language* is probably even more vital than for others, given that the temptation to remain ensconced in monolingualism is probably much stronger than elsewhere. Without a special effort to promote, from the very earliest age, the intensive learning of an additional language, the advantage which English speakers today have would rapidly become eroded, and the globalisation of their mother tongue would have an adverse effect on their competitiveness at both individual and collective levels. This paradoxical pattern of events was stressed in no uncertain terms in a recent study commissioned by the British Council.[1].

It might perhaps be worth stressing here that some Europeans should obviously choose English as their *personal adoptive language*, following the example of Joseph Conrad who was of Polish mother tongue, had French as a language of international communication, and became one of the greatest writers of the English language. It is important for English to retain and consolidate the eminent place it holds as a language of culture rather than being straitjacketed in the role of instrument of global communication, a flattering but detractive role, and one which is potentially a factor of impoverishment.

2 - By underlining the *bilateral* nature of linguistic relations between the different countries, our approach should have a positive impact on the quality of relations between Europeans, individuals and peoples alike.

We feel that this policy would be considerably enhanced if everyone could express themselves in a language they are perfectly fluent in, either their own or that of their partner, rather than, as so often happens nowadays, through the medium of a third language in which they lack that fluency. Recent studies indeed tend to show that business negotiations arrive at a successful outcome far more frequently when each of the partners feels free to express himself in his own language.

By quality of relations, we mean at the same time the effectiveness of the exchanges, the subtlety of the human contacts, and also the intensity and solidity of people-to-people relations within our vast European family.

Europe has arisen from several centuries of conflict between its nations and primarily between

1 English Next, par David Graddol, 2006.

neighbours. Accordingly, to learn the language of a partner who happens to be a former enemy is very important, both for its symbolic value as well as for its practical advantages.

If there is to be greater cohesion between the countries of the European Union, it is not enough for them to simply all belong to the same entity, the bilateral links between each country and each partner must be cemented by powerful ties based in particular on the special place occupied, for the citizens of each country, by the language of the other.

Despite the efforts of certain leading founder countries, such as France and Germany, we are witnessing an erosion of the level of knowledge of the neighbour's language in favour of a language of international communication, which is deemed to be more useful. If we are to reverse this seemingly inexorable trend we have to make a clean break with the traditional logic behind language learning, by making a clear distinction between the two choices to be made, one depending on the international status of a language, and the other, that of the *personal adoptive language*, based on completely different criteria which are very varied and very subjective. By allowing people not to have to choose between utilitarian considerations and cultural affinity, we would restore a powerful motivation to learn every European language, which might be that of a distant country, but could just as well be that of the neighbour.

3 - For relations between Europe and the rest of the world the advantages of such an approach would be just as great.

While it is likely that most of our fellow citizens would select as their *personal adoptive language* that of another country of the European Union, it is also likely that many of them would opt for languages from other continents, ideally the languages of the big Asian countries which have become major economic partners.

The arguments developed on the subject of Europe could in part be transposed to the planet in its entirety. The fact that relations with different countries are essentially managed by Europeans who have thoroughly studied the language of the country concerned, along with its culture, its society, its history, its laws, its institutions, is a desirable development which can only bring advantages for the European Union at all levels. One economist judiciously remarked that a man speaking only one international language could always buy what he wanted anywhere in the world; but if that man wanted to sell rather than buy then it would be better for him to know the language of the prospective purchaser. The requirement may not be an imperative one, but there is no doubt that those who have learned the languages of their business partners would have a decisive advantage over those who had not learned them.

Europe has every interest in having significant cohorts of speakers for all the world's languages. The strategy that we are proposing should be conducive to this. As we see it, the choice of a *personal adoptive language* should, we repeat, be as wide-ranging as possible and as free as possible. No language should be overlooked, for every one opens professional, cultural or other horizons, to citizens, to countries and to the whole continent.

4 - Our group long pondered the problem of preventing cultural diversity from having a negative impact on harmonious coexistence within European societies.

Immigration is occupying an ever bigger place in the political, economic, social and intellectual life of our continent. We could say in this regard what we said on the subject of European diversity in general, i.e. that it is simultaneously a source of enrichment but also a source of tension, and that a wise policy is one which while recognising the full complexity of the issue would endeavour to make the utmost of the advantages and play down the drawbacks. We feel that the approach we are proposing to manage linguistic diversity could contribute significantly to this twofold objective.

For immigrants, the *personal adoptive language* should in the normal run of events be that of the country in which they have chosen to live. A thorough knowledge of the national language and the culture it carries with it is essential if they are to integrate into the host society and play their part in economic, social, intellectual, artistic and political life. For immigrants to Europe, it is also a factor of adhesion to Europe in general, its Community project, its cultural heritage and its fundamental values.

In parallel with this and, we might say, in reciprocal fashion, it is vital for the countries of Europe to understand how important it is for every immigrant or person originating from immigration, to maintain knowledge of their own language of origin. A young person who loses the language of his ancestors also loses the ability to communicate effortlessly with his parents and that is a factor of social dysfunctioning which can lead to violence.

Excessive assertion of identity often stems from a feeling of guilt in relation to one's culture of origin, a guilt which is sometimes expressed by exacerbated religion-based reactions. To describe it differently, the immigrant or a person whose origins lie in immigration and is able to speak his mother tongue and would be able to teach it to his children, knowing that his language and culture of origin are respected in the host society, would have less of a need to assuage his thirst for identity in another way.

To allow migrants, European and non-European alike, to gain access easily to their language of origin and allow them to maintain what we could term their linguistic and cultural dignity, to us once again seems a powerful antidote against fanaticism. A sense of belonging, in the religious and linguistic sense, is patently one of the most powerful components of identity. But the two facets function differently and sometimes vie with one another. Belonging in the religious sense is exclusive, belonging in the linguistic sense is not. We believe that it is healthy to dissociate these two powerful factors of identity, to develop linguistic and cultural belonging, not at the expense of religion but at the expense of identity-oriented use of religion, and could help to reduce tension in our European societies as in the rest of the world.

Just as immigrants would be encouraged to fully adopt the language of the host country and the culture it carries, it would be fair and useful for the immigrants' languages of identity to also be part of the languages which Europeans themselves would be encouraged to adopt. We have to gradually get out of this one-way relationship in which people from elsewhere are getting better and better at learning European languages, while very few Europeans take the trouble to learn the languages of the immigrants. The latter need to feel that their languages, their literature, their cultures are known and appreciated by the societies in which they live, and we feel that the approach based on the «*personal adoptive language*» could help to dispel this malaise.

5 - Our reflection group did not set out expressly to examine the effects of language diversity on the functioning of the Community institutions. However, we feel that by stressing the *bilateral language to-language relations*, the approach we advocate could help to rationalise the management of language diversity within the Union, including as regards the day-to-day running of the institutions.

Rather than be confronted with a huge tangle which is virtually impossible to unravel, consisting of dozens of languages generating hundreds of possible connections, and inevitably generating countless recriminations, we would thus be dealing with pairs of languages associated with one other on the ground, the relationships between them being above all managed by their speakers, i.e. by the people most attached to the two languages simultaneously, and best qualified to strengthen the ties between the two peoples concerned.

There is a case for having, for each pair of countries, a bilateral and bilingual organisation – an institution, a foundation, an association, or simply a committee – set up at the initiative of the political leaders or a group of citizens with a strong attachment to both countries, to their languages and to their cultures. This organisation would take initiatives to develop mutual knowledge, would endeavour to get national, regional or municipal authorities, schools and universities, the business sector, associations of teachers, translators, writers or publishers, celebrities, active citizens, etc. interested in its projects.

Amongst the wide range of tasks which could be assigned to these bilateral organisations, one of the most important would be to ensure that the language of each country is taught to a certain number of people in the partner country, that school and university courses include extended stays in the other country, that institutions and companies, both public and private, support those who were to choose these languages and offer them placements and then jobs. Any number of twinning operations between towns, districts and even villages, as well as between teaching establishments, sports associations, between publishers, etc. could also be envisaged.

Each of these bilateral organisations would focus its efforts on strengthening the links between the speakers of the two languages it is seeking to pair up. Needless to say, every country in the Union should also have similar structures reaching out with the same commitment to all the other countries. The outcome sought would be to achieve a sort of "network" covering the whole of Europe and which would strengthen the sense of community while leaving each one's sense of identity intact.

In this picture, the role of the Community institutions would be to help to design the general framework within which these bilateral linguistic relations would be established where they do not at present exist, and if need be to harmonise them; to centralise information on each « language pair », particularly in order to extend the advantage of one party's experience to the other and generalise the methods which produce results, while at the same time cautioning against those which fail to live

up to expectations. In some cases, particularly that of relations between two essentially minority languages, the Community institutions could provide financial assistance for teaching and teacher training programmes, school and university exchanges, translation, etc. We nevertheless think that generally speaking this assistance should be phased down once the system is run in, gets up to speed and becomes self-sustaining.

The implications

We have not in this report sought to list the measures to be taken to implement the approach we advocate. At this stage, the point was to map out a direction and try to convince our fellow citizens and our leaders of its relevance.

We nevertheless deemed it necessary to devote much of our work to the practical implications of our recommendations, in order to be sure that, while setting out to be ambitious and innovative, they remain perfectly rational and realistic; that it would be be possible to put them into practice without major problems, without substantial delay and without undue cost; and that they would clearly work to the advantage of every country, every culture, and every citizen, irrespective of their language, and whatever their expectations concerning the future of Europe. This prompts us to make the following comments:

A - There is no doubt that by wanting everyone to be encouraged to freely choose their *personal adoptive language* we are asserting a principle which cannot be followed up instantaneously in every town, every village and for every language. As always with such principles, the point of ours is to mark out a path, to set an objective towards which we work as best we can. The important idea here is that it is not only "at the top" that the two or three foreign languages a person might have the opportunity of learning should be determined; this decision should be taken at "grassroots" level, i.e. in schools and also, increasingly, by the citizens themselves.

B - One of the advantages of our approach is that it does not, in order to be put into practice, need to wait for the national or Community decision makers to decide. Everyone can decide to choose their *personal adoptive language*; every country, every town, every municipality, every company, every teaching establishment, can take appropriate initiatives.

A school, for instance, could decide to introduce into its syllabus an "unexpected" language, which is distinctive and is not among those usually taught. This could be done as part of an exchange with a school in the country of the language chosen. The venture need not be extensive or spectacular. Take, for example, the case of a Swedish town twinned with a Portuguese town, or that of an Italian town twinned with a Polish town. The municipal authorities could support the creation of two parallel school connections, each adopting the language of the other. The classes are twinned and could thus undertake protracted stays, year after year, in the corresponding country, take part in joint activities, build up relationships. These experiences might involve only a few dozen pupils at a time, but if they were to be more widespread, if there were hundreds and thousands of initiatives of this kind - between countries, regions, towns, districts, institutions, companies, associations, etc. - very considerable momentum would quickly build up.

C - Having said that, we remain convinced that our approach to the language issue could never have the full impact desired without firm commitment from Europe's leaders.

As the point is to map out a route, determine the overall strategy within which the range of initiatives would emerge, it is important for a decision to be taken at the highest level, and ideally in 2008, which is the European Year of Intercultural Dialogue.

The European Union has already committed itself to building up a knowledge-based society, which is diverse and harmonious, competitive and internationally outward-looking, and to promote the knowledge of languages; it has amongst other things expressed the wish that two foreign languages be taught in every country at as early an age as possible. Within this perspective, our reflection group aimed at an approach which would take account of the complexity of the language issue at the start of the 21st century, in the hope of paving the way for the achievement of these aims, to enhance their positive impact for every citizen and every community, and to sustainably anchor linguistic diversity as an emblematic and practical platform for European integration.

D – The teaching of a wide range of foreign languages in countries which have no tradition of doing so can of course raise logistic, financial and human problems, particularly in terms of training up a sufficient number of teachers to an appropriate level, adapting schools to the new requirements, and the organisation of time. These obstacles are nevertheless far easier to overcome with modern technological resources.

It is not therefore unrealistic to imagine courses online given by a single teacher to pupils located in different places, offering the possiblity for pupils to ask that teacher questions directly on their screens. In technical terms, it is something that is perfectly feasible today and it could even multiply contacts between the speakers of any given *personal adoptive language* much better than could be achieved through a traditional language course.

It no doubt presupposes standardisation of timetables so that the same segments can be devoted to language learning in several countries at the same time. Within these timetables, every European student would connect to his own course in Greek, Dutch, Romanian, Estonian, etc. We are convinced that these common timetables would themselves generate their own eminently advantageous dynamic in terms of knowledge, individual fulfilment, and citizenship, particularly if they gradually spread across the whole of Europe.

Indeed, as we see it, this is a striking example of how Community decisions in this area could make it easier to put in place the new approach; equally, it is an illustration of the impact that a new language strategy could have on consolidating the European project in the general mindset.

E – There is no doubt that the free choice of a *personal adoptive language* cannot always be made on a once-and-for-all basis. It will generally be made, in the case of young children, by parents and school rather than by the pupils themselves; and sometimes this choice will be called into question at some other stage in life. But the benefit accrued during the early years will remain and will often have paved the way in the mindset for the learning of another language. Moreover, the *personal adoptive language* need not always be chosen during childhood. The choice can be taken at any age, including retirement, which today offers tens of millions of Europeans the prospect of a long period of free time which they could usefully fill with enthusiastic engagement with another language, another country, another people, another culture.

If the approach we advocate were to be adopted, we would obviously have to go into the details of how to implement it in the coming years. This process will be doubly pedagogical, entailing the need to patiently get the message across concerning the bilateral approach to language relations and the concept of *personal adoptive language*, and thereafter to get to grips with the practicalities of what it implies, particularly in the area of teaching.

This would be a major project for Europe but we are convinced that it is essential to commit ourselves to it without delay and that its material and moral outcomes will amply justify the efforts made. To come back specifically to questions put to our reflexion group, our response is clear: judicious and imaginative management of linguistic diversity can indeed boost European integration, promote citizenship and the feeling of belonging to the European Union. It can also contribute significantly to the dialogue between cultures and their harmonious coexistence, both in relation to the rest of the world and within our own societies. It could even give European integration fresh impetus and a new lease of life.

Acknowledgements

The 10 members of the Group would like to express their sincere gratitude to all those who, at the European Commission, have facilitated their work and contributed to shaping their ideas, particularly Mr. Leonard Orban, Commissioner for Multilingualism; Ms Odile Quintin, Director General for Education and Culture; Ms Patricia Bugnot, Ms Catulina Soares Guerreiro, Ms Alison Crabb; Messrs. Vladimir Sucha, Pietro Petrucci, Harald Hartung, Diego Marani and Yves Le Lostecque, and also to all the translators and interpreters involved.

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Europe's challenges in a globalised world

Global Jean Monnet Conference
ECSA-World Conference
Brussels, 23 and 24 November 2006

Les défis de l'Europe dans un monde globalisé

Bruxelles, 23 et 24 novembre 2006
Conférence Mondiale Jean Monnet
Conférence ECSA-Monde

Education and Culture DG

European Commission
Directorate-General for
Education and Culture
Jean Monnet Programme

Commission européenne
Direction générale de
l'éducation et de la culture
Programme Jean Monnet

OPENING SESSION

SÉANCE SOLENNELLE D'OUVERTURE

OPENING SPEECHES
DISCOURS D'OUVERTURE

Mr. Ján Figel'
Prof. José Maria Gil-Robles
Mr. Pat Cox
Mr. José Manuel Barroso
Mr. Yves Mény

Mr. Ján Figel',

Member of the European Commission

SPEECH

Mr. President,
Distinguished Guests,
Ladies and Gentlemen,

It is a pleasure for me to open this Global Jean Monnet Conference, which is also the 8th ECSA-World Conference. To the many academics present here today, I want to emphasize that the European Commission attaches enormous importance and value to your work, both as ambassadors of the European idea, the European integration in the world, but also as critical and independent providers of policy advice. And especially we would like to thank you for this work and for being here today. Let me also address a special word of welcome to our distinguished speakers. We are very grateful that – as top-level decision-makers and intellectuals – you are taking the time to share with us your unique insights as regards the future of Europe and its interaction with the changing world around. Especially I appreciate the presence of President José Manuel Barroso today, as I want to say, that this day is the beginning of third year in our mandate and it started with Jean Monnet action, so strong symbolism but also reality.

Ladies and gentlemen, the European Community Studies Associations, the ECSAs, have been involved from the beginning with the launching and the development of the Jean Monnet Action. Over the years, the European Commission has developed a highly fruitful collaboration with the ECSAs based, I think, on mutual respect and mutual trust. The contribution that you have made throughout these years – and actually since the beginning of the 1960s for some of you – to the development of teaching knowledge of the European integration process has been invaluable. And it is clear to me that it will remain so.

In raising public awareness and disseminating knowledge on European integration in the older or newer Member States – and there will be again new member states – as well as in the candidate countries, the role of the ECSAs has been essential. As regards the ECSA activities in the other parts of the world, outside of this integrated space, it is clear that the knowledge of the complexities, dare I say even mysteries sometimes, of European integration would have remained very modest without the essential contribution of Jean Monnet professors, Jean Monnet centres and associations. The ECSAs today are growing in number all around the world and are present now on all continents. There are really intercontinental or global associations.

This is great news and I congratulate the network for its dynamism. The increasing interest in European integration from academics and students throughout the world underscores

the point that the European adventure constitutes an enthralling subject of study. It is perhaps not difficult to see why. On a continent long plagued by wars and conflicts now we see not only peace and stability but growing ability to build also prosperity, relations based on rules, common principles and values. I think there may be lessons to learn from the European experience of the last 50 years which may be of use in other parts of the world. This said: the world is fluid, nothing is static, and it is crucially important for those forming part of this integration project to listen very carefully to what external observers, external partners have to say about our construction: its characteristics, its assets, but also its shortcomings and what to do about them.

During your previous conferences, you have covered such topics as the European Union and emerging world order and the EU's role in the context of peace, security and stability. Looking back, the relevance of your comments is striking. It was in the framework of ECSA-World conferences that the concept of the European neighbourhood policy was conceived – then under the term of "the ring of friends". It was also in the context of the Jean Monnet Conferences, and through the active participation of the academic community, that the idea of the dialogue between peoples and dialogue between cultures was first launched and further developed. With the year 2008 as the Year of Intercultural Dialogue, I can assure you that this theme will remain one of our main priorities in the coming years. As your reflections have a reputation for being highly relevant, we can assure you that the insights that emerge from this Conference today and tomorrow will receive great consideration.

Ladies and Gentlemen, let me now briefly look at the theme of our Conference – "Europe's challenges in a globalised world". When taking up office, the present College under the leadership of José Manuel Barroso, outlined four strategic objectives: putting Europe back on the track of prosperity; reinforcing our commitment towards solidarity; strengthening citizens' security and, finally, projecting and promoting these priorities outside our borders with a stronger voice in the world. These have remained the core directions for the European Commission's work, and the foundation for the partnership approach essential to realising ambitious policies in a complex world.

As you will notice, all four core elements are reflected in the programme of your Conference and with this in mind I just want to say that globalisation is really another new reason for more intense European cooperation and even European integration.

I am very glad to note that we have top-level speakers with us for all three sessions. Because of the relevance of the topics for the European Commission's priorities and in view of their complexity, I am greatly looking forward to having the benefit of your observations. One of the reasons why the European Commission has decided that it continues to organise and fund these Conferences is precisely that they are not simply freewheeling academic gatherings. On the contrary, Jean Monnet Conferences are known for their effectiveness in bridging the gap between critical academic reflection and concrete and constructive policy insights.

Ladies and Gentlemen, next year 2007, we will celebrate the 50th anniversary of the Treaty of Rome. Over 50 years of European construction have brought peace, stability, economic and social prosperity, based on common values and principles. We moved from the Steal and Coal agenda to issues like identity, citizenship, borders of Europe, culture, diversity, from 6 to 27, a lot of changes and dynamisms. Today, leaders of the basic three institutions – European Parliament, European Commission, European Council of Ministers – are from Iberian Peninsula, so there is a visible shift and a still changing environment is showing that communities are really European, more and more common open.

We welcome new members, we face to the effects of globalisation, but also we contribute to build a new international scene. Citizens' expectations of the EU have increased over the last five decades. This is both recognition of the EU's increased relevance and a challenge to all of Europe's leaders. I am sure that today's Conference will provide us with new views, new points of comparison, new international benchmarks that will help steer the necessary changes in a positive direction.

And I would like to finalize with recalling a very important vision of Jean Monnet, who is a patron of this association. He said once: *"Nous ne coalisons pas des Etats, nous unissons des hommes"*. We don't create coalitions of States, we unite people, we integrate people. And this is much more demanding than just intergovernmental cooperation and agreements.

Ladies and gentlemen, I wish that this conference is very successful and contributes to this Jean Monnet's vision. Thank you.

Prof. José María Gil-Robles,

Chairman of the European University Council for the Jean Monnet Action, former President of the European Parliament, President of the former Members' Association of the European Parliament

SPEECH

Thank you Mr. Commissioner. Gracias a todos los que estáis aquí. Gracias a los que han organizado este evento. Gracias a la Comisión porque lo primero que hay que constatar, y lo acaba de recordar el Comisario, es que, por fin, hay para los próximos siete años un programa Jean Monet consolidado. Y eso es una muy buena noticia; permite trabajar con perspectiva, y con estabilidad. Felicito a la Comisión por este esfuerzo y agradezco a los profesores JM y a los profesores ECSA su dedicación. También creo que esta es una buena ocasión para agradecer el trabajo realizado a todos los que se han ocupado de la acción JM durante todo ese tiempo, desde Madame Lastenouse hasta hoy, y que han venido manteniendo la acción JM a pesar de todas las incertidumbres y de todos los problemas.

Ahora que vemos el horizonte mas despejado, creo que hay que recordarlo y agradecérselo. Tengo mucho gusto en transmitir este mensaje de agradecimiento que estoy seguro de que comporten todos los que están aquí; tendría que ser completado quizás con un llamamiento a utilizar las sinergias en este momento de la unión europea. Como acaba de recordar el Comisario estamos en un momento en que Europa tiene que afrontar retos importantes. El primer reto exigido por los ciudadanos, y aún mas por nuestros estudiantes (ahora que he vuelto a la universidad gracias la acción JM lo veo en mis propios estudiantes), es que Europa tenga un papel en el mundo. Ese papel, aunque no saben explicarlo, es el papel que siempre ha tenido, es decir, ser un factor de paz y ser un factor de prosperidad. Podemos decir con satisfacción que medio siglo después del lanzamiento de las Instituciones europeas lo hemos conseguido ya en el interior de Europa, aunque todavía falten por integrarse algunos países. Lo esencial de la unificación europea lo hemos hecho, aunque todavía haya mucho por digerir en cuanto a la última ampliación. Pero esa paz hay que exportarla al resto del mundo, hay que llevarla al resto del mundo.

Por eso es tan importante que esta reunión de hoy no se limite a los profesores que explican dentro de la Unión, sino que en este ECSA estén presentes representantes de todos los profesores JM que están explicando la Unión Europea fuera de sus fronteras. Porque esencialmente este es un problema de filosofía, es un problema de cómo se puede sustituir, lo acaba de decir el Comisario, el enfrentamiento por la participación, por la colaboración. Esa es la idea básica y sólo con esa idea básica se puede fomentar la paz. Esa idea básica es la que luego proporciona, como todos lo sabemos, una enorme dosis de prosperidad, y eso hay que llevarlo fuera de nuestras fronteras y supone otra serie de retos. No tengo la intención de agotarlos mediante una enumeración y ni de agotarles a ustedes con ella, pero es evidente que para que podamos hacer este papel, tenemos que acabar el proceso de perfeccionamiento de nuestras instituciones por lo menos para 10 o 20 años, lo que supone poner en marcha los grandes consensos de la constitución. No me voy a referir ahora ni a la forma ni a los métodos.

Requiere también que la Comisión relance estrategia de Lisboa, y necesita que se resuelva el problema de financiación de la Unión, sin el cual, por muy perfeccionadas que tengamos

las instituciones, difícilmente funcionaran. Supone también resolver el gran desafío de la inmigración, asimilación de los emigrantes, de su incorporación a la cultura europea. Exige, asimismo, garantizar la seguridad de los ciudadanos europeos, que es una de las grandes preocupaciones de estos.

Basta enunciar estas grandes rubricas para ver que la tarea es gigantesca. Sr. Comisario. Sr. Presidente ahora me permito lanzarle un segundo mensaje: y este segundo mensaje es: utilícenos. No nos utilice solo para lo que ha hecho muy bien durante todo este tiempo la red ECSA y la red JM, que es para explicar Europa, para difundir Europa, para llevar Europa a los ciudadanos, empezando por los estudiantes. Úsenos para apoyarle, para pensar en lo que es el futuro de Europa y cuales son las soluciones a esos grandes problemas. No es nuestra pretensión, desde luego, convertirnos en un think tank. Para eso la Commission tiene sus think tank y funcionan muy bien. Pero tiene usted a su disposición un 'think-net' de muchos miles de cerebros privilegiados - y no lo digo por el mío – a lo largo y ancho la Unión europea. Úselo, aprovéchenos para poner en marcha todo ese sistema. Ya que hablamos de la participación, dar participación a los profesores ECSA y los profesores JM en esta tarea excitante, es importante.

Hay una palabra que me gusta mucho, que es una palabra portuguesa, empolgant. No se la traducción exacta en español, pero se que quiere decir que es una tarea que realmente impulsa desde dentro la actuación de esas dos redes importantes.

Y ya que estoy en uso de la palabra, para no cansarles a ustedes mucho y sobre la base de la sinergia recordaré también que los ex-diputados del Parlamento europeo que me han hecho el honor de concederme su presidencia, piden también en ese momento a la universidad que cuente con ellos. Y eso se lo digo a todos los profesores ECSA y JM. La piden a todos los que hemos lanzado el programa Europe to Campus. Gracias a la ayuda del profesor Mény, del Instituto de Florencia, que nos acogió y a la ayuda de la Commission que trata de fomentar la sinergia entre quienes tienen un amplia experiencia política y quienes están en el mundo de enseñanza, de la difusión de la idea europea. Úsenos también. Es lo que les pediría a ustedes como favor especial. Y ya que he pedido tantos favores, Sr. Comisario, Sr. Presidente, Srs. Presidentes, queridos amigos, me callo porque ya he dicho bastante y sé que los auditorios en este caso aprecian sobre todo la brevedad.

Mr. Pat Cox,

President of the International European Movement, former President of the European Parliament, Managing Partner of European Integration Solutions

SPEECH

Thank you Chairman, good morning, Mr. President, distinguished colleagues, distinguished participants,

It is a great pleasure for me to be here today, and I thank you on behalf of the International European Movement for your kind invitation. I look forward eagerly to seeing the results of your deliberations over the next two days and I wish you a successful conference. Before going any further, I think I should add the health warning that my remarks are entirely personal and do not purport to represent the use of any organisation or institution.

Few topics are so relevant and so politically charged as the one you have chosen to address. It is indeed of central importance and strong contemporary relevance for future European Union policies.

We all know that the European Union is going through a period of hectic activity focussing on a wide range of projects and generating many concrete results – often much too little publicised – which are of genuine value to our citizens. At the same time, there is simultaneously a strong undercurrent of anxiety about the grand design. Enlargement, the proof of the enduring dynamism of the idea and ideals of the European body politic and the European Union, continues to exert a powerful gravitational pull on our near neighbours, and yet our internal EU debate is stalled on our Re-foundational Constitutional Treaty. We spend endless time agonising about absorption capacity, privileged partnership and the limits to our union, and yet still in somewhat ambiguous political terms. It is an enormous paradox that having found our new Europe, we still struggle to find our new Europeans, while outside our borders, our attractiveness is undiminished.

Our global weight is impressive. We have a population base, though aging, which represents the third largest in the world after China and India. We have established the single currency, the Euro, today the world's second most important reserve currency. Collectively we are the world's largest trader in terms of our share of global trade and broadly equivalent share of global GDP.

Reflecting our common European values, we practise a policy of internal and external solidarity, we are by far the largest provider of untied non-military aid in the world accounting for 55% of official development assistance. We are the largest donor of humanitarian food aid globally, and are committed to double our efforts by 2010.

Externally we are active leaders in the fight to address the challenges of global warming and climate change not least through the Kyoto Process, and are at the forefront of the reflections on what should come next to take this commitment further. We are strong believers in effective multilateralism, not just in the sense of our self-evident preference for the civil resolution of international crisis, but also and increasingly through rapid

reaction forces willing to play an active role in peace keeping and peace enforcing ourselves. We were central to the establishment of the International Criminal Court, as an extension of the concept of the rule of law internationally, and today our common sense of vulnerability in the face of contemporary forms of terror, is strengthening our resolve to act together. As you know we prefer to conduct our bilateral and multilateral relations through mutually binding pacts and agreements rather than *à la carte*.

Internally, our policies increasingly focus on sustainability in all that we do: in economic, environmental and social policy terms, with variable degrees of success. We spend almost two fifths of our annual budget on internal structural and cohesion funding. We long ago banned the death penalty within our borders. Our treaties provide for the suspension of a member state found to be in persistent breach of fundamental rights. We value cultural diversity and practise a form of integration which is more mosaic than melting-pot, and with its respect for cultural diversity reflected in our favourite motto of "unity in diversity".

This brief *tour d'horizon* shows that by any standards, this is an impressive record of achievement, and yet the paradox to which I referred earlier – of failing to achieve widespread popular support – remains. This Europe of values (and added value!) is, I believe, confronted by the many contemporary global and transfrontier challenges beyond our national boundaries, and increasingly it has been hidden from popular view. Popular public debate is locked in a zone between poorly explained and badly comprehended reality, and overblown caricature, leaving the European Union politically vulnerable to being simultaneously both undersold and oversold by its supporters and critics alike.

Values, interests and capacity to act matter, but so too do vision and political will. Reflecting actual and perceived national and regional issues and interests, many EU states and regions clearly struggle to assimilate new global realities. Too often, our leaders – and I refer here not just to political leaders – preach radical reform but practise conservative corporatism. They crave for transformation but resist change. They preach cure but refuse the necessary medicine. We need to prepare for the competitive race to the top, but we fear instead a race to the bottom. For national reasons we limit fundamental freedom of movement and establishment inside the European Union, while insisting on the need to confront realistically our global challenges.

Together as European Union, we set highly ambitious policy targets, for economic reform, environmental sustainability, social policy modernisation, such as the Lisbon agenda. And still separately at member state level, too often we frustrate their achievement. The mid-term review of Lisbon conducted a few years back by Wim Kok, the former Dutch prime minister, spoke of a delivery gap at risk of becoming a credibility gap for the European Union. And that was months before the failed constitutional treaty referenda of 2005. In political terms we want more Europe but in budgetary terms our net contributors want to pay less. The European Council makes collective decisions but rarely do our leaders accept individual political responsibility. Yes, we have a new slimmer Lisbon and yes, we have a new financial perspective – solid achievements of the EU 25 acting in concert. But it remains an open question, whether these will alter the fundamentals, at the pace and on the scale required to meet our contemporary global challenges.

Following the twin defeats of the constitution treaty in 2005 in France and the Netherlands, the state of the European Union is anxious today, we are at the crossroads, proud of our achievements, but uncertain about future direction. I believe there is still an air of doubt and still a mood of anxiety in the corridors of power and particularly in public opinion.

Progress in part awaits new leaders and fresh perspective in some of our member states. Our European Union economic performance is very diverse, with our states exhibiting both the best and the worst of practice.

It is hardly surprising that where there is stagnation, high unemployment, poor performance in management, and frankly at times poor political leadership, many ordinary Europeans have the blues. They have the economic, globalisation and dislocation blues. They have the demographic, immigration, integration and dissimilation blues. They have the security, terrorism and fundamentalism blues and to wrap it up many have the enlargement and the Turkey blues too. Not everyone in every place has the same blues or in the same degree but collectively these feelings explain, I believe, much of today's European Union political *Zeitgeist*.

It is shocking to have read opinion polls that have reported on the idea of Europe as a symbol and catalyst of hope for many becoming a symbol and catalyst of fear. We know from our history that fear is a breeding ground for populists and that populism carried too far is a recipe for disaster. Fear is the stock-in-trade of populists, first they exaggerate fear, and then they exploit it. These populist tendencies have found a new and more energetic expression in recent years on our continent and come from both the left and the right of our political spectrum. Political correctness often blinds us to this reality by seeing populism almost exclusively as a phenomenon of the far right, when in reality it is both more widespread and more complex in its attitudes. This new populism, I believe, expresses itself in creeping nationalism, anti-Europeanism, economic patriotism, cautious and conservative corporatism, neo-protectionism, anti-globalisation and xenophobia. It also spills over into the conventional political domain. In the battle for hearts and minds, we need to promote and defend openness, while honestly addressing anxieties; we need to confront populist stereotypes and caricatures of economic ultra-liberalism, European Superstatism and Europe as Eurabia. The EU, its states and its people, will find no comfort, none, in building illusory Maginot lines. Yesterday's defensive solutions are not the answer to tomorrow's pressing challenges. We live in a shrinking globalised world both in terms of time and distance. We are challenged by aging demographics, raw material competition, resource scarcity, climate change and new security risks. We live in an increasingly interdependent planet, we Europeans in the second half of the twentieth century designed the most sophisticated institutions ever, to foster intelligent interdependence between sovereign states. For tomorrow's world, surely this has to be a cause for hope for Europeans.

In essence, I believe that if the European project did not already exist, it would make sense to invent it today. This is so in the context of what would be a relentless, relative decline of Europe and the West in general in the 21st century. This process of relative decline will challenge our collective European Union capacities, but certainly would dwarf us as Europeans if our only capacity to respond was predicated on nineteenth century concepts of national sovereignty.

While this thought may have offered some comfort, we would be wrong to lapse into self-satisfied complacency. To survive and thrive, ideas cannot stagnate, they must evolve. Adaptation is the key and this is no less true for the Union, its institutions and its policies. At our current crossroads after the referendum shocks, I can understand and appreciate the emphasis on a Europe of projects and results. Institutions and decision-making procedures, though indispensable, do not count for much in day-to-day life if they are not perceived to be what they are: a delivery mechanism. True, pragmatism matters, and wider vision when uprooted from solid practicality will do little to promote Europe.

But the opposite also risks being true. I believe that Europe also needs what Schuman called a "*common purpose*". That is less visible today than it needs to be. It demands consistent and determined leadership from our capital cities no less than from Brussels to drive it forward. Merely to promote projects and results in the absence of wider vision, this common purpose that Schuman spoke about, in the absence therefore of political commitment, direction, momentum while still cautiously avoiding the finalities and other difficult questions posed in the defeated referenda, would be a second best strategy. On their own, projects risk being a form of reductionism calculated neither to excite nor to confront fear. They are not a roadmap for renewal and re-invention. More is needed.

As we approach the fiftieth anniversary of the Treaty of Rome, we should use that moment creatively. The statement of our generation's level of ambition should be high. The European Commission and the European Parliament have a particularly heavy responsibility in this regard since uniquely these are the institutions charged with looking after the interests of the Union as a whole and from a truly European perspective – although it is the German Presidency that is responsible for drafting the text of the proposed declaration.

Let me say this in conclusion. If we seriously wish to ask Europeans, ordinary Europeans in their everyday circumstances to subscribe to the new Europe in this new century, they surely deserve to know something more definite about the size, the shape and the aspirations of the **political society** they are being invited to embrace. Popular, as distinct from populist fears, about a process of expansion, that appears to many citizens to be boundless and unstoppable, need to be addressed by more than ambiguity. We need to learn in the European Union how to expand our soft power, and how to promote and defend our common European Union values and interests in smart power terms, but to do so without the constant expansion of our borders. Then we need to explain this in plain language and with political conviction. We need to reassure public opinion that we can design systems of economic governance and sustainable social solidarity with a clear emphasis on their employability in a manner fit for our times. We need to establish the capacity for the European Union to stay ahead in the global competitive race. We need to ensure our wider security, in terms of climate change, energy supply, the integrity of our borders and the fight against international crime and terror. We need to establish clearly, that we Europeans can and will finance our ambitions.

This will require a revisiting of our constitutional Treaty and some more. We can do this. It was Jean Monnet who taught us how a setback in one field can generate advances in others. But we will not do it by ignoring the lessons of Europe's modern past. Building appropriate institutions, practising dynamic, multilateralism within and without, and honestly addressing anxieties, rather than avoiding them, is indispensable to future success. We know this, because we have been there and done that before, and it worked. Thank you.

Mr. José Manuel Barroso,

President of the European Commission

SPEECH

Monsieur le Président,
Mesdames et Messieurs,
Chers amis,

On m'a proposé de m'adresser à vous pour parler des défis de l'Europe dans un environnement mondialisé, ce que je vais faire dans un instant. Mais le défi que m'a lancé M. Gil-Roblès est tellement stimulant que je voudrais tout d'abord répondre par quelques remarques tout à fait personnelles.

Tout d'abord, je voudrais vous dire que je suis très heureux d'être ici parmi vous. J'ai fait moi aussi – certains d'entre vous le savent – des études européennes. Et d'ailleurs, lorsque j'ai pris pour la première fois contact avec Bruxelles, avec la Commission, c'était précisément pour créer l'Association universitaire d'Etudes européennes au Portugal. Je terminais alors ma licence. J'ai étudié à Lisbonne, mais aussi en dehors de mon pays natal. Et également en dehors de l'Union européenne – parce que l'Europe, ce n'est pas simplement ce qui se trouve dans l'Union européenne : l'Europe, c'est une idée encore plus vaste. Et je ne manque jamais une occasion, dans mes fonctions officielles, de me rendre dans les universités qui sont, finalement, aussi une création européenne ! Que ce soit en Europe – récemment je me suis rendu à la faculté d'économie de l'université de Varsovie – ou aux États-Unis, au Japon, au Brésil... La semaine prochaine, je serai à l'université d'Edinbourg. J'entamerai l'année 2007 en me rendant à l'université La Sapienza à Rome, puis à l'université Humboldt à Berlin. Je crois vraiment à l'idée d'université et je crois qu'une grande partie des solutions à nos problèmes peut venir d'elle.

C'est pourquoi je veux répondre à M. Gil-Roblès, quand il dit: « utilisez-nous ! ». Je comprends, bien sûr, dans quel sens il le dit : nous sommes tous au service les uns des autres, c'est notre culture de service. Alors je peux vous lancer, à vous aussi, quelques défis ! À mon avis, le domaine dans lequel nous avons le plus besoin de votre aide – toujours en respectant bien sûr l'indépendance académique et sans anticiper les conclusions des recherches – c'est surtout autour de ce problème de différenciation et de cohérence. Sur le plan interne, de l'Union européenne, et sur le plan extérieur, du monde.

Différenciation et cohérence, pourquoi ? Parce que nous avons certains problèmes à résoudre maintenant, après nos élargissements. Nous ne sommes plus six, nous serons très prochainement vingt-sept. Vingt-sept États membres, 500 millions de personnes... Comme j'ai l'habitude de le dire, en m'inspirant de Peter Sloterdijk : nous sommes le premier empire non impérial de l'histoire. Notre empire n'a pas un centre qui impose un diktat : c'est une réconciliation faite par la paix, la démocratie et la liberté. C'est la première fois dans l'histoire, vraiment, que nous avons un si grand espace réunifié non pas par la force, mais bien par l'accord libre de toutes les parties.

Mais la dimension de cet empire, bien sûr, pose des problèmes de cohérence. Il nous faut résoudre pas mal de problèmes sur les plans institutionnels, politiques, culturels, économiques, même techniques, qui sont des problèmes de cohérence dans un espace beaucoup plus différencié. C'est pourquoi – et là, je vous lance une aimable provocation ! – si vous avez une solution pour le traité constitutionnel, j'aimerais bien la connaître !

Nous en avons énormément besoin. Et je sais que les meilleurs esprits en Europe cherchent une solution. Une solution qui soit acceptable *politiquement*. Je ne vais pas vous demander une solution idéale, là, je crois que ce serait peut-être plus facile – un meilleur système, probablement fédéral, pour une Europe qui fonctionnerait à merveille... Non : j'ai besoin d'une solution qui soit acceptée non seulement par les vingt-sept gouvernements, mais aussi par les peuples qui vont s'exprimer – ou qui pourront vouloir s'exprimer – soit par le biais de leurs représentants légitimes, soit par consultation directe. Nous avons besoin d'une solution institutionnelle, mais d'une solution institutionnelle qui puisse marcher. Posons la question très honnêtement et très clairement. Et je sais que beaucoup d'entre vous – j'ai vu l'appel de Florence récemment – y réfléchissent très attentivement. Je veux vous dire qu'indépendamment du grand débat - je dirais "théologique" - sur la constitution, nous avons besoin d'une solution institutionnelle pour trois raisons fondamentales :

1) plus d'efficacité dans le processus de décision dans une Europe élargie ;
2) plus de démocratie et de responsabilité politique dans une Europe plus vaste ;
3) et plus de cohérence sur le plan extérieur.

Ces trois raisons, à elles seules, rendent indispensable un traité constitutionnel, ou institutionnel, en tous cas une nouvelle façon d'organiser notre vie en commun. Donc je vous lance un premier défi : aidez-nous à trouver une solution institutionnelle.

Deuxième défi : la question des valeurs dans une Europe élargie. Veut-on construire l'identité des valeurs sur une base identitaire, sur une base d'exclusion ou d'opposition, sur une base purement territoriale, voire historico-ethnique, ou, à la limite, religieuse ? Ou bien veut-on établir cette identité des valeurs sur la base de la liberté, des droits de l'homme, de l'État de droit, du principe, essentiel pour nous, de la dignité de la personne humaine ? Il va sans dire que je préfère la seconde solution. Voilà encore un domaine où il nous faut intégrer plus de diversité et où nous avons besoin d'un appui – je dirais d'une « philosophie politique » – pour soutenir une idée des valeurs, et non une idée des identités qui s'excluent, qui s'opposent. Nous avons besoin d'une identité dans la diversité.

Le troisième défi est le défi historique. Nous allons commémorer l'année prochaine le 50ème anniversaire de notre acte fondateur, le traité de Rome. Nous y travaillons beaucoup, de même qu'à l'histoire des institutions européennes. Et il nous serait utile, précisément, de voir des travaux qui recueillent dans cette expérience historique des éléments utiles pour façonner l'avenir. Là aussi, je pense que c'est l'idée européenne contre le populisme – que Pat Cox critiquait si justement – qui peut nous inspirer et nous guider dans cette recherche sur le passé et cette quête tournée vers l'avenir.

Il y a aujourd'hui une menace populiste en Europe. Certains auteurs – je parle ici devant des spécialistes – parlent même d'un "populisme contrôlé" comme la solution au défi actuel de la société médiatisée. J'ai ici une remarque politique à faire : faites attention parce que, très souvent, quand on joue avec les idées dangereuses du populisme, on perd le contrôle. Il nous faut, y compris sur le plan historique, en appeler au rationalisme, à l'intelligence, à la tolérance, contre tout ce qui cherche à exploiter des tendances négatives

primaires dont on se souvient des jours très sombres en Europe et dans d'autres parties du monde.

Quatrièmement, et c'est là peut-être l'aspect le plus intéressant, surtout pour nos amis qui ne viennent pas d'Europe : que peut faire l'Europe pour la gouvernance mondiale ? Qu'y-a-t-il dans le modèle européen qui puisse inspirer un nouveau paradigme de gouvernance mondiale ? Pat Cox l'a dit tout à l'heure : l'Europe a besoin de clarifier son « *common purpose* », son but commun. Nous avons insisté, à la Commission, sur le fait que la nouvelle justification de l'Europe, c'est précisément la gouvernance face à la mondialisation – tout en respectant notre histoire, une histoire qui repose surtout sur la réconciliation après la Deuxième Guerre mondiale.

Aujourd'hui, pour convaincre la jeunesse, il faut démontrer que même les États membres les plus importants ne pourront pas, seuls, faire face aux défis mondiaux, que ce soit pour résoudre le problème de l'approvisionnement énergétique, du changement climatique, du terrorisme international, des retards de développement dans certaines parties du monde... Il nous faut donc une approche globale. L'Europe offre la bonne dimension face à ce grand défi qu'est la gouvernance mondiale. Comment l'Europe peut-elle apporter une contribution plus efficace à un monde plus équilibré, plus juste, un monde capable d'affronter ces défis ? Je parle d'une Europe qui ne se referme pas sur elle-même, d'une Europe qui refuse toutes sortes de chauvinismes européens et d'une Europe qui se conçoit comme participant activement au bien commun de l'humanité.

Voilà, cher Professeur Gil-Roblès, je vous ai déjà donné quelques pistes de travaux qui pourront nourrir notre réflexion future. Et pour donner l'exemple, je vais maintenant vous donner en anglais quelques réflexions sur le thème qui m'a été proposé.

I am here with you today both as a committed player and as an interested listener. It gives me great pleasure to join you once again.

This forum, uniting all those who have an interest in Europe for all sorts of reasons – political leaders, academics, researchers, representatives of civil society – has become an important meeting point. I would like to thank you for coming here in such large numbers from all over the world to play your part in our meeting today in Brussels.

Where does European integration stand with regard to globalisation? What are the problems facing it? How do we propose to overcome these problems? These are the major questions which are going to occupy us today.

Jean Monnet, whose European ideals unite us, gave us food for thought when he said: "*People only accept change when they are faced with necessity, and only recognise necessity when a crisis is upon them*". Monnet knew what he was talking about. Faced with the challenge of a world torn apart and just recovering from war, he was able to turn a crisis into the driving force for a major change: European integration.

Should Europe change because it is in crisis, as is sometimes claimed? Should Europe wait until there is a crisis before undergoing a change? Or is it rather that Europe is facing the choice of a stronger union precisely because the world has changed? I have every reason to favour the latter.

To my mind, the globalisation of problems calls quite naturally for a "Europeanization" of solutions. It is after all in Europe that Europe will find the means to meet the challenges of a new world.

Yes, it's true; Europe is today facing a paradigm shift. Relatively weak economic performance in a globalised environment, the need to absorb the biggest enlargement in its history, and a shifting world geopolitical landscape - I'm not denying that Europe is going through a difficult period of adjustment. The no-vote in the French and Dutch referendums highlighted these problems. But to my mind this was just a symptom of more diffuse anxieties which it is our duty to address.

What Europe needs most is a radical rethink: to measure ourselves and the world against a principle which is almost vital today, that of openness. Openness to the world, but also openness to ourselves.

Like it or not, the globalisation of the economy makes the national dimension alone ever more out of phase with the scale of the challenges we face. The unprecedented volumes of movement, the enormous speed of communications, the ever-closer interdependence of economies all make the European dimension increasingly relevant. We are witnessing the mechanical effect of scaling.

The political will of the Member States to join forces to relaunch a growth and employment dynamic, to stake their future competitiveness on knowledge and innovation, or to reflect together on an energy strategy are all signs of a growing awareness of the need to adopt a more open approach to integration. All these signs confirm that there is a demand for "more Europe". This demand is eating into areas which the Member States have been eager to preserve as their own. Until now. I see this as an extremely important shift in attitudes.

This demand also runs counter to economic nationalism, which we must resist. We must resist it because it is an illusion, given the state of the world and the immeasurable power of European leverage. We must resist it too because it sends a message which to my mind is both wrong and dangerous, namely that we are shutting out the world.

Our relationship with energy is also a good example. Historically speaking, it was energy – in the form of coal and steel – that gave birth to Europe. The ECSC, the embryo that has gradually grown to become the European Union, was one of the driving forces behind European integration. The context has clearly changed, with energy now also closely linked to the question of climate change. Nevertheless, energy is once again on our collective agenda. We are all well aware that the problem of energy poses one of the major challenges for the 21st century, and that a united Europe is the only way to meet that challenge. The planet's resources are running out, prices are soaring and the producing countries are in unstable regions.

Europe needs to work together to reduce its dependency, consume better and pollute less, and achieve the objective of sustainable development, as this will give us the best chance to seize and shape our own destiny. The political will of Europe's leaders to take steps in this direction is, I feel, a clear sign that Europe is opening itself up and coming together to take charge of its future.

The opening-up of minds I am calling for in Europe must also lead to increased cooperation with our international partners. At the start of the week I signed the ITER-EDA Agreement

with six of our international partners. The aim of the ITER science and technology project is to study the possibility of developing a new energy resource based on atomic fusion, an energy that is environmentally friendly and virtually inexhaustible. I believe that Europe should play a leading role in the international community's efforts to find a response to the major challenge of the future, the challenge of energy and climate change.

But Europe needs another paradigm shift too. As all the studies show, research and innovation are and will increasingly be the catalysts driving development at global level. Yet no investment in these cutting-edge areas will bear fruit if we cannot open ourselves to the new and to the world at large. We must revise our mindsets, for instance by linking the poles of innovation: higher education, research and industry. We must raise our sights and focus on excellence, that is to say we must create the conditions that enable our universities to compete with the best in the world and offer European researchers the sort of conditions that will keep them here, for example. Our recent proposal to set up a European Institute of Technology is an expression of these ideas. And, to close the loop, research into energy and climate change should be at the heart of its activities.

I believe that Europe, which has been a beacon of learning throughout its history, needs to convince itself to retake this leading position. We have the means. It is time to show that we have the will.

The 2004 enlargement, which we will conclude with the formal accession of Bulgaria and Romania on 1 January next year, is also an aspect of this underlying philosophy. By sealing the reunification of our continent, which has been so badly battered by so many wars, such deep wounds and so many divisions, we will gain strength and influence on the world stage which our founding fathers could not have imagined.

Enlargement is of course a European response to globalisation. It is a major success of which we can all be proud. One day, historians will say that the unification of Europe was the European Union's greatest contribution to the peace, freedom and prosperity of our continent.

This peaceful and democratic response on the part of Europe also offers us a historic opportunity to bring our true weight to bear on world affairs, and take our rightful place in the world.

If Europe is to make its voice heard in the world, it must give itself the tools to enable it to become a major force in a changing and increasingly chaotic world. It must also bring its values to bear in the world order and work together with its partners. To achieve this twin objective it must strengthen its foreign policy and establish a real common defence capability. Both our international credibility and the reinforcement of the European project are at stake.

The changes taking place in the world demand a coherent response. Europe may now feel the need to speak with a single voice, but it must have internal coherence if it is to be credible to the outside world. If we are not singing from the same hymn-sheet inside the Union it can only undermine our message to the rest of the world.

I firmly believe that enlargement gives Europe the legitimacy to make its mark on the new forms of governance taking shape in the international community. The disappearance of the antagonisms of the Cold War has radically altered the world geopolitical map, upsetting the old balance of power and removing the familiar landmarks. I do not believe this

complex world can be unipolar. But nor can it be atomised without being dangerously volatile. What we need is a world of partnerships. And nowhere is better placed than Europe to help build this world of partnerships. Europe by definition has a multilateral culture, a culture of constructive compromise in both its internal affairs and its external relations with its major partners.

This is an opportunity Europe must seize to promote its universal values. It also has a role to play on behalf of the international community as a whole. The tensions in the world and the threats to our security make Europe's voice all the more necessary and valuable. By strengthening its union, Europe will equip itself with the means to make its voice heard.

Porous frontiers and technological progress all too clearly pose new security problems for our societies. Terrorism, cyber crime, financial crime and networks that traffic and exploit human beings have also gone global. Here, too, Europe must decide whether it wishes to realise its full potential and defend itself against these threats by strengthening its union. We cannot put off answering this fundamental question forever. Are the Member States willing to share certain powers in order to give Europe the means for effective action?

Ladies and gentlemen,

Let me mention another challenge, which we often gloss over but which is critically important - populism.

The rejection of the constitutional treaty revealed a certain perception of Europe as being remote, impersonal and above all alien to its citizens. Nothing would be more dangerous than to allow this rift between Europe and its citizens to become permanent. And so I would like to appeal to all of those who embrace the European idea and the European ideal and, more generally, to all democrats.

We urgently need to stand up against these populist tendencies and stop them from undermining our great common project. We must act now to combat the blight of pessimism. Similarly, we urgently need to stand up against fundamentalism and fanaticism so that they are never allowed to encroach on our inviolable values of freedom, tolerance and dialogue. Here, too, Europe must demonstrate its openness to the world but must unite in defence of what it believes in with all its soul.

I want to appeal to you, who believe in Europe's strength, in this rational dream that is Europe. We have a moral duty today to re-mobilise in the service of the spirit of Europe. We have to remind people of everything that Europe has done for its citizens over the past fifty years, starting with the maintenance of peace. Europe has been an extraordinary factor in the prosperity, stability and democratisation that have now spread across our entire continent. This is a unique achievement in human history: Europe is the only non-imperialist empire that has ever existed, an empire of freedom and peace.

On the eve of the 50th anniversary of the Treaty of Rome, I believe that Jean Monnet's message is as apposite as ever. Let us continue to build Europe in small steps in order to respond to the needs of our citizens in a changing world. Let us continue to demonstrate ever greater solidarity in the areas that are most important for our future. Then we will be able to find an institutional solution which will give us the new framework to tackle the great challenges of this new century.

I should like to conclude with a quote from Jean Monnet: "*When an idea meets the needs of the time, it ceases to belong to its creators and becomes more powerful than those responsible for it.*" The European idea meets the needs of our time more than ever before. And at the risk of offending the modesty of our founding father, the European idea is infinitely in his debt. I hope that every one of us here will reappropriate this idea to make it even stronger.

Thank you.

Prof. Yves Mény,

Président de l'Institut universitaire européen,
Florence

DISCOURS

Monsieur le Commissaire, Monsieur le président Gil-Robles, Monsieur le président Cox, Chers amis,

Pour évoquer le défi de la globalisation auquel l'Europe est confrontée, je solliciterai deux citations. La première que j'avais l'intention d'utiliser en présence du président Barroso, mais qui peut être aussi, je pense, utile pour tous ceux qui sont dans une position de décideur est une citation pleine d'humour de Henry Kissinger : "*there will be no crisis next week, my agenda is full*". Nous ne manquons pas effectivement de problèmes en ce moment, mais je voudrais en complément citer – et c'est ma deuxième citation – un homme politique français qui, en 1958, lorsque De Gaulle était arrivé au pouvoir, avait répondu à qui se préoccupait de l'arrivée de ce général un peu encombrant, « ce n'est qu'un mauvais moment à passer ». Le moment a duré dix ans. Et je crois que c'est un peu la même chose en matière de globalisation. Nous nous ferions des illusions, si nous pensions que les troubles, les remous, les difficultés, auxquels nous sommes confrontés aujourd'hui en raison de la globalisation ne devaient durer que quelques instants et si nous pouvions planifier ces difficultés un peu à la manière dont l'union européenne établit ses agendas – c'est-à-dire : « 2002 nous faisons ceci, 2004 nous faisons cela ». Malheureusement là, il n'y a pas de planification bureaucratique en vue, la globalisation, que cela plaise ou non, est là, l'Europe est à la fois l'acteur de cette globalisation, un acteur important, mais en même temps aussi l'objet de cette globalisation, avec toutes les difficultés que cela comporte. Et l'on peut observer d'ores et déjà en Europe un contraste très très vif entre ceux qui perçoivent ce processus comme positif – en particulier les milieux économiques ou ceux d'entre nous qui sommes le plus impliqués dans les échanges internationaux –, ceux que l'on pourrait appeler les "winners", et ceux au contraire qui voient une menace pour leur emploi, leur style de vie, leur identité, que l'on pourrait qualifier ici de "loosers". Et probablement les "loosers" sont-ils plus nombreux, ou en tous cas davantage se *perçoivent* comme "loosers".

De ce point de vue beaucoup soulignent que l'Europe dans ce processus peut avoir un rôle protecteur, c'est l'« Europe-bouclier ». C'est certainement la position de la Commission, du président de la Commission, des commissaires, c'est la position de beaucoup d'observateurs. Mais il faut bien dire que beaucoup perçoivent l'Europe comme le cheval de Troie de cette globalisation, vue comme menaçante. Ces différences de perceptions sont alimentées par des phénomènes parfaitement objectifs – que l'on peut lire dans les statistiques – tel que le pourcentage de chômeurs, les restructurations industrielles, la difficulté des ajustements économiques, le vieillissement et la crainte de ne plus pouvoir bénéficier, par exemple, du régime de protection sociale, qui était l'une des fiertés de l'Europe. Mais ces craintes sont aussi renforcées par des peurs subjectives qui exacerbent les difficultés réelles. Peur du changement. Depuis que le monde est monde, le changement n'a pas été perçu généralement comme quelque chose de particulièrement excitant, le changement fait plutôt peur – sauf quand on prétend que le changement se fait par la révolution qui dure une semaine ou un

mois, et qui s'effondre dans la foulée. Peur de l'immigration, peurs nées de l'incertitude face à l'avenir. Et l'opinion publique est désorientée.

Le populisme qui se développe aujourd'hui un peu partout a déjà été amplement évoqué par les orateurs précédents et notamment le président Pat Cox et le président Barroso. Il se trouve que, il y a quelques années, cela a été aussi un de mes sujets d'étude, à l'époque où le populisme commençait à naître en Europe. Je voudrais ici ouvrir une parenthèse et vous soumettre la thèse que j'ai soutenue dans ce livre sur le populisme en réfléchissant sur la notion de démocratie. J'y soulignais que la démocratie, telle que nous la connaissons, n'est pas une démocratie « populaire » exclusivement. C'est une démocratie qui, bien sûr, s'alimente par le peuple, qui fonctionne grâce aux partis, aux élections, mais la démocratie telle que nous la connaissons, ce n'est pas seulement le peuple, c'est aussi l'Etat de droit. Toute démocratie, telle que nous la connaissons en réalité, pas idéalement mais en réalité, repose sur deux piliers : un pilier populaire, et un pilier Etat de droit. Or, depuis 20 ou 30 ans, il faut bien avouer que le pilier populaire est resté ce qu'il était. Nous n'avons pas apporté de grand changement au fonctionnement de notre système démocratique, d'abord parce que nous manquons peut-être de bonnes solutions et d'imagination. En revanche, les contraintes de l'Etat de droit se sont renforcées d'une manière considérable. Ces contraintes sont salutaires à beaucoup d'égards – par exemple, une charte des droits fondamentaux : Qui serait contre une charte des droits fondamentaux sauf peut-être le ministre des affaires étrangères hollandais qui ne veut pas de la charte des droits fondamentaux dans la constitution aujourd'hui ? Mais qui est contre les droits fondamentaux ? Personne. Mais il faut aussi souligner que tout droit fondamental inscrit dans une constitution réduit l'espace du politique. L'Europe aujourd'hui a renoncé heureusement à la peine de mort, mais cela veut dire que s'il y avait par hasard une population qui voulait s'exprimer – comme c'est le cas par exemple peut-être en Pologne – s'il y avait un gouvernement ou une population qui réclamait le rétablissement de la peine de mort, ils se heurteraient aussitôt à ces limites qui ont été fixées par l'Etat de droit. Donc des limites à la fois heureuses, mais en même temps qui cantonnent l'espace du politique et de l'expression politique.

Une autre raison de l'expression du populisme, c'est que nous observons tous les jours, chaque jour davantage, un décalage profond entre l'espace du politique – les élections, les partis – et l'espace des politiques. Le président Barroso l'a souligné : une politique énergétique aujourd'hui n'a pas grand sens au niveau strictement national. Une politique de l'environnement n'a presque aucun sens au niveau national, elle n'en a peut-être même pas au niveau européen, il faut un accord global. Et par conséquent, cette distorsion, ce décalage entre l'espace *du* politique et *des* politiques est un élément de frustration extraordinaire. Nous demandons au peuple de s'exprimer sur des politiques sur lesquelles les dirigeants nationaux n'ont aucune prise – ou pratiquement plus. Aujourd'hui, un accord de commerce international fait plus pour la prospérité ou la perte de vitesse d'un Etat que probablement n'importe quelle autre politique nationale. Mais cet accord de commerce international ne sera signé ni par l'Allemagne, ni par la France ou par la Lituanie : il sera négocié dans le cadre de l'Organisation Mondiale du Commerce. C'est sans doute une évolution positive, mais je crois qu'il faut être conscient de cela, parce que nous ne pouvons pas seulement condamner le populisme, il faut aussi le comprendre. Or, je crois que si le populisme est condamnable dans ses formes extrêmes, dans ses formes xénophobes, le populisme est aussi un cri de souffrance des populations qui ne sont pas entendues. Il n'y aurait pas de Monsieur Le Pen en France si nos partis politiques et nos hommes politiques avaient traité des politiques migratoires de façon raisonnable, de façon réfléchie, quand il en était temps. Malheureusement, Monsieur Le Pen a fait des émules dans beaucoup d'autres pays où le problème est le même.

Je dirais, après cette parenthèse sur le populisme, que cette situation n'est pas nouvelle en soi. Je viens de Florence, où, comme vous le savez, nous avons un homme célèbre – Machiavel – et Machiavel n'est pas seulement « machiavélique », je pense que c'est une très mauvaise qualification, Machiavel est un observateur aigu des pulsions humaines et du pouvoir. Dans un des ses chapitres, Machiavel écrit qu'il est particulièrement difficile pour le Prince de promouvoir les réformes car ceux qui pourraient en bénéficier ne le savent pas encore et ne se mobilisent pas, tandis que ceux qui ont à perdre s'y opposent vigoureusement. Je crois que nous n'avons rien à changer à ce constat, il est d'une actualité brûlante.

Et aujourd'hui, cette Europe vieillissante – qui peut-être va rajeunir grâce à l'émigration – cette Europe vieillissante est saisie par la peur. En conclusion d'un colloque sur le Traité constitutionnel, plutôt sur le projet de Traité constitutionnel, qui s'était tenu à Berlin au début de l'année 2004, donc quelques mois avant que le texte ne soit adopté, j'avais écrit dans les conclusions de ce colloque : « Les aléas de la Constitution ou de la Non-constitution européenne sont l'illustration de cette hésitation où la peur d'avancer est seulement neutralisée par la crainte encore plus grande de retomber dans l'abîme ». Et nous en sommes là. C'est-à-dire que nous ne savons plus très bien où aller et la seule chose peut-être qui retient encore le souffle de l'Europe, c'est que nous savons que la destruction de l'Europe serait une solution tragique.

On a dit et répété que l'Europe était trop "*inward-looking*", trop préoccupée par son nombrilisme institutionnel et pas assez par les bouleversements qui s'opèrent à ses portes. Il y a sans doute du vrai dans cette observation, mais je dirais que ce constat ne nous aide guère. Les institutions ne sont certainement pas une fin en soi, et les Européens ne pourront pas se permettre le luxe de débats sans fin sur le Traité constitutionnel pendant que la Chine, l'Inde, le Brésil croissent à 10% l'an, ou pendant que le Moyen-Orient s'enflamme et pourrait, il faut le craindre, exploser. Mais l'Europe ne peut pas affronter les défis du monde global, si elle ne peut pas fonctionner en tant qu'Union. Et si elle n'est qu'un conglomérat d'intérêts spécifiques et d'alliances à géométries variables, où le veto devient l'instrument préféré de gouvernement. L'adoption du Traité constitutionnel, quelle que soit la forme que pourrait prendre un nouveau consensus, est une nécessité urgente. Je partage les questions et les hésitations du président Barroso sur ce point. Mais je crois que le problème n'est pas technique : les professeurs de droit pourront nous offrir toutes les solutions appropriées pour résoudre le problème. Le problème est politique, il est essentiellement politique. Que veut-on? Veut-on une Constitution, veut-on un mini Traité ou toute autre chose ?

J'évoquerai ici ce que je qualifierais, pour sourire un peu, de « syndrome de l'alouette ». Vous le savez, l'alouette est un tout petit oiseau, un des plus petits oiseaux. Et le traité Constitutionnel n'est certainement pas une révolution ou un "U-Turn" radical. Il ressemble plutôt justement à ce que les Français appellent un « pâté d'alouette » qui, selon la recette classique, est constitué d'un cheval et d'une alouette, réduits tous les deux en pâté. Or le Traité, c'est 80 % d'acquis communautaire et 20 % d'innovation, 80 % de cheval et un peu d'alouette. L'erreur tragique, c'est que beaucoup d'Européens pensent que le Traité constitutionnel, c'est 80 % d'innovation et seulement 20 % d'acquis.

Ils ont eu l'impression qu'on leur faisait une révolution, alors qu'en réalité le Traité constitutionnel est une amélioration fondamentale, nécessaire, mais ce n'est pas une révolution.

Et puis il y a aussi en français une contine populaire que je vais bien me garder de vous chanter, mais qui dit : « Alouette, gentille alouette, je te plumerai la tête, je te plumerai le

bec, je te plumerai les pattes, etc., etc. ». Et c'est ce qui se passe en ce moment. Les Français ne veulent pas de la troisième partie du Traité constitutionnel, il y en a d'autres qui ne veulent pas de tel ou tel élément de la première ou de la seconde partie ; récemment le ministre des affaires étrangères néerlandais a proposé d'enterrer la seconde partie relative aux droits fondamentaux ; les Polonais n'aiment pas le préambule... Je me pose la question : que reste-t-il de ce Traité constitutionnel ? L'alouette est complètement plumée.

Il est donc urgent que l'Europe se ressaisisse et mette de l'ordre dans sa maison, pour précisément faire face aux défis externes. Et ces défis sont bien connus, la liste est là, Monsieur Barroso l'a donnée, Monsieur Figel' l'a évoquée, Pat Cox a, d'une manière extrêmement vigoureuse, fait aussi cette liste : c'est le commerce international, c'est la concurrence de la Chine et de l'Inde, c'est la concurrence des nouveaux Etats émergents, ce qui signifie qu'aucune niche, aucun avantage comparatif sur le plan économique n'est désormais acquis *for ever*. Nulle part. Rien n'est définitivement acquis. C'est le défi de l'énergie et de l'environnement. C'est le défi de l'immigration et de l'intégration des immigrés. C'est le défi de l'élargissement et des rapports de voisinage avec les voisins de l'Europe, et en particulier avec les pays musulmans. C'est le défi de la recherche et de l'innovation technologique, pour lequel le président Barroso et la Commission ont pris cette initiative majeure de l'Institut européen de la technologie.

A ce point et en forme de conclusion, je voudrais me tourner, si je puis dire, vers nous. Nous, universitaires et chercheurs, nous ne pouvons pas seulement nous contenter d'observer les lieux et de faire de platoniques recommandations. Nous devons prendre notre part dans la résolution de ces défis. Nous ne pouvons pas continuer à parler de la globalisation et demeurer prisonniers de nos localismes académiques. La circulation des professeurs, par exemple, est encore un vœu pieux dans la plupart des pays européens, si ce n'est pour quelques séjours de brève durée, la Grande-Bretagne étant d'ailleurs l'exception la plus notable à la règle. L'européanisation et la globalisation de l'université britannique aidées, il est vrai, par le bénéfice de l'anglais comme *lingua franca*, se font à grand pas, alors qu'elles sont souvent marginales sur le continent. Grâce au programme Erasmus, au processus de Bologne, au réseau Jean Monnet, au financement européen de la recherche et bientôt peut-être à cet Institut européen de technologie et à toutes les nouvelles mesures qui sont prises par la Commission, des progrès indéniables sont observables.

Je me souviens qu'il y a vingt ou vingt-cinq ans, tous les étudiants européens qui se présentaient à l'Institut Universitaire de Florence, n'avaient qu'une formation nationale. Ils venaient d'universités allemandes, italiennes ou françaises. Aujourd'hui, ceux qui n'ont bénéficié que d'une formation nationale sont la minorité. Il y a bien sûr tous ceux qui ont bénéficié du programme Erasmus, mais il ya aussi tous ceux qui, tout en ne bénéficiant pas du programme Erasmus, ont décidé d'aller faire une année d'études à l'étranger. Les progrès sont donc indéniables.

Toutefois, le verre est à demi vide. Les standards européens en matière universitaire sont encore très hétérogènes. Les universités sont encore trop sclérosées et pas assez compétitives. Les centres d'excellence sont trop faibles ou trop peu nombreux. L'Europe manque encore de centres de connaissance et de réflexion qui nous permettraient de mieux connaître le monde global à la fois omniprésent mais très mal connu. Combien d'universités ou centres de recherche en Europe sont-ils capables de mettre sur pied l'expertise – en quantité et en qualité – sur des questions comme : le monde musulman, la Chine, l'Inde ? Très peu. Combien d'experts du Japon avons-nous en Europe ? Combien

de spécialistes de la Turquie ou des ex-républiques soviétiques d'Asie ? Ce n'est pas sous-estimer la qualité des quelques experts spécialistes qui existent dans ce domaine que de rappeler que la capacité européenne de comprendre et d'expliquer le monde est encore insuffisante.

Pire : bien souvent, nous n'avons même pas su tirer avantage de l'existence sur le sol européen des émigrés de première ou deuxième génération. A la différence des Etats-Unis, nous n'avons pas su tirer profit de ceux qui, pour des raisons politiques, économiques ou intellectuelles, nous ont rejoints des quatre coins du monde. La globalisation est un défi pour l'Europe, mais pour nous, universitaires, je dirais que le défi est à la fois plus facile et plus difficile. Il est en tous cas stimulant. Nous devons penser, certainement, européen mais nous devons penser aussi globalement. Je ne me lasse jamais de répéter que l'université, c'est d'abord et avant tout l'universalité. Cette définition remonte au Moyen Age, mais elle est plus que jamais d'actualité.

SESSION 1

A globalised world and the EU model for economic prosperity and social justice

SÉANCE 1

Le modèle européen de prospérité économique et de justice sociale dans un monde globalisé

SPEAKERS

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ESSAY

THE STATE AND GLOBALIZATION: DENATIONALISED WORK AND INTERNAL POWER SHIFTS (1)

In the larger worldwide debate about the so-called "welfare state," most attention has gone to its changed conditions for survival and to its changed contents (its objectives, policies, and budgets). The critical question has been: Can it survive?

Can it? Two leading experts argue that yes, but it will take some sharp transformations in the organizing of public welfare. Esping-Andersen (1990) argues that the welfare state is not only about the state. We need to recognize the multiple locations needed for advancing public welfare-state, family, communities. This helps us expand the institutional domain within which to place the project that is the welfare state. To use the British locution, we might say such changes would move us away from the "nanny" state version of public welfare and towards peership between the state and the citizen. And Hemerijck (2002), Director of the WRR, finds that we need to recalibrate the mix of objectives and resources of the welfare state; the welfare state is dynamic, and thus can consist of a range of combinations.

From the perspective of research about the state and globalization, rather than the welfare state per se, there are two critical facts that come into the picture though they are not part of the welfare state debate (2). One of these facts strengthens the viability of Esping-Andersen's and Hemmerijk's proposals. The other throws some sand in the state machinery we need in order to carry out those proposals.

The first, more familiar of these two facts is, ironically a consequence of the increasingly institutionalized character of the global economy. This includes the formalizing of a growing range of "rights" of global firms and global markets. One might ask how this could possibly help in revising rather than eliminating the welfare state.

To understand what democratic options arise out of this growing institutionalization of the global economy, in my research I have sought to establish the extent to which these powerful global actors actually *need* national states, especially in the highly developed world. In other words, regardless of the facts of increased global mobility, global firms and markets need a global operations space that is at least partly inserted in the countries that

(1) This paper is part of the author's larger multi-year research project (see Sassen 2006).

(2) For a full analysis of these trends please see Sassen (2006).

comprise the global economy. They need private property protections and guarantees of contracts from each of the states involved.

One question then is: Does such "need" translate into a possibly novel type of authority of national states in the context of an increasingly formalized global economy. This would indicate that the liberal state has more options when confronted with global actors and pressures than the rhetorics of state powerlessness suggests. Further, it would also indicate that the role of the national state around questions of welfare may be less constrained and more open to genuine innovation (rather than pressures to cut spending) than is the common understanding of a somewhat powerless national state in economic matters given global firms and markets. Finally, it suggests that if the state actually gains particular types of authority from its participation in the implementing of formalized global systems, it could also use this authority for projects other than strengthening the rights of global corporate actors for instance, strengthening the welfare state through various revisions.

But the second fact that comes out of my research on the state and globalization is more troublesome, and partly undermines the above mentioned possibilities (especially in the US). It is the marked redistribution of power inside the national liberal state. The power of the executive branch (or prime minister's office) has grown sharply since the 1980s, and especially in the 1990s. But the same processes that feed executive power are partly hollowing out the powers of the legislative branch. This internal redistribution of power can also alter, in multiple and often highly specialized ways, the formal relationship of the state to people. These power shifts are grounded in major changes in the organizational architecture of the state apparatus and to some extent transcend party politics. They also signal that speaking of states losing power in a global economy obscures these critical shifts.

These shifts have often been highly specialized and hence not particularly visible or self-evident. The tendency has been for this power shift to consist of multiple specific technical changes that are usually seen separately, in terms of the specific domain (commerce, finance, citizens rights) within which they take place. One of the reasons this power shift inside the liberal state has received little attention is that it is an emergent trend, becoming legible in some liberal states (especially the US and, to some extent the UK, Australia, and Italy among developed countries, and in a large number of states in developing areas, notably in Latin America) but barely so in many other states. I would not presume to address the Dutch case –given the expertise in this conference. A second reason this power shift has received little attention is that it has been obscured by the larger image of "the state" as losing power in a global economy.

The first part of this paper focuses on how the global is partly constituted inside the national, thereby blurring the distinction global/national and signaling that the national state participates in the implementation of globalization. The second part of the paper focuses on what this implies for state work and public policy. One interpretation is that it partly, and often in highly specialized ways, denationalizes state work.

I. The Global is Partly Constituted Inside the National

The effort here is to recover the ways in which the state participates in governing the global economy in a context increasingly dominated by deregulation, privatization, and the growing authority of non-state actors. A key organizing proposition, derived from my previous work on global cities (2001) is the embeddedness of much of globalization in

national territory, that is to say, in a geographic terrain that has been encased in an elaborate set of national laws and administrative capacities. The embeddedness of the global requires at least a partial lifting of these national encasements and hence signals a necessary participation by the state, even when it concerns the state's own withdrawal from regulating the economy.

One question this raises is whether this participation might entail the formation of a specific type of authority/power for the state in global systems –both for the state as such and/or for the particular state institutions involved. Does the weight of private, often foreign, interests in this specific work of the state become constitutive of that authority and indeed produce a hybrid that is neither fully private nor fully public? My argument is that, indeed, we are seeing the incipient formation of a type of authority and state practice that entail a partial denationalizing of what had been constructed historically as national.

This denationalizing consists of several specific processes, including importantly, the re-orienting of national agendas towards global ones, and the circulation of private agendas dressed as public policy inside national states. Such a conceptualization introduces a twist in the analysis of private authority because it seeks to detect the presence of private agendas inside the state, rather than the more common focus on the shift of state functions to the private sector, including private forms of authority. It differs from an older scholarly tradition on the captured state, which focused on cooptation of states by private actors. In contrast to this older tradition, I emphasize the privatization of norm-making capacities and the enactment of private norms in the public domain.

The purpose here is, then, to understand and specify a particular aspect of globalization and the state, which is lost in what are typically rather dualized accounts of this relation; in such accounts, the spheres of influence of respectively the national and the global, and of state and non-state actors, are seen as distinct and mutually exclusive. Even if many components of each of these spheres are separate and mutually exclusive, I argue that this still leaves a specific set of conditions or components that does not fit in this dual structure. Key among these are some components of the work of ministries of finance, central banks, and the increasingly specialized technical regulatory agencies, such as those concerned with finance, telecommunications, and competition policy. In this regard then, my position is not comfortably subsumed under the proposition that nothing has much changed in terms of sovereign state power, nor can it be subsumed under the proposition of the declining significance of the state.

An important methodological assumption here is that focusing on economic globalization can help us disentangle some of these issues about the state today precisely because in strengthening the legitimacy of claims by foreign investors and firms it adds to and renders visible the work of accommodating their rights and contracts in what remain basically national economies. However, these dynamics can also be present when privatization and deregulation concern native firms and investors — pace the fact that in much of the world, privatization and deregulation have been constituted through the entry of foreign investors and firms.

Using a multi-scalar analytics allows us to see that sub-national processes and institutions are also critical sites for globalization. Accepting the proposition that the global is multi-scalar leads to its conceptualizing as at least partly consisting of the denationalizing of specific forms of state authority insofar as particular components of global processes are actually located in national institutional orders. This multi-scalar conceptualization

diverges from the mainstream scholarship on the state and globalization, where these are seen as distinct and mutually exclusive domains. It helps us see the particular substance and institutional insertions of what I argue is a new mode of state authority that remains insufficiently recognized and theorized. Though housed or located in national state capacities and institutions, this mode of authority is not national in the way we had come to understand this feature of states over the last century. (The empirical focus for much of the examination is confined to states under the so-called rule of law, and especially the U.S.).

II. Globalization and Denationalization

What is it we are trying to name with the term globalization? In my reading of the evidence, it is actually two distinct sets of dynamics. One of these involves the formation of explicitly global institutions and processes, such as the World Trade Organization, global financial markets, the new cosmopolitanism, the War Crimes Tribunals. The practices and organizational forms through which these dynamics operate are constitutive of what are typically thought of as global scales.

But there is a second set of processes that does not necessarily scale at the global level as such yet, I argue, is part of globalization. These processes take place deep inside territories and institutional domains that have largely been constructed in national terms in much, though by no means all, of the world. What makes these processes part of globalization even though localized in national, indeed subnational settings, is that they involve transboundary networks and formations connecting or articulating multiple local or "national" processes and actors. Among these processes, I include particular aspects of the work of states. These include specific monetary and fiscal policies critical to the constitution of global markets that are hence being implemented in a growing number of countries as these become integrated into global markets. The bundle of policies involved in the project of making liberal states "competitive" is another important instance. But it also includes a range of very different types of instances that are not the focus in this paper –though I have dealt with them at length elsewhere (Sassen 2006). Examples are cross-border networks of activists engaged in specific localized struggles with an explicit or implicit global agenda, as is the case with many human rights and environmental organizations; the use of international human rights instruments in *national* courts; non-cosmopolitan forms of global politics and imaginaries that remain deeply attached or focused on localized issues and struggles yet are part of global lateral networks containing multiple other such localized efforts.

A particular challenge in the work of identifying these types of processes and actors as part of globalization is the need to decode at least some of what continues to be experienced and represented as national. While seeming national, these types of practices and dynamics are actually constitutive of global scalings we do not usually recognize as such. When the social sciences focus on globalization it is typically not on these types of practices and dynamics but rather on the self-evidently global scale. And although the social sciences have made important contributions to the study of this self-evident global scale by establishing the fact of multiple globalizations (e.g. Appadurai 1996; Eichengreen and Fishlow 1996; Aman 1998), only some of which correspond to neoliberal corporate economic globalization, there is much work left. At least some of this work entails distinguishing: a) the various scales that global processes constitute, ranging from supranational and global to subnational (Taylor 2000; Brenner 2004; Swyngedouw 1997; Amin and Thrift 1994), and b) the specific contents and institutional locations of this multi-scalar globalization (e.g. Massey 1993; Howitt 1993; Jonas 1994). It is the latter two that

concern me in this lecture. Geography more than any other of the social sciences today has contributed to a critical stance toward scale, recognizing the historicity of scales and resisting the reification of the national scale so present in most of social science.

III. The Subnational: A Site for Globalization

Studying the global, then, entails not only a focus on that which is explicitly global in scale, but also a focus on locally scaled practices and conditions articulated with global dynamics and a focus on the multiplication of cross-border connections among various localities. Further, it entails recognizing that many of the globally scaled dynamics, such as the global capital market, actually are partly embedded in subnational sites and move between these differently scaled practices and organizational forms. For instance, the global capital market is constituted both through electronic markets with global span, and through locally embedded conditions, i.e., financial centers.

A focus on such subnationally based processes and dynamics of globalization requires methodologies and theorizations that engage not only *global* scalings but also subnational scalings as components of global processes, thereby destabilizing older hierarchies of scale and conceptions of nested scalings. Studying global processes and conditions that get constituted subnationally has some advantages over studies of globally scaled dynamics, but it also poses specific challenges. It does make possible the use of long-standing research techniques, from quantitative to qualitative, in the study of globalization. It also gives us a bridge for using the wealth of national and subnational data sets as well as specialized scholarships such as area studies. Both types of studies, however, need to be situated in conceptual architectures that are not quite those held by the researchers who generated these research techniques and data sets, as their efforts mostly had little to do with globalization.

One central task we face is to decode particular aspects of what is still represented or experienced as "national" which may in fact have shifted away from what had historically been considered or constituted as national. This is in many ways a research and theorization logic that is the same as that developed in the economics of global city studies. But there is a difference: today we have come around to recognize and code a variety of components in global cities as part of the global. What I am trying to focus on here engages a range of conditions and dynamics that are to be distinguished from those global city components in that they are still coded and represented as local and national; further, my concern in this lecture is largely the realm of the political rather than economic.

One important focus for research is the specific set of interactions between global dynamics and particular components of national states. My main argument here is that insofar as specific structurations of the global inhabit what has historically been constructed and institutionalized as national territory, this engenders a variety of negotiations. One set of outcomes evident today is what I describe as an incipient, highly specialized, and partial denationalization of specific components of national states.

With few exceptions, most prominently among which is a growing scholarship in geography, the social sciences have not had critical distance, i.e., historicized, the scale of the national. The consequence has been a tendency to take it as a fixed scale, reifying it, and, more generally, to neutralize the question of scaling, or at best to reduce scaling to a hierarchy of size. Associated with this tendency is also the often uncritical assumption that these scales are mutually exclusive, most pertinently for my argument here, that the scale of the national is mutually exclusive with that of the global.

Finally, the notion of processes that denationalize the national goes against those assumptions and propositions that are now often captured through the concept of methodological nationalism. But they do so in a distinct way. Crucial to the critique of methodological nationalism is the need for transnationalism because the nation as container category is inadequate given the proliferation of transboundary dynamics and formation (e.g. Taylor 2000; Beck 2001). What I am focusing on here is a set of reasons other than transnationalism for supporting the critique of methodological nationalism: the fact of multiple and specific structurations of the global inside what has historically been constructed as national. Because the national is highly institutionalized and thick, structurations of the global inside the national entail a partial, typically highly specialized and specific denationalization of particular components of the national [3].

IV. Towards a New Type of State Authority

How do the analytics briefly developed above map onto the main scholarship on globalization and the state, much of it coming from political science. At what points do these analytics deborder or contest propositions in that scholarship.

The literature on the state and globalization is large and growing. A number of scholars have addressed various dimensions of the particular issue that concerns me here, participation by the state in global processes. For some states remain as the key actors and hence not much has changed for states and the interstate system (e.g. Krasner 2003; Pauly 2002; Helleiner 1999; Hirst and Thompson 1996; Joppke 1998). For others, even if states remain important there are today other key actors, and globalization has changed some important features of states and the interstate system (e.g. Cerny 1990; 2000; Strange 1996; Cutler et al. 1999; Ferguson and Jones 2002; Dark 2002; Palan 2003). For what is probably the most comprehensive mapping of the main strands in the scholarship on globalization and the state, see Held et al. (1999). They categorize the two major emerging strands as "hyperglobalists," who posit that national states are becoming weak and are on their way out, and "transformationists," who contend that globalization has brought about significant changes in state authority and the work of states.

My particular argument is that we are seeing the incipient formation of a type of authority and state practice that entail a partial denationalizing of what had been constructed historically as national. Even if we accept that the present era is, at a very general level, a continuation of a long history of changes that have not altered the fundamental fact of state primacy, it still leaves us with the need for detailed research about the specificities of the current changes [4]. In this conceptualization I introduce a twist in the various analyses on the broader subject. First, it needs to be distinguished from analyses of private authority because these emphasize the shift out of the public domain and into the private domain [5]. I seek to detect the presence of private agendas and authority inside

[3] I have developed this at greater length in Sassen (1996; 2006). I should clarify that when I first developed the construct "de-nationalization" (1996) I intended it to denote a specific dynamic. I did not intend it as some general notion that can be used interchangeably with post-national, global, or other such terms.

[4] Along these lines of analysis, I argue that economic globalization is in fact a politico-economic system partly located inside national states (Sassen 1996: chapters 1 and 2; 2006: chs 4 and 5), thereby having the effect of partly denationalizing specific, often highly specialized components of state work.

[5] A growing literature that often overlaps with particular parts of the above cited strands in the scholarship emphasizes the relocation of national public government functions to private actors both within national and transnational domains (see Cutler et al. 1999; Aman 1998). For a state of the art elaboration of the rise of private authority see generally Hall and Biersteker (2002). For the emergence of cross-border governance mechanisms see generally Ferguson and Jones 2002.

the public domain represented by the state [6]. Second, I emphasize the privatization of norm-making capacities, which were once in the public domain, and today's enactment of these private norms in the public domain –where they look "public". This perspective also differs, then, from a literature that emphasizes the decline and obsoleteness of the state [7]. It comes close to the scholarship that emphasizes state transformation [8] even though this literature tends to discard the specificity of the current phase of globalization [9].

One of my efforts here is, then, to blur some longstanding dualities in state scholarship, notably, those concerning the distinctive spheres of influence of respectively the national and the global, of state and non-state actors, of the private and the public [10]. While it may indeed be the case that mostly the two sides of the duality are separate and mutually exclusive, I argue for the critical importance of recognizing and deciphering conditions or components that do not fit in this dual structure (e.g. Zacher and Sutton 1996; Bermann, et al. 2000). In the case of US law, one domain where this debordering plays out in what I find intriguing ways is the relation between Federalism and several new global regimes [11]. An important methodological assumption here is that focusing on economic globalization can help us disentangle some of these issues [12].

The embeddedness of the global requires at least a partial lifting of these national encasements and hence signals a necessary participation by the state, even when it concerns the state's own withdrawal from regulating the economy. Does the weight of private, often foreign, interests in this specific work of the state become constitutive of a particular form of state authority that does not replace but works alongside older well-established forms of state authority [13]? My argument is that the mix of processes we describe as globalization is indeed producing, deep inside the national state, a very

[6] A good examination of these issues as they materialize in specific institutional settings can be found in Aman (1998). An excellent collection of essays that seeks to capture these types of dynamics can be found in Likosky (2002).

[7] Perhaps the best known, though not necessarily the most precise, authors here are Ohmae (1995) and Wriston (1992). See also Kobrin (1998); (Cohen 2001).

[8] There is today a growing literature (Cox 1987; Panitch, 1996; Gill 1996; Mittelman 2000) that interprets deregulation and privatization as the incorporation by the state of its own shrinking role; in its most formalized version this position emphasizes the state's constitutionalizing of its own diminished role.

[9] Perhaps the best example is Helleiner (1999), who examines the regulatory changes brought on by the emergence of global financial systems and shows how states remain as key actors.

[10] A good source in this regard is Mansfield and Sisson (2004), containing papers by major scholars in international relations addressing key issues about the state and the current features of the interstate system, with responses by critics from other disciplines.

[11] For a development of some of these issues please refer to Sassen (2000a). In this context, I find interesting parallels in a specific type of legal scholarship focused on the construction of jurisdictions and the locating of particular issues in jurisdictions that may today be less and less adequate; see, for instance, Bermann (2000); see also the extraordinary analysis in Resnik (2001).

[12] Beyond issues pertaining to the global economy, the question of state participation is also at the heart of a far broader debate about globalization and the state. There is an older scholarship on world-order systems (e.g. Falk 1992; 1993) recently invigorated by debates about cosmopolitanism (Held 1995; Held et al. 1999). It examines and theorizes the possibilities of transcending nationally oriented state authority and instituting world-level institutional orders. This literature often includes partial world-level orders such as the international human rights regime (e.g. Brysk 2002) or certain features of international environmental treaties (e.g. Lipschutz and Mayer 1996), and, quite prominently, discussions about the possibility of a global civil society (e.g. Held et al. 1999; Kaldor et al. 2002).

[13] Several scholars have focused on the nature of this engagement (e.g. Strange 1996; Scholte 1997; Cerny 2000; Dark 2002; Doremus et al. 1999; Kagarlitsky 1999). One way of organizing the major issues is to ask whether the role of the state is simply one of reducing its authority – e.g., as suggested with terms such as deregulation and privatization, and generally "less government" – or whether it also requires the production of new types of regulations, legislative items, court decisions, in brief, the production of a whole series of new "legalities". I use this term to distinguish this production from "law" or "jurisprudence." (Sassen 1996: chapter 1).

partial but significant form of authority, a hybrid that is neither fully private nor fully public, neither fully national nor fully global [14].

As states participate in the implementation of crossborder regimes, whether the global economic system or the international human rights regime, they have undergone at times significant transformations because this accommodation entails a negotiation. In the case of the global economy, this negotiation entails the development inside national states — through legislative acts, court rulings, executive orders, policy — of the mechanisms necessary for the reconstitution of certain components of national capital into "global capital", and necessary to develop and ensure new types of rights/entitlements for foreign capital [15], in what are still national territories in principle under the exclusive authority of their states [16]. And it involves developments aimed at making states more competitive, notably the shrinking of welfare programs.

These particular transformations inside the state are partial and incipient but strategic. Such transformations can weaken or alter the organizational architecture for the implementation of international law insofar as the latter depends on the institutional apparatus of national states. Further, they have also created the conditions whereby some parts of national states actually gain relative power as a result of that participation in the development of a global economy. As particular components of national states become the institutional home for the operation of some of the dynamics that are central to globalization, they undergo change that is difficult to register or name. This is one instantiation of what I call a process of incipient de-nationalization.

This partial, often highly specialized or at least particularized, denationalization can also take place in domains other than that of economic globalization, notably the more recent developments in the human rights regime which allow national courts to sue foreign firms and dictators (Stephens 2002) or that grant undocumented immigrants certain rights. Denationalization is, thus, multivalent: it endogenizes global agendas of many different types of actors, not only corporate firms and financial markets, but also human rights objectives.

The question for research then becomes: What is actually "national" in some of the institutional components of states linked to the implementation and regulation of economic globalization? The hypothesis here would be that some components of national institutions, even though formally national, are not national in the sense in which we have

(14) Among the issues raised by this type of analysis are the increased autonomy and influence of a whole variety of types of processes and actors, including non-state actors. The literature on non-governmental organizations (NGOs), including transnational ones (TNGOs), and the associated forms of activism, has also generated a series of interesting insights into the changed position of states in a context of multiple globalizations (e.g., Keck and Sikkink 1998; O'Brien et al. 2000; Bolli 1995; for a critical account that partly rejects the notion that these non-state actors actually represent a politics that undermines existing forms of authority, including that of the state, see Drainville 1995). I would also include here a variety of emergent global networks that are fighting equally emergent global agents such as trafficking gangs (e.g. Global Survival Network 1997; Coalition to Abolish Slavery and Trafficking, Annual). Along these lines a new set of concrete instances has come about with the September 11, 2001 attack on the World Trade Center, i.e., the use by international organized terrorism of the global financial system and the international immigration regime (see, for a variety of analyses Calhoun et al. 2002).

(15) Seen from the perspective of firms and investors operating transnationally, the objective is to enjoy the protections traditionally exercised by the state in the national realm of the economy for national firms, notably guaranteeing property rights and contracts. How this gets done may involve a range of options. See, e.g. Cutler et al.; Hall and Biersteker.

(16) Two very different bodies of scholarship which develop lines of analysis that can help in capturing some of these conditions are represented by the work of Rousenau, particularly his examination of the domestic "frontier" inside the national state (Roseneau 1997) and by the work of Walker problematizing the distinction inside/outside in international relations theory (Walker 1993). An interesting variant on this subject is Callaghy et al. (2001), who examine the proliferation of global non-state-centered networks in the case of Africa.

constructed the meaning of that term over the last hundred years. One of the roles of the state vis-à-vis today's global economy has been to negotiate the intersection of national law and foreign actors — whether firms, markets, or supranational organizations. This raises a question as to whether there are particular conditions that make execution of this role in the current phase distinctive and unlike what it may have been in earlier phases of the world economy.

We need to understand more about the nature of this engagement than is represented by concepts such as deregulation. It is becoming clear that the role of the state in the process of deregulation involves the production of new types of regulations, legislative items, court decisions (e.g. Cerny 1997; Picciotto 1992; Picciotto and Mayne 1999), in brief, the production of a whole series of new "legalities." It also is evident in the proliferation of specialized, often semi-autonomous regulatory agencies and the specialized cross-border networks they are forming which are taking over functions once enclosed in national legal frameworks [17]. The background condition here is that the state remains as the ultimate guarantor of the "rights" of global capital, i.e., the protection of contracts and property rights, and, more generally, a major legitimator of claims [18]. It is in this sense that the state can be seen as incorporating the global project of its own shrinking role in regulating economic transactions and giving it operational effectiveness and legitimacy. The state here can be conceived of as representing a technical administrative capacity which cannot be replicated at this time by any other institutional arrangement; furthermore, this is a capacity backed by military power, albeit not an option in many countries, and with global power in the case of some states. To some extent this work of states is becoming privatized, as is signaled by the growth of international commercial arbitration (Dezalay and Bryant 1996; Salacuse 1991), and by key elements of the new privatized institutional order for governing the global economy.

Legislative items, executive orders, adherence to new technical standards, and so on, will have to be produced through the particular institutional and political structures of each participating state. Even when imposed from the outside, there is specific work that individual states need to do [19]. The emergent, often imposed, consensus in the community of states to further globalization is not merely a political decision: it entails specific types of work by a large number of distinct state institutions in each of these countries. Clearly, the role of the state will vary significantly depending on the power it may have both internally and internationally [20]. It is in fact some states, particularly the U.S. and the UK, which are producing the design for many of these new legalities, i.e., items derived from Anglo-American commercial law and accounting standards, and are hence imposing these on other states given the interdependencies at the heart of the current phase of

(17) We can see this in particular features of a variety of domains: for instance, competition policy (Graham and Richardson 1997; Portnoy 2000), specific aspects of international business collaboration (Dunning 1997; *Indiana Journal* 1998), in networks among members of the judiciary (Slaughter 2000) and, in a very different domain, the new opening among the top leadership in a growing number of unions to organizing immigrants (Haus 2002).

(18) While it is well-known, it is worth remembering that this guarantee of the rights of capital is embedded in a certain type of state, a certain conception of the rights of capital, and a certain type of international legal regime: it is largely embedded in the state of the most developed and most powerful countries in the world, in western notions of contract and property rights, and in new legal regimes aimed at furthering economic globalization, e.g., the push to get countries to support copyright law.

(19) In terms of research and theorization, one of my concerns, this is a vast uncharted terrain: it would mean examining how that production takes place and gets legitimated in different countries. This signals the possibility of cross-national variations (which then would need to be established, measured, and interpreted).

(20) I have developed this at greater length addressing an audience of legal scholars in Sassen (2000a). See also the development of the argument focusing on private rather than state actors in Sassen (2001).

globalization. This creates and imposes a set of specific constraints on the other participating states ([21]).

There is in this dynamic an interesting dialectic. These types of state participation can contribute to strengthen the forces that can challenge or destabilize what have historically been constructed as state powers (Arrighi 1994; Davis 1999). In my reading this holds both for the U.S. and for other countries. The U.S. government as the hegemonic power of this period has led/forced other states to adopt these obligations toward global capital and, in so doing, contributes to globalize conditions that reduce particular forms of state authority in more and more countries around the world. One way in which this becomes evident is in the fact that while the state continues to play a crucial, though no longer exclusive, role in the production of legality around new forms of economic activity, at least some of this production of legalities is increasingly feeding the power of new emerging structures, whether global markets for capital, WTO, or the international human rights regime.

CONCLUSION

In sum, a crucial part of the argument is, then, the fact of the institutional and locational embeddedness of globalization inside the national, including the state apparatus. In terms of the concerns in this lecture, it is crucial for two reasons. First, because it signals that the global economy needs states and hence the possibility of states gaining a specific type of authority, one still dressed in the same old national clothes but actually substantively different. It is possibly a new hybrid base, from which states can act. Second, it signals that the range of ways in which the state *could* be involved is conceivably far broader than what it is today, largely confined to furthering economic globalization. States have more playing room than the typical dualized analyses of the global and the national suggest. They could contest pressures to becoming neoliberal competitive states.

One problem is that the playing room states derive from the fact that their work is critical to the corporate global economy is obscured precisely because it is located inside the national state apparatus and the nation-state generally. This playing room has a hybrid quality – it is neither national as historically understood nor global as this term is understood today, that is mutually exclusive from the national. This hybridity renders it invisible. But it is important to recover the fact that there is in this playing room a new kind of authority for the state. And its character goes well beyond the actual uses states have made of this hybrid authority (mostly ensuring the rights and guarantees of global firms and markets). State participation creates an enabling environment not only for global corporate capital but also for those seeking to subject the latter to greater accountability and public scrutiny ([22]). But unlike what has happened with global corporate capital, the necessary legal and administrative instruments and regimes have not been developed that would allow citizens to participate in global governance through state institutions. The trade-offs and the resources that can be mobilized are quite different in the case of

([21]) This dominance assumes many forms and does not only affect poorer and weaker countries. France, for instance, ranks among the top providers of information services and industrial engineering services in Europe and has a strong though not outstanding position in financial and insurance services. But it has found itself at an increasing disadvantage in legal and accounting services because Anglo-American law and standards dominate in international transactions. Anglo-American firms with offices in Paris do the servicing of the legal needs of firms, whether French or foreign, operating out of France (see Sassen 2000b). Similarly, Anglo-American law is increasingly dominant in international commercial arbitration, an institution grounded in continental traditions of jurisprudence, particularly French and Swiss (Dezalay and Garth 1996).

([22]) There are several types of analyses that address particular forms of this question. See e.g. Aman (1995; 1998) on how states could participate in global governance; Ferguson and Jones (2002) on how to rethink political space; Brysk and Shaffir (2003) on the citizenship gap in a global world and what states could do; for a very particular angle on these issues see Calhoun et al. (2002).

citizens seeking to globalize their capacities for governing compared to those of global capital seeking to form regimes that enable and protect it ([23]).

Drawing the implications of this type of analysis for the welfare state is a task that I will have to leave with those who are experts on the welfare state. Very briefly we might indicate three issues.

One is that in terms of welfare reform, these shifts spell out a challenge that goes beyond the details of such reform. The conditions within which such reform is to be enacted have changed significantly. It is not just a matter of the "welfare state" needing reform. It is also a question of an increasingly sharp change in the conditions, under which the liberal state functions. The analysis above points to sharpening divisions inside the national state. While the state has always been marked by internal heterogeneity and conflicting interests, the changes taking place today are of a different order. The gain in executive power and the hollowing out of legislatures is significant since democratic representation is largely enacted through the legislature. This is also the branch of government that is most public and that slows down politics, allowing citizens to catch up and engage. How can a weakened legislature ensure execution of, and democratic participation in, the enactment of welfare reform that ensures a people oriented outcome, rather than for instance as in the US, an outcome that fits the Executive branch's agenda. There is today a growing alignment between the interests of the executive (or Prime minister's office) and the global corporate and political agenda, and a growing disalignment with the larger public agenda enacted through legislatures and democratic representation. This is well illustrated by the fact that when a country becomes an IMF "program country," the IMF will only deal with the executive branch; it will not deal with legislatures. One important question for welfare reform is then what does this redistribution of power inside the state—and not only, as typically noted, between the state and global actors—entail for the viability of a peoples' needs oriented welfare regime.

A second implication is that the fact that the global corporate economy and the supranational regulatory system "need" national states to implement their aims, translates into a possibly novel type of authority of national states in the context of economic and increasingly political globalization. This would indicate that the liberal state has more options confronted with global actors and pressures than the rhetoric of state powerlessness suggests. This points to the possibility that the role of the national state around questions of welfare may be less constrained and more open to genuine innovation (rather than pressures to cut spending) than the typical view of the state today as somewhat powerless in economic matters given global firms and markets.

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([23]) Elsewhere (2006: chapter 6) I examine some of these issues from the perspective of the institution of citizenship. This produces a domain for global politics that can be distinguished from the notion developed above that state participation in the global economy should function as a bridge for a country's citizens to participate in global governance. However, I see an emergent institutional resonance between the features of the state discussed here and the features of an evolving institution of citizenship.

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ESSAY

THE EUROPEAN MODEL IN A GLOBALISED WORLD

There has been much talk about the European model, often lacking in precision or clarity. Two different kinds of model can be distinguished, different although interrelated. One is the model of integration; the other is the European social model. Both need to adjust to a rapidly changing environment. This paper deals with some of the policy questions and choices that arise, with particular emphasis to the role of the EU.

The European Model of Integration

There is a European model of integration. It has no precedent in history and no rival in other parts of the contemporary world. Stripped down to its bare essentials, it is about open borders, joint management, democracy and the rule of law as well as solidarity among its members ([24]).

First and foremost, European integration can be seen as a highly developed system for the joint management of interdependence through common institutions and rules. This interdependence started with trade and steadily extended into many other manifestations of cross-border interaction and exchange in a crowded continent with a long and turbulent history, relatively scarce natural resources, and a wide diversity of cultures, political traditions and economic systems. Nowadays, the welfare of European citizens is intimately linked with this system of regional interdependence, and so more generally is their quality of life to the extent that it too depends on the freedom to travel, study, or work anywhere inside the Union, and to the extent that it depends on access to a wide variety of goods and services and greater security, among other things.

Many aspects of the everyday life of European citizens now depend on decisions taken beyond their national borders, albeit with the participation of their representatives. A key characteristic of European integration has been the attempt to combine liberalization of markets and the elimination of national barriers in general with the establishment of common rules and institutions. The establishment of the internal market has been combined with the development of a regulatory state at the European level. The large majority of Europeans recognize that markets need rules. And they usually go even further, recognizing that the optimum level of regulation is not necessarily one that can be determined by markets only. Rules are also needed at the European level to govern the

([24]) This paper draws on Loukas Tsoukalis, *What Kind of Europe?* (Oxford, Oxford University Press, 2005).

interaction between different national models of capitalism (or mixed economies, if you prefer), which have been only slowly converging with each other. It is unity that we are after in Europe, not uniformity, is it not?

A new level of governance has been created as a result. And this is, after all, only proper for countries where individualism has been long tamed by considerations of the public good and where government is not necessarily a dirty word; it may also have something to do with Europe being old and crowded.

Interdependence is, of course, not a uniquely European phenomenon. It has increasingly characterized international relations during the last decades and it has rapidly accelerated during the more recent period, the era of globalization. Yet, in many cases, regional interdependence in Europe is (still?) significantly different from what we find at the global level in at least two important respects — intensity and governance — which have been mutually reinforcing. The regional concentration of economic exchange is very high indeed in Europe, and this is intimately linked with a system of rules and regulations governing this exchange. This applies to almost all aspects of trade, although less so to financial markets where the regional tends to merge with the global.

Regional integration has served as an instrument of economic development, a catalyst for modernization, and in many ways a kind of convergence machine for the benefit of the less developed countries of the European continent. This has reduced the geographical, as well the political and cultural, distance between the core and the periphery. And economic development, coupled with modernization, is still helping to strengthen the new democratic institutions in countries emerging from long periods of authoritarian and totalitarian rule. They all constitute integral parts of what is generally referred to as the process of Europeanization. These considerations also help explain why the periphery usually has a rosier picture of the EU, at least the one it has known so far, even though the challenge of adjustment has been much greater for it than for the core.

It has surely helped that a sense of solidarity has gradually developed among participants, translated into, among other things, financial instruments of redistribution through the EU budget. Although limited, given the small size of the common budget, redistribution constitutes today a key element of the overall package deal behind European integration; and this is a highly important distinguishing feature of the EU. Solidarity has been manifested in mutual aid in a wide variety of instances and also explicit burden sharing, be it with respect to asylum policy or the costs of environmental protection. A sense of community has been developing, albeit slowly, inside the EU; of course, it is still far short of the sense of community (*Gemeinschaft*, as the Germans would call it) to be found within old nation-states with a long common history strengthened by close bonds, shared symbols and myths.

The European model of integration does exist, and it is the object of desire or envy in other parts of the world. It is particularly attractive to neighbours, hence the apparently never ending process of enlargement of the EU with the accession of new members and the enormous difficulty experienced in defining the final borders of the Union. For further away countries, with no prospect of ever becoming members, the attraction exerted by the EU varies considerably depending on history and different approaches to democracy, sovereignty and the market. The European model of integration is surely more attractive to South Americans than to East Asians. In any case, it remains a model intimately linked to the particular characteristics of Europe, and hence difficult to transplant in other parts of the world.

The European Social Model

There has been a great deal of discussion about the existence or not of a European social model, a discussion that is ideologically loaded, albeit, usually with unclear policy implications. The European social model refers, of course, to the existence of highly developed welfare states in post-Second World War Western Europe and the persisting emphasis on equality, redistribution as well as the provision of public goods and collective insurance against risk for individuals shared by so many Europeans. In those terms, there is indeed a European social model: a model based on common values shared by the large majority of Europeans. However, those common values have been translated into a wide diversity of national social and welfare systems reflecting different institutions, political traditions and productivity levels ([25]). And as long as this diversity persists – if anything, it has been increasing with successive enlargements – the prospects for coordination or harmonization at the European level will remain limited. This also explains the wide gap between rhetoric and action in the social policy field as far as the EU is concerned.

Both the model of integration and the social model have come under serious challenge in recent years due to major changes in the economic and political environment. I shall attempt to deal below with two awkward couples of variables and try to highlight some policy questions and choices that arise for the EU as a whole. The first one links economic reform with social policy; and the second, regional integration with globalization. The two couples are, of course, closely related to each other.

Economic Reform and Social Policy

Regional integration started as an economic affair, though with strong political undertones. Economics remains today the backbone of it all. For many years, integration helped to sustain a succession of virtuous circles, which helped strongly growing national economies while also bolstering the essentially permissive consensus of European citizens about further integration. Love of Europe has always had a strong pecuniary dimension, and it has depended on the ability of European and national institutions to deliver the goods. It was fine as long as it lasted. The performance of several European economies, most notably the three biggest economies in the euro zone, has been, in varying degrees, disappointing for a long time. Slow growth with few jobs and ageing populations are a recipe for disaster, not only for generous national welfare systems but also for the European project more generally.

We need more growth and more jobs, especially at the upper end of the knowledge scale. And we need to adjust our policies to meet those goals. For some time, there has been broad agreement among economists and, judging from official rhetoric, also among politicians that Europe needs economic reform, mostly in the direction of supply-side measures, in order to generate more growth and jobs; and this should go beyond the further implementation of the internal market programme.

Economic reform has been on the agenda for several years: it constitutes a key element of the Lisbon agenda agreed by our political leaders back in the year 2000. However, unlike earlier experience with economic integration, the so-called Lisbon process does not rely on common laws and regulations, which have been an integral part of the internal market programme, or on the centralization of policies, as happened with monetary policy in the

([25]) See also André Sapir, 'Globalization and the Reform of European Social Models', *Journal of Common Market Studies*, 44/2 (2006); Anthony Giddens et al, *Global Europe, Social Europe* (London, Polity, 2006).

context of EMU. And rightly so, it can be argued, since the Lisbon process touches on many aspects of labour market and welfare policy among other things where diversity and subsidiarity remain the name of the game; hence the emphasis on the role of the European Union as an external catalyst and facilitator rather than a law-maker.

Some years later, there are lessons to be drawn. Peer pressure, benchmarking and soft coordination, which are all distinguishing features of the Lisbon process, have shown their limitations. The consensus on the general direction of economic reform has proved fragile: when the external catalyst collided with domestic political realities, it was the latter that almost invariably prevailed. Naming and shaming of those countries lagging behind in the implementation of measures solemnly agreed upon at the European level, through the publication of indicators by the Commission, does not work unless the shaming part is internalized by national political systems – and this does not always happen, to put it mildly.

Instead of a catalyst and a facilitator, the Union has often served as a scapegoat for national governments, when those governments finally decided to take unpopular measures at home. There has been a general tendency in recent years for national politicians to appropriate for themselves any measures deemed popular, while passing the responsibility for difficult or unpopular decisions, involving short-term political costs, on to the EU and the Commission in particular. We are now reaping the fruits of such shortsighted behaviour in several countries.

The EU can and should provide a useful forum for debate as well as a basis for comparing national experiences and possibly also a soft version of benchmarking. At the same time, it can and should provide a broad policy framework, and hopefully no longer a scapegoat. It is important, however, to recognize the limitations of such an exercise in which the final responsibility lies with member states, while the role of the EU is limited to 'soft' coordination at best. Having said that, we may want to explore further the use of financial incentives through the common budget as a way of strengthening the Lisbon process.

The big challenge for European countries, individually and collectively, is to try to reconcile international competitiveness and internal structural reforms with the kind of politically stable and compassionate society that Western Europeans created in the aftermath of the Second World War. The American model has surely useful lessons for Europe, but it is hardly the kind of model that our societies will want to buy as a package.

Poor economic performance, social angst and failure to develop a credible political discourse for reform have created a vicious circle in several European countries. There is widespread fear of change and pessimism in many parts of Europe. Those who consider themselves as losers turn against European integration perceived by them as a vehicle of change and the dreaded globalization.

This vicious circle needs to be broken. It is, of course, true that the wide diversity of national social and welfare systems in EU-27 imposes serious limitations on the harmonization of national standards. It is equally true, however, that economic liberalization and the growing international mobility of goods, services, persons, and even more so, capital has reduced the ability of the national state to regulate and tax. Still more important, in times of major economic restructuring, there are winners and losers, more within countries than between countries. Admittedly, it is difficult to separate the effects of new technology from those more directly linked to globalization or regional integration, although this hardly helps to deal with a real political problem.

An implicit division of labour has developed over the years between European and national institutions: the former concentrated on market liberalization measures, while the latter retained the (near) monopoly of redistribution and welfare. In times when inequalities are growing within countries and the number of losers is on the rise, this division of labour becomes politically less sustainable ([26]). For Europe to be an effective agent of reform, it needs to strengthen its caring dimension. It is not just a question of public relations; concrete measures are needed to help change perceptions.

There is arguably more scope for European social policy measures, which are supplementary to national ones, than there is for coordination or harmonization of national policies. The recent decision to set up the European Globalization Adjustment Fund (EGF) linked to economic restructuring is an important step in the right direction ([27]). It is a concrete, albeit still modest, attempt at the European level to help the adjustment of those who are negatively affected by globalization.

Globalization and European Integration

A big challenge for Europe in the years to come will be to define and actively defend its collective interests in a rapidly changing global environment. Europe's relative share in terms of population, income and trade is bound to continue on a downward slope, because of demography and the rise of new economic powers in the developing world. Most Europeans believe that globalization should not be left entirely to market forces or the United States to give it shape and form. In addition, the only way that Europeans can exert influence is by investing in their own unity.

Individually, member countries carry little weight; it will be even less in the future. Until now, some have tried to reap extra benefits by following the leader. Others have acted as free riders. Europe is being uncomfortably squeezed between accelerating globalization of economic forces from one side and resurgent nationalism from the other. How long will it take Europeans to realize that the best way of defending their interests and values is through common action?

In matters of energy and the environment, for example, Europe can have real influence only if it acts collectively. It is about defending interests in a world where of course size matters. But it is also about defending global public goods. The threat of global warming calls for a European initiative that goes further than the Kyoto protocol. Who else can do it more effectively and convincingly than the Europeans?

In an increasingly multipolar world, Europe can also provide the catalyst for a more effective multilateral system ([28]). After all, Europeans have learned the hard way the lessons of managing interdependence through common rules and institutions. This is something worth exporting to the rest of the world. And this could be a project that helps to mobilize many Europeans, even more so the young ones who seem to be increasingly alienated from the bureaucratic world of Brussels.

([26]) Renaud Dehousse, *La Fin de l'Europe* (Paris, Flammarion, 2005).

([27]) Loukas Tsoukalis, 'Why we need a Globalisation Adjustment Fund', in Patrick Diamond et al., *The Hampton Court Agenda: A Social Model for Europe* (London, Policy Network, 2006).

([28]) See also Nicole Gnessoto and Giovanni Grevi, *The New Global Puzzle: What World for the EU in 2025?* (Paris, ISS, 2006).

Effective external policies do not flow from intergovernmental structures. They require instead qualified majority voting and forms of joint representation. Trade is the example to follow. We may all have objections to particular aspects of European trade policies, but hardly anybody can doubt that Europe has helped to shape the world trading system – and for the better. Global economic governance requires international institutions that are able to deliver the goods – and that means radical reform of the existing ones. Single European representation in the IMF and the World Bank – dare we add the Security Council at a later date? – needs to be part of such reform.

Europe has developed a comparative advantage in different forms of soft power. Without excluding recourse to military force as an instrument of last resort in a messy world where conflict and violence are expected to persist for long, the EU will continue to operate essentially as a civilian power. A common European foreign policy in the sacred realm of high politics can only be a slow and, often, frustrating process. The most divisive factor of all in the past has been the inability of European countries to agree on how far a common European policy can differ from that of the United States. The transatlantic alliance should remain a key element of both American and European policies in the future. But a healthy alliance requires more equality between the two sides, and this would necessarily have to go through closer European unity. A common European policy *vis-à-vis* the United States is not the same as a policy against the United States. It is not about building a counterweight. It is about creating a credible partner who works closely with America, but whose interests and policies may sometimes legitimately differ.

A More Political Europe

For all that, to happen, European integration needs to become more political ([29]). It has been so far the product of an elitist conspiracy, with good intentions and pretty remarkable results. This is changing fast. The permissive consensus on which regional integration used to rely for many years can no longer be taken for granted. The signs have been around us for some time, although many of our political leaders apparently chose not to see them. The negative results in the French and Dutch referendums were accidents waiting to happen.

One explanation for this development has to do with the combination of continuous deepening and widening. As integration begins to reach the nooks and crannies of our societies, while successive enlargements increase the diversity, and also weaken whatever common identity we have created over the years inside the Union, many European citizens seem no longer willing to offer national political leaders a *carte blanche* on further integration or enlargement. The majority of European citizens – and this also applies, with very few exceptions, to individual member countries – continue to support integration, although they are now more concerned about the kind of Europe we want to build. The answers cannot be provided at closed meetings of European leaders assuming that the people back home will simply follow. Regional integration is becoming more politicized, and I believe, there is no way back.

Even more so, if the integration project is not perceived any more as delivering the goods, which is precisely what it had done – or widely perceived to have done – during the so-called Golden Age. Things have changed dramatically since then. In times of rapid change, increasing inequalities and great uncertainty, Europe is no longer universally perceived as a factor of stability and prosperity.

([29]) For a different point of view, see Andrew Moravscik, *Politische Vierteljahresschrift* 47:2, 2006.

Another explanation for the weakening of the permissive consensus has to do with the younger generations of Europeans. Peace and security tend to be taken for granted by the younger generations, at least those who live in the old Carolingian core of Europe and hence a safe distance away from rough spots closer to the edges of the European continent. After all, our young students already begin to treat the Second World War as ancient history. There are, of course, new threats, such as those from international terrorism or global warming, but it is not as yet clear how Europe can deal with those threats effectively and collectively. Finally yet importantly, Europe and its common institutions look distant, if not irrelevant, and they often smack of privilege for the large numbers of young people presently faced with the spectre of unemployment and growing uncertainty.

We need a new political discourse adapted to the new reality of Europe, one that also recognizes that we all have a stake in the European project. Regional integration will have to become more relevant – and be seen as such – for the younger generations: increased opportunities for cross-border mobility of students is one example of things that can be done in this respect, a new and more effective role for Europe in international affairs, promoting European interests and values, is arguably another, although much more difficult to achieve. Furthermore, reform will have to be complemented with measures addressed to those who suffer most from economic adjustment. In other words, the caring dimension of Europe needs strengthening.

Some of the fundamentals have indeed been changing. This creates the need for a partial redefinition of the European project. Integration for integration sake no longer sells easily in many countries. Common institutions may therefore have to do fewer things, but do them better. Greater diversity and a more fragile consensus arguably call for a more selective approach to integration and – why not? – more subsidiarity, which is the jargon term for giving some of the power back to national capitals, or even further down the institutional ladder.

But there are forces pushing in the opposite direction as well. An effective management of the common currency calls for more economic and political integration as far as the smaller group of participating countries is concerned. How far can this apparent contradiction be stretched in the context of one Union? On the other hand, globalization and changes in the geopolitical balance call for a stronger European role.

We also need a more political Europe, in the traditional sense in which the term political has been used. The key question is no longer 'How Much Europe?' it is, instead, 'What Kind of Europe?' Economic regulation is not distribution free. Different mixes of monetary and fiscal policy are not economically neutral either. There are choices to be made about trade-offs between efficiency, equity, and stability; productivity and a cleaner environment; integration and diversity; rule by experts and elected representatives in the management of the internal market and the single currency; the degree and kind of solidarity across boundaries; the geographical limits of Europe's fledgling common identity; the export of peace and stability to the near abroad and beyond; and the defence of common values and interests in a world where the ascendancy of markets and the highly unequal distribution of political power increasingly challenge those features that still make Europe distinct from other regions of the world.

Those choices are at least as much about Left or Right, Green or less Green, new or old, as they are about French, German, Polish or Greek national interests, however defined. The predominantly intergovernmental nature of EU negotiations puts the emphasis on the latter at the expense of the former. And this has also produced a widening gap between

policy and politics at both European and national levels. European institutions are generating an ever-growing amount of policy with little democratic politics to back it up. Exactly the opposite is happening at the national level, which may help to explain the feeling of disempowerment among citizens. The balance needs to be redrawn. But this is, of course, easier said than done.

SESSION 2

Integration of persons in an international context and EU citizenship

SÉANCE 2

Intégration des personnes dans un contexte international et citoyenneté de l'Union européenne

SPEAKERS

Prof. Stefano Bartolini
Prof. Juan Diez Nicolás
Prof. Dusan Sidjanski
Prof. Elspeth Guild

Prof. Stefano Bartolini,

Director of the Robert Schuman Centre for Advanced Studies of the European University Institute, Florence

ESSAY

WHAT IS CITIZENSHIP AND WHAT IS EU CITIZENSHIP?

In this brief introduction to the session devoted to 'Citizenship' I would like to draw attention to the general significance of citizenship in large scale territorial organizations like the European Union is becoming. There are many possible ways to approach the them of 'citizenship' and I would like here to start from the broadest possible theoretical definition and to derive from it a small number of concrete issues that are crucial both for the agenda of our debate as well as for the future of the Union.

A large scale (territorial) organization becomes and can legitimately be called a 'system' when its constitutive parts are kept together by forces that are not only, or not exclusively, those of violence and punishment and/or those of utility calculations (contracts and negotiations). In other words, a 'system' starts to be built when a mere territorial group develops into a membership groups, whose linkages are not exclusively achieved through fear of or actual punishment or contractual agreements.

We can therefore conclude that a membership group is defined as a group characterised by 'citizenship' properties in a sociological sense: the participation of an individual unit – be it an individual, an aggregate or corporate unit – within the normative system of the wider group.

In this non-legal sense, citizenship is the degree to which a person can control her/his destiny by acting within the group and represents the proportions of her/his life problems that can be solved within such a normative system. This, in turn, depends on the degree to which the group

1) generates solidarity among its members,
2) owns the institutions to resolve the problems of those members,
3) and offers them a degree of influence in the group's government.

Therefore, citizenship involves a combination of the three fundamental elements of *identity*, *rights*, and *decision power*.

A territorial 'system' is built when a membership group is created conterminously with the territorial group. The extent to which a citizenship/membership group is coterminous with a territorial group is subject to historical and geographical variation.

In reference to the historical development of the European Union, some scholars think that the elements of a membership group are bound to develop with the strengthening of integration. Others are more sceptical about this natural spill over of citizenships bounds out of the predominant economic integration project and contend that positive and specific integration policies are necessary for 'systemness' to be fostered. Finally, others observers consider that system building and citizenship are utterly unnecessary (if not detrimental) for a political formation like the EU.

For sure, and independently of the preferences of the observers, what the EU is doing and will be doing is crucial to evaluate the prospects of a European citizenship and more generally of the capacity to create and/or to extend at the European level those links that historically secure the allegiance of the ruled to rulers. De facto, the nature of the EU as a political formation and its capacity to produce policies and deliver public goods will depend heavily on how much system building characterises it.

On the basis of what said above, this EU system building will be heavily affected by the answer to three crucial issues.

A) Is the creation of an area of *cultural equality* via a layer of European identity possible in the EU?

The EU makes it easier to penetrate the different territorial groups without entering the respective national membership groups. In the enlarged European territorial group, the internal membership groups become more heterogeneous. The issue is thus whether there are any opportunities to expand membership that make the enlarged territorial group more homogeneous via the construction of a new cultural boundary establishing a demarcation between insiders and outsiders, strangers and familiars.

B) Is the achievement of political participation rights of a special and distinct European type possible in the EU? Can an area of European *political equality* be achieved?

The list of political rights is very meagre at the moment. It is also interesting to note that the treaties do not make reference to any specific European duty for EU citizens parallel to their rights. Clearly, EU citizens do not pay European taxes and are not requested military duties, but the treaties do not even mention, and the EU does not expect, any duty of loyalty or solidarity among its citizens (notwithstanding its symbol of flag, anthem, etc.).

3) Is it possible to develop EU policies and institutions capable of sustaining the European-wide sharing of social risks. Can an area of social *equality* be envisaged?

Social protection and social sharing represent a set of institutional provisions aimed at *socialising the risks and institutionalising the solidarity* among the members of a territorial group. With the formation of a single integrated European market, to what extent are citizens' social risks socialised and solidarity among members institutionalised at that level?

There is no need to envisage the creation of areas of cultural, political and social equalities at the European Level as pervasive and far reaching as those historically created at the national level. Yet, without a clear perception that citizenship is a combination of identity,

social rights and decision power, and that even a thin layer of such citizenship requires policy and resource investments, the EU system will hardly acquire systemness. This may not be seen as a problem, provided we are willing to acknowledge its limited policy capacity. On the contrary, It would be dangerous to assume that extensive policy production in an even growing number of key fields can be sustained and accepted without parallel development of the European community ties.

Prof. Juan Diez Nicolás,

Professor at the Universidad Complutense de Madrid, nominated by President Prodi as a member of the Wise Man Group on the Dialogue between People and Cultures

ESSAY

INTEGRATION OF PERSONS IN AN INTERNATIONAL CONTEXT AND EU CITIZENSHIP

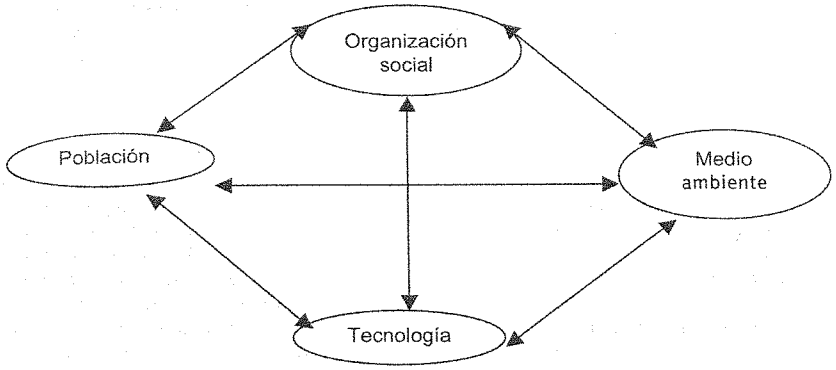
La Unión Europea como sistema social: logros y cuestiones pendientes

El proceso de integración que representa la Unión Europea ha seguido un proceso no solamente lógico desde una perspectiva histórica, geográfica y política, sino que además es muy coherente con la teoría del ecosistema social.

De acuerdo con esta teoría, las poblaciones humanas tienen que sobrevivir sobre la base de los recursos que encuentran en su medio ambiente, y en eso no se diferencian de todas las demás poblaciones de seres vivos, plantas o animales. Lo que diferencia a las poblaciones humanas de las otras no es esa necesidad vital de adaptación al medio, sino la forma en que se realiza esa adaptación. Y esa diferencia no es menor, es una diferencia radical. Mientras la adaptación de plantas y animales a su medio es mecánica, genética, los seres humanos se han adaptado a su medio siempre, desde sus orígenes, a través de la cultura. El ser humano es el único capaz de crear, acumular y transmitir cultura. Siendo el ser más indefenso e incapaz de supervivencia individual cuando nace, el ser humano es sin embargo el ser vivo más flexible y con las más variadas y por tanto indeterminadas posibilidades de adaptación a cualquier medio. Su absoluta indefensión inicial se compensa con una mente que le capacita para crear, almacenar y transmitir (incluso de generación en generación) cultura, logrando así una adaptación a su medio incomparablemente superior a la de cualquier otra especie biótica.

Pero en la cultura se pueden diferenciar a efectos heurísticos sus aspectos materiales, conocidos como tecnología, y sus aspectos no materiales, que de manera general se pueden denominar "organización social". Mientras que la tecnología siempre utiliza recursos existentes en el medio natural, la organización social se refiere a todo lo que no procede de la naturaleza y que ha sido creado por el hombre. Así, se engloban bajo este concepto todas las formas de organización que el ser humano en diferentes lugares de la tierra y a lo largo de la historia ha creado, como las organizaciones familiares, económicas, políticas, culturales, incluidas las religiones, las ideologías, y los sistemas de valores y creencias. Todas las formas de organización social son creación del ser humano, y por tanto son respuestas adaptativas, tan instrumentales como puedan serlo los elementos más complejos de la tecnología. Son respuestas, más o menos eficaces, más o menos duraderas, que los seres humanos desarrollan para lograr su mejor adaptación al medio, para maximizar su supervivencia, individual y sobre todo colectiva.

Figura 1: El Ecosistema social



Entre las formas de organización social desarrolladas por el ser humano se pueden mencionar sobre todo las que tienen una relación más directa con aquellas funciones que debe llevar a cabo cualquier comunidad humana: la producción de recursos, la distribución de recursos a todos los miembros de la comunidad, la coordinación y control de las anteriores funciones, y el reclutamiento de nuevos miembros para la continuidad y supervivencia de la comunidad. La producción de recursos incluye desde la recolección de recursos en la naturaleza (incluidas la caza y pesca) propias de los pueblos nómadas, a la producción de más compleja de elementos elaborados como las máquinas-herramientas (robots industriales) o los satélites de comunicación, etc. La distribución de recursos implica la adopción de algún sistema de organización para que todos los miembros de la comunidad puedan tener acceso a los recursos producidos (a cada cual según su aportación, a cada cual según sus necesidades, a cada cual según sus méritos, etc.). La coordinación y control hace referencia a que para que se cumplan adecuadamente las dos funciones precedentes hace falta algún tipo de organización del poder, bien sea el del pater-familia, el del cacique, el de jefe del clan, el de los sistemas despóticos orientales, o el de los gobiernos basados en democracias parlamentarias. Y el reclutamiento de nuevos miembros se ha llevado a cabo mayoritariamente a través de la reproducción humana, pero también a través de la esclavitud de otras poblaciones o a través de los movimientos migratorios. Precisamente, para satisfacer y legitimar esas funciones todas las comunidades humanas han desarrollado instituciones económicas, de división del trabajo, de justicia social, instituciones sociales (familiares, educativas, sanitarias, religiosas, asociativas, etc.), instituciones políticas, y sistemas normativos de carácter simbólico (costumbres, tradiciones, religiones, ideologías, sistemas de valores) y de carácter legal (sistemas legislativos y judiciales, con normas codificadas o sistemas de "common law").

No es este el lugar para hacer un desarrollo pleno de esta teoría, que se ha desarrollado en muchas otras publicaciones. Pero sí parece necesario resaltar el proceso interactivo que existe de manera continua entre los cuatro factores del ecosistema, de manera que cada elemento influye sobre los otros tres y es a su vez influido por los otros tres. Y dentro de ese proceso debe resaltarse igualmente el importante papel que ha tenido siempre la tecnología como factor introductor de cambio en el equilibrio del sistema, especialmente en lo que se refiere a la tecnología de los transportes y las comunicaciones. En efecto, cualquier innovación o desarrollo en la tecnología de los transportes y comunicaciones

(desde el invento de la balsa o la canoa para desplazarse por el agua, o la domesticación de animales de carga que facilitaron la invención de los carros, hasta la navegación aérea actual), han tenido como consecuencia la ampliación espacial o territorial del medio ambiente, favoreciendo el acceso a más y diferentes recursos a las comunidades humanas, lo que a su vez ha repercutido sobre las posibilidades de interacción con otras comunidades humanas cada vez más lejanas, y por tanto las posibilidades de intercambio de recursos y de conocimientos.

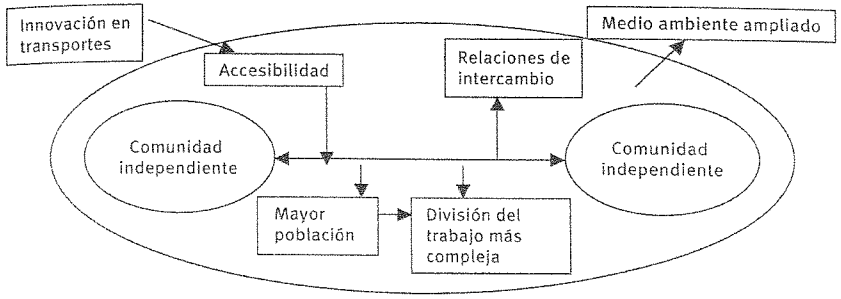
En la tradición sociológica ha sido siempre habitual encontrar la contraposición entre dos grandes modelos de organización, la comunidad rural, pequeña, con una división del trabajo poco elaborada, con una tecnología poco desarrollada, y la comunidad grande, urbana, con una división del trabajo cada vez más compleja y con una tecnología cada vez más elaborada. El tamaño, la densidad, y la división del trabajo, han sido generalmente las características que han diferenciado esas dos formas de adaptación. Tönnies las denominó respectivamente comunidad y sociedad (*gemenishaft* y *gesellshaft*), Redfield las denominaría comunidades rurales (*folk*) y urbanas, que en su opinión constituían un continuum con esos dos polos. Desde la teoría del ecosistema social se han utilizado los conceptos de comunidad independiente y comunidad interdependiente. La primera hace referencia a las pequeñas comunidades humanas autárquicas, autosuficientes de las primeras edades del hombre, aisladas, que sobrevivían con los recursos que encontraban en un medio natural muy limitado porque la movilidad de sus habitantes estaba limitada al espacio que podían recorrer durante una hora aproximadamente, andando, para atender a sus necesidades más cotidianas, y al que podían recorrer durante una jornada, también andando, para atender a necesidades de mayor periodicidad (como la caza).

La comunidad interdependiente es un resultado de innovaciones en los transportes, que permite que dos comunidades hasta entonces independientes sean más accesibles la una a la otra, y como consecuencia establezcan relaciones rutinarias y periódicas de intercambio de productos y servicios, lo cual repercute en una ampliación de la población (como mínimo la suma de las dos poblaciones) y una ampliación del medio ambiente (como mínimo la suma de los dos previos), lo que a su vez permite que se establezca una nueva división del trabajo entre las dos comunidades debido a que cada una tenderá a especializarse en aquello que pueda hacer mejor, y no solo para su antigua población, sino para la población ampliada resultante de la suma de las dos comunidades.

En resumen, se ha creado una nueva forma de organización con más población, con un medio ambiente ampliado, con una tecnología más elaborada, y con una nueva y más compleja división del trabajo, que probablemente favorecerá la aparición de nuevas formas de organización social más especializadas. Esta nueva comunidad, interdependiente, representa un nuevo equilibrio, inestable como el anterior, y sujeto a posibles nuevas ampliaciones en todos los sentidos como consecuencia de nuevos desarrollos tecnológicos. No es extraño que un sociólogo perteneciente a la denominada escuela de Chicago de ecología humana como Burgess afirmara que la ciudad (y a estos efectos, cualquier comunidad humana de cualquier dimensión) esté siempre organizándose y desorganizándose. Y no solo eso, sino que las comunidades interdependientes han ido creando nuevos espacios de organización cada vez más amplios, basados siempre en las relaciones de interdependencia en materia de sustento (relaciones económicas), desde las pequeñas comunidades autárquicas y autosuficientes de los albores de la Humanidad, a la "polis" griega, a la ciudad-fortaleza medieval, a los burgos y ciudades-estado mediterráneas, a los pequeños reinos, principados y condados, a los estados nacionales modernos, y a las mas recientes organizaciones supra-nacionales como la misma Unión Europea. La necesidad de que todos los miembros de cualquier comunidad humana

tengan acceso (directo o indirecto) a los recursos de sustento condiciona de manera muy fundamental todas las demás relaciones dentro de la comunidad, como antes se ha señalado.

Figura 2: La Comunidad Interdependiente



En cualquier caso, las comunidades interdependientes se han hecho cada vez más complejas y elaboradas, y aunque la tecnología de los transportes y comunicaciones haya sido el factor principal para la expansión de la comunidad, los otros elementos del ecosistema han contribuido en mayor o menor medida a favorecer o limitar el proceso de expansión. Es fácil comprobar como el cambio en un elemento tiene repercusiones en los otros tres, pero no nos detendremos en esos detalles aquí.

De todo lo anterior cabe deducir una consecuencia que ayuda a explicar el proceso de integración que representa la creación del Mercado Común del Carbón y del Acero después de la Segunda Guerra Mundial, y que ha conducido a una interdependencia creciente entre los sistemas sociales primero de seis países europeos, y luego, tras sucesivas expansiones, entre veintisiete sistemas sociales en la actualidad. La elección de formar una unión sobre el carbón y el acero no fue casual, pues constituían la principal fuente de energía para los europeos, lo que en ecología humana se denomina la función dominante (pues de ella dependen todas o casi todas las demás), y además había sido la fuente de conflicto que llevó a las dos grandes guerras mundiales de 1914-18 y 1939-45. Así, el proceso de globalización en el sentido de una expansión continua de los sistemas sociales, en un incremento continuo de la interdependencia, ha existido desde que el ser humano está sobre la Tierra, si bien es cierto que es en la actualidad cuando se está llegando a tal grado de interdependencia que se puede comenzar a considerar a todo el planeta como una sola comunidad interdependiente, con un sistema complejísimo de relaciones que implica una igualmente compleja división del trabajo a escala global-mundial, aunque con sistemas intermedios como la Unión Europea que presentan un grado de integración, de dimensión limitada al continente europeo, mucho más elaborada y fuerte que la que se puede encontrar a escala global-mundial.

El énfasis aparente en la idea de "equilibrio" no debe hacer olvidar, sin embargo, que todo equilibrio del ecosistema es siempre un equilibrio inestable, pues el cambio puede sobrevenir al sistema a través de cualquiera de los elementos del mismo, pues todos ellos están cambiando constantemente. Precisamente, una de las características del ecosistema social es que el cambio se ha ido acelerando de manera exponencial precisamente como consecuencia de la interrelación entre sus cuatro elementos, de manera que a partir del siglo XVII se ha observado un cambio crecientemente acelerado en la población mundial,

que ha repercutido en el uso intensivo de los recursos del medio ambiente, así como un desarrollo tecnológico crecientemente acelerado y, como no podía ser menos, un cambio también acelerado en las instituciones sociales y en los sistemas de valores. Cuando algunos se sorprenden del cambio acelerado que se está produciendo en los sistemas de valores sociales y culturales, más bien habría que preguntarse cómo es que ese cambio no es todavía mucho mayor y más rápido, teniendo en cuenta los cambios tan rápidos que se han producido en los demás elementos del ecosistema social. En realidad, equilibrio y cambio no son sino dos caras de la misma moneda. Y ello resulta de que el equilibrio nunca es total, pues cada elemento tiene cierta capacidad de variación independiente, lo que produce fricciones o conflictos que generan cambio en el ecosistema.

De manera más concreta, y como ya expuso Dahrendorf al contrastar la teoría del consenso social y la del conflicto social, la primera se basa en cuatro tesis: 1) tesis de la estabilidad (toda sociedad es un sistema "relativamente" constante y estable de elementos, 2) tesis de equilibrio (toda sociedad es un sistema equilibrado de elementos), 3) tesis del funcionalismo (cada elemento dentro de la sociedad contribuye al funcionamiento de ésta), y 4) tesis del consenso (cada sociedad se mantiene gracias consenso de todos sus miembros acerca de determinados valores comunes). En cuanto a la teoría del conflicto, sus tesis serían: 1) tesis de la historicidad (toda sociedad y cada uno de sus elementos está sometido en todo tiempo al cambio), 2) tesis de la explosividad (toda sociedad es un sistema de elementos contradictorios entre sí y explosivos, 3) tesis de la disfuncionalidad y productividad (cada elemento dentro de una sociedad contribuye a su cambio), y 4) tesis de la coacción (toda sociedad se mantiene gracias a la coacción que algunos de sus miembros ejercen sobre los otros).

En resumen, toda situación de equilibrio es inestable, pues debido a los desajustes entre los cuatro elementos se producen fricciones y conflictos, de manera que cuando estos aumentan se llega a lo que se define como situación de "desorganización social", que inevitablemente conduce a un nuevo equilibrio. Organización y desorganización social están por tanto indisolublemente vinculadas en el tiempo, sin que la una o la otra puedan tener una duración no ya eterna, sino ni siquiera larga.

El proceso de integración europea que se ha venido desarrollando desde hace precisamente cincuenta años ha tenido el éxito de basarse en las relaciones que tienen que ver con el sustento, con los recursos, es decir, en las relaciones económicas, puesto que la interdependencia económica conduce inevitablemente a interdependencia en muchos otros aspectos y dimensiones de los sistemas sociales, pues la interacción rutinaria y frecuente exige un cierto grado de isomorfismo entre los sistemas, precisamente para facilitar la comunicación y el intercambio. Los acuerdos sucesivos en materia económica han conducido finalmente a la adopción de una moneda única, a la creación de un Banco Europeo, a la libertad de circulación de bienes y servicios (más completa para la circulación de capitales, con ciertas dificultades para la circulación de productos y servicios a causa de restos de proteccionismo, y con más dificultades para la circulación de personas), y progresivamente están conduciendo a otras convergencias en materia policial y con más dificultades a la judicial (la "euro-orden"), o a la educativa (el plan de Bolonia para la enseñanza universitaria), a la convergencia en materia de asistencia sanitaria, etc.

Es cierto que lo que presenta más dificultades, hasta el momento, es la convergencia y la adopción de políticas comunes en materia de política exterior, de política fiscal, de seguridad y defensa, y en general de todas aquellas instituciones y políticas que están más vinculadas a la función de "coordinación y control", puesto que estas son las que de manera más rotunda configuran la "independencia" de los países como sistemas sociales.

Pero la tendencia hacia el isomorfismo es evidente en toda clase de instituciones, pues la creciente interdependencia exige adoptar instituciones con "formas" más o menos iguales o equiparables que faciliten las relaciones rutinarias entre sistemas sociales, es decir, entre los países miembros. Y por tanto, es muy comprensible que la integración política que algunos desearían que fuese más rápida es la que avanza más despacio, como se ha puesto de manifiesto en las reticencias a la aprobación del nuevo tratado que ha sido popularmente denominado como "Constitución Europea". Pero no debe olvidarse que todos los intentos por lograr la integración europea por la vía política, por la fuerza, antes de hacerlo por la económica, han fracasado (Napoleón, Hitler, etc.). Y tampoco debe olvidarse que la tecnología ha proporcionado unas condiciones muy favorables para que el proceso de integración se esté sosteniendo sobre unas posibilidades de comunicación y accesibilidad (gracias a la tecnología de los transportes y las comunicaciones) que no existieron en otros intentos fallidos de lograr y mantener en el tiempo esa interdependencia e integración europeas (el imperio romano o su sucesor, el Sacro Imperio Romano y Germánico).

La importancia de los sistemas de valores compartidos

El gran éxito de la integración europea hasta llegar a la actual situación de una UE con 27 países y muchos otros que aspiran a convertirse en miembros cuanto antes ha sido el fuerte grado de interdependencia económica que ha supuesto la creación de un mercado único, un mercado interior que puede dialogar cada vez en mejor posición con otros grandes mercados como son los de los Estados Unidos y Rusia, y en el futuro con las grandes economías emergentes de China, India.

Pero para que un sistema social logre consolidarse no basta la interdependencia económica y social, e incluso la política. Es igualmente preciso lograr una gran convergencia en los sistemas de valores compartidos. Es cierto que existe una gran relación en cualquier sociedad entre los sub-sistemas económico, social, político y cultural, y es precisamente en el subsistema cultural en el que la convergencia muestra algunas mayores resistencias. No obstante, la dificultad para la integración de la ausencia de una lengua común europea se está superando mediante la adopción del inglés como nueva "lengua franca". Pero las diferencias en las creencias religiosas, que provocaron gran número de guerras "civiles" entre europeos, hoy en día han desaparecido, si bien surgen otras posibles fuentes de conflicto con las creencias religiosas que proceden de fuera de la tradición europea. Las investigaciones sobre valores que han aportado desde la década de los años '60 las investigaciones del Centro de Información y Documentación en Ciencias Sociales de la UNESCO en Viena, y desde los años '70 los Eurobarómetros, el European Values Study (EVS), el World Values Survey (WVS), el International Social Survey Program (ISSP), y más recientemente el European Social Survey (ESS), han demostrado la gran convergencia que se ha producido en los sistemas de valores de las sociedades europeas, de manera que, aunque persisten diferencias en algunos aspectos, puede afirmarse que, al compararse con sociedades no-europeas las diferencias internas son cada vez menos importantes que las que se observan respecto a otras grandes regiones del mundo. Concretamente, las diferencias en estos sistemas de valores entre países europeos protestantes y católicos son cada vez menores, y también se van reduciendo las diferencias de ambos con los países de mayoría ortodoxa. Pero, como antes se ha indicado, y luego se analizará en mayor detalle, surgen diferencias con la religión musulmana que para algunos representan diferencias culturales insuperables, mientras que para otros no ofrecen mayores dificultades.

- A título de ejemplo se muestran precisamente como anexo a esta intervención los resultados de una investigación realizada por el ISSP sobre Identidad Nacional en el año 2003. Se han incluido solamente los resultados para los países de la UE que llevaron a cabo esa investigación. De estos resultados, y mediante un análisis solo descriptivo de la opinión pública predominante en cada uno de esos países se pueden derivar las siguientes conclusiones:

- Se observa en casi todos los países estudiados un acuerdo mayoritario respecto a que las organizaciones internacionales están apropiándose de demasiado poder que corresponde a los gobiernos nacionales, aunque los alemanes son los únicos que muestran una opinión muy controvertida, de manera que la mitad están de acuerdo y la otra mitad en desacuerdo con esa afirmación.

- Se observa igualmente un acuerdo muy mayoritario (excepto en Eslovaquia) respecto a que para ser completamente buen ciudadano de un país hay que compartir las tradiciones y costumbres del país.

- Y aunque en diez países (de los diecisiete estudiados) la opinión mayoritaria está de acuerdo en que sus gobiernos concedan ayudas a las minorías étnicas para que conserven sus tradiciones y costumbres, en otros siete (Alemania occidental, Gran Bretaña, Austria, Irlanda, Suecia, Francia y Dinamarca) predomina el desacuerdo con la concesión de esas ayudas.

- De manera similar, mientras los húngaros, eslovenos, polacos, letones y eslovacos son mayoritariamente partidarios de ayudar a las minorías étnicas a conservar sus tradiciones, en los demás países prefieren mayoritariamente que se les ayude a adaptarse a la sociedad de acogida.

- Algunas preguntas de esta investigación solo se incluyeron en algunos países. Concretamente, la mayoría de los entrevistados en los ocho países en que se preguntó si habían oído o leído algo sobre la Unión Europea respondieron que mucho o bastante, lo cual es alentador teniendo en cuenta que una gran parte de esos países son de reciente incorporación.

- No todos los ciudadanos perciben grandes beneficios derivados de la pertenencia a la UE. Concretamente, españoles, franceses, portugueses y polacos, e incluso húngaros, tienden a ver bastantes beneficios, pero los austriacos, checos, eslovacos y fineses no los perciben en la misma medida.

- De manera similar, mientras que la opinión mayoritaria entre los españoles, los suecos y los franceses es que su país debería seguir las decisiones de la Unión Europea incluso si está en desacuerdo con ellas, los austriacos, checos, polacos, letones, eslovacos y fineses están mayoritariamente en desacuerdo con esa opinión.

- Aunque casi la mitad de los entrevistados en los diferentes países piensan que la Unión Europea debería tener más o menos el mismo poder que los gobiernos de los respectivos países miembros, hay países en los que predomina la opinión de los que creen que la UE debería tener más poder que los gobiernos nacionales (Hungría, España y Portugal), pero en la mayoría de los países predomina la opinión de que la UE debería tener menos poder que los gobiernos nacionales.

- Finalmente, más de la mitad de los entrevistados en seis países afirman que si se sometiera a referéndum la incorporación de su país a la Unión Europea en la actualidad votarían que sí. Concretamente, votarían afirmativamente el 90% de los españoles, el 82% de los polacos, el 78% de los franceses, el 65% de los fineses, el 61% de los austriacos, y el 53% de los suecos.

Estos resultados, que aquí no se pueden analizar en profundidad, demuestran hasta qué punto los ciudadanos de países de la UE están satisfechos de la existencia y su pertenencia a la Unión Europea, y generalmente también de los beneficios que les reporta, pero al mismo tiempo se les ve muy preocupados por mantener su identidad cultural y por perder cotas de poder y soberanía nacionales a favor de la Unión Europea, confirmando algunas afirmaciones precedentes relativas a que la integración política no puede ir al mismo ritmo que la integración económica y la social. Cultura y poder político son los dos ámbitos en los que se recela más de cualquier proceso integrador. Las nuevas instituciones políticas europeas son poco conocidas por los europeos, pero ello se debe principalmente a que las elites políticas han hecho poco por crear una auténtica identidad europea y una ciudadanía europea. Es cierto que la eliminación de las fronteras interiores ha eliminado los pasaportes, pero los ciudadanos europeos siguen sintiéndose más vinculados a su país que a las nuevas instituciones europeas. La investigación ha demostrado, a través del concepto de "identidades anidadas" (*nested identities*) que no existe conflicto real para muchos individuos en sentirse identificados con su pueblo o ciudad, su región, su país, la Unión Europea y el mundo, pues esas identidades no son excluyentes sino compatibles. De todas las maneras el país, el estado nacional, continúa siendo el marco de referencia política para la mayoría de los europeos, como se demuestra a través de múltiples indicadores, siendo la participación electoral uno de los más importantes. Los electores no pueden visualizar las elecciones europeas como parte de sus preocupaciones, porque lo que ven es a sus candidatos y partidos nacionales, y rara vez se plantean la elección sobre la base de cuestiones (*issues*) europeas, en lugar de cuestiones nacionales, en los programas electorales de los partidos políticos.

El acuerdo mayoritario (todavía no unánime) respecto a la moneda única no ha sido seguido por acuerdos similares en otros ámbitos, como el de una política fiscal común, unas Fuerzas Armadas comunes, o un sistema policial común. Si se desea una mayor convergencia política las elites políticas deben tomar más en serio su tarea de crear afecto e identificación con las instituciones europeas, y para lograr ese objetivo lo mejor es hacerlo a través de la educación y los medios de comunicación. Después de 50 años la Unión Europea ha alcanzado la mayoría de sus objetivos en relación con el sub-sistema económico, con el mercado, y ha avanzado mucho en sus objetivos respecto al sub-sistema social e incluso en el cultural, pero el sub-sistema normativo sigue mostrando grandes diferencias entre países, como también se muestran en el sub-sistema judicial y en el de seguridad, aunque algo se ha avanzado y se sigue avanzando en todos esos sub-sistemas.

No constituye ninguna novedad afirmar que los nuevos valores y las actitudes sociales se difunden a través del sistema social más rápidamente cuando las elites adoptan esos nuevos valores y actitudes. La investigación ha demostrado que existen diferencias en los sistemas de valores entre las elites y los públicos de los países europeos, y que esas diferencias entre líderes y ciudadanos están aumentando en lugar de disminuir, especialmente en lo que respecta al conocimiento, afecto y apoyo a las instituciones europeas. La experiencia respecto a la aprobación de la denominada "Constitución Europea" constituye un buen ejemplo de este problema. La investigación ha demostrado que la participación política, incluso en relación con las cuestiones políticas nacionales,

está disminuyendo cuando se fija uno en los modos tradicionales de participación (participación electoral, afiliación a partidos políticos y sindicatos, etc.), de la misma manera que también se ha observado una disminución en las formas tradicionales de religiosidad. Esta evidencia podría reflejar cierto rechazo de las elites y líderes políticos (o religiosos), pero no necesariamente una falta de interés por la participación política o por la práctica religiosa, puesto que al mismo tiempo se observa un incremento de la participación política a través de otros medios (manifestaciones públicas, firma de peticiones y manifiestos, pertenencia activa a asociaciones de muy distinto tipo, trabajo voluntario, etc.), y de nuevas formas de manifestar la religiosidad o la vida espiritual (mayor vida interior, mantenimiento de las creencias pero no de las prácticas externas de religiosidad, etc.)

Algunos obstáculos nuevos a la ciudadanía europea

El futuro de la Unión Europea, si es que se desea culminar un proceso que parece deseable e inevitable de mayor integración hasta constituir una auténtica nueva comunidad interdependiente en su sentido más estricto, requerirá esfuerzos para superar algunos obstáculos no desdeñables. En primer lugar, y según lo que se ha indicado anteriormente, habrá que seguir, paso a paso, consolidando una integración política cada vez más fuerte y sólidamente arraigada, como colofón a la integración económica, social y cultural. Esta mayor integración, como se ha dicho, requiere superar la todavía enorme presencia y fuerza del estado nacional. Ese es, sin lugar a dudas, el reto más importante, lograr que los europeos traspasen el afecto y apoyo que proporcionan al estado nacional a las nuevas instituciones europeas, y ese es un reto que todavía requerirá décadas, pues la inercia de siglos de historia no se supera en unos años.

Pero hay otros obstáculos adicionales que no se presentan con la misma importancia en todos los países, y que se refieren, por un lado, al resurgimiento de las identidades sub-nacionales (o regionales) y la llegada a Europa de grandes contingentes de inmigrantes de países fuera del entorno europeo.

Parece en cierto modo paradójico que cuando los estados miembros de la Unión Europea están trabajando para construir una Europa más unida, algunos procesos sociales parezcan estar saboteando esa tarea. Aparte del bien conocido "euro-escepticismo" basado en el temor a perder soberanía nacional, ha aparecido un cierto contra-proceso a la organización supra-nacional de Europa implícita en la idea de Unión Europea que refuerza la identidad sub-nacional o regional, y que no es necesariamente compatible con las identidades nacional y/o europea, sino que con demasiada frecuencia trata de sustituirlas. No todos los movimientos regionales o sub-nacionales son necesariamente contrarios o conflictivos con la identidad europea, pero algunos de ellos si lo son, o al menos lo parecen. Hay también algunas identidades regionales o sub-nacionales que pretenden superar pasados conflictos, reales o supuestos, con la identidad nacional, mediante un apoyo creciente a la identidad europea. Una vez más, las razones por las que determinados países europeos son más o menos pro-europeos son muy diferentes, y generalmente están vinculados a su historia.

Otro aparente obstáculo a la ciudadanía europea parece proceder del reciente y masivo flujo de migraciones que llegan desde fuera de la Unión Europea. Es cierto que los procesos de inmigración recientes son muy distintos de los experimentados por los países más desarrollados de Europa durante la década de los años '60. Entonces, Alemania, los Países Bajos, Francia, y otros países, recibieron grandes volúmenes de inmigrantes de los países del sur de Europa, como Italia, Grecia, España, la antigua Yugoslavia, Portugal,

algunos de los cuales ya eran miembros del Mercado Común o de las Comunidades Europeas, y otros estaban ya en lista de espera para su posterior admisión. Las diferencias entre las poblaciones nativas receptoras y los inmigrantes extranjeros se basaban más en los aspectos económicos que en los culturales. Aunque los inmigrantes no eran todavía ciudadanos de la Unión Europea, ya eran europeos.

Los nuevos inmigrantes muestran grandes diferencias culturales, y no solo económicas, respecto a las poblaciones nativas receptoras. El idioma no es ciertamente la principal diferencia, pues los inmigrantes aprenden el idioma del país receptor rápidamente, para facilitar su búsqueda de trabajo y su integración social. La UE-25 tenía una población inmigrante de 40 millones en 2005, además de un millón y medio adicional de refugiados. Los países con mayores contingentes de inmigrantes, más de un millón, eran los siguientes: Alemania (más de 10 millones), Francia (6,5 millones), Reino Unido (5,4 millones), España (4,8 millones), Italia (2,5 millones), Países Bajos (1,6 millones), Austria (1,2 millones) y Suecia (1,1 millones). Pero el peso relativo de los inmigrantes sobre la población de cada país miembro de la UE es también muy diferente, de manera que la mayor proporción corresponde a Luxemburgo (37,4%), seguido de Letonia (19,5%), Estonia (15,2%), Austria (15,1%), Irlanda (14,1%), Chipre (13,9%), Suecia (12,4%), Alemania (12,3%), España (11,1%), Francia (10,7%), y los Países Bajos (10,1%). Finalmente, todos los países de la UE han desarrollado políticas de inmigración para la integración de los no-ciudadanos con la única excepción de Malta. Pero no existe una política de inmigración común para todos los países de la UE.

Sin embargo, no se debe caer en el error de pensar que los países europeos son los que tienen los mayores contingentes de inmigrantes, ni tampoco las mayores proporciones de inmigrantes respecto a su población total. En realidad, entre los 20 países con el mayor número de inmigrantes hay solo cuatro miembros de la UE (Alemania, Francia, el Reino Unido y España, que ocupan respectivamente los lugares 3, 5, 9, y 10). Y con respecto al peso relativo de la población inmigrantes, entre los 20 que tienen mayor proporción de inmigrantes sobre su población total solo hay tres países miembros de la UE (Letonia, Estonia y Austria, que ocupan los lugares 10, 17 y 18 respectivamente).

Hay también ideas erróneas sobre el grado de racismo y xenofobia de los europeos hacia los inmigrantes. Nada podría estar más alejado de la realidad. Utilizando datos de alrededor de 100 países de los estudios Europeo y Mundial de Valores, basados en las mismas preguntas, se puede comprobar que el rechazo a los trabajadores extranjeros y el rechazo de personas de otras nacionalidades es mayor en los países menos desarrollados, mientras que los países anglo-sajones, los europeos protestantes, los europeos católicos y los europeos ortodoxos, se clasifican entre los países menos xenófobos y racistas.

Estos resultados, sin embargo, no deben llevarnos a la auto-complacencia. La Unión Europea debe enfrentarse al reto de integrar a sus inmigrantes en sus sociedades respectivas. Por supuesto también hay diferencias entre unos países miembros de la UE y otros en lo que respecta al grado en que discriminan a los inmigrantes, pero parece que Suecia y España son los países que muestran menos rechazo y más integración de los inmigrantes, según se desprende de diferentes proyectos de investigación comparada internacional como los ya mencionados WVS y EVS sobre valores culturales, el ISSP, el ESS y los Eurobarómetros.

Ciertamente estas diferencias no son consecuencia solo de las características de los ciudadanos de los distintos países de la UE, sino que son consecuencia de muchos otros factores, como los países de origen de los inmigrantes, las mayores o menores diferencias

culturales con las poblaciones de acogida, el tiempo de permanencia en el país receptor de los diferentes grupos de inmigrantes, su grado de integración social, etc. Las comparaciones, por tanto, son difíciles, pues hay que tomar en consideración variables muy diferentes en cada caso. En el caso concreto de España, por ejemplo, la inmigración ha sido masiva solo muy recientemente, de manera que hasta hace diez años la proporción de extranjeros residentes en España procedían principalmente de la UE o de otros países europeos, y menos de la mitad procedían de terceros países, algunos de ellos bastante desarrollados. Incluso ahora la proporción es de alrededor de 65% - 35% a favor de los países no-miembros de la UE. Pero más de la mitad de los inmigrantes no-UE proceden de países latinoamericanos, que se pueden integrar fácilmente debido al idioma común y a la larga relación histórica entre España y América Latina. Por tanto, la proporción de extranjeros cuya integración social es algo más problemática no supera el 30%, y se refiere principalmente a los procedentes de Marruecos y de otros países del Magreb, así como de países sub-saharianos más recientemente. Algo similar podría decirse de los inmigrantes procedentes de países del este de Europa en Alemania o en otros países centro-europeos de la UE.

Esta variedad de situaciones exige algunas respuestas a preguntas comunes que solo se pueden enumerar, pero no analizar, aquí. En primer lugar, parece necesario diferenciar entre extranjero e inmigrante, pues aunque todos los residentes extranjeros en un país son, legal y estadísticamente, inmigrantes, la gente define a los inmigrantes de manera limitada a solo algunos extranjeros. En España, por ejemplo, nadie denominaría como inmigrante a un argentino, mientras que un ecuatoriano probablemente sería designado como inmigrante. La cuestión de quién es un inmigrante se refiere a aspectos socio-económicos mas que a aspectos legales o nacionales, ni siquiera a características raciales.

La segunda cuestión se refiere a cuando deja un inmigrante de ser inmigrante, no en términos legales, sino sociales. ¿Cuándo deja de serlo, cuando recibe la nacionalidad del país receptor?, ¿después de un cierto número de años de residencia legal?, ¿y qué sucede con los inmigrantes de segunda y tercera generación? Esta es una de las cuestiones más importantes, porque algunos países están experimentando conflictos sociales con personas que han nacido en el país, cuyos padres pueden haber sido inmigrantes o incluso pueden haber nacido ya también en el país. Los inmigrantes denominados como de segunda o tercera generación no son realmente inmigrantes, y habría que dejar de denominarlos como inmigrantes, puesto que eso tiene consecuencias sociales. Son nacionales, son ciudadanos, y referirse a ellos como inmigrantes es una forma de estigmatizarlos socialmente. Ese estigma se refiere sobre todo a los miembros de una raza diferente, o de una religión diferente, o de un grupo étnico diferente, con el único requisito de que la diferencia con los "nativos" sea visible. Esa es la razón por la que en un país como España los inmigrantes procedentes del este de Europa o de América Latina tengan más facilidades para integrarse en la sociedad española, por no hablar de los procedentes de países miembros de la UE, por supuesto.

Se han dejado a propósito para el final las cuestiones relacionadas con las diferencias de religión, puesto que merecen un tratamiento especial. Ha habido un gran debate público respecto a cómo tratar a los inmigrantes musulmanes, sus prácticas religiosas, sus costumbres, etc. En primer lugar, habría que tomar en consideración que en todos los países miembros de la UE existe libertad de culto, y que muchos nacionales, y no solo los inmigrantes, son musulmanes. Por otra parte, las costumbres que no sean ilegales deben ser aceptadas, y a la inversa los inmigrantes deberían aceptar el sistema normativo de la sociedad receptora. El respeto y la tolerancia por ambas partes constituyen la base de la

comprensión, de la convivencia y de la coexistencia. Los resultados de diferentes investigaciones demuestran que los nacionales que han mantenido una conversación con un inmigrante tienden a ser menos racistas y excluyentes que aquellos que nunca han mantenido una conversación. Esos resultados también demuestran que inmigrantes interiorizan los valores de la población receptora en un plazo más corto de lo que habitualmente se espera, y que los valores familiares y religiosos tardan más tiempo en cambiar que los valores económicos y políticos. Finalmente, debe subrayarse que otro obstáculo que fue importante hace décadas, la división ideológica, no constituye ya un elemento de ruptura social. Diferentes ideologías coexisten en la UE y no solo ello no constituye un obstáculo a la integración, sino que contribuye a esa integración al proporcionar diferentes perspectivas sobre problemas comunes, compitiendo por el apoyo de los electorados.

La investigación del ISSP anteriormente citada proporciona también algunos resultados sobre las actitudes de los europeos hacia los inmigrantes.

- En primer lugar, la mayoría de los ciudadanos de los diecisiete países estudiados cree que la inmigración provoca un aumento de la delincuencia (los irlandeses y los letones son en este caso las únicas excepciones).

- Además, solo los austriacos, los suecos, los españoles y los portugueses creen mayoritariamente que los inmigrantes son buenos para la economía del país.

- La mayoría de los ciudadanos en estos países europeos creen que los inmigrantes les quitan los puestos de trabajo, si bien la opinión contraria es mayoritaria en Suecia, España, Francia, Dinamarca y Finlandia.

- Pero al menos la mayoría de los ciudadanos de estos países creen que los inmigrantes mejoran a la sociedad receptora al incorporar nuevas ideas y culturas, aunque la mayoría de los húngaros, checos, polacos, letones y eslovacos no están de acuerdo con esa afirmación.

- En cuanto al número de inmigrantes en las sociedades receptoras, la inmensa mayoría de los ciudadanos en todos estos países opina que debería reducirse.

- Y la mayoría también piensa que los inmigrantes que no son ciudadanos deberían tener los mismos derechos que los nacionales del país receptor, excepto en Alemania occidental, Hungría, Eslovenia, Letonia y Finlandia.

Como se ve, el rechazo a los inmigrantes se basa sobre todo en los aspectos económicos, pero no parece haber apenas rechazo cuando se trata de aspectos culturales y de sus derechos. Esto significa que si la UE tuviera en el futuro problemas económicos, los inmigrantes probablemente serían el "chivo expiatorio" que pagaría esos problemas. Por el contrario, si la economía se mantiene en niveles positivos, la integración social de los inmigrantes parece que será más fácil.

Algunas conclusiones provisionales

El proceso de integración en la Unión Europea ha seguido una pauta bastante predecible, basada en la interdependencia, una interdependencia que primero lo ha sido respecto a los recursos, y que explica por qué la integración ha sido más completa en lo que respecta a las instituciones económicas, y en menor medida respecto a instituciones sociales y

valores culturales, pero la integración encuentra más dificultades en lo que se refiere a las instituciones políticas, porque eso significa una nueva distribución del poder. No obstante, la integración política ha avanzado mucho también durante los últimos 50 años, pero su continuación requiere que los ciudadanos europeos conozcan y practiquen su ciudadanía europea, algo que las elites políticas no han sabido o no han podido transmitir a sus ciudadanos.

Uno de los grandes retos con los que la UE tiene que enfrentarse en los próximos años es el de integrar a los inmigrantes de terceros países. Parece evidente que las condiciones demográficas de Europa requerirán recurrir a la inmigración durante todavía muchos años, pero los inmigrantes no van a resolver todos los problemas de Europa. Los que creen que la inmigración resolverá el problema de las pensiones de jubilación no toman en consideración el hecho de que los inmigrantes también envejecen, y habiendo contribuido a la Seguridad Social exigirán y serán elegibles para recibir pensiones de jubilación. Y quienes consideran que la inmigración es un problema, especialmente aquellos que temen que la identidad europea se pierda por la inmigración, tienen pocos conocimientos de la historia de Europa. Europa ha sido un "*meeting pot*" mucho antes de que lo fueran otros países del mundo, ha sido desde tiempos inmemoriales una mezcla de razas, de creencias religiosas, de lenguas, y no debería haber temores respecto a la capacidad de Europa para seguir asimilando e integrando a personas procedentes de lugares muy diferentes desde el punto de vista geográfico y cultural. La pregunta que requiere una respuesta es si la diversidad o la homogeneidad proporcionan más estabilidad a la nueva comunidad interdependiente que representa la Unión Europea. Lo que se sabe de otras ciencias naturales es que la diversidad contribuye más a la adaptación que la homogeneidad. Un cierto grado de ambas posiblemente es la mejor mezcla.

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ESSAY

CULTURAL AND IDENTITY SECURITY: IMMIGRANTS AND THE LEGAL EXPRESSION OF NATIONAL IDENTITY

One of the most recurring themes about immigrants in Western Europe is their effect on national culture and identity. When anti immigrant parties' gain votes in Member States one of the enduring responses is to question the role of immigrants themselves in eliciting their separation from the main stream community. The call for more and better integration of immigrants into the mainstream community is heard across Europe. In this essay I will consider some of the aspects of immigration and national identity in particular as these are reflected in Europe.

There are two starting points as regards this consideration. The first is what is culture and identity as an expression of the national and sovereign and the second what is an immigrant in relation to cultural inclusion or exclusion in the nation. Both of these starting points engage the substance of the question of legal expression of national identity and foreigners. In order to understand these two concepts and their inter-relation, a framework regarding the nature of the nation, sovereignty and identity in law is required. For the first what is culture and the individual, an anthropologist, Ernest Gellner, provides important insights; for the second, what is the individual in the face of sovereignty, I shall use as a starting point the philosopher, Giorgio Agamben. Through these thinkers I will develop this essay on nation, culture and identity security and in the process show how the use of law as it becomes supra national (in Europe at least) changes the meanings and balances of the nation, sovereignty and identity. Further this process of transformation from the nation state to more varied forms of governance, particularly in Europe, is taking place with wide popular support.

Culture, the Individual and the Nation State

Turning first to Ernest Gellner, one of the last books which he wrote before his death in 1995 directly addresses the issue of cultural identity as expressed in the 20th century in the form of nationalism ([30]). In his view only culture and social organisation are universal and perennial. States and nationalisms are not. Nationalism is a political principle which maintains that similarity of culture is the basic social bond ([31]). As he states "It simply is not the case that, at all times and in all places, men wanted the boundaries of social units and of cultures to converge, or to put it in a manner closer to their own style, that they wanted to be among their own kind, excluding 'others'. On the contrary: men very, very often live in units which violated this principle, and most of the time this violation was accepted without protest or opposition, indeed without any awareness that a vital, alleged

([30]) Gellner, E, Nationalism Phoenix, London 1997.
([31]) Ibid p 3.

universal principle was being violated ([32])." Gellner's approach is central to this discussion as the representation of immigrants as a threat to cultural identity is based on the implicit idea that homogeneity of culture is a good thing and that persons with different cultural norms are threatening or a risk to the dominant group. The basis of the nationalist's claim is that it is self evident that, as Gellner puts it, "people should be averse to living with people of a different culture and, above all that they should resent being governed by them ([33])." The result of nationalist theory is that there is a need "to protect the national culture by endowing it with its own state-protector, the need to unmask, neutralise and drive out the foreigners, who wish to destroy and debase that culture."

Gellner outlines the transformation of Western societies from agrarian where solidarity is within classes rather than within a concept of the nation. According to his analysis, cultural affinity in agrarian cultures is not based on an idea of common national origins but on position in the hierarchy. Survival depended on access to resources which take the form of surplus food production. Access to this surplus food depends on a hierarchical relationship to those holding power - thus barons had more interest and solidarity with barons who were in a similar relationship to access to resources than with peasants who might be regarded as almost a separate species. According to Gellner the transformation from agrarian to industrial societies required a reformulation of the central organising principle from hierarchy within the meaning of the agrarian world – i.e. who gets access when to the surplus food supplies –, to technocracy and with it a different understanding of boundaries and solidarity. With characteristic modesty he finishes "All we can say is this: we are in possession (and have offered) an inherently plausible and persuasive argument which purports to show (a) that homogeneity of culture is an unlikely determinant of political boundaries in the agrarian world, and a very probable one in the modern industrial/scientific world and (b) that the transition from Agrarian to Industrial is also the transition from a world in which high (literacy and education-linked) cultures are a minority accomplishment and privilege (if they exist at all) to a world in which they become the pervasive culture of society as a whole. We have linked these general observations to the emergence of nationalism ([34])."

Thus following Gellner's approach, national identity is a construction of modernity - his "Industria" needs a mechanism of solidarity which embraces the majority of the population in a particular area through a widening of culture towards a common (economically dominated) vision of the world. The inclusiveness which national culture demands presupposes that it is fulfilling a mission of incorporation of persons into its field. Its object is to encompass those on the territory and thus integrate them into the main stream ideals and objectives of the society. The moment this idea of national culture becomes dominant, not only does culture need to impose itself in a national fashion but the separation of those who do not share the elements of the newly "national" culture from those who do takes the form of dividing those who belong and the minorities and immigrants who are different. The telescoping of these two categories – minorities as those who have not internalised the national culture and immigrants as persons whose antecedents are from elsewhere and for that reason participate in some other national culture which is in competition with the territorially bound one wherein they live – is another part of the puzzle. Those successful minorities who manage to avoid this assimilation into foreignness become perceived as part of the variations within the national culture which are part of the settlement of regional claims, for instance accents in language. If they are

([32]) Ibid p 7.
([33]) Ibid p 7.
([34]) Ibid p 96.

incorporated into the national culture they also tend to lose their power. They are identified as relating to people from a particular place rather than a class ([35]).

How then does national culture connect with immigrants? First immigrants must be identified as a group from the perspective of national culture. In all Western European societies there are two groups of immigrants - those who are visible and those who are invisible. This, of course, has nothing to do with colour or visible characteristics but to do with perceptions of the host community. For instance, in the UK, most US, Canadian and Australian immigrants are invisible. Although they are identifiable not least by the way in which they speak the language they are not defined in social terms as immigrants (whatever their legal status may be). Because they are classified as "not immigrants" for all but the most technical legal purposes, their claim to minor cultural differences, such as celebrating 4 July for US nationals, is tolerated as a manifestation which does not challenge national culture, much in the same way as regional cultural differences are tolerated. Those who are "visible" immigrants, they are not so because of colour but by designation. For example, Russians or Nigerians in the UK are classified as immigrants and are expected to conform in ways not expected of Canadians or Australians.

For the purposes of cultural identity, "immigrants" includes persons who hold the nationality of the state but who are suspected of retaining differences which are not sanctioned by the construction of the national culture. The discussion sparked by the UK Home Secretary, David Blunkett in September 2002 regarding a duty on "immigrants" to speak English at home is a good example. As the response of the press and other political leaders including former minister of the same party, Keith Vaz, showed, everyone understood immediately who the "immigrants" were of whom Mr Blunkett was speaking - Asians most of whom have lived all their lives in the UK and most probably as British citizens in law ([36]). This discussion was not about French Canadians living in the UK and speaking to their children their mother tongue at home. A Home Secretary could permit himself to make a comment about immigrants speaking English at home in full knowledge that everyone in the community hearing his comments would understand the code in which he was communicating. The definition of an "immigrant" for the purposes of this discussion, is based on certain cultural manifestations relating to the Indian sub-continent, not on immigration status, length of residence in the UK or indeed, acquisition of British citizenship ([37]).

The definition of immigrant however, also indicates the tension between the modern world of Gellner and the post-modern world of Bauman ([38]) where the value of speed of movement and money transforms the mechanisms of solidarity from national to that of economic class. The visible and invisible immigrant is not only defined by the host community's intolerance but also by economic power. Invisible remain those migrants who have good jobs, visible become those who are poor. This has become so much part of the landscape of who is an immigrant that the UK Home Office can issue a press release promoting the fact that it has issued 108,825 work permits for the admission of foreign nationals and their dependants in 2001, 19% higher than in 2000 and intends to issue more work permits for the admission of the highly paid in the future. Work permits are only issued to persons

([35]) Though not always so, parts of Agraria are still alive and well competing with national culture in Industria. The rules about who can walk on college greens in Cambridge is an example of this - being limited to a class based on privilege within a closed system.

([36]) Guardian, 16 September 2002 *Vaz attacks Blunkett in language row*

([37]) For an excellent analysis of this issue see M Dummett *On Immigration and Refugees Routledge*: London & New York, 2001.

([38]) *Globalisation: the human costs* Z Bauman, Polity: London 1998.

coming to work in the UK in high skilled and executive jobs for which they have already been hired. In the same press release, as a small note at the bottom of the page the same ministry can equally congratulate itself on a reduction of the number of asylum seekers in the same period by 11% to 71,365 ([39]).

Any observer still in doubt about which are "the immigrants" need only look at the press release of the same ministry of 7 October 2002 where the Home Secretary sets out a raft of new measures to be brought in to help tackle abuse of the asylum system: "The UK has a long history of protecting those fleeing persecution, but we know that many of those applying for asylum are simply economic migrants. I am determined to crack down on the widespread abuse of our asylum process - to build trust and confidence in the system, and ensure that it works effectively to support those who have genuine protection needs." The economic migrants whom the same Minister was delighted to admit two weeks earlier are the wealthy. The poor economic migrants are those whom the Minister fears are seeking to abuse his asylum process. He does not indicate who, in the national culture, the intended recipient of trust and confidence is.

In the expression of national culture, the rich and those from states which have been culturally defined as invisible (or perhaps indivisible from the host state) are not the objects of integration discourse or requirements. They do not need to be required to adapt to a rather incomplete image of national culture ([40]). The poor and those who are visible immigrants, even if they have the nationality of the country itself and have lived there all their lives, are required to satisfy an ever higher threshold of integration until it arrives at the absurd - suggesting that families with more than one language ought to speak only the language of the host community inside their homes.

The hallmark of the categorisation of "immigrants" and "national culture" is the integration discourse. There is a duty on some people, who for ease of reference and to exclude them from the right to contest constraint, are called immigrants, to abandon some of their cultural expression in favour of becoming more like the host community. The difficulties of identifying what is the host community for the purposes of this integration duty are exemplified by the Dutch policy of requiring some immigrants to follow integration programmes ([41]). However, the principle that there are some people who may be obliged to become more like others is central to the concept of integration. Increasingly this takes legislative form in mandatory integration programmes which immigrants must follow or else be penalised by withdrawal of state benefits ([42]). The linkage of integration with poverty is apparent. If immigrants do not claim state benefits in certain forms such as income or family support (as opposed to medical services or mortgage tax relief which are state benefits for the well off) then they are not affected by the consequences of failure to comply. Integration is about transforming some persons into others and creating the incentives for those persons who are in the subordinate position and required to change to do so at the bidding of the dominant community.

([39]) Home Office Press release 26 September 2002 *Home Office Statistics Show More Work Permit Holders Coming to the UK.*

([40]) This incomplete nature is apparent in the discussion in the UK regarding the content of the new requirements for naturalisation as a British citizen. The Nationality Immigration and Asylum Act 2002 requires persons seeking to naturalise to demonstrate an understanding of UK society and civic structures and to take a citizenship oath. In order to determine what UK society and civic structures are the Home Office established a senior level independent group headed by a distinguished academic (Professor Sir Bernard Crick) to determine what the contents of the new citizenship courses and ceremony should be. Home Office press release 9 September 2002 *Experts to advise on Citizenship Reforms.*

([41]) Wet Inburgering Nieuwkomers WIN 1998.

([42]) This is the framework of the Dutch policy and is being introduced in other European countries such as the UK.

It is instructive to note that cultural or social integration is not used as a mechanism of discourse or law as regards nationals of the EU Member States who are resident in Member States other than those of their nationality. It appears in the context of migrant workers, nationals of the Member States, only as regards the creation of the best conditions of integration for the spouses and children as regards access to benefits ([43]). It is for the spouses and children to determine whether or not they wish to avail themselves of the integration conditions. The discourse at the EU level uses the word "convergence" avoiding the subordinate/dominant difference implicit in integration. The Member States indices are converging one upon the other in a consistent manner. The discourse of convergence is a voluntary one where there is a programme within which there is a natural movement. It does not contain the coercive idea of the movement of lesser valued towards more valuable norms.

The European Union creates difficulties for the nationalist perspective from a number of different points of view. The word "immigration" is no longer used as regards movement of nationals of the Member States from one to the other. Instead these are persons who are exercising their right of free movement of persons. In EU parlance, the word immigration or immigrant is assiduously avoided in the description of the Portuguese national moving to Sweden or the Finnish national moving to Spain. With each enlargement of the European Union, starting with Denmark, Ireland and the UK in 1971, fears were expressed about the influx of "immigrants" expected from the new Member State. In 1971 parts of the press in France and the Netherlands were filled with scare stories about how Black Britons with no tradition of minimum wages were on their way to these countries to take jobs from local people ([44]). There was a reoccurrence of this process taking place over the period towards May 2004 as regards the enlargement of the European Union. The perception of nationals from these states was already under transformation from "immigrants" to citizens of the Union. By 2006 such a change had taken place in the perception on nationals of these states as fellow citizens of the Union that the majority of Member States lifted transitional restrictions on free movement of workers from the 2004 joiners. The fate of Bulgarian and Romanian nationals whose states are joining on 1 January 2007 remains in the balance though it is clear some "old" Member States will not apply transitional restrictions on free movement of workers (for instance Finland).

It is also worth bearing in mind that, contrary to the nationalist discourse, nationals of EU Member States have consistently voted in favour of transferring fundamental governance responsibilities to the exclusive benefit of the EU. They have continuously deprived themselves of the right to govern themselves as nation states. Instead there has been a conscious choice (if reluctant in some Member States such as Denmark) to share the powers of governance for foreigners (i.e. nationals of other Member States). Of course each Member State is represented in the EU institutions and for the moment at least each Member State has a power of veto over legislative acts. But once an act has been adopted all Member States are obliged to respect and give effect to it ([45]).

([43]) Preamble, Regulation 1612/68.

([44]) Böhning, R W, *The Migration of Workers in the United Kingdom and Europe* OUP, London 1972.

([45]) Not only is this included in the European Community Treaty at Article 10, but the Court of Justice has developed enforcement mechanisms of substantial constraint over the disobedient state – in the form of damages to individuals who suffer harm from the state's failure to implement Community law correctly – C-6, 9/90 *Francovich* [1991] ECR I-5357.

Cultural Identity, the Individual and Sovereignty

The second key to understanding the relationship of the concept of cultural identity and immigrant status is that of sovereignty. Who is entitled to differentiate between the citizen and the immigrant and what are the theoretical positions? Here Giorgio Agamben's work on sovereignty is useful. Sovereignty is the mechanism through which nationalism and the separation of the citizen from the immigrant takes place. Agamben situates in time this differentiation of the citizen from the individual at the centre of the French revolution and the creation of the nation state. "In the system of the nation-state, the so-called sacred and inalienable rights of man show themselves to lack every protection and reality at the moment in which they can no longer take the form of rights belonging to citizens of a state. If one considers the matter, this is in fact implicit in the ambiguity of the very title of the French Declaration of the Rights of Man and Citizen of 1789 ([46])."

This differentiation of citizens from individuals in general as rights holders is central to the concept of sovereignty, tied to the nation state. "Declarations of rights must therefore be viewed as the place in which the passage from divinely authorised royal sovereignty to national sovereignty is accomplished. This passage assures the exception of life in the new state order that will succeed the collapse of the *ancien régime* ([47])". Thus the second step of the theoretical framework is how bare life is transformed into a citizen and becomes the bearer of sovereignty. This is then separated from the individual without citizenship who does not have this characteristic of sovereignty inherent in him or her. In support of this central understanding of the modern world Agamben notes that "one of the few rules to which the Nazis constantly adhered during the course of the 'Final Solution' was that Jews could be sent to the extermination camps only after they have been fully denationalised (stripped even of the residual citizenship left to them after the Nuremberg laws) ([48])."

The concept of sovereignty which is inherent in the citizen creates a fundamental difference between the individual as citizen and as immigrant. The immigrant, by definition does not have the capacity of sovereignty within him or her and thus the rights and guarantees of citizenship can be withheld from him or her. So for example, the UK government could justify to the UK Parliament the introduction of a provision of law permitting the state to detain indefinitely a foreign national suspected of being an international terrorist where such indefinite detention would not be permitted in respect of a British national ([49]). As one British non-government organisation pointed out to the UK Select Committee on Home Affairs in the context of their enquiry into the Act "...what seems to be being suggested by the Government and in this Bill is that we can somehow avoid the usual presumption of innocence which will apply to British citizens and that because these people are foreigners we can lock them up for indefinite periods. The reason that the Government can get away with that is because of the procedures which exist in the Immigration Act. We say that the foreigners who are in this country should be treated no differently from British citizens in the context of indefinite detention, in the context of internment, in the context of a presumption of innocence. Otherwise it seems to me that we are suggesting that somehow people who just do not happen to have obtained British citizenship have fundamentally fewer rights than others ([50])."

([46]) Agamben, Giorgio, *Homo Sacer: Sovereign Power and Bare Life* Stanford University Press, Stanford, 1998, p 126.

([47]) Ibid p 128.

([48]) Ibid p 132.

([49]) Part 4 the Anti-terrorism, Crime and Security Act 2001.

([50]) Quoted at para 25 Select Committee on Home Affairs, First Report, 2001-02 *The Anti-Terrorism, Crime and Security Bill*.

This lower level of rights or indeed the struggle for rights at all is the ground of the difference between the citizen and the immigrant which is the result of the allocation of sovereignty. The right to protect national identity from suspected international terrorists results in the claim of the state to the power legitimately to detain immigrants indefinitely in circumstances where a national could not be detained. A surprising challenge by the UK courts to this difference of treatment came in the form of a decision of the Special Immigration Appeal Commission which found the legislation to breach the UK's duties of non-discrimination contained in the European Convention on Human Rights ([51]). The decision was reversed on this point by the Court of Appeal ([52]). However, what is worth noting is that the national court had reference to a supra national norm (which in fact had only recently been incorporated into the domestic legal order) in order to find equality between individuals.

The importance of the distinction between the individual as citizen and as foreigner which is central to Agamben's sovereignty begins to break down when the supra national becomes engaged. The individual as a holder of rights which transcend the state's power of definition is central to the concept of international human rights. The individual has rights because he or she exists in the human rights tradition, not because he or she forms part of the group which negotiated the constitutional settlement between the rulers and the ruled. An important moment in this breaking of the nation state control over rights took place in 1993. In that year Yugoslavia was required to report on its implementation of the International Covenant on Civil and Political Rights, in accordance with the provisions of the Covenant. However, by 1993, Yugoslavia no longer existed and had been fragmented in a number of new states one of which was still in a state of civil war. The Committee was faced with the question: what happens to the rights guaranteed by the Covenant to the individuals whose state no longer exists. The Committee found that the successor states to the former Yugoslavia were under a duty to report on the application of the Covenant rights. The reasoning here is that the rights have become the property of the individuals who enjoy them. The transformation of the state, even in the most violent form of state dissolution cannot have the effect of depriving these individuals of the rights which now belong to them ([53]).

Of course the human rights sceptic will immediately raise the issue of compliance – without mechanisms to force state compliance these rights have little meaning. It is certainly the case that the development of human rights protection works most effectively where there are strong states capable of delivering human rights protection. States which are too weak to provide even minimal rule of law present different problems for the human rights system. Thus there is nothing inimical between international human rights regimes and strong states indeed the later depends on the former. However, the latter constrains the former. The state is no longer free to treat immigrants in ways which do not fulfil the requirements of the treaties.

The importance of this development is particularly clear in Europe where the European Convention on Human Rights and the supra national court with jurisdiction to receive complaints from individuals regarding breaches of the Convention rights, the European Court of Human Rights, hold the member States in an increasingly close embrace. Article 1 of the Convention states that the signatories "shall secure to everyone within their

([51]) Ex p A Special Immigration Appeals Commission, 30 July 2001, unreported.

([52]) *A, X and Y and Others v Secretary of State for the Home Department* [2002] EWCA Civ 1502.

([53]) UN Human Rights committee's Decision on State Succession to the Obligations of the Former Yugoslavia under the International Covenant on Civil and Political Rights (1993) EHRR p 233.

jurisdiction the rights and freedoms..." of the Convention. There is no question that the rights contained apply equally to nationals and immigrants, and some of the most fiercely fought cases before the Court have been in respect of immigrants ([54]).

In 2002 exactly the issue of the rights of immigrants to fair treatment by the state came before the Court ([55]). The case was brought by a family, the Čonkas, Roma of Slovak nationality against Belgium. They applied for asylum in Belgium in November 1998 on account of their fear of persecution in Slovakia by skinheads and others against which aggression the Slovak state (in the form of the police) was not affording them protection. Their applications were rejected in a summary proceeding and they were ordered to leave the state which they did not do. Various appeal procedures were pursued without success. At the end of September 1999, the Belgian police sent the family (and to numerous other Slovak Roma) a notice requiring them to attend at the police station on a given date to enable the files concerning their applications for asylum to be completed. When they did so, they were served with expulsion notices and protocols indicating that they would be detained for the purpose of expulsion. Six days later, they were expelled via a military airport, their seat numbers marked on their hands with ballpoint pen. The family claimed that they had been subject to illegal deprivation of their liberty (article 5 ECHR). The Court agreed finding Belgium in breach of its human rights obligations.

In the Court's finding, the obligation of states to act in good faith towards the citizen is one of the principles of governance central to constitutional settlements. However, to the extent that the state owes any duty of good faith to foreigners, in Europe this duty goes farther than the protection of those lawfully on the territory and the more general duties to protect the integrity of the person. Through the general principles of the Convention, the Court held that illegally present aliens are entitled to reliability in communications with the state. State actors are not entitled to treat them as criminals, nor are they entitled to use deception to facilitate their detention and expulsion. Respect for the individual is central irrespective of the national rules on legal/illegal presence. The right of the state to define who is lawfully present and who is unlawfully on the territory does not change the nature of the duty of bona fides of the state authorities with the individual.

I have insisted at some length on the specific decision of the European Court of Human Rights on the Slovak Roma in Belgium as it shows most graphically the meaning of the loss of state control over the treatment of immigrants, even ones designated as illegal, through the acceptance of human rights duties which exceed the state. Before a European state can regain the sovereignty to treat immigrants by deception or stratagem it would have to withdraw from the European Convention on Human Rights. The British Prime Minister Blair suggested that the UK might consider such denunciation in February 2003 in order for the UK to be able to return asylum seekers to countries where they feared torture (prohibited under the Convention by article 3). The reaction both within the UK and elsewhere in Europe was swift and extremely negative. Among the issues which such a course of action would entail is that the state would be required to leave the European Union as well.

Conclusions

From Gellner comes the question mark over the essentialism claimed by nationalism. As he puts it, there is nothing inherently human in seeking to be surrounded by persons

([54]) For example the case of national security and expulsion of an immigrant: *Chahal v UK* European Court of human Rightds 15 November 1996.

([55]) *Čonka v Belgium* European Court of Human Rights 5 February 2002.

whom one perceives as being similar or different in origin or indeed in any other aspect. Agamben places this is a theoretical framework of sovereignty – what is the essence of the difference between being a citizen and a non citizen – as the capacity to be a holder of sovereignty and thus the right to define the exception. Escape from the nation state provides the route to an alternative perspective of sovereignty which also permits a way out of the sovereignty trap as regards foreigners.

Societies make choices about how to structure membership and exclusion. These can be placed in opposition – membership limited to persons with certain characteristics which mean they are designated as citizens or not. The choices make by national laws regarding the acquisition and loss of citizenship are very different from one country to another. Or they can be defined as complementary – the choice which has been made in the European Union as regards retention of national citizenship with the addition of citizenship of the Union as an additional status. In the same way, diversity can be presented as a benefit to a society or a threat. The construction of mandatory integration programmes in some countries usually indicates a fear of diversity no matter how much the proponents seek to justify these projects as for the benefit of the "immigrants". The right of immigrants, nationals of EU Member States, not to integrate to remain distinct, is constructed as a benefit to the whole of the Union, evidence of diversity. The experience in Europe indicates just how easily societies can move from one way of looking at these questions to another. It also shows just how many mutually contradictory positions can be maintained at the same time – integration as necessary from some but not others: a differentiation reflecting other criteria at work for which the nationality category is only a shield behind which to hide other motivations.

The hold of sovereignty over the territory and the treatment of individuals, thus differentiating between citizens, the embodiment of sovereignty, and foreigners, the eternal outsiders, is also subject to transformations. The development of international human rights standards is the clearest of these changes. As I have sought to show, the immigrant can no longer be excluded entirely. Human rights are not only obligations on states but also possessions of individuals, including immigrants. The creation of institutions and mechanisms for human rights compliance has the effect of changing the relationship of the state to sovereignty over the others within its boundaries. While governments may express dismay and anger over certain decisions of supra national courts over human rights violations, there is nonetheless a continuous trend towards ratification of international human rights treaties and indeed towards the creation of mechanisms for their enforcement. The establishment of the International Criminal Court, notwithstanding substantial opposition from the USA indicates a continuing commitment to the process of supra nationalising the rights and duties of individuals within a framework of human rights.

Cultural and identity security are by no means enemies. They are rather engaged in a dialogue which takes place both within the nation state and increasingly at the supra national level. The development of international human rights law is central to the success of this dialogue. However, even without the establishment of international norms on the protection of the individual, the European Union's history of transforming persons perceived as "immigrants" in need of integration into persons exercising citizenship rights whose diversity enhances the Union demonstrates an alternative approach to cultural and identity security. The embrace of difference as a positive value embodied in foreigners who come to a territory has a history both ancient and modern worthy of greater attention. There are alternative frameworks of value which do not offend culture and identity but rather through respect and inclusion create greater security for both.

CLOSING SESSION

SÉANCE DE CLÔTURE

CLOSING SPEECHES
DISCOURS DE CLÔTURE

Prof. Péter Balázs
Prof. Manuel Porto
Mrs. Odile Quintin

Prof. Péter Balázs,

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ESSAI

LES DEFIS DE L'EUROPE DANS UN MONDE GLOBALISE A LA LUMIERE DES DERNIERS ELARGISSEMENTS

L'étude de l'intégration européenne articule trois ensembles élémentaires : la structure juridique et institutionnelle, qui constitue les fondements ; l'économie communautaire, qui profite de l'élargissement des dimensions de l'union ; et la science politique, qui effectue la synthèse des résultats et des problèmes rencontrés. Mes idées sont regroupées suivant ces trois axes des études communautaires. Malgré son apparente simplicité, cette classification ne sera pas sans équivoque et double emploi.

Économie

La diversité accrue des États-membres de l'UE reformule la question des dimensions idéales de l'intégration. Le dernier élargissement de l'UE n'a pas augmenté sensiblement le rendement économique de l'Union, mais aura ouvert de grandes dimensions et apporté un dynamisme accru aux confins de l'Est. L'augmentation de la population de l'UE a été quatre fois plus importante que celle du PNB (20 % c'est-à-dire 75 millions d'habitants de plus contre 5 % d'accroissement du PNB). Le tout dernier chapitre de cette affaire est l'adhésion de la Roumanie et de la Bulgarie. Il s'agit de deux pays qui avaient commencé les négociations d'adhésion au même moment que les dix autres. Cet élargissement suscitera des changements encore plus asymétriques (1 % d'augmentation du PNB et près de 7 % de la population de l'UE).

Avant et après l'élargissement de 2004, de sérieux doutes se sont fait entendre au sujet d'une invasion de travailleurs de bas salaires en provenance de l'Est et une délocalisation accrue des bases de production de l'Ouest de l'Europe. Depuis lors nous savons que les craintes étaient démesurées. Un rapport de la Commission Européenne a présenté les chiffres concrets du mouvement de la main-d'œuvre à l'intérieur de l'union ([72]). Ces données fournissent la preuve aux États membres que le système appliqué, notamment les mesures transitoires, contrôlent suffisamment les processus économiques. En ce qui concerne les investissements, l'UE a exporté plus de capital vers les États-Unis que dans ses nouveaux Etats membres.

Pourtant des craintes et des réserves subsistent dans le contexte plus large et à la fois nébuleux des prochains élargissements. C'est la question sur les dimensions idéales de l'espace économique intégré qui se pose. Quel est donc le bilan des avantages et des coûts de l'agrandissement du marché unifié ? Voilà un beau défi pour la recherche. Certains

([72]) 1. *Rapport sur le fonctionnement des dispositions transitoires visées au traité d'adhésion de 2003 (période du 1er mai 2004 au 30 avril 2006)*, Communication de la Commission au Conseil, au Parlement Européen, au Comité économique et social européen et au Comité des régions

avantages ressortent d'un rapport de la Commission Européenne à ce sujet ([73]). Mais la recherche pourrait creuser davantage et aller plus loin.

A l'origine de la problématique, il y a sans doute la diversité économique accrue au sein de l'UE. Le PNB par habitant mesuré au niveau des régions se situe entre 33 et 278 % de la moyenne communautaire (au moment de l'élargissement, données de 2003). Il existe donc des différences octuples. Entre les régions les plus aisés et les plus démunies des anciens états membres cet écart est plus réduit : la relation n'est que quadruple (entre 57 et 278 % du PNB moyen), donc la moitié de la proportion citée.

Considéré du point de vue du critère d'éligibilité des fonds structurels 60 régions se situaient en dessous du seuil (75 % de la moyenne communautaire). 24 d'entre eux se trouvent dans les anciens états membres (Grèce, Italie, France, Allemagne, Portugal et l'Espagne) et 36 dans les nouveaux (tous les nouveaux sauf la Slovénie et Chypre). Les 36 régions représentent presque la totalité des huit nouveaux états membres concernés et seulement trois régions-capitales font exception, à savoir Prague, Budapest et Bratislava.

La périphérie interne de l'espace économique intégré s'est agrandie. Un aspect remarquable est la segmentation de cette périphérie même. Dans les anciens états membres toutes les régions en question se situent dans la zone de 57 à 75 % de la moyenne. Le parcours à faire à l'aide des fonds structurels semble être réaliste. Par contre parmi les régions des nouveaux seulement 11 se situent dans la catégorie entre 50 et 75 % de la moyenne communautaire qui constituait, d'une façon traditionnelle, la piste de rattrapage. Les autres 25 – donc la majorité – se situent dans une zone nouvelle entre 30 et 50 %. Ils représentent un niveau de développement que l'UE n'a pas connu jusqu'à présent.

Les six régions les plus pauvres de l'Europe des 25 se trouvent en Pologne (entre 33 et 37% de la moyenne). Une région slovaque et trois régions de l'Est de la Hongrie complètent la liste des dix régions les moins aisées de l'Union des 25. Notons qu'il ne s'agit là que de quelques régions. Les dix nouveaux pays en possèdent d'autres plus performants qui font augmenter leurs niveaux nationaux de développement. Par contre, ce qui n'est l'affaire que de quelques régions pour la Slovaquie ou la Hongrie vaut pour l'ensemble des deux membres à venir, la Roumanie et la Bulgarie (34 et 31 % de la moyenne de l'UE-25).

La périphérie interne de l'UE se divisera donc en deux catégories : une zone «traditionnelle» entre 50 et 75 % de la moyenne communautaire du PNB par tête et une nouvelle zone entre 30 et 50 %. Cette dernière se distingue par un niveau particulièrement bas des salaires, de l'infrastructure, des investissements, de l'emploi. En même temps ces régions et pays ont un potentiel de développement certain et offrent des marchés dynamiques, avant tout aux autres pays de l'UE. La question qui se pose est la suivante : est-ce que les coûts du rattrapage sont proportionnels par rapport aux avantages attendus ? Ma réponse est oui. Une contribution minime du budget communautaire doit soutenir un développement économique qui aura ses fruits. Et ces fruits seront récoltés avant tout par les états membres au centre de l'UE.

La question suivante est plus pesante : pouvons-nous continuer l'élargissement avec les mêmes moyens financiers, avec la même structure du budget communautaire, avec les

([73]) 2. Commission Communication - *Enlargement, Two Years After* - An Economic Success - COM (2006)200, 3.5.2006.

mêmes critères des fonds ? D'après les statistiques, la Bulgarie représente le même niveau de développement que la Turquie (31 % de la moyenne du PNB par tête des EU-25). Mais la Turquie est presque dix fois plus peuplée que la Bulgarie. Un niveau de développement encore plus bas se manifeste dans les Balkans (par exemple la Macédoine à 20 % de la moyenne). Je répète ma question : jusqu'à quelles limites peut-on cofinancer les coûts de rattrapage du budget de l'UE ? Où se trace la ligne de démarcation entre fonds structurels et aide au développement ?

Il semble que l'utilisation du fonds de cohésion est plus équilibrée. Le seuil d'éligibilité de 90 % est mesuré au niveau des Etats membres. Tous les nouveaux et en outre deux pays classiques de cohésion (la Grèce et le Portugal) tombent sous cette catégorie. Les grands projets, en particulier les réseaux transeuropéens – presque indépendamment de leurs locations géographiques – servent les intérêts de l'ensemble de l'Union. Cette forme d'utilisation des moyens communautaires représente mieux la « valeur ajoutée européenne » que les mécanismes traditionnels de redistribution de la PAC et de la politique de cohésion qui constituent la majeure partie du budget actuel.

Les questions qui dérivent de la problématique que j'ai esquissée sont les suivantes :
Jusqu'à quel écart du niveau de développement (de salaires, de prix, etc.) est-ce que les «quatre libertés» peuvent fonctionner de la manière traditionnelle, c'est-à-dire au terme des périodes de transition de quelques années ?

Jusqu'à quelles dimensions de l'espace économique intégré est-ce que les coûts de rattrapage demeurent proportionnels aux gains de l'agrandissement du marché ?
Quelles catégories du niveau de développement de la périphérie interne de l'UE devraient être distinguées et desservies par des programmes spécifiques de soutien dans le cadre de la politique de cohésion ?

Des réponses adéquates vont contribuer à la solution de l'énigme du « modèle social » qui est aussi diverse à travers l'UE que le niveau de développement. Et surtout : la cohésion interne de l'Union est la base même de sa compétitivité internationale. Les critères et les composants de la compétitivité se distinguent aussi en fonction du niveau de développement. Pour les uns, une meilleure utilisation du facteur humain est la clé ; pour les autres, c'est l'infrastructure de transport qui manque encore.

Il en va de même pour le rayonnement scientifique de l'Europe. Les ambitions démesurées que l'on a tendance à nourrir au sujet de la recherche scientifique ne pourrait suffire pour mettre en pratique la formule de Lisbonne ;

Il faut aussi faire preuve de prudence vis-à-vis de nos anciennes valeurs et préjugés. Ce sont notamment « des simples zones de libre échange » qui nous dépassent dans le concours mondial de compétitivité est qui servent pour beaucoup d'entre nous de modèle à suivre. Il faut fournir des preuves tangibles que notre modèle d'intégration est toujours compétitif.

Institutions

La multiplication des Etats dans la partie de l'Est de l'Europe est une source de problèmes tant à l'intérieur qu'à l'extérieur de l'UE. Le plus grand changement lors de l'élargissement de 2004 était l'augmentation du nombre des Etats membres de 66 % (pour l'UE-27 de 80 %). Toutes les difficultés du modèle fondé largement sur la doctrine de l'égalité des Etats souverains ont fait surface. Il ne s'agit pas seulement de la représentation directe

des Etats membres sous beaucoup de formes (personnelle, linguistique, symbolique), de leur représentation au sein des différentes organes (au Conseil, à la Court, récemment même à la Commission Européenne à cause de l'application du principe d'un commissaire par État membre) ou encore aux multiples niveaux de l'UE (chefs de gouvernement, ministres, représentants permanents, experts, comitologie), mais aussi du nouveau dynamisme de groupe, de la formation des coalitions d'intérêt, etc..

Le modèle est né avec six états membres et trois fonctions d'intégration, à savoir les trois politiques communes prévus par le Traité de Rome dont nous allons bientôt fêter le 50e anniversaire. L'agrandissement de la matrice avait été prévu selon les deux dimensions, ce que nous allons appeler plus tard « élargissement » et « approfondissement » de l'intégration. Au début il y avait plus de perspectives pour l'enrichissement des activités sous l'effet du "*spill over*" que pour l'élargissement. La grande partie de l'Europe était divisée sous l'égide du système bipolaire entre trois groupements économiques de caractères fort différents, notamment la CE, l'AELE et le Comecon.

Avec les élargissements entre 1973 et 1995, pendant deux décennies, le centre du continent aura graduellement avalé et incorporé ses voisins. En Europe de l'Ouest seuls sont restés en dehors de l'UE-15 ceux qui, pour une raison ou pour une autre, ne voulaient pas adhérer (par exemple la Norvège, la Suisse). La Communauté des Six a accompli sa tache définie par les pères fondateurs à l'article 237 du Traité de Rome : tous les Etats de l'Europe du temps de la fondation étaient devenu membres de l'organisation. L'écroulement de l'empire opposé n'était pas prévu, ni par la vision politique des fondateurs, ni par le modèle d'intégration.

En plus, durant les quatre décennies du système bipolaire, on ne comptait au-delà des frontières orientales de la CE qu'un ensemble de neuf pays (sept Etats du Pacte de Varsovie, la Yougoslavie et l'Albanie). Après 1990, suite à la dissolution de trois Etats fédéraux (Union Soviétique, Yougoslavie, Tchécoslovaquie), il existe aujourd'hui sur le même territoire 28 Etats. 23 d'entre eux sont des « nouveaux nés» avec une nouvelle identité, avec leurs langues et symboles nationaux (drapeaux, passeports, monnaies, uniformes, hymnes, etc.). A la fin du siècle dernier l'UE était confrontée non seulement à l'héritage des différences de système, mais aussi à une multiplication des Etats candidats dans la sphère européenne et une série de nouvelles identités nationales encadrées dans de nouveaux états. C'est donc une toute nouvelle situation qui exige par conséquent une toute nouvelle approche de la part de l'intégration européenne aussi.

La multiplication des Etats et leur adhésion tumultueuse à l'UE a transformé le caractère et le contenu des relations entre les Etats membres ainsi que leur attachements au monde extérieur. A l'intérieur de l'organisation, le nombre élevé des acteurs d'une part et, d'autre part, le poids important que l'ensemble des autres Etats membres représente dans les relations internationales de chacun d'entre eux ont provoqué des changements fondamentaux. Ces deux facteurs ont converti la réunion de famille de l'harmonisation des intérêts des six, qui fonctionnait ainsi jusqu'à douze membres, en un terrain classique de politique extérieure.

Il faut admettre que les réunions du Conseil des ministres ou du Conseil européen représentent une diplomatie « bon marché » telle que l'Europe n'en a jamais connue, car les coûts de transaction de rencontres sont minimes. Mais le comportement et les actions des participants fournissent une illustration à la théorie néoclassique des relations internationales : « chacun pour soi ». Aux conférences de presse, les hauts dignitaires des gouvernements nationaux affichent leur victoires sur – qui ? – les autres membres de la

même famille. Malgré des efforts considérables visant une politique étrangère et de défense commune au niveau de l'UE, les relations diplomatiques entre les Etats membres ne se distinguent guère des relations avec des pays tiers en dehors de l'Union. Partout les mêmes ambassades, ambassadeurs, la même pratique quotidienne. Le seul élément qui indique un changement important est la promotion de l'ambassade auprès de l'UE en représentation permanente. La division interne de l'UE se reflète aussi dans les actions à l'extérieur.

L'organisation de l'UE est basée sur la représentation des nations qui la composent, donc des Etats membres : une représentation directe et égale aux différents niveaux du Conseil, dans une forme symbolique à la Cour et récemment aussi à la Commission, une représentation proportionnelle au Parlement européen et dans d'autres organes comme par exemple le Comité des régions et certainement aux votes au Conseil. En raison de cette évolution la masse croissante des représentants nationaux semble déborder (ce qu'illustrent, entre autres, les portefeuilles mis à la disposition de certains nouveaux commissaires). Ce n'est pas de leur faute, le nombre des Etats membres est déjà supérieur à celui de fonctions d'intégration (27 membres de la Commission, 18 fonctions au niveau des directions générales tout comme aux comités du Parlement européen et seulement neuf formations du Conseil des ministres).

Plus l'UE est grande, plus elle exigerait le « leadership » de qualité. L'équilibre institutionnel tant souhaité devrait se manifester non seulement dans le partage du pouvoir et de l'influence entre les différents organes de l'UE mais aussi dans une symétrie dans leurs fonctions afin de pouvoir traiter les mêmes sujets du côté des différents organes. Un renouveau fondamental de la Commission devrait aller de paire avec celui des structures du Conseil, sans jamais perdre de vue les pratiques et les préférences du Parlement européen.

Politique

L'impasse produit par le refus du projet du Traité constitutionnel dans deux Etats membres (fondateurs) et sa ratification dans dix-huit autres constitue le point focal d'une série de problèmes politiques. La « pause de réflexion » n'a ni augmenté le courage de prendre les décisions nécessaires, ni stimulé l'imagination pour distinguer clairement la nature des tensions, leurs origines et interdépendances. Une constitution hâtive, un élargissement démesuré et une perte générale de compétitivité ont contribué à l'image d'ensemble. On attend toujours, sinon un miracle, la présidence allemande qui trouvera certainement les bonnes solutions. Je suis persuadé que la présidence allemande sera puissante et inventive. Mais six mois, c'est très court. Dans le meilleur des cas, elle prendra des initiatives qui pourront être développées par la suite.

La grande dynamique de l'intégration demeure l'élargissement. C'est ce qui a bouleversé les esprits en France et en Hollande, c'est ce qui est à l'origine des changements profonds dans l'espace économique intégré et qui est l'outil le plus efficace de la politique extérieure de l'Union. L'UE des vingt-sept a de nouvelles frontières et, à partir de ces lignes, les frontières ultimes de l'Europe sont déjà visibles. Une stratégie combinée d'élargissement et de voisinage pourrait déjà couvrir l'ensemble de l'Europe géographique, en parfaite harmonie avec les Traités.

En ce qui concerne l'élargissement, nous appliquons une conditionnalité exemplaire envers les pays candidats, mais les conditions exprimées par l'ensemble de l'acquis communautaire sont directement converties en techniques de négociation. Pendant de

longues années on ne parle pas avec les candidats de l'intégration de l'économie, des changements et crises dans leur vie politique ou des projets communs pour l'avenir, mais on parle des « chapitres » du Droit communautaire. Il s'agit donc des conditions «nécessaires mais non pas suffisantes». Le triste exemple de l'avant-garde de la veille, celui des quatre pays de Visegrád, fournit une illustration des résultats de cette approche purement technique.

La méthodologie actuelle de l'élargissement résulte en un modèle exclusif : le candidat ne peut adhérer qu'au niveau maximum de la performance requise. C'est l'approche des parents durs et insensibles : ils n'élèvent pas, ils exigent. Et ils se rassurent en se disant que l'argent de poche est plus qu'élevé. La préparation des futurs membres pourra se faire beaucoup mieux à l'intérieur de l'UE par leur inclusion graduelle dans les institutions, au fur et à mesure de leur adaptation à l'acquis communautaire, à partir d'une conditionnalité de base qui devrait dépasser les conditions simplistes de Copenhague.

La politique de l'élargissement détermine aussi la politique de voisinage. La plupart des voisins actuels sont toujours ceux de l'Article 49, donc des pays européens éligibles à l'adhésion aux termes du Traité. Dans leur cas, la perspective de l'adhésion doit toujours être présente dans les relations avec l'UE dans un contexte de conditionnalité, bien entendu. Pour eux, tout acte de relations bilatérales avec l'UE se mesure en fonction de cet objectif final. L'Union devrait partager cette vision de la « finalité politique ». Un traitement tacite et défensif du problème n'aide pas, il faudrait parler ouvertement des perspectives ainsi que des pré-conditions manquantes.

A la table de négociations se trouvent actuellement deux candidats, représentants de deux régions différentes. La Croatie fait partie des Balkans de l'Ouest. La stabilisation et la transformation de l'ensemble de cette région devraient être menées à bien au sein d'un processus multilatéral d'inclusion graduelle. L'importance stratégique de la Turquie s'exprime entre autres par sa position dans la région de la Mer noire, ses liens de transport et d'énergie qui l'attachent aussi à ses voisins du Caucase, autres Etats européens. Dans les deux cas, une approche régionale serait plus sensée et servirait mieux la réconciliation historique entre voisins, dont il y a grand besoin.

Le troisième groupe des candidats potentiels se trouve à l'Est de l'UE des 27 : l'Ukraine, la Moldavie et le Belarussie. Ils auront besoin de soutien et de patience de la part de l'UE. Les « vraies voisins » n'apparaissent qu'au-delà : la Russie, l'Asie centrale ex-soviétique, le proche et moyen Orient et, bien entendu, la Méditerranée. C'est avant tout dans cet espace stratégique composé des candidats potentiels et des voisins de ces candidats que l'UE devrait faire valoir sa politique extérieure. Mais pour ce faire, elle devra d'abord se redresser et se stabiliser à l'intérieur.

Prof. Manuel Porto,

President of ECSA-World, Jean Monnet Chair
at the University of Coimbra, former Member
of the European Parliament

SPEECH

My first words are to express deep thanks, on behalf of all ECSA members, to all who contributed for the organization and for the success of the Conference.

Thanks are due to the Commission, with the leading role in the process. Just to mention a few names, the President, José Durão Barroso, participating in the opening session, to Commissioner Ján Figel', to General Director Odile Quintin (also for their participation) and to Mrs. Belén Bernaldo de Quirós and her staff, preparing all the organization. Special thanks are also due to the speakers in the different sessions.

Finally, thanks are due to all participants, coming from the five continents of the world, expressing, in interventions in the sessions and in informal talks, what should be expected from Europe in the 21st century.

My following words are to express my happiness for the success of the Conference.

This success is due to the high quality of the papers, a quality of course expected, having in mind the high quality of the participants, great experts in the different fields.

But the success was also due to the importance and to the actuality of the subject. In a globalized world, with some previously less developed countries having an increasing role in the world economy, Europe must correspond to new and demanding challenges, deeply analysed in the Conference.

It is sure that in the 21st century we will have a new or renewed map of the world; but it is interesting to notice that into a great extent we are coming back some centuries ago, with a renewed role played by previously powerful countries.

There are no accurate numbers, but it is sure that until the 19th century countries of Asia, in particular China and India, were among the most developed countries of the world: with quite advanced cultural standards and strong and diversified economies, producing not only primary products, also manufacturing with the highest quality at the time (for example ceramics and textile).

It was of course the knowledge of these circumstances and of the quality of these products (not only spices, and in no case raw materials) which, already in the 15th and 16th centuries, attracted the interest of the Europeans, purposed to reach India (in one second moment China) either by the east (as Vasco da Gama did) or by the west (as Cristóvão Colombo attempted, thinking that the American territory was territory of India).

An important change occurred with the discoveries, beginning with the Portuguese navigators, followed by navigators of other European countries.

In the centuries before, connections between the continents were dangerous and expensive, therefore scarce. The improvement in the connections by sea was therefore the point of departure for globalisation.

A better knowledge of navigation gave to the Europeans the opportunity to reach all the other continents in much better conditions. But it remains difficult to explain how we could keep supremacy all over the world for four centuries: on territories that were not only much more populated, they were also richer than Europe.

In particular, we should remember that still in 1820 China had 28,7% of world GDP and India 13,4% (so, the two together 42,1%), when (in what were later on the territories of these countries) France had 5,5%, the Soviet Union also 5,5%, the United Kingdom 5%, Japan 3,1%, Germany 2,4%, Spain 1,9%, the United States 1,8%, Indonesia 1,6% and Pakistan 1%. The effects of the industrial revolution, with origin in England in the 18th century, can not explain the already previous dominance of Europe, neither the dominance which prevailed in the two following centuries.

In the 20th century we had already a different world, a bipolar or a tripolar world. Since the first decades, the coming up of USA, both as a political and as an economic world power, was especially relevant.

In the political arena, mainly after the Second World War, there was a bipolar world, with the "cold war" between capitalism and communism: the capitalist "bloc" led by the United States and the communist "bloc" by the Soviet Union.

This was a situation which disappeared with the failure of communism, near the end of the century. And the fall of communism was indeed due to the economic incapacity of the system, at least after a certain degree of development.

In the economic arena, disputing the world markets, we have had a tripolar world, the so called "triad", composed by the United States, Japan and the European Union (an increasingly integrated economic space).

It is however sure that in the 21st century we will have a new or renewed maps of the world: a map in which the "triad" will remain, but in which, together with new members, we will have again China and India as world powers.

Nowadays, measured by PPP exchange rates, the USA and the EU-25, each account for just 20% or above 20% of global output, while China and India combined account for 19%.

By 2015, the International Monetary Fund (IMF) forecasts that China will account for 19% and India 8%, while the EU-25 will represent 17% and the USA 19%. And for example according to forecasts made for 2050, China will have then 28% of world output, India 17% (so, the two countries together 45% of the total!), the USA 26%, the EU 15% and Japan 4%.

It is of course not sure that these figures will be confirmed. In particular, difficulties can arise in the growth processes of China and India. Moreover, an important role should be expected also from the two other BRIC´s, Brazil and Russia, the first one with a rate of growth of 4.9% in 2006 (6.9% in 2005; with a rich agriculture, enormous mineral resources and quite developed manufacturing in some sectors, for example in the production of aircrafts) and Russia with a rate of growth of 6.0% in 2006 (6.4% in 2005; with enormous energetic resources and the largest territory of the world, between Europe and Asia...).

It should also be mentioned at this stage the role that small countries can accomplish, in Europe and in the other continents. The first cases of great success in Asia were the "Asian Tigers". But the European case (including non EU countries) is also a meaningful case, with the success of smaller countries, some of them with the highest GDP *per capita* (six small countries have the highest GDP *per capita* of the EU-27) and with some of the biggest firms of the world: knowing since the beginning that they could not depend on the national market, even on the European market.

In the 21st century we have also a clear approximation of the economies, with an increasing role for intra-industry trade (IIT), for trade of intermediate goods (inputs) and for trade of services.

The traditional pattern of international trade, in particular between countries of different degrees of development, was trade of different finished goods, all the chain of production being in the same country (or only raw materials being imported).

The approximation of the countries, with their development, an easier access to technological improvements, a general qualification of the people (indeed with important differences between the countries) and of course also better transports and communications, led in the last decades to a new pattern of comparative advantage and trade.

Many less developed countries are no more specialized only in the exports of raw materials and primary products; in several cases they have developed also diversified manufacturing products (in some cases, they are leaving the "category" of less developed countries...).

With this evolution, we see an increasing number of countries exporting and importing products of the same sectors.

The evolution of IIT in Europe showed clearly this pattern of approximation, with the approximation of Greece, Portugal and Spain. But now we have an evolution towards higher levels of IIT also with some countries previously with lower incomes.

In many cases IIT, or trade in general, is trade of intermediate goods (inputs), firms buying them wherever they are offered in better conditions (outsourcing).

Finally, another feature in the recent patterns of international trade is the increase in trade of services, justifying the creation of the GATS (General Agreement on Trade in Services), with the Uruguay Round.

It is an evolution which should be expected. The services sector accounts now for over 70% of GDP in the more advanced economies and for 50% in developing countries. However, for the time being, only 10% of services are traded, comparing with 50% for manufacturing. With new extremely favourably conditions (in particular with new technologies) there is indeed a clear potential for continued rapid expansion: with an estimated annual increase of 30% between 2003 and 2008.

With services, as well, in an increasing number of cases it is not trade of finished goods (services), but trade of services which constitute inputs for different activities, for the supply of other services (e.g. travelling or banking services) or for manufacturing.

And also in the provision of services we can see a clear approximation between the economies; with until now less developed countries providing services of increasingly

higher quality (India has already a leading role in this area). They are no more less specialized services, provided in the "call centres": increasingly, there is more participation for example in more requiring back offices, in programming (e.g. for offices of taxation in the USA), in medical diagnoses, in engineering and architectural projecting or in activities of scientific and technological research (R & D).

Europe remains however, and will remain in the future, one great power. Still now the European Union has the biggest GDP of the world, above the GDP of the United States (other estimations point out in Europe to a percentage well above the 20% pointed out above). And besides the formal bloc of the Union (with recent new adhesions), there is the "informal" European bloc: including Switzerland, Norway and other very rich countries, in particular with powerful multinationals.

Indeed, other areas of the world will have higher GDP´s within a few decades, as pointed out; but the European GDP will remain one of the greatest GDP´s of the world.

Moreover, the figures mentioned are figures of global GDP´s, in some of the cases (e.g. in the cases of China and of India) GDP´s of extremely populated countries. At least for some decades more, Europe will remain among the areas of the world with the highest GDP's per *capita*.

Into a greater extent Europe will remain the main world trade area.

The European economies are more open to other countries, with a great dependency on them both for exports and for imports.

On the other hand, all areas of the world depend into a great extent on Europe: even far away areas, as Japan, the other Asian countries and the Latin America countries. The dependency on Europe is extremely great for the African countries, for which trade with Europe means in general more than 80 percent. With about 9% of intra-regional trade (with other African countries), they would not have alternative for their imports and mainly for their exports.

Finally, Europe is by far the greatest world financial donor, in the efforts demanded to help development. Important contributions are given through the budget of the Union: 95, 59 billion euros between 2007 and 2013, according to the actual Financial Perspectives. But much bigger contributions are given by the countries themselves, bilaterally, being European (one of them non member of the Union) the only countries of the world which accomplish the United Nations compromise of giving to the promotion of less developed countries at least 0.7% of the national GDP´s.

Europe can be considered also a successful reference in three other areas: in the transition to democracies, in the transition to market economies and in regional integration.

Having had for some time rightwing dictatorships, it must be acknowledged that in all cases the transition to democracies was made in a smooth way. It was so in my country, and also in the other countries. Of course, there were some difficulties in the period of transition, but even the more optimistic people would not think before that the transition would be so successful.

More recently, we had the transition to democracies from previously leftwing dictatorships, in the European communist countries. And here, despite some difficulties, we can say that the transition took place in a successful way.

In both cases the demand for integration in the European Communities was determined not only by economic reasons, also by political reasons: being integration in the EU, a space in which dictatorships are not allowed, a complementary assurance for the continuity of the democratic regimes.

For the former communist countries there was another challenge: the transition of centrally planned and collectivist economies to market economies open to private property.

It can be said that this transition was also a European "success story". There were indeed unavoidable difficulties, in some cases there were sharp increases in the rates of unemployment. But these rates are coming down now, in countries which have the highest rates of growth in the European Union.

Finally, it is fair to say that the process of European integration is the deepest and the most successful movement of peaceful integration in the history of humankind.

Previous movements of integration, in previous centuries, were the consequence of wars, with which some people did succeed in dominating other people. They finished afterwards, with the fall of the "empires", but after having caused huge human costs.

In a totally different way, the present movement of European integration was thought in a period of war, exactly with the first purpose of creating a situation in which there would be no reasons for future wars; and integration is being made through democratic ways, with the participation of representatives of national elected institutions and with an increasing role of the European Parliament, with members directly elected by the citizens.

With these democratic structures, the European Union could give impressing steps in the economic area (e.g. with the creation of the single market and the adoption of a single currency, already by 13 countries); to which important steps in other areas have also been added.

It is easy to understand that a so successful story is seen in other areas of the world as an example to be followed, over coming historical rivalries and having the benefit of broader markets, with the removal of restriction barriers.

The main challenges for the 21st century are mentioned in the Financial Perspectives for 2007 - 2013 (as well a in other documents).

Main challenges remain in the economic field, with new or even higher difficulties: with globalization and the process of enlargement. One first objective is therefore to promote sustainable development with higher cohesion.

But the EU is also purposed to create better conditions of citizenship, in a space of freedom, justice and security, also with an increasing satisfaction of basic needs of the population.

Finally, the EU has the purpose of being one main world partner. Only as one main world partner we can defend our interests and correspond to our responsibilities. In a globalized world, the attitude of Europe can not be an attitude of closeness: on the contrary, Europe must be an example of competitiveness, open to other people and to other economies.

These were of course worries reflected in the program of our Conference, in the three sessions of these two days: the first one considering "the EU model for economic prosperity and social justice" in "a globalized world", the second one considering the problems of "integration of persons in an international context and EU citizenship", and the third one to the development of "a peaceful world order" and of a "EU's security strategy".

These are indeed topics of the greatest importance for Europe and for the world.

To their discussions the ECSA network is a specially qualified network: with 54 national associations in the five continents of the world, in which participate more then 9.000 individual members, with quite diversified backgrounds.

In many cases the ECSA members are professors, with a multiplicative effect among their students: through the lectures and through the research works that they can suggest and supervise.

We all go back to our countries now, after the Conference more sensible to the challenges of the 21st century. The colleagues from other continents probably will return with a better knowledge of Europe and we, Europeans, will feel ourselves more committed, participating in a process in which Europe has the highest responsibilities.

As stressed in the *Introduction* to the new edition of *Who's Who* in European Integration Studies, Europe has been and will go on being an important actor at the world level: with old cultural traditions, strong democratic institutions and a dynamic economy.

It will remain so, for out benefit and for the benefit of the word.

Mrs. Odile Quintin,

Director-General of Education and Culture of
the European Commission

SPEECH

Distinguished guests,
Ladies and Gentlemen,

It is an honour for me to round up this Global Jean Monnet Conference. I can assure you that I will be brief – I realise that we are all somewhat exhausted after such intense two days.

The views and positions that have filled this room in the past two days struck me for their intellectual honesty, boldness and brilliance. This is exactly what we need now that Europe and theworld are stepping into a new phase in history. So, first of all, I would like to thank you for your contribution. The success of this Conference confirms once again the outstanding quality of the work carried out through the Jean Monnet Action and the ECSA network.

A stimulating Conference

The topic of this Conference – "Europe's challenges in a globalised world" – was a logical follow-up to the previous ECSA-World meetings of 2004 on the European Union and emerging world orders and of 2002 on the EU's role in the context of peace, security and stability. And as in 2002 and 2004, your discussions have again clearly identified the challenges ahead of us: growing inequality, solidarity, migration, dialogue between people and cultures, the crisis of multilateralism, and above all the need for peace. We need to adapt to these challenges and take fresh initiatives. We need to develop a true international governance. We need to imagine new, fairer rules for global coexistence.

I believe it is particularly appropriate that this debate takes place in the framework of a Jean Monnet Conference. As first conceived by Jean Monnet, the process of European integration is essentially a peace project, and a supremely successful one. It has brought reconciliation, peace, and economic and social development in Europe over the last half century, helping to consolidate democracy and to ensure prosperity.

Admittedly, the European Union is a regional — not global — integration project. At the same time, it is fair to say that the EU constitutes a real historical precedent. Future historians will probably describe the EU as the most successful attempt to manage the transition out of the Second World War. And, since 1989, we have managed the transition of Europe out of the Cold War.

As we have heard during the past two days, beyond the European continent, the EU model can serve as an example for other regions, encouraging countries to settle their crises through political means, to increase economic interdependence, and to create mutual trust. But it would be a sign of arrogance or hubris if we were not also very attentive to the points of criticism that have been spoken here. It is only by being open to sound arguments,

by learning from successful practices elsewhere in the world, by being ready to adapt that we can make progress and overcome the challenges of unemployment, poverty, integration and peace. And in this context, I would like to thank especially those participants who have travelled long hours and have come from different continents to enlighten us with an outside view. We have taken good note!

Dialogue between people and cultures has been a recurring topic in this conference. This shows, once again, that intercultural dialogue is the linchpin of a fair, sustainable and peaceful world. As Commission, we have been throwing our political weight behind this insight for several years now. This is also why we have proposed 2008 to be the European Year of Intercultural Dialogue. I count on Jean Monnet Chairs and ECSAs across the world to contribute ideas and help us make a success of this initiative.

The Jean Monnet Programme

Ladies and Gentlemen, let me now say a few words on the future of the Jean Monnet Programme and the European Community Studies Associations, the ECSAs.

The crucial role of Jean Monnet professors

First of all, I want to praise your role as independent, critical ambassadors of the EU around the world. This is crucial. One of the Commission's fundamental objectives for 2007 – one in which you can all play an important role – is to make EU policies understandable to the citizens. The challenge is to improve the citizens' knowledge about the EU and interest in the EU.

The Commission is well aware that it can only attain this goal if it manages to create a fruitful partnership with local authorities, civil society, the media and, of course, the educators: professors, teachers and researchers.

As Jean Monnet professors and associations designed to foster knowledge, awareness and well-informed debate about the European integration process, you are clearly working at the heart of this Commission's priority of connecting Europe to the citizens. With your independence and critical expertise, I cannot think of better qualified and more credible multipliers of knowledge about the European Union and its policies.

Another key aim of the Commission is to stimulate Europe's visibility in the world. Europe not only needs to cultivate a strong voice of its own, it must also be understood and recognised as an entity on its own. In a special Communication on this subject launched on 8 June 2006, the Commission was emphasising the need to better explain and mobilise public support for the EU's external activities, both in third countries and within the EU. More in particular, the Commission is proposing:

- to reinforce "public diplomacy" in third countries to promote EU policies and models and to increase the visibility of the EU's external action, development assistance and disaster relief; and

- to promote the involvement of citizens within the public debates on EU external policy.

Since the Jean Monnet network extends to 60 countries on the 5 continents, you are already playing the role of what one could call "Critical Goodwill Ambassadors" in third

countries. However, and I emphasise this once again, you are unlike ambassadors in one crucial respect: you are independent voices.

The future of the Jean Monnet Programme

In view of the important tasks that you are fulfilling as educators, researchers and public opinion-makers, the European Commission was convinced that the Jean Monnet Action needed a stronger legal basis than in the past. As you know, until now, the Jean Monnet Action did not enjoy the same, solid legal environment as, for instance, the Erasmus or Leonardo Programmes. This will soon change.

In January 2007, the new Lifelong Learning Programme will enter into force. Within this Programme, the Jean Monnet Action is consolidated and upgraded to the level of a sub-programme, at the same level as Erasmus or Leonardo. This is an important achievement that ensures the continuation of Jean Monnet funding and calls for proposals, at least till 2013.

The operational objectives of the Jean Monnet Programme have remained largely the same. They are:

- to stimulate excellence in teaching, research and reflection in European integration studies in higher education institutions within and outside the Community; and
- to enhance knowledge and awareness among specialist academics and among European citizens generally of issues relating to European integration.

Of course, we will be continuing with the well-known and successful actions as Jean Monnet Chairs, Modules and Centres of Excellence. This means that the essential human resource base for the functioning of our network is consolidated.

It is planned that the call for proposals under the Lifelong Learning Programme would be made available at the end of this year. The deadline for application under the Jean Monnet Programme is scheduled around March 2007. As usual, all Jean Monnet Chairs will automatically be informed by e-mail when the call is ready. I am very much counting on you to spread the knowledge of the call among interested colleagues, also in countries not yet part of the Jean Monnet network. In this context, I think that the Jean Monnet Chairs could have a significant role as multipliers of knowledge on the Lifelong Learning Programme in general and the Jean Monnet programme in particular.

Conclusion

Ladies and Gentlemen, this Conference has shown a continuing interest in European integration among scholars throughout the world. It has also shown the relevance of European integration studies for global governance. Your field of studies brings together the intelligence and talents of specialists from several disciplines: history, political science, law, economics, etc. This is perhaps the most important outcome of your eight World Conferences. It reflects the real power of your organisation: it is the power of a network that creates knowledge, insight, and wisdom to an extent larger than the sum of its parts.

I belong to that group of people for whom defending and developing a united Europe is a full-time job. Inevitably, our day-to-day work exposes us to the risk of becoming short-sighted. This is why people like us should listen very carefully to what you have to say

about our project. You make us better understand our achievements and our shortcomings as well.

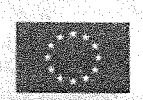
I am grateful to you for letting us share in your knowledge, your vision, and your passion.

Thank you for your attention.

Dialogue between peoples and cultures: actors in the dialogue

Dialogue des peuples et des cultures: les acteurs du dialogue

Brussels, 24 and 25 May 2004
Bruxelles, 24 et 25 mai 2004



European Commission
Directorate-General for
Education and Culture
Jean Monnet project

Commission européenne
Direction générale
de l'éducation et de la culture
Action Jean Monnet

WORKSHOP 3

Citizenship and social change in Europe

(Immigration and integration)

ATELIER 3

La citoyenneté et les changements sociaux en Europe

(L'immigration et l'intégration)

Prof. Bichara Khader
Directeur du Centre d'études et de recherches sur le monde arabe contemporain
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I. Dialogue culturel et représentations collectives

1. Au-delà des envolées lyriques auxquelles on assiste dans les grandes réunions diplomatiques sur «la solidarité et la fraternité euro-méditerranéennes», un constat affligeant s'impose: la relation culturelle euro-méditerranéenne et euro-arabe est ébréchée, voire brisée. Cet état de choses n'est plus tenable. C'est pour cela qu'une plate-forme culturelle en Méditerranée s'avère aujourd'hui plus nécessaire que jamais. Il est grand temps, en effet, de *rompre avec les rhétoriques accusatrices et les polarités négatives et antagonistes et* de *rejeter les idées toutes faites* et les analyses faciles qui imputent à une culture ou à une religion la causalité immédiate des problèmes économiques, sociaux et politiques qui tenaillent surtout la rive sud de la Méditerranée et enveniment les relations de voisinage. Ces analyses, qui se situent hors histoire, hors géographie, hors sciences humaines, conduisent immanquablement à une simplification dangereuse des vraies césures léguées par une histoire longue où les vainqueurs de la géopolitique ont exercé leur force sans mesure.

2. Un vrai dialogue culturel entre les peuples de la Méditerranée ne peut guère faire l'économie d'une *lecture critique d'une histoire commune*, passée et récente, pour comprendre la construction des imaginaires sur les deux rives, mais aussi et surtout la fonction instrumentale d'une lecture du passé qui procède d'une volonté de le sacraliser plus que la nécessité de le dépasser, pour imaginer un futur solidaire en Méditerranée.

3. Ainsi, *le dialogue culturel passe d'abord par le travail des historiens* pour clore les pages sombres de l'histoire et inventer une nouvelle modalité d'un «vivre-ensemble». Mais il sera vain de chercher à fermer le passé avant de l'avoir ouvert à tous, car la bataille du futur se livre aussi sur le terrain du passé.

4. À cet égard, il convient, d'une part, d'analyser correctement la construction historique des représentations collectives et le rapport à l'altérité sur les deux rives de la Méditerranée et, d'autre part, de se demander comment inscrire les références au passé dans une dynamique de coexistence pacifique et non dans une dynamique de «revanche» et de violence. Parallèlement à ces deux questions, *il est impératif de procéder à un travail de «mémoire»* pour éviter une instrumentalisation du passé dans des combats politiques actuels.

5. *La relation culturelle entre l'Europe et son Sud, surtout arabo-musulman, est marquée par une série de stéréotypes et de représentations négatives.* Le stéréotype obéit à un processus simple de fabrication: la confusion de l'attribut et de l'essentiel, du général et du particulier, et sur le plan sociologique du singulier et du collectif. Porteur d'une définition de l'autre, le stéréotype est l'énoncé d'un savoir collectif qui se veut valable à quelque moment historique que ce soit. Coller, par exemple, à certains peuples du Sud l'étiquette de fanatiques, d'intégristes et de terroristes correspond parfaitement à ces images stéréotypées qui dévoilent le refus du dialogue et surtout une culture tautologique où toute analyse critique est exclue, au profit de quelques définitions «essentialistes».

6. *Paradoxalement, plus quelqu'un est proche, plus il alimente les stéréotypes.* S'est-on interrogé pourquoi l'Orient turco-arabe hante-t-il le regard de l'Occident depuis si longtemps? C'est sans doute parce qu'il est «la différence du plus proche», «l'étranger le plus intime». Un élément constitutif du moi européen. Comprendre cela, c'est déjà rompre avec ces binômes traumati-

sants (Orient/Occident, islam/christianisme, Nord/Sud, le semblable/le différent, eux/nous) pour inventer de nouvelles modalités d'une connivence méditerranéenne.

7. En Europe, le problème de l'altérité — arabe et musulmane en particulier — se pose avec acuité, précisément à cause des complicités de l'histoire et de la proximité géographique. Quatorze siècles de frottement entre l'islam et l'Europe ont produit un imaginaire collectif européen qui continue, jusqu'à nos jours, à vicier les rapports entre les deux rives et à entraver la communication interculturelle. Bon nombre de stéréotypes actuels sont hérités de la période coloniale (fanatisme, refus des valeurs occidentales et la prétendue incompatibilité de l'islam avec le développement et la démocratie). La perception se fait plus négative encore, surtout depuis la fin du système bipolaire. Au péril jaune (japonais ou chinois), au péril rouge (l'Union soviétique), semble succéder, dans l'imaginaire occidental, le *péril vert*, celui de l'islam, comme si l'Occident ne pouvait se poser qu'en s'opposant. Ainsi, l'Orient, surtout arabe, devient synonyme de menace, dans la plus pure logique des chantres du choc des civilisations. Plus préoccupant encore: pour comprendre la violence qui sévit dans le monde arabe, c'est au Coran qu'on recourt. On rappelle à satiété l'importance du *djihad* (qu'on traduit abusivement par «guerre sainte») en islam et on met en épingle la propension des musulmans pour le terrorisme. Pour expliquer la violence et le fanatisme sous d'autres cieux (Irlande, Inde, Colombie, Espagne ou Afrique), on met toutes les sciences humaines à contribution. Mais *dans l'imaginaire collectif occidental, l'islam et l'Orient arabe en particulier, c'est une sorte de «trou noir»*, une «zone de ténèbres» impénétrable. Ce qui s'y passe, nous dit-on, n'est que le mal *(axe of evil)*, barbarie et fanatisme.

8. *De telles représentations dénotent une indigence de la pensée* et une posture de paresse, commode mais particulièrement pernicieuse. Le rôle des médias — du monde du cinéma et de la chanson — dans la reproduction de ces stéréotypes n'est pas négligeable. Il reflète la dictature qu'exerce l'audimat sur l'information qui, souvent, oblige les médias à servir le même repas, assaisonné de clichés et de phrases toutes faites qui provoquent des césures irréparables dans la coexistence harmonieuse entre les peuples et à l'intérieur de chacun des États.

9. C'est dire l'urgence d'appréhender l'Orient (arabe et musulman) autrement qu'en termes de menace ou d'invasion. De tels fantasmes s'expriment désormais dans les romans, les pamphlets, voire même des ouvrages universitaires. Le partenariat euro-méditerranéen, lancé en 1995, ne semble pas avoir exorcisé les peurs de l'Europe. Cependant, les discours alarmistes sur l'immigration, notamment clandestine, tendraient à transformer la Méditerranée en *limes*, entourés de cordons sanitaires séparant l'Europe «civilisée» des «trublions» du Sud. Au demeurant, la réactivation du mythe «néo-andalou» (rappel de la période andalouse de la coexistence entre les trois religions monothéistes) et *toute cette rhétorique sur la «Méditerranée réinventée»* ne doivent pas occulter le fait indéniable que révèlent les sondages d'opinion: des perceptions négatives de l'islam et des autres peuples arabes dans tous les pays de l'UE.

10. À cet égard, *accueillir dans l'Europe de demain un pays à forte majorité musulmane* (la Bosnie-et-Herzégovine par exemple) non seulement aiderait à changer le paysage des représentations géopolitiques de la Méditerranée «en cassant l'idée d'une fracture ethno-religieuse naturelle dans cette région», mais aussi représenterait une magnifique pédagogie au dialogue culturel.

11. *Le travail de déconstruction de l'imaginaire collectif négatif sur l'autre doit également concerner les pays du sud de la Méditerranée*, notamment les pays arabes. Comme les Européens, eux aussi ont un regard déformé, notamment sur l'Occident proche et lointain. Certes, ce regard n'est pas univoque puisque l'Occident fascine et répulse à la fois, puisqu'il est à la fois aimant et repoussoir. Il attire par son art de gouvernement, les libertés de ses citoyens et ses avancées techniques, économiques et sociales, mais répulse par le fait d'être perçu comme sûr de lui-même et dominateur.

12. Aujourd'hui, *le monde arabe vit dans une situation défensive* telle qu'aucun travail sérieux d'autocritique ne semble possible, tant il est préoccupé par le souci d'affirmer son identité considérée comme constamment agressée. D'ailleurs, quand on lit des textes arabes sur l'identité, on est frappé de constater que ce n'est pas tant l'identité en soi qui préoccupe, mais bien l'identité par rapport à autrui: à Israël, à l'Europe, à l'Occident, aux non-musulmans et aux pays voisins non arabes. C'est bien le couple «moi-l'autre» qui fonde l'identification culturelle arabe, comme si l'existence de l'autre présupposait la conscience de soi, comme si l'autre (en l'occurrence l'Occident) était en réalité un second moi-même. Cela produit un paradoxe: le monde arabe veut être l'artisan autonome de sa propre histoire, mais se révèle en même temps «incapable de la penser autrement qu'en référence à cet autre que l'on combat». C'est pour cela que l'écriture historique du Sud demeure prisonnière de l'étau ethnique, aboutissant à une survalorisation du passé «glorieux» et à une culture «victimaire» qui entrave la production d'un discours innovant.

13. Il faut reconnaître que *l'histoire du monde arabe depuis plusieurs siècles a été jalonnée d'événements douloureux* où l'Europe ne peut se dégager de toute responsabilité — expédition de Napoléon en Égypte et en Palestine (1798-1799), balkanisation du monde arabe (période coloniale), colonisation de l'Algérie, installation d'un État juif au cœur du monde arabe (1948), guerre de Suez (1956), sans compter toutes les autres guerres qui ont ensanglanté leurs populations au cours des dernières décennies. Que l'Occident, depuis plusieurs siècles, ait dominé, occupé, dépecé l'espace arabe et acquis par rapport à lui une supériorité technique, scientifique et militaire, voilà qui ne souffre aucun doute. Que l'Occident ait été, jusqu'à récemment, moins sensible aux souffrances du peuple palestinien et qu'il ait cherché à défendre ses intérêts, fût-ce au prix d'ignorer les intérêts légitimes des Arabes (en Afrique du Nord comme au Moyen-Orient), ce sont là, pour la majorité des Arabes, presque des évidences.

14. Mais ce qui est pernicieux dans toute représentation collective, notamment celle qu'ont les Arabes de l'Occident, surtout européen, c'est le *fantasme à la conspiration*, comme si la seule préoccupation de l'Occident était de domestiquer les Arabes pour prendre le contrôle de leur espace et de leurs ressources. Cette attitude, que pourrait expliquer, en partie, le rapport passé entre l'Europe et le monde arabe, comporte cependant le risque d'un raidissement doctrinal, d'une crispation irréversible des positions, voire une escalade de la violence qui n'est bénéfique pour personne. Sans compter qu'une position d'opposition systématique qui se nourrit des souffrances passées ne permet pas d'envisager le futur méditerranéen en termes de bon voisinage.

15. *La réaffirmation identitaire est sans doute une des formes de résistance culturelle* des Arabes et des musulmans. Mais elle ne doit pas nécessairement impliquer le rejet de l'autre, notamment l'Occident. Au contraire, elle doit tendre davantage à valoriser son propre héritage, enrichi par les apports positifs des autres cultures, et la négociation d'une nouvelle relation avec l'Europe, fondée sur le respect mutuel.

16. *Ces considérations sur les représentations collectives posent non seulement le rapport à l'autre, mais aussi le rapport de chaque culture au passé et à la mémoire.* Parce que les identités méditerranéennes constituent une accumulation d'expériences qui plongent leurs racines au fond de l'histoire, de traumatismes anciens et plus récents, de blessures toujours béantes, on se trouve face à des communautés enfermées sur leur propre malheur. Le témoignage mémoriel est si fort, de la Serbie à l'Algérie en passant par la Bosnie et la Palestine, que les peuples de la Méditerranée semblent vissés à leur passé, de sorte qu'on a le sentiment que le futur est pris en otage par le passé, surtout quand celui-ci est jalonné de terribles souffrances, ou au contraire est enjolivé au point de représenter une sorte de référent historique.

17. Certes, tous les peuples ont une mémoire collective. Celle-ci est un élément constitutif de l'identité. Il faut toutefois veiller à ce que la fidélité à une mémoire construite n'entre pas en collision avec le savoir historique contrôlé. Le dialogue culturel en Méditerranée, que ce soit entre sa rive nord et sa rive sud ou même à l'intérieur de chacun des États, passe par un travail sur la mémoire pour *intégrer la mémoire de l'autre*. Cela vaut pour les pays de l'ex-Yougoslavie, mais surtout pour le conflit israélo-arabe qui structure le rapport problématique entre les Arabes (et même les musulmans) et l'Occident au sens large et demeure un obstacle majeur à un dialogue culturel rénové. Or, ce conflit restera sans solution tant qu'on n'aura pas établi clairement les responsabilités dans les tragédies dont la puissance traumatique ne relève pas seulement du souvenir, mais aussi du vécu quotidien des populations concernées.

18. *Reconnaître la souffrance de l'autre* s'avère, aujourd'hui, primordial non seulement pour sa valeur «thérapeutique» (effet de guérison), mais aussi pour sa valeur restauratrice (redressement des torts subis) et libératrice (libération de l'histoire des filets de la mémoire instrumentale). Reconnaissance des torts, réparation, réconciliation et pardon, telle est la nouvelle utopie méditerranéenne capable d'extraire les peuples de leur victimologie.

19. *La persistance du conflit israélo-arabe non seulement produit des effets dévastateurs sur les imaginaires croisés*, mais a amené les protagonistes, surtout depuis 1948, à construire une légitimité en niant radicalement celle de l'adversaire. Or, les peuples palestinien et israélien, enfermés dans le cercle infernal de la violence, doivent inventer un autre chemin émancipateur pour s'extirper du gouffre. Cela passe, d'abord, par la subversion de la logique qui a longtemps structuré leurs rapports: celle du déni, de la force et de la puissance. Israël, parce qu'il a été le vainqueur de la géopolitique, doit faire preuve d'une grande audace pour intégrer l'histoire de l'autre: celle des Palestiniens. Cela implique une autre lecture historique et une mise à plat de bon nombre de ses mythes fondateurs.

20. Quant aux Palestiniens, ils ne peuvent plus se battre avec des clichés du genre «Israël finira par disparaître comme a disparu le royaume latin des croisés». Les mythes mobilisent les foules, mais immobilisent la pensée et entravent la production d'un discours pertinent. L'heure est venue pour un travail d'éveil d'une conscience critique, plus informée sur les vrais enjeux et les vrais choix. Cet éveil passe par un travail sur soi, pour domestiquer le passé et inventer le futur. *Les morts doivent laisser la place aux vivants.*

21. C'est dire combien *Israéliens et Palestiniens ont besoin d'une autre démarche morale, d'une autre relation à la mémoire, d'un autre regard sur l'adversaire*, et sans doute de dirigeants capables de proposer à leur peuple autre chose que des vengeances stériles et des murs de séparation.

22. *Le conflit israélo-palestinien oppose deux peuples à la mémoire longue*, revendiquant chacun, à sa manière, une sorte de monopolisation victimaire. Certes, il est commode d'adopter la posture de la victime, légitimant par les épreuves subies dans le passé ou dans le présent un droit prioritaire à la compassion. Cette attitude ne mène nulle part. C'est pour cela que la reconnaissance de la souffrance de l'autre et des peurs qui le tenaillent est une condition essentielle de la rencontre logique, la seule susceptible de remettre en question l'usage instrumental d'une histoire-plaidoyer, convoquée, trop commodément, moins pour éclairer le passé que pour conforter le présent.

23. Si nous attachons une telle importance à une solution équitable du conflit israélo-palestinien et, au-delà, du conflit israélo-arabe, c'est parce que ce *conflit* – plus que les autres en Méditerranée – produit des souffrances incalculables et des injustices flagrantes, connaît des rebondissements tragiques depuis plus de soixante ans, continue à marquer durablement le

rapport de l'Europe avec la Méditerranée du Sud, rejaillit hors de son espace géographique, *empoisonne le climat dans la région* et hors de celle-ci en même temps qu'il contribue grandement à la dilapidation de ressources considérables, humaines et financières, si nécessaires à la construction d'un avenir partagé.

Le déraillement du processus de paix et le raidissement des positions bloquent toute avancée significative du partenariat euro-méditerranéen, surtout dans son volet politique et culturel. L'Europe en est consciente. C'est pour cela qu'elle doit multiplier les efforts pour aider à renouer le dialogue entre les adversaires afin de hâter une solution pacifique dans le respect des résolutions des Nations unies.

24. Aussi, il faut le reconnaître, *la solution équitable du conflit israélo-palestinien sera le test le plus éprouvant de la politique étrangère et de sécurité commune* au cours des prochaines années. Celle-ci sera jugée, entre autres, à l'aune des résultats obtenus dans la négociation israélo-arabe.

II. Dialogue culturel et religions

25. Dans l'histoire pendulaire de la Méditerranée, faite de flux et de reflux, de conquêtes et de reconquêtes, de victoires et de défaites, *la religion a servi souvent d'étendard* pour galvaniser les énergies (guerres saintes), pour mobiliser les hommes et pour légitimer des entreprises de conquêtes, d'expansion, voire de reconquête ou de «retour à la terre ancestrale». Cela vaut tant pour l'islam (avec l'expansion islamique durant les premiers siècles) que pour le christianisme (avec les croisades, la conquête des Amériques et la colonisation) et pour le judaïsme (avec l'établissement de l'État d'Israël en Palestine). Mais s'il est vrai que la «religion» a joué et joue encore un rôle de légitimation et de mobilisation dans les guerres passées et présentes, il n'est pas moins vrai que la «violence religieuse» a été davantage alimentée par les clivages internes à chaque grande religion monothéiste que par les clivages entre religions. Les travaux des historiens et les analyses géopolitiques le démontrent à suffisance.

Il faut dès lors qu'on cesse de parler à tort et à travers de «guerres des religions» et en finir avec cette rhétorique fallacieuse et dangereuse sur la «violence structurelle» consubstantielle à telle ou telle religion. Il n'y a pas des «religions de l'épée» et des «religions de la paix». C'est l'usage que font les hommes des religions qui les rendent guerrières ou pacifiques. Ainsi affirmer que la religion chrétienne prône la tolérance, c'est faire preuve d'une grande amnésie historique. Affirmer, à l'inverse, que l'islam n'est que fanatisme et violence, c'est faire injure à des siècles où l'islam a brillé de toutes ses splendeurs par sa créativité et sa tolérance.

26. Cela dit, il est vrai qu'en Méditerranée on assiste, surtout depuis un quart de siècle, à la *recrudescence d'intégrismes religieux*, au sein de chacune des trois religions monothéistes. Cet extrémisme religieux traduit davantage la manipulation de la religion qu'un retour au religieux et est, de toute manière, l'enfant d'une époque marquée par les incertitudes, le déficit de sens et une mondialisation mal maîtrisée, ainsi que – en ce qui concerne les pays du sud de la Méditerranée – par les crises économiques, la clôture des systèmes politiques et les injustices flagrantes. C'est en agissant sur ces volets qu'on pourrait extirper l'extrémisme religieux à l'intérieur des sociétés qui le subissent et, par là, contribuer à une meilleure sécurité en Méditerranée. Et certainement pas en déclenchant des guerres meurtrières qui font le lit de nouveaux extrémismes.

Le dialogue interreligieux peut s'avérer également utile. Mais il ne peut apporter une contribution décisive que s'il s'accompagne d'un enseignement de l'histoire comparée des religions, d'une rupture avec les discours narcissiques et d'un dépassement des dogmatismes pour appréhender l'autre non comme un adversaire religieux, mais comme un partenaire dans la construction de la paix.

27. *L'Occident doit aussi consentir à un effort d'introspection,* et peut-être de remise en question, en cessant de ne voir que du «religieux» dans les soubresauts du monde, et permettre aux autres de participer à la production de sens. Cela requiert de récuser les idées superficielles de religions «éternelles» et «immobiles» et de déplacer le débat vers l'analyse sociologique, anthropologique et politique des sociétés — surtout musulmanes — dans la diversité de leurs trajectoires historiques. L'objectif étant de démontrer, par opposition aux tenants de l'école culturaliste, que non seulement les sociétés qui bordent le Sud et l'Est méditerranéen se transforment, mais qu'elles offrent aussi une multitude de formes d'articulation du religieux et de la politique qui permettent de dégager un espace politique, sinon de laïcité, du moins de sécularisation et donc de démocratie et de pluralisme.

28. Admettre que les sociétés bougent, c'est aussi reconnaître que l'islam interprété est vécu — *l'islam-contexte n'est pas toujours la copie conforme de l'islam-texte,* loin de là. D'ailleurs, historiquement les dogmes ont été réinterprétés en fonction de l'évolution des sociétés. Ainsi, l'Église de la période des croisades, de l'Inquisition et des bûchers n'est pas l'Église du Vatican II, de la prière œcuménique d'assises, etc. L'islam n'est pas une exception à la règle. Il est, lui aussi, capable de s'ouvrir aux idées nouvelles de liberté, d'égalité des sexes et de fraternité entre tous les peuples. Et c'est parce que cette modernisation interne est en route que les intégristes de tout poil tentent de la fourvoyer dans un combat d'arrière-garde pour préserver le «socle de la foi» et éviter la «déperdition morale» des sociétés musulmanes.

Considérer l'islam comme une «religion rétrograde» et les sociétés musulmanes comme des «sociétés figées» ainsi qu'on l'entend souvent, non seulement c'est faire preuve d'ignorance de l'histoire comparée des religions, mais c'est surtout refuser à l'islam toute capacité d'adaptation aux exigences du temps moderne. Or, l'islam s'adapte. Mais, comme le souligne un auteur arabe, sa capacité d'adaptation est fonction de la perception qu'il a de lui-même: lorsqu'il n'est pas frileux, ou revanchard, ou victime, l'islam est prompt à s'ouvrir sur les cultures voisines, à se nourrir d'elles et parfois à les ensemencer de sa faconde propre. De fait, chaque fois que l'islam a pris conscience du rôle éminemment positif qu'il pouvait jouer, sa collaboration à la culture universelle a été inventive, généreuse et sans arrière-pensées. Partant de ce principe qu'aucune culture ne produit de civilisation sans se frotter à d'autres cultures, l'islam s'améliore au contact de ceux qui le respectent. Et respecte ceux qui le respectent... A contrario, chaque fois qu'il s'est senti oppressé ou minoré, il s'est complètement raidi, laissant davantage parler ses réminiscences négatives et son amertume.

III. Migrations et dialogue culturel

29. *Les migrations ont marqué l'histoire des peuples européens.* Poussés par la misère, le malheur ou l'esprit de conquérir de nouveaux horizons, les Européens ont essaimé dans les quatre coins de l'univers, notamment vers le Nouveau Monde. L'industrialisation du continent européen va inverser la tendance, surtout à partir de la fin du XIX^{e} siècle. Des Polonais, puis des Italiens, des Espagnols, des Portugais et des Grecs ont quitté leur pays, à la recherche d'un gagne-pain dans les pays européens de vieille industrialisation. Bien que de religion chrétienne, ces immigrés ont dû faire l'apprentissage difficile de la vie dans d'autres sociétés. L'expatriation était vécue comme une «épreuve nécessaire», et leur vie d'étrangers n'était pas dépourvue de difficultés. Leur intégration n'a pas été, loin s'en faut, un long fleuve tranquille. Eux aussi ont éprouvé des angoisses et subi l'hostilité de nationaux. Le fait d'être européens et chrétiens ne les mettait pas à l'abri des préjugés: en France et ailleurs, on trouvait déjà dans les années 30 leur nombre excessif, qu'ils faisaient régner un climat de terreur, qu'ils n'étaient pas assimilables. Puis le temps a poursuivi son cours. Et ces anciens immigrés européens se sont fondus dans les sociétés d'accueil.

30. *L'immigration des pays musulmans vers l'Europe est plus tardive:* elle est liée à la décolonisation, à la phase de la reconstruction européenne après la Seconde Guerre mondiale et au tarissement des gisements traditionnels de l'immigration intraeuropéenne. Cette immigration peut être pakistanaise ou indienne au Royaume-Uni, turque et kurde en Allemagne, maghrébine en France, en Belgique ou aux Pays-Bas. Il est malaisé d'en estimer le nombre parce que beaucoup de ces immigrés ont été naturalisés ou sont nés citoyens européens et disparaissent des statistiques en tant qu'étrangers. Mais on peut avancer le chiffre de 15 millions sur une population européenne de 380 et, bientôt, avec les prochains élargissements, de 500 millions. Sur ces 15 millions, les Maghrébins — ou les personnes d'origine maghrébine — représenteraient un total de 5 à 6 millions.

31. Derrière ces chiffres, il y a un changement dans la nature même du phénomène migratoire, puisque, en cinquante ans, *on est passé d'une immigration de travail* (essentiellement masculine, concentrée dans les noyaux durs de l'industrie ou dans les mines de charbon et vécue comme temporaire) *à une migration d'installation.* Avec la fermeture des frontières européennes à de nouveaux flux à partir de 1973, et les premières mesures visant à intégrer les immigrés en situation régulière, on assiste à un changement qualitatif — féminisation, rajeunissement, visibilisation, augmentation du taux de dépendance — et quantitatif — le regroupement familial accroît le nombre des étrangers, tandis que se développe une *immigration clandestine* que rien ne semble endiguer: ni les contrôles maritimes, ni la police des frontières, ni les mesures techniques de surveillance des côtes, comme le système espagnol fort coûteux (66 millions d'euros) appelé *«sistema integral de vigilancia del estrecho»* (SIVE). Bref, le processus migratoire change de nature.

32. Si la question de l'immigration, surtout arabe et musulmane, nous interpelle ici, c'est en raison du fait qu'elle est devenue, surtout depuis 1973, «l'objet privilégié sur lequel s'opère la projection fantasmatique des problèmes de sociétés européennes», projection qui décharge sur l'immigration les angoisses des Européens face aux difficultés du présent et aux incertitudes du futur. *L'Europe entière semble touchée par un réflexe de peur face à une immigration liée à l'islam.* C'était patent avant le 11 septembre et tous les sondages d'opinion l'attestaient. Ce l'est encore davantage après le 11 septembre où l'amalgame, au niveau populaire, entre islam et terrorisme s'enracine dans les esprits. En réalité, on a le sentiment que l'Europe se crispe devant la perspective d'un métissage accru et la perception d'une remise en cause de son identité et de ses valeurs.

33. Cette angoisse diffère en intensité d'un pays à l'autre, mais elle touche tous les pays confrontés à une immigration étrangère, surtout musulmane. Et elle se traduit par une réaction xénophobe qui n'épargne même pas les pays qui jadis étaient cités en exemple pour leur tolérance, comme l'Espagne ou les Pays-Bas. Mais, contrairement à la période précédente des migrations intereuropéennes, le racisme actuel n'est plus un fait marginal, mais un fait de société; il se focalise sur les différences supposées incompatibles et bénéficie d'expressions politiques grâce à des *partis d'extrême droite farouchement hostiles aux «étrangers».*

34. Plus que d'autres «immigrés» (qui subissent également des discriminations), les musulmans et surtout *les Maghrébins de la deuxième et troisième génération sont particulièrement les victimes d'un racisme ordinaire «de la peau».* Assimilés culturellement, les jeunes qui ne sont ni immigrés (puisque souvent nés en Europe) ni étrangers (puisque souvent naturalisés) se sentent exclus socialement. Comme si plus les barrières culturelles tombent, plus il faut en inventer d'autres: le faciès (il n'est pas comme nous), l'origine (il n'est pas un Européen de souche), l'islam (c'est une menace pour notre identité). Ce refus de l'altérité musulmane s'accompagne chez la plupart des gens d'une méfiance, voire d'un mépris pour la religion des jeunes musulmans. Ces réactions, frileuses ou hostiles, conduisent ces jeunes, dans bien des cas, à se replier sur leur

culture et leur héritage, provoquant chez eux des «écarts d'identité» entre une communauté d'origine dont ils se détachent (pays d'origine) et une autre qui ne veut pas d'eux (pays d'implantation).

35. On voit bien que, dans le dialogue culturel entre l'UE et le pourtour méditerranéen, *l'immigration constitue un enjeu majeur parce qu'elle interpelle le noyau dur de l'identité européenne et révèle le rapport problématique de l'UE à l'altérité la plus proche.* La prolifération de partis populistes et xénophobes, dont certains réalisent de bons scores électoraux, traduit les angoisses devant le métissage croissant des sociétés et la consolidation de la présence «musulmane» au cœur des cités européennes. Or, l'Europe ne peut s'enfermer sur ses peurs. En effet, le rapport de l'Europe avec ses banlieues immédiates conditionne son rapport avec ses banlieues lointaines et vice versa. Une attitude plus positive serait de s'efforcer à faire participer à la vie collective toutes les populations régulièrement installées, quelles que soient leurs origines et leurs pratiques religieuses. L'intégration est une nécessité politique, sociale et culturelle pour éviter que se constituent des ghettos ethniques de pauvreté d'exclusion et de sous-citoyenneté. Elle est surtout une nécessité démocratique, car elle postule que, malgré la diversité de leurs origines, traditions et croyances, les hommes peuvent vivre ensemble sur un même territoire en respectant des normes communes.

36. L'intégration signifie aussi qu'on cesse d'agiter des épouvantails: l'«invasion» de l'Europe par les pauvres du tiers-monde ou l'«islamisation» de l'Europe. Car, en réalité, ce n'est pas à une islamisation de l'Europe, mais bien au *développement d'un islam européen*, avec des caractéristiques propres qui le distingueraient de l'islam tel qu'il est vécu en terre musulmane, que l'on assiste. D'abord, il se construit en dehors des pays et des cultures d'origine, comme une religion minoritaire, dont les adeptes ont fait le deuil du retour et le choix d'une installation définitive et, de surcroît, demandent à être considérés comme des citoyens à part entière et non comme des citoyens à part. Ensuite, cette installation pérenne dans un espace laïque européen transforme graduellement le système de pensée des musulmans et leurs comportements, notamment en ce qui concerne leurs rapports aux sociétés d'accueil et leur rapport à la religiosité.

37. Ainsi s'esquisse subrepticement un *rapprochement entre l'islam et le christianisme* tel qu'il est vécu en Occident, en ce sens que l'islam vécu en Occident met davantage l'accent sur la foi intériorisée et l'éthique, en dehors de toute contrainte sociale, de toute police religieuse ou des coercitions communautaires.

38. *Les pays de l'UE peuvent encourager davantage ces convergences* qui relèvent de l'expérience religieuse dans un milieu définitivement laïque, ne fût-ce que par la dénonciation des amalgames entre l'islam, en tant que religion, et les islamismes en tant que courants idéologico-politiques, ou même les néo-fondamentalismes qui réduisent l'islam aux rituels et aux interdits. Une attitude accueillante moins frileuse, plus généreuse et rompant avec les discours stériles sur l'«incapacité des musulmans à s'intégrer», des émissions grand public consacrées à la vie des musulmans d'Europe, un enseignement sur l'islam dans les écoles et les universités, tout cela permettrait un apaisement des relations entre les communautés musulmanes et les sociétés d'accueil et faciliterait grandement l'intégration des musulmans dans l'espace public européen. Ce serait une grande réussite de l'Europe et une grande chance pour l'islam qui se déploie dans un espace de liberté.

39. Si nous insistons sur une meilleure intégration des musulmans dans l'espace européen, c'est parce que *nous pressentons le danger que peuvent constituer les replis communautaristes*, qui, sous couvert de respect des identités, risquent de déboucher sur des sociétés tribalisées et des sociétés-mosaïques, où, par une sorte de spatialisation des différences, on finirait par avoir des quartiers, voire même des écoles ethniques. Ce n'est guère une perspective réjouissante ni à l'échelle des sociétés européennes, ni même à celle de la Méditerranée tout entière.

IV. Pour une démarche humaniste

40. *Tous les peuples se construisent un rapport au passé et à l'espace.* La fonction de la mémoire (rapport au passé) est précisément de retravailler le passé pour y sélectionner les événements, glorieux ou traumatiques, qui servent de matériau de construction identitaire, tandis que le territoire (rapport à l'espace) apparaît comme fondateur de l'ordre politique moderne, autour des notions comme la «nation» ou la «souveraineté». Et comme le répètent les géopoliticiens contemporains, dans la mémoire sélectionnée, souvent déformée par le pouvoir, le territoire est la référence à partir de laquelle l'imaginaire collectif élabore une représentation identitaire. Ainsi, en tant que représentation, l'identité est une construction sociale.

41. Elle renvoie aux rapports au passé et au territoire, mais aussi à l'altérité. Cela implique que *toute définition identitaire est aussi une démarcation* (nous, c'est nous) qui, malheureusement, s'est transformée souvent, au contact d'autres mémoires, espaces et identités, en une affirmation arrogante de supériorité de soi par rapport à l'autre. Les trois monothéismes, nés au Proche-Orient, ont largement contribué par leur monopolisation de la vérité, à l'exclusion de l'autre, renforçant des «identités meurtrières», pour reprendre le titre d'un livre d'Amin Maalouf.

42. Et pourtant, peut-on nier aujourd'hui que *les individus comme les sociétés développent des «identités complexes et multiples»* sous l'effet conjugué de l'échange, de l'immigration, de la mondialisation? Les réflexes de repli, qu'on constate sur les deux rives de la Méditerranée, ne traduisent-ils pas, en grande partie, la peur ressentie face aux «menaces» du métissage induit par la circulation des idées, des produits et surtout des hommes? Les notions, telles que «choc de civilisations» ou celle, plus pernicieuse encore, d'«axe du bien et du mal», ne visent-elles pas à recréer des lignes de fractures et des frontières balisées entre «eux et nous», c'est-à-dire un découpage artificiel des frontières culturelles, alors que, par définition, les cultures sont toujours hybrides, métissées? Que des partis d'extrême droite, ou même des groupes intégristes, apportent leur adhésion à de telles divagations étonne à peine, car, pour tous ces «oiseaux de mauvais augure», l'identité n'est pas vue simplement comme un sentiment d'appartenance, mais aussi comme une bannière sous laquelle on se combat.

43. Il faut avoir tous ces éléments à l'esprit pour comprendre la dégradation du climat culturel entre les deux rives de la Méditerranée et déployer toutes les énergies pour une nouvelle pédagogie de la concorde et de la compréhension. Sans un retour à une approche humaniste, la situation ne pourra qu'empirer, conduisant à des postures d'hostilité. Cela ne veut point dire qu'il faille se voiler la face et gommer d'un trait tous les malentendus légués par une longue histoire. Mais *la démarche humaniste exige qu'on arrête, de tous les côtés, de «fabriquer» des ennemis imaginaires* et de démoniser des sociétés entières, voire même des «religions», en leur attribuant des responsabilités collectives pour les agissements répréhensibles de certains de leurs membres et adeptes.

44. Ainsi, débusquer les stéréotypes, dénoncer les dérives de comportement ou de langage, *extirper l'extrémisme de nos sociétés, tout cela doit être un combat à mener en commun.* Cela nécessite au nord de la Méditerranée, dans l'Europe entière, une autre approche à l'altérité, et au sud de la Méditerranée, une autre gestion du passé, des ouvertures démocratiques et une nouvelle gouvernance pour affronter les défis du troisième millénaire.

45. Tout cela nous amène à ces trois dernières réflexions: a) la première est que, *s'il n'y a pas de développement sans enracinement, il n'y a pas non plus de civilisation sans ouverture;* b) la deuxième, *«la Méditerranée est trop étroite pour séparer et trop large pour confondre»;* c) la troisième, nous l'empruntons à Octavio Paz: *«Toute culture naît du mélange, de la rencontre, des chocs. À l'inverse, c'est de l'isolement que meurent les civilisations.»*

Citizenship, social change and the EU constitution

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On 8 July 2004, the European Court of Justice sought to clarify the relationship of citizens of the Union both in relation to one another and in relation to the 25 Member States and their responsibilities. At the core of the European Court of Justice's judgment is the principle of equality between citizens [107]. In a Union of 25 Member States where the citizens of the Union enjoy their status as such only by virtue of their nationality of a Member State (though an increasing number of them enjoy the nationality of more than one Member State) how can the essential element of citizenship in liberal democracies – that of equality – find its expression? In this contribution I will examine some of the issues that are at the heart of this question, which has taken on a new importance with the adoption of the EU Constitution by the Council on 18 June 2004.

The choice of the State to allocate citizenship to one individual and to withhold it from another is an essential element of State sovereignty. It is a means of defining belonging and exclusion. The creation in 1993 of citizenship of the Union, premised on nationality of a Member State, brought an important new dimension to the essence of the concepts. The definition of what the European Union is engages the relationship of organisation, territory and individuals. To define the emerging Constitution of the European Union in the field of citizenship, justice and security is to seek the parameters of an emerging State. The definition of State, whether by Weber [108], Giddens [109] or Tilly [110], involves a territory, people and a political class/administration exercising authority. Just as deliberate uncertainty surrounds the territorial extent of the European Union [111] so also it touches its peoples. Who are the people and for what purposes or in which circumstances? The matrix between territory and people is implicit in the differentiation between citizens and immigrants. The legal framework within which these questions find expression is treaty versus constitution: when does a treaty become a constitution? A treaty as an inter-State act may give rise to rights to individuals but this is a by-product of the settlement of relations between States. A constitution, as part of the rules of governance, sets out the compromise of rights and duties between the people and those exercising authority. Giving precision to rights of individuals is central to constitution-making. In the European Union there is a shifting territory where a treaty has many constitutional characteristics (including the creation of a citizenship) but continues to call itself a treaty, and a charter which sets out rights and duties is a format which links the territory of Europe's foremost human rights instrument, the European Convention on Human Rights (ECHR) and the individual rights space of the treaty. The right to legal security is central to constitution-making for the citizen. It is one of the

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[107] C-502/01 and C-31/02 *Gaumain-Cerri and Barth*, judgment of the European Court of Justice, 8 July 2004.

[108] M. Weber, *Economy and society*, Vol. 1, Roth G. & Wittich C. (ed.), University of California Press: Berkeley, 1978.

[109] A. Giddens, 'A contemporary critique of historical materialism', Vol. 2, *The nation-State and violence*, University of California Press: Berkeley and Los Angeles, 1985.

[110] C. Tilly, *The formation of nation States in western Europe*, Princeton University Press: Princeton, 1975.

[111] For example, one finds this ambivalence in the long-standing uncertainty about the status of Gibraltar or the application for membership of Turkey or indeed the questions about enlargement towards the east – how many States are coming in and when?

central objects of constitutions – how the citizen controls or interacts with those in power and the limitations of powers in their regard. The (default) mechanism to achieve this legal security is through the administration of justice to which the individual as citizen (as opposed to immigrant or non-citizen) must be entitled.

A developing Constitution and equality

Equality is at the centre of citizenship of the Union. It finds its key expression in Article 12 EC – the prohibition of discrimination on the basis of nationality. Notwithstanding the fact that the prohibition of discrimination on the basis of nationality also appears in separate chapters of the EC Treaty, the European Court of Justice has held that Article 12 EC is applicable as the long stop against discrimination. In its July 2004 formulation of the concept, the European Court of Justice stated: 'The status of citizenship enables nationals of the Member States who find themselves in the same situation to enjoy within the scope of the Treaty the same treatment in law, subject to such exceptions as are expressly provided for...' [112]. The European Court of Justice was asked to determine whether the difference of the place of residence of citizens of the Union, on one side or the other of an EU internal border, was a factor which objectively changed the nature of the situation so as to exclude the equality principle. The European Court of Justice found that 'the condition as to residency of [certain persons] appears to afford different treatment to comparable situations, rather than to constitute a factor objectively establishing a difference in their situations and thus justifying such different treatment, and therefore constitutes discrimination prohibited by Community law' [113]. At the heart of the case was the right of a citizen to social benefits on a non-discriminatory basis. A Member State had refused social benefits to citizens of the Union (who were not nationals of the Member State) on the basis that the relative in respect of whom the benefits were payable lived on the wrong side of the border. The example illustrates the intertwined nature of citizenship, territory and the right to equality in the provision of social resources. It also shows the great reluctance of (some) Member States to come to terms with the transformation of the EU to an area within which the meaning of citizenship and its essential element, equality, are subject to new social settlements.

The British social scientist, T. H. Marshall, examines the constituent elements of belonging which are central to the idea of citizenship. His schema provides an interesting point of departure in this context. Marshall's citizenship is composed of three distinct elements: (a) civil: the rights necessary for individual freedom – liberty of the person, freedom of speech, thought and faith, the right to own property and to conclude valid contracts and the right to justice; (b) political: the right to participate in the exercise of political power, as a member of a body invested with political authority or as an elector of the members of such a body; (c) social: from 'the right to a modicum of economic welfare and security to the right to share to the full in the social heritage and to live the life of a civilised being according to the standards prevailing in the society' [114]. The interplay of social rights and equality is central.

Marshall's elements are incremental in their acquisition, beginning with the securing of civil rights by the people and finishing with social rights, the most disputed as the events of Marshall's time revealed. If a comparison is made with citizenship of the Union, leaving aside the fact that key rights attached to it accrue only in the situation of migration and not within the State of nationality, the first step towards the acquisition of citizenship rights in the EC

[112] Para. 34 C-502/01 and C-31/02 *Gaumain-Cerri and Barth*, judgment of the European Court of Justice, 8 July 2004.

[113] Para. 35 C-502/01 and C-31/02 *Gaumain-Cerri and Barth*, judgment of the European Court of Justice, 8 July 2004.

[114] T. H. Marshall, *Citizenship and social class*, Doubleday, New York, 1964, p. 11.

In effect, a transformation of the relationship of the individual and the State in a core element of citizenship was taking place. The space which is being created is one within which rights of entry, economic activity and residence are created for a class of persons defined on the basis of nationality. This is a substantial and important departure from the position in international law where only humanitarian grounds give rise to a duty on States to admit non-nationals. However, the limitations on the right of entry place it still far from a citizenship right within the meaning of the ECHR. To complete the rights of movement on the territory of the Union which accrue to nationals of the Member States, the 1990 directives on the right of residence for pensioners (90/365), the economically inactive (90/364) and students (93/96) were adopted extending movement rights beyond economic capacities. In each case the individual must be able to support him or herself (to the level of the national social assistance benefits) and have health insurance. A final step was taken with the adoption of a directive on the right of movement of citizens of the Union ([118]).

The right to move and reside within the territory as an equality right within nationality is tempered by an exception: the right of the Member States to disapply the non-discrimination duty in exclusion and expulsion under strict condition.

Permanence and the exceptions

The right to move and reside applies to all Community nationals (and their family members) who move from their home State to another for an economic purpose – i.e. workers, the self-employed, service providers and recipients, or those in an economically inactive capacity, such as students, pensioners or the economically self-sufficient. The seamlessness of these categories, i.e. the inability of a national of a Member State to fall between them (other than on grounds of destitution), has been confirmed in the new directive on the right of citizens of the Union to move and reside freely in the EU. At Preamble 3 the directive states 'Union citizenship should be the fundamental status of nationals of the Member States when they exercise their right of free movement and residence' ([120]).

In the directive, the rights of citizens of the Union to protection against expulsion have been substantially strengthened in relation to the regime which was in place previously (under Directive 64/221/EEC). Under the new directive, not only are citizens of the Union protected, but also their family members, be they citizens of the Union or third-country nationals, gain protection against expulsion. Articles 12 and 13 of the directive for the first time protect family members from expulsion in the event of departure of the principal [family member] from the host Member State and in the event of marriage breakdown. Citizens of the Union and their family members of any nationality gain a right of permanent residence under Article 16 of the directive once they have been resident legally for a continuous period of five years in the host Member State. They no longer need to remain either economically active or self-sufficient to retain this right. The inclusion of this provision in the directive raises some questions about whether citizens of the Union, in accordance with the jurisprudence of the European Court of Justice, have a right of residence which is protected, notwithstanding the fact that they may not have fulfilled the five-year residence requirement or the financial conditions.

Chapter VI of the directive sets out the grounds on which the Member States may interfere with the entry or residence of a citizen of the Union. It can go no further than the restrictions permissible under the Treaty – that is to say, public policy, public security and public health.

([118]) Directive 2004/38/EC.

([120]) Ibid.

Treaty was in fact social, the right to equal treatment in social security, the corollary right to freedom of movement in the Treaty (Article 40 EC) ([116]).

The relationship of citizenship with freedom, in the form of freedom of movement, is essential to EU law. From the establishment of the European Economic Community with the entry into force of the EEC Treaty (as it then was), freedom of movement of persons was among the objectives ([116]). The object of abolition of obstacles to the free movement of persons, was given particularity in Part III, Title III, Articles 39–49 ([117]). Article 39 EC provides for the abolition of obstacles to the free movement of workers among the Member States. It is subject to two main limitations: first, on the grounds of public policy, public security and public health; second, Member States are permitted to restrict access to their civil services to own nationals. Both of these exclusions have been restrictively interpreted by the Court of Justice, a subject I will return to slightly later. Article 43 provides for a right to non-discrimination for the self-employed – the right of establishment. This incorporates a right to move for the purpose of self-employment to another Member State and to reside there. The right is in terms of non-discrimination and abolition of obstacles to the exercise of economic activities as self-employed in different Member States. Among the main obstacles are differences in regulation of professions and trades. All Member States have complex systems of regulation operated by State authorities, quasi-State authorities and professional bodies. While most of the rules which excluded non-nationals directly on grounds of nationality have been abolished, indirect discrimination is still prevalent in the form of rules which fail to recognise skills and experience obtained in other Member States ([119]). Finally, Article 49 provides a right to provide services and, through secondary legislation and the interpretation of the Court, it also incorporates a right for persons to move to receive services. This right is designed to recognise that of individuals to go to other Member States for economic purposes without the intention of setting up an infrastructure or staying a long period of time.

EU free movement rights were legislatively 'complete' by 1968, though giving effect to those rights was a longer process. The transitional period for the achievement of the rights ended with 1968. At that point the free movement of persons for economic purposes was to have been achieved. It is worth noting that the right to move as included in the original EC Treaty was designed for those exercising some sort of economic activity. Individuals are treated as economic actors only and have rights as such. The humanitarian reasons for permitting persons to move across borders, asylum seekers, refugees and displaced persons, find no direct place in the Treaty as originally adopted. They will only be inserted later with the Amsterdam Treaty. Rather it is the right to work which is central to a right to cross a border. The type of economic activity is wide, covering most situations, in particular as developed by the European Court of Justice's jurisprudence.

([116]) The right to own property, part of Marshall's first right in the acquisition of citizenship, is indicative in EC law not least as it was rejected by that Member State where the concept of citizenship of the Union is most controversial: Denmark. By a protocol attached to the EC Treaty by the Maastricht Treaty in 1993, Denmark has reserved the right to refuse the possibility to nationals of other Member States to purchase land there (according to geographic limitations and limited to the form of second homes).

([117]) Article 3(c) EC.

([117]) With the entry into force of the Amsterdam Treaty, the numbering of provisions of the Treaty changed. In this text I will only use the new numbering. However, where quoting texts which use the old numbering I will put the new number in square brackets next to the old one.

([119]) C-110/01 *Tennah-Durez* eloquently demonstrates this. The individual had obtained her first medical degree in Algeria but had subsequently received training in France and a further qualification in Belgium where her medical degrees were recognised. When she sought to work in France, the French authorities refused to recognise her qualifications on the basis that the initial degree had been obtained in Algeria, notwithstanding the fact that she had completed part of her subsequent training in France.

Most importantly, in no case can exclusion or expulsion be justified on economic grounds. The Member States are required, by Article 28, to give consideration of the personal circumstances of the individual before seeking to expel him or her on the basis of public policy or security. A sliding scale has been introduced by the directive as an innovation in comparison with its predecessor where a citizen of the Union has acquired a permanent residence status. The expulsion of such a citizen of the Union may only be taken on 'serious' grounds of public policy or public security. Further, after 10 years of residence on the territory (or in respect of minor children), expulsion may only be ordered on 'imperative' grounds of public security.

This legislative development, which apparently increases the rights of citizens of the Union, must be balanced against the interpretation which the European Court of Justice has already given to the provisos of public policy, public security and public health as grounds for exclusion and expulsion. As early as the 1970s, the European Court of Justice had already signalled the exceptional nature of expulsion as regards a citizen of the Union ([121]). Here the European Court of Justice has acknowledged the discriminatory nature of expulsion – the proviso permits Member States to adopt, in respect of nationals of other Member States, measures which they cannot apply to their own nationals, inasmuch as they have no authority to expel the latter from the national territory or to deny them access to it ([122]). However, as a derogation from the right to free movement, the European Court of Justice has interpreted the derogations strictly on the ground that their scope must not be determined unilaterally by any Member State. The European Court of Justice accepted that there is no uniform scale of values as regards the assessment of the conduct which may be considered as contrary to public policy but it must be of a sufficiently serious nature that the Member State adopts repressive measures or other genuine and effective measures to combat the conduct when carried out by nationals of the State itself ([123]).

Inherent in this assessment is both the principle and the breach of equality among citizens. Some citizens are subject to certain coercive measures to which other citizens are exempt even where the assessment of the legitimacy of the measures is made on the basis of the application of coercive measures against all persons who carry out the undesirable activity. The importance of citizenship and the principle of equality as inherent to citizenship finds much support in the rhetoric of the EU but less reality in the legislation.

The citizenship rights

Following the 1993 changes to the Treaties, citizenship of the Union was inserted as a new principle. Articles 12–18 EC set out the rights of citizens of the Union:

(1) to move and reside within the territory of the Union subject to the conditions and limitations laid down in the Treaty;

(2) to vote and stand as a candidate at municipal elections in any Member State in which he or she resides excluding that of his or her nationality;

(3) to vote and stand as a candidate at European Parliament elections in any Member State in which he or she resides excluding that of his or her nationality;

([121]) 41/71 *Van Duyn* [1974] ECR 1337.

([122]) 36/75 *Rutili* [1975] ECR 1219.

([123]) 115/116/81 *Adoui* [1982] ECR 1665.

(4) the right to protection by diplomatic or consular authorities of any Member State other than that of his or her nationality when in the territory of a third country where his or her national authorities are not represented;

(5) the right to petition the European Parliament;

(6) the right to apply to the European Ombudsman.

With the exception of the last two rights which are in fact not limited to citizens of the Union, all the other rights are rights of (im)migrants. They apply only where the individual is outside his or her country of nationality. The right to move and reside is not taken further than as set out in the rights on the free movement of persons. It is still subject to the limitations of exclusion from public employment and the territory on the conditions laid out. There is no extension of the right to move and reside in the chapter on citizenship as would be consistent with the ECHR definition of the rights of nationals. In the Marshallian analysis of citizenship as bundles of rights, the establishment of citizenship of the Union creates political rights but they are rights which apply only outside the Member State of nationality. Citizenship of the Union resembles a glove turned inside out; the rights to be encased within the territory as the settlement of constitutional rights in fact is turned outwards outside the State of nationality into the territory under dispute.

Political rights both at municipal and European Parliament levels only apply to citizens when they are outside their State of nationality; further they apply at only two levels. The level of national elections is excluded although it is this level which involves participation in the European Council, which adopts virtually all legislation at the European Union level (with the consent of the European Parliament by and large). Similarly, consular protection only applies where the individual is not only outside his or her State of nationality but outside the Union altogether.

EU identity rights have been fleshed out by the European Court of Justice in the cases stretching back to the 1960s and 1970s. The strong position taken by the European Court of Justice to limit the power of the Member States to expel or exclude nationals of other Member States on the basis of the public policy, public security and public health provisos has been of the greatest value to citizens. These are the rights which citizens have pursued before the courts. The quest for justice has been one in which the interest of the individual has aligned with that of the European Union in seeking to limit the discretionary power of the Member States to treat Community nationals as aliens. Here the European Court of Justice has (almost) consistently held in favour of the individual against the State. The result of this approach to individual rights is not only an expansion of the power of the individual vis-à-vis the State but an expansion of the rights of definition and control at the EU level vis-à-vis the State. The framework within which the struggle between the Member States and the Union regarding the definition and meaning of the Treaty takes place is the rule of law ([124]). The role of the individual in that framework is in some sense an activator – by seeking to establish rights, the individual becomes a medium through which the struggle for control of definitions and powers comes before the Court of Justice as the dispute resolution mechanism ([125]).

([124]) Perhaps most clearly this is expressed in the numerous cases which have come before the Court regarding the competences of the Community and the Member States but this is beyond the scope of this article.

([125]) There is of course the power for the Commission to take enforcement action against the Member States but in practice this is mostly done once the struggle has been resolved and it is only a matter of obedience on the part of the Member State which is at stake.

Within the Union, justice for the citizen is perceived as being found in supranational judicial control which limits the variations in treatment which occur at Member State level. At Member State level, however, supranational judicial control is seen as a mechanism through which power over control of identity, border and order is lost from the national level. The first field in which the interplay between the individual, Court of Justice and Member State evolved was free movement of persons and the power of the State at national level to determine security of entry and residence (see above on the right to exclude and expel) ([126]). The elimination of supranational judicial control and its gradual reintroduction into the field is the story of the development of the third pillar in borders, immigration and asylum, leading to Article 68 EC which permits the Court of Justice jurisdiction over questions of borders and their crossing but with a new term of exclusion, 'internal security'.

However, until the inversion of the rights of citizenship of the Union is reversed there is unlikely to be an incremental development of the concept into one which fulfils even the ECHR norms. A further difficulty rests on the question of the relationship of citizenship with civil liberties. The difference between civil liberties and human rights has not been fully explored in the European Union context. However, the use of the term 'fundamental rights' in both the Charter of that name, and now that section of the Constitution which incorporates the Charter, indicates the intersection of the two concepts.

CONSTITUTIONAL RIGHTS AND THE CITIZEN

Human rights, as the result of international treaties, find their foundation in international negotiations between States. Civil liberties are more likely to be found in national constitutions and laws within States – they express national settlements around the use of power within the State and the right of the individual as regards the use of power both where power is directly exercised by the State authorities and where the State is arbiter regarding the use of power by individuals among themselves. It is worth noting that by deploying the term 'fundamental rights' both of these concepts of rights are included. If one considers the contents of the EU Charter, it is clear that it includes not only the rights which citizens of the Union had acquired under EU law from the foundation of the EEC until now but also human rights, in particular those contained in the ECHR. These form the two main sources of rights in the Constitution's charter.

An analysis of the beneficiaries of rights in the Charter reveals an interesting dimension – the vast majority of the rights contained in the EU Constitution apply to all persons; they are not limited to citizens of the Union. In fact, there are five categories starting with the general category of everyone. This category appears to be the equivalent of the jurisdiction of the ECHR contained in Article 1 – everyone within the jurisdiction of the signatory States ([127]). The rights which accrue to the groups are listed below.

Everyone

(1) Human dignity (Article 1)

(2) The right to life (and protection from the death penalty) (Article 2); source: Article 2 ECHR and Protocols 6 and 13 ECHR

([126]) Van Duyn, 1974; Bonsignore, 1975; Rutili, 1976; Royer, 1976; Sagulo, 1977; Bouchereau, 1977; Calfa, 1999.

([127]) I have noted, where the source of the right is clearly from the ECHR, which provision is applicable.

(3) Respect for physical and mental integrity (Article 3)

(4) The prohibition on torture, inhuman or degrading treatment or punishment (Article 4); source: Article 3 ECHR

(5) Slavery and servitude; compulsory labour and trafficking human beings (Article 5); source: Article 4 ECHR

(6) Liberty and security of person (Article 6); source: Article 5 ECHR

(7) Respect for private and family life (Article 7); source: Article 8 ECHR

(8) Protection of personal data (Article 8)

(9) The right to marry and found a family (Article 9); source: Article 12 ECHR

(10) Freedom of thought, conscience and religion (Article 10); source: Article 9 ECHR

(11) Freedom of expression and information (Article 11); source: Article 10 ECHR

(12) Freedom of assembly and of association (Article 12); source: Article 11 ECHR

(13) The right to education (Article 14); source: Article 2 Protocol 1 ECHR

(14) The right to work and choose an occupation (Article 15)

(15) The right to property (Article 17); source: Article 1 Protocol 1 ECHR

(16) The right to asylum (Article 18) ([128])

(17) Protection from removal, expulsion or extradition to a State where there is a serious risk of the application of the death penalty, torture or other inhuman or degrading treatment or punishment (Article 19)

(18) Equality before the law (Article 20)

(19) The right to non-discrimination on enumerated grounds (Article 21); source: inter alia Article 14 ECHR

(20) Respect of cultural, religious and linguistic diversity (Article 22)

(21) Equality between men and women (Article 23); source: inter alia Article 14 ECHR

(22) The rights of the child (Article 24)

(23) The rights of the elderly (Article 25)

(24) The rights of persons with disabilities (Article 26)

([128]) There is no specific reference to the Aznar Protocol to the EC Treaty which seeks to limit the right of asylum to third-country nationals and to exclude citizens of the Union from the right to asylum.

(25) The rights of collective bargaining and action (Article 28)

(26) Access to placement services (Article 29)

(27) Respect for social security benefits in accordance with national law (Article 34)

(28) Social and housing assistance (Article 34)

(29) Access to preventive healthcare (Article 35)

(30) Access to service of general economic interest (Article 36)

(31) Environmental protection (Article 37)

(32) Consumer protection (Article 38)

(33) The right to good administration including a right to be heard; access to the file and a duty for the administration to give reasons; the right to damages for loss caused by the institutions; the right to use any of the Constitution languages (Article 41)

(34) The right to an effective remedy, to a fair and public hearing within a reasonable time and to legal aid (Article 47); source: Article 14 ECHR

(35) The presumption of innocence (Article 48); source: Article 6 ECHR

(36) The right to protection against retrospective laws (Article 49); source: Article 7 ECHR

(37) Protection against double punishment for the same act (Article 50); source: Article 4 Protocol 7 ECHR

All workers

(1) The right to working conditions which respect health, safety and dignity (Article 31)

(2) The right to limitation of maximum working hours, periods of rest and annual paid leave (Article 31)

Third-country nationals lawfully in the EU

(1) Where authorised to work in the territories of the Member States, entitled to working conditions equivalent to those of citizens of the Union (Article 15)

(2) Where moving legally within the EU, the right to social security benefits and advantages in accordance with national laws and practices (Article 34)

(3) The possibility to be granted the right to move and reside anywhere in the Union (Article 45)

Any person residing in the EU (including citizens, third-country nationals and legal persons)

(1) The right to access to documents (Article 42)

(2) The right to refer to the European Ombudsman (Article 43)

(3) The right to petition the European Parliament (Article 44)

Citizens' rights

(1) Political parties at the Union level (Article 12)

(2) The freedom to seek employment, to work, to exercise the right of establishment and to provide services in any Member State

(3) The right to non-discrimination on the grounds of nationality (Article 21)

(4) The right to vote and stand as a candidate in elections to the European Parliament (Article 39)

(5) The right to vote and stand as a candidate in elections at municipal level (Article 40)

(6) The right to move and reside anywhere in the Union (Article 45)

(7) The right to protection by diplomatic or consular authorities in third countries (Article 46)

These are the categories of natural persons who are recognised as rights holders in the Constitution's charter. The vast majority of rights are written in such a way as to permit all persons to benefit from them. Those rights which are specifically limited to citizens also benefit from clarity as to the beneficiary. Those rights which are limited to workers may depend on the interpretation which the European Court of Justice has given to the term 'worker': a person who for a period of time provides services in return for remuneration in a relationship of subordination ([129]). The two intermediate categories — those of third-country nationals lawfully resident in the Union and persons resident in the EU — are less clear. How the definitions will be interpreted and by whom will only become clear with time. The engagement of national courts and ultimately the European Court of Justice will be central to this process.

Conclusions

A key force in social change is the quest of individuals who seek new settlements both with one another and with the State authorities; these settlements reflect the needs and aspirations of groups. The reconfiguration of the EU reflects the enormous social changes which have swept Europe over the past 50 years. More urgently, the changes of the past 15 years have brought about a fundamental redefinition of those entitled to participate in the determination of the EU social fabric. The enlargement of the EU from 15 to 25 Member States on 1 May 2004 appears likely to be only one staging post in this journey of Europe.

This social change has been accompanied by a dramatic transformation in the content and meaning of citizenship which has taken place over a 20-year period. From the introduction of

([129]) See, for instance, 53/81 *Levin* [1982] ECR 1035.

the concept of citizenship of the Union, to its numerical doubling through both the reunification of Germany and enlargement of the Union, the concept is highly dynamic. As I have discussed in this contribution, among the original features of citizenship of the Union is the fact that all the substantial rights that the individual gains from having the citizenship are rights which he or she can only access when he or she goes abroad and becomes a migrant in another Member State. Thus citizenship of the Union has been designed as a system of rights protection which straddles the traditional idea of the relationship of the citizen with the State as one of an embrace of the essence of equality, and the concept of an immigrant as a person excluded from the relationship of the State and its citizen which is designed to ensure the equality of citizens and is thus subject to the vagaries of discrimination. Citizenship of the Union appears designed to force the Member States to provide equality for non-nationals (those who are designated citizens of the Union but are nationals of another Member State) while at the same time legitimising discrimination as regards security of residence and participation in the higher levels of the State civil service.

The current position of the citizen of the Union as half 'real' citizen and half alien finds expression in the recently adopted directive on the rights of citizens of the Union to move and reside freely within the territory of the Member States (Directive 2004/38/EC). The title itself is revealing — the citizens of the Union move and reside not in the Union itself but in the territories of the Member States! While the citizens of the Union are provided with wide rights of movement and residence, they are nonetheless subject to the threat of expulsion and exclusion, both threats which are prohibited in international law in respect of 'real' citizens. The resistance of the Member States to relinquishing coercive powers over citizens of the Union is the clearest evidence of their determination to continue to discriminate between their 'own' citizens and the Union's citizens.

The EU Constitution provides a new framework within which the rights of citizens of the Union must be understood. For the first time, a charter of rights has been inserted with the intention that it should be legally binding on the Member States and accessible to the citizens of the Union. The Constitution also straddles two quite different projects, one an international treaty which regulates the relations of sovereign States, the other a constitution which engages the individual citizen in the rules around the consolidation of power, those entitled to exercise powers and the limits placed thereon. In so doing, the Constitution looks in two directions at once, on the one hand acknowledging the social changes which are occurring within the Union and the demands of the citizens for more durable and supranational rights, and on the other hand deferring to State sovereignty as a 'genuine' fiction and the supposed monopoly of the nation State over the identity of those to whom it belongs.

The EU Constitution is now commencing its long path to ratification. Only once it has arrived at the far end will the next step begin — the interpretation of its contents. Here the struggle of the citizen both inside his or her Member State and in a host Member State in the acquisition of rights, and most importantly the right of equality, will take on a new dimension.

WORKSHOP 4

The role of the media in the dialogue

(Impact of the media: cross-cultural perceptions)

ATELIER 4

Le rôle des médias dans le dialogue

(L'impact des médias dans l'imaginaire croisé)

Résumé de l'intervention de

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Reprenant à notre compte l'idée qu'il n'y a pas de danger de choc des civilisations, mais un immense choc des ignorances, il faut évidemment souligner que les études de fond, article de vulgarisation, livres, colloques ou émissions explicatives à la radio ou à la télévision, sont une goutte d'eau dans la mer des images «documents imagés» diffusées chaque jour à des centaines de millions de téléspectateurs montrant la violence, le résultat de la violence, ou des incitations à la violence, à l'occasion des conflits du Moyen-Orient, ou des actes terroristes revendiqués ou imputés au monde occidental, dans lesquels se retrouve impliquée l'Europe, ou au monde arabo-musulman qui est infiniment plus vaste, et plus complexe que les deux foyers principaux de conflit au Moyen-Orient ou les groupuscules terroristes.

Il faut aussi souligner que les moyens techniques de connexion entre eux des grands diffuseurs d'images télévisuelles sont parfaitement au point, mais que pour la transmission d'émissions culturelles ou simplement de documentaires ou de variétés venant de chaque côté de la Méditerranée.

Mais il faut remarquer que les images venant du sud de la Méditerranée sont peu fréquemment transmises par les télévisions européennes, par manque d'intérêt du téléspectateur, ce qui n'incite pas les chaînes de télévision à en faire des éléments de programmation à des heures de grande écoute.

Peut-être peut-on suggérer des coproductions entre chaînes arabo-musulmanes et européennes, peut-être pouvons-nous demander aux autorités comme aux savants de penser à faire répercuter leurs actes et leurs connaissances par des événements créateurs d'images attractives pour les programmateurs de télévision.

Mais les plus belles images seraient celles de la paix donnée, promise ou retrouvée.

L'image des civilisations arabo-musulmanes ou européennes est aussi le résultat du comportement des personnes émigrées ou expatriées de l'autre côté de la Méditerranée, au nord et au sud, et leur intégration dans la société locale est un élément qui peut être montré sous forme de témoignage incitant à la compréhension plutôt qu'à la création d'un fossé supplémentaire.

'Houston, we have a problem'

The role of the media in the north–south intercultural dialogue [130]

Joaquín Roy [131]
University of Miami

I. THE SETTING

Preliminary statements and caution

'Houston, we have a problem,' a US astronaut once very calmly said from the moon when he realised that his space mission had encountered serious difficulties and, as a consequence, his life and that of his colleagues were in danger, making the return to Earth extremely problematic [132]. This emergency call has become synonymous and symbolic in popular American English for illustrating the discovery of extreme difficulties, professionally announcing such incidents, and the need to overcome the obstacle to avoid terminal consequences.

The main reason for the organisers to convene this conference on intercultural dialogue and to face the ever-difficult task of compiling the proceedings is to consider the multiple dimensions of a fragile intercultural dialogue, to narrow the gap between different cultures, and to improve the increasingly perturbing level of confrontation. The presiding feeling is that, indeed, we have a serious problem.

We have come to the conclusion that the north–south relationship, especially its variation of Europe's links with the other shore of the Mediterranean, the Middle East and the Arab world at large, is in a dangerous situation caused by a malaise. This chronic cancer, in metaphoric clinical terms, is represented by a combination of a lack of proper communication and the absence of mutual understanding. While the south is partially to be blamed for the damaging balance, Europe is called upon to take on the responsibility of repairing the consequences of the systematic activity performed by another actor. The United States is the other part of the equation, not only by virtue of its own information and political sources, but also to a great extent as a result of its overwhelming presence and the power of its media industry. Most perturbing in recent times is the US responsibility through its political power for the design and implementation of the guidelines of the new security policy [133].

However, pretending that these three actors (the south, Europe, and the United States) can work and be analysed in isolation from each other is a futile operation that will only bring more damage to the current situation. Global solutions should serve to repair global problems. Hence,

[130] Paper based on basic statements and comments made during the conference on intercultural dialogue, organised by the Jean Monnet programmes of the European Commission, held in Brussels on 24–25 May 2004.

[131] Jean Monnet Professor and Director of the European Union Center at the University of Miami.

[132] The statement belongs to Apollo 13 mission astronaut Jack Swigert when he discovered a technical problem on 13 April 1970, while approaching the lunar surface. Texans and especially tour guides remind visitors that 'Houston' was also the first word uttered by a human from the Moon, when on 20 July 1969, another US astronaut, lunar module pilot Edwin E. Aldrin, Jr, announced: 'Houston, this is Tranquility base. The Eagle has landed'.

[133] For a selection of some key works on the US foreign policy after 11 September, see books and other works by Bacevich, Boot, Bush, Campbell, Ikenberry, Kagan, Kissinger, Kupchan, Nye and Rice.

the need for an exploratory forum like this one to test, in a very tentative way, several avenues towards a common goal: a better intercultural dialogue between the two sides of the Mediterranean, Europe and the larger Middle East expanding to the Atlantic, and by extension a wider north-south communication network.

Still, we must insist that a very tentative, yet bold methodological framework should accompany our task at all times. This is dictated by the fact that the wide field of commentary is laced with a complex tradition of prejudice, like in a treacherous minefield, filled with apparent and imagined facts that are taken for granted. This is an area (dialogue, ideas, images and media) full of stereotypes and incorrect perceptions converted into dogmas. We should approach this task as an attempt, nothing more. Instead of using science, we are forced to employ the technique of the essay, conceptualised by Spanish philosopher José Ortega y Gasset as 'science, without proof'. Michel de Montaigne, the founder of the essay itself as a literary genre, said in his classic definition, 'it's like a good conversation'. He allegedly admitted: 'if I was sure, I would not try "to essay"' . That is why we have to try.

In this search we intend to share our thoughts on the role of the media in the building of this necessary, urgent, unavoidable intercultural dialogue. We do so because we believe that more than economic and political arguments, discussions, negotiations and solutions, what is needed to solve, at least in part, the gap between these crucial partners is a cultural understanding. And we believe that, in addition to traditional education, a sort of continuing education is the key for not only the neutralisation of conflict between these two unequal partners (north and south) but possibly for the survival of civilisation as we know it.

An information society

Ironically, there has never been a larger volume of communication activity throughout the world. Modern media has multiplied, in terms of a variety of vehicles (computers, digital TV and radio, satellite dishes, cell phones, Internet) and, in a previously non-existing manner, the sheer amount of images, data and text that is being transferred by the minute, daily, and instantly from one corner of the globe to another. Globalisation is then best understood by its massive communicative dimension, transgressing all borders and making the territorial limits of the State basically obsolete, obliterating languages and cultural differences [134]. However, the means of communication are not evenly distributed across continents and are not used in a free and fair way by all inhabitants of the planet. Most suffer passively from globalisation, while a select few are active protagonists.

Tourism is one of the leading industries of the world economy, occupying a sizeable portion of the gross domestic product of certain countries. In some cases, it constitutes the only viable business, giving jobs to millions of people catering to unprecedented numbers of travellers. The result is that the political future of certain governments depends on this apparently pacific leisure business. Simultaneously, the spectacular increase in the physical movement of goods, aided by the global fever towards free trade and economic integration, has been matched by unstoppable, unchecked and illegal migration across frontiers.

This new trend has reduced traditional emigration to a modest historical fact. Reversing the trend by which European nations sent their surplus population to the Americas in search of freedom and a better life, after commanding armies and entrepreneurs in the building of empires in Asia and Africa, the European landscape shows today a new variance of an old

[134] For an example of the massive literature, see the book by Scholte.

phenomenon: massive uncontrolled immigration. In a way, it seems that millions demand implementation of Article 13 of the Universal Declaration of Human Rights, which guarantees the freedom of movement and residency in a given State territory [135], making this right extendable to a global benefit. An unprecedented alarming number of resident immigrants from the former colonies, and especially from regions where Islam is the dominant faith, have chosen the former colonial metropolis as the Promised Land. Moreover, the prospect of an increased number of more potential immigrants wishing to arrive on European shores is a daily event, unable to make the grade deserved to be considered as 'news', because of its repetitious, although tragic, recurrence. The building of 'the net', defined as the new phenomenon in which social classes and distinct ideologies are enmeshed, with total disregard for State boundaries and economic levels, has contributed to this spectacular increase of communication and, consequently, of its use (and manipulation) by sectors previously limited in their capacity to political and economic action.

In sum, never before in the history of mankind has the world had such close communication, in a double sense: by verbal, visual or textual means, and by the proximity and movement of humans traditionally clustered in their corresponding native lands. While new threats (such as international terrorism) have taken the place of the conventional wars of the past and the potential sources of conflict during the Cold War, a novel concept of 'security' has captured a spot in the preoccupations of wider sectors of the Western world. Common criminality, unemployment, illicit drug consumption and trafficking, deteriorating medical care, and uncertainties derived from exhausted social and retirement services are now joined by immigration. The obvious success of regional integration following the European model is paradoxically under attack when it is identified by extremist right-wing parties (such as Le Pen's in France) as a threat to national identity generated by the pincer formed by the building of a European-wide entity and unwelcome immigration. As in the 1920s when Jews and other targeted minorities were converted into scapegoats for economic and social problems, immigrants today are identified as the enemies within or at least as the source of an undesirable alien presence, the cause of controversy on both sides of the Atlantic. A very wide range of opinions and feelings include moderate voices that accept and respect the rights of immigrants in new lands, but not at the cost of deepening a fully integrated culture (generously called *mestisage*), and would not respect and conserve the original linguistic and historic nucleus of the society [136]. The fact that a large number of immigrants come from Islamic countries has made the intercultural dialogue on both sides of the Mediterranean more difficult.

The communication gap

In consequence, paradoxically, the current volume of communication coexists with an impressive balance of stereotypes, manipulated data and facts, lack of mutual trust, fear and hate, social isolation and exclusion, and pure ignorance of the other [137]. Significantly, influential commentators with considerable social and political impact beyond their national constituencies have oscillated from dealing with grand strategic subjects (the 'clash of civilisations') to tackle the 'problem' of immigration and its threat to national identity. When facing the completion of a rather successful process of continental integration that has delivered, among other benefits, the much sought-after peace, Europe is facing its most formidable obstacle in the manipulation of the fears of immigration by extreme right parties and groups. EU integration

[135] For a review of the repercussions of the opinions issued by former Catalan President Jordi Pujol, see C. P. 'Pujol aboga por la integración cultural', *El País*, 4 September 2004.

[136] As an explicit example, see the recent and polemical book by Samuel P. Huntington, *Who are we? The challenges to America's national identity* (New York: Simon & Schuster, 2004), and our review-commentary: Joaquín Roy, 'La nueva tesis de Huntington', *Ojos de Papel*. July-September 2004 http://www.ojosdepapel.com/

has generated a considerable nostalgia for national identity (especially in the new Member States that were former Soviet bloc countries), while Brussels and the 'other' are perceived as the new enemies.

As the cliché goes, the end of the Cold War and the corresponding 'end of history' (to use the popular expression coined by Francis Fukuyama [138]) with a mistaken prediction) has generated a 'clash of civilisations', as Samuel Huntington mapped out in an exercise of apparent wishful thinking under the encouragement of special interests of the 'military-industrial complex', as described by Eisenhower in the 1950s. Real or imagined, this new war, awakened by the events of 11 September, has suffered its first casualty. The news (meaning the credible treatment of the events, with objectivity and honesty) has suffered a great loss after the attacks of 2001 and the new global war on terrorism. The impossibility of dialogue between two opposing sides has replaced communication. Noise has substituted for persuasion; explosions have taken the place of songs; texts with threats and extortion demands have succeeded petitions and pleas. The north–south divide is in a state of sorry communication, when not in a permanent and endemic engagement of confrontation.

II. AN ASSESSMENT

Exploring avenues for solutions

In consequence, we believe that we are in desperate need of exploring a plausible solution, in this case with a two-level dimension. In the first place, on a geographical level, I propose that the remedy must address all sources of the problem. While Europe and the United States may be engaged in a particular competition [139]) and have special communication problems of their own, possibly due to the simple fact that in the 20th century they have gone through different experiences in confronting chaos and tyranny, they are both in the same boat when facing the challenges of the south. Coming from Mars or from Venus, to use the simile offered by Robert Kagan [140]), Europeans and Americans are part of the problem, and they have to be part of the solution.

Whatever our personal or national inclinations and our prejudice towards the only superpower are today, the United States has to become part of the remedial process, for two main reasons. First, because it was American journalism and the development of its media industry that once set the tone and patterns for the rest of world. Moreover, for better or for worse, American media still dominates the current scene. Second, because the United States is partially (by virtue of its dominance of the industry) the origin (or at least it is perceived this way) of the communication conflict between the north and the south; it therefore needs to be an integral ingredient of the reparation operative.
The second dimension to be explored is the object of study itself. We ponder about the media as one of the reasons for the lack of communication and misperceptions between cultures. At the same time, we advocate that the press and other electronic media be converted into an efficient agent for correcting the gap in communication. We must take to test, until its final consequences, the current validity of the status historically given to the press as the 'Fourth

[138] *The end of history and the last man.* New York: Free Press/Maxwell Macmillan International, 1992.

[139] For commentaries on EU–US relations, see Pond.

[140] Kagan.

Power'. When the other three do not seem to have much success in lessening the divide between north and south, we may well rely on an alternative solution.

Although we recognise the need to keep in mind that the south should still be the main protagonist, it has been historically the victim (especially its most deprived sectors) of the fractured intercultural relation, but we do not make it the centrepiece of this analysis and the proposed recommendations. Yet, we stress that any dialogue needs two partners, avoiding the mistakes by which the south makes demands all the time, while the north listens and tries to appease the apparent claimer of past injustices.

However, to reduce an interchange to a business between two individuals or distinctive groups is simplistic and risky. Entrenched attitudes and stereotypes, free from corrections, adaptations and compromise, may produce a wrong picture and the opposite result of the intended goals.

ASKING QUESTIONS

It may help if we proceed to follow a path bestowed with some tentative questions. Even in the event that we fail to find definite answers for some of them, we will still manage to provoke some commentaries. In the first place, we wonder if the media, in general, can be considered a trusted source to accomplish a truly effective intercultural dialogue. In addition to receiving negative answers when targeting specific examples and concrete countries, doubt is a sentiment that comes to mind. In consequence, when focusing further, the observer discovers that the media is actually part of the problem, the lack of effective dialogue. Then, unable to pretend that the media, as overpowering and irreplaceable channel to transmit information, can be considered as irrelevant, we must address seriously the task of asking if an integral part of the problem can also be part of the solution. The tentative answer is that it must. The only unanswered question is how.

When exploring a little more in depth the different angles of the handicap of having a main actor converted into the culprit, a more precise inquiry will benefit from trying to decide if the solution sought can be placed in the hands of a specialised press. Alternatively, the opposite option consists of leaving the task to the mercy of the market laws of supply and demand according to the inclinations of the uninformed, poorly educated masses.

For example, what sections of newspapers should be better targeted to engage in this new mission of correcting a mistaken communication? Are we to strengthen the informative pages? Do we tackle the analytical portions? Do we concentrate on the more specialised op-ed pages, which are the ones normally read at ease by the elite or the sectors of readership with more available time?

In any event, how can the core of the elite press (the newspapers universally recognised as 'sources of reference') [141]) correct these perceptions and endemic stereotypes? Is it possible, nowadays, to rely on the leadership role of old-fashioned intellectuals (*philosophes, pensadores*) turned into media professionals to redress the negative mutual lack of trust? In the event of a positive answer, one must still wonder about the cultural training and intellectual experience by which today's media professionals must face the task. If in doubt, should responsible newspapers leave that function in the hands of outside contributors, not necessarily media professionals, but responding to the customary inclinations of writers?

[141] For a classic example of this concept, see Merrill.

An additional dimension to be taken into account is the debate centred on the use by European newspapers of informative, analytical, and opinion products generated by the US wire services and newspapers with budgetary resources allowing them to station correspondents and to send specialised commentators to conflict zones such as Iraq. The obvious question then is: how can independent, small or medium-sized European newspapers afford an alternative expense? Are translations from each side needed? Are original writings a preferred mechanism?

At all times, special attention should be given to a dilemma posed by the unavoidable role of political power and governments. On one hand, it is the duty of government to care about the common good. Education, information and culture in general are not expendable commodities but an integral part of the historical agenda of governance. Democratic government, as a consequence, has the obligation to nurture a strong, viable, independent media. However, in most countries, media is at the mercy of the market, and many times needs the correction of government help, the same way as orchestras, museums and libraries. The problem resides in deciding when government help (by tax cuts, public advertisement, lower mail rates) becomes political interference. While it may be wise to insist on an active role of governments in helping the independent, but economically weak, media in reducing the communication gap between north and south, manipulation of the press through political power must be avoided.

We do not intend to find an answer to all of these questions. Outlining these questions, however, presents a basis for dealing with the pertinent areas of the central topic of study and commentary.

AVOIDING DENIAL

The first preliminary decision we have to make, if we are seriously committed to seeking a realistically affordable solution, is to admit the degree and the depth of the problem, then to accept the corresponding guilt, and finally to recognise the limitations of the proposed solutions and the shortcomings of the agent (the media) proposed to remedy the situation. Moreover, we have to implement this task without any prejudice and unnecessary blame on the other.

The first exercise is one of humility and the admission of the fact that the north (Europe in this case, but intimately connected with the United States) has a historical, social, and economic obligation to take the initiative in, if not solving the problem (Utopian schemes are usually the source of disasters), at least providing substantial remedies. As previously mentioned, the media may not be the only solution, and in reality is also part of the problem (as is the case of the United States). This admission is rather obvious considering the role of the superpower in creating and aggravating the tension dominating today's world.

The Spanish philosopher Ortega y Gasset was often meditating on the negative international isolation of Spain, a country that ironically was the founder of European imperialism, inventing the phrase attributed to other monarchs with kingdoms in which the sun never set. He once said: 'Spain is the problem and Europe is the solution'. This has come to symbolise the plea of the intellectual sector of Spanish society that has historically pushed for the incorporation of foreign, mostly European, ideas to modernise the political and social behaviour of Spain. In contrast, an adversarial force has advocated for a conservative attitude to strengthen authoritarianism and dictatorships. We could easily and most optimistically adapt this diagnosis and prescription made by the author of the *The rebellion of the masses*, a book that makes a lot of sense today. Lack of communication, in general, is the problem and the dialogue through the media is, at least, part of the solution.

However, selective finger-pointing at targets without careful study will also lead to more problems than solutions. On the one hand, isolated throwing of stones does not lead anywhere but temporary individual satisfaction. On the other hand, blatant denial has to be avoided at all costs if we seriously believe that we (in ventures like this) can contribute to an enriching dialogue that reduces the rift between both sides of the Mediterranean and similar scenarios in other parts of the world where the European experience is worth exploring, adapting and adopting.

Special context

By coincidence, the preparation of the conference held in May 2004 in Brussels and the drafting of the tentative remarks were simultaneous with the celebration of the World Day of Freedom of the Press and the issuing of a report by the prestigious think tank Freedom House, dedicated to the protection of human rights. For the second year in a row, this report confirmed that press freedom has systematically deteriorated worldwide, a fact that needs to be taken into consideration when evaluating the role of the media in the north–south dialogue ([142]).

Not by simple coincidence (because it was organised even well before the tragic events of 11 September 2001), the Barcelona 2004 Forum, a five-month innovative, trend-setting programme of activities, tried to catch the attention of visitors and observers with an array of entertainment, symposia, and exhibits clustered around the central issue of cultural diversity and the need for meshing contrasting views and effective communication ([143]). A series of high-level weekly conferences on specific topics was topped by an ambitious conference on migration held in September 2004. A journalists conference decided to found a World Observatory of the State of Information, issuing a manifesto that included, among other pressing items, a denunciation of new 'censoring' and 'information manipulation', 'lack of protection for journalists', 'job insecurity', 'absence of access to information by the poor' and 'risks derived from the media economic concentration'.

Significantly, the five-month event was held on Spanish soil, the first European territory to suffer a direct, massive aggression (which was also the most deadly terrorist incident in Spain's history) of the 11 September type, right before the national elections of March 2004. After some doubt and mistaken manipulation by the Spanish government attributing the terrorist Madrid attacks of 11 March to the Basque terrorist organisation ETA, the culprits of the 196-dead massacre were identified as Islamic fundamentalists, creating further damage to the already fragile intercultural relations of a country not historically used to immigration. Authorities and opinion leaders have been since then engaged in avoiding a potential backlash against the immigrant population of Arab origin, adding fuel to the fire created by a parallel social phenomenon, prone to be the cause of further unrest and confrontation in times of economic uncertainty and demographic alarm due to the fact that birth rates have been diminishing in Spain and other European countries nearing dangerous levels, only to be recently offset by new fertility trends originating from immigrant mothers.

The reality is that Spanish shores reveal the daily (and deadly) spectacle dramatised by television news showing the arrivals of desperate newcomers fleeing poverty, misery and persecutions. Illegal immigrants, coming from Morocco but in impressive numbers originating in sub-Saharan countries, through treacherous navigation in flimsy boats, at the mercy of human trafficking mafias, are opting for a better life in the north. This is a never-ending movement, which is a mirror image of what, across the Atlantic, is the other north–south variance in

([142]) Freedom House.

([143]) Forum Barcelona.

the Caribbean and the border between the United States as Mexico. The north may be populated by 'infidels,' be callous towards the needs of the south, 'worthy' of attacks and destruction, but it is still a magnet for the destitute masses of the south. As a daily recurrence, not passing the test of what is news, senseless terrorism, dozens of cases of self-immolations, assassinations by the hour, reprisals, and fear and hate of the other, have become the norm in the world today. In spite of the denials of the US President, the globe has become much more dangerous than the one existing after the end of the Cold War. It is also more dangerous and less safe than before the relative calm of the late 1990s before 11 September 2001.

III. FINDINGS

Some of the basic ingredients of the overall diagnosis of the north–south divide and its relation to the media are more obvious than others, and they require closer attention. These are non-exclusive and are open to be expanded, corrected and rephrased in future ventures.

Trade problems

In the first place, the role of the media today, as an agent of change and bridge-building in the north–south relationship, is neatly divided between two sectors, a contrast more dramatic than ever before because of technological advancement. One cluster is represented by the minority action played by the conventional press (newspapers and magazines), with opinion columns and analysis consumed mostly by an elite readership. The second has been historically oscillating towards the visual variances (film, television, radio) targeted and accessed by the masses (with high rates of illiteracy) in the south. In the West, television has seen its international news content slashed at the mercy of budget cuts, ratings, and the apparent tyranny of the masses, lured to reality shows, talk shows, gossip, or simple and legitimate entertainment that in times past was monopolised by films to be observed only in movie houses.

Still, in both cases of the West and the Arab countries, the scheduling time pressure of television leaves very little space for the necessary commentaries that do not fall under the clear cut of black and white, and issues that deserve a more refined analysis. One-liners and quick answers substitute for alternative views and cautious judgement that have to take refuge in the commentary pages of the newspapers and magazines. Unfortunately, as described below, print media is also subject to other kinds of tyrannical budgetary pressures.

On the business side, in spite of correcting measures by anti-trust laws, visual media and newspapers in Europe and the United States have been concentrated in a few hands. This has generated a drastic reduction of the status of freedom of the press. While political control and intrusion of the media by governments seem to be historically identified with repressive third world regimes, and still these are the trademarks of press limitations in Africa, Asia and Latin America, the cancer has spread ([144]). Concentration of ownership in a few hands in Europe, plus the heavy dependency on public media with governments in key EU countries (caused by advertisement, financing of huge deficits, and the political control of the boards appointed by government or parliamentary commissions), have raised doubts about the neutrality of the 'solution' and its effectiveness in carrying a positive message for dialogue building with the south ([145]). Spain and Italy, two European countries that have shown to be historical leaders in

([144]) See report of the PEN Club International; Rosa Mora, 'El PEN Club denuncia un clima cada vez más hostil a la libertad de expresión', *El País*, 29 January 2004.

([145]) In countries like Spain and Italy, the intimate linkages between governments and public media continue to cause controversy and acute acrimony. See Avui, Riding, Barber, Galán, Cañas, Comas.

culture, and success stories in overcoming past fascist experiences, are at the bottom of the list of EU countries in the ranking of freedom of the press issued by the worldwide NGO Reporters without Borders, occupying places Nos 42 and 53 ([146]). While in Spain the ETA terrorist phenomenon is the major cause for the insecurity suffered by the press, in Italy the main cause is the concentration of media control under interests dominated by Prime Minister Berlusconi ([147]).

Further inspecting the professional side, one finds that numerous specific cases of unprofessional conduct in major private newspapers in the United States and Europe have dangerously contributed to diminishing the credibility of the media ([148]). We note with alarm that the trend is not exclusively connected with a specific cultural zone, country, or economic level. It is a pervading trend that affects all media everywhere ([149]), but has received worldwide attention in the cases of recurrence of professional incidents that have left a probable permanent scar on the history of US journalism. A series of cases of invention of non-existing experiences (such as drug consumption and trafficking by minors), whose 'reporting' event granted prestigious awards (such as the Pulitzer Prize), have provoked a loss of credibility and the forced resignation of executives at all levels in management and editorship ([150]).

Cultural and political dimensions

News images consumed by the south are not necessarily perceived as neatly or exclusively European. They are largely and vaguely considered as Western, ultimately spreading values with a universal appeal, but in certain terms are identified solely with the United States, especially when broadcast by US-built and -owned outlets, such as the emblematic CNN. This Atlanta-based and worldwide-present media phenomenon has become a point of reference, stubbornly imitated with mixed results. This contemporary trend is confirmed by the fact that most national networks try to replicate the American model. In the Arab world an effective alternative has been found with the new chain Al-Jazira, still going through a necessary period of consolidation, loyalty of audience, and credibility, amidst a load of polemics for its direct communication links with terrorists who use the network to air their views and demands. This pioneer organisation is today in good company. Among the newcomers are Al Arabyia (in the United Arab Emirates), Al Alam (Iran), Al Menar, Al Haytar and Al Hurra (funded by the United States); [these are] only some of the examples transmitting in Arabic via satellite ([151]).

Shortcomings in the media of the Arab countries are dramatic. While only 1.6 % of the Arab population has access to Internet and there are only 18 computers per 1 000 inhabitants (as opposed to 78 worldwide), in 1 000 years only 10 000 books were translated to Arabic (the same figure as books translated into Spanish in one single year). A best-seller in the Arab world (284 million people) means 5 000 copies. Only 53 newspapers are published for each 1 000 people, compared with 285 in the developed world. While there are 120 satellite channels in Arabic, 70 are under full government control ([152]). An endemic problem in the rest of the Islamic countries, the print media is particularly the target of government harassment in the Maghreb countries.

([146]) *El País*, 'España está a la cola'; see Reporters without Borders report: http://www.rsf.fr/article.php3?id_article=8247

([147]) Gabriela Cañas, 'Eurodiputados italianos piden una ley europea,' *El País*, 23 July 2004; Rituerto.

([148]) Wasserman.

([149]) See Wasserman, Lovitt, Rohter, Royo, Tyler, Schudson.

([150]) Galán, 'El estado'.

([151]) Erfan.

([152]) *El País*, 'Sólo el 1,6 %'.

While cases of persecution of editors of newspapers and magazines are present in Mauritania, Tunisia and Algeria, Morocco has attracted special attention and concern from European press organisations and governments for the sentences imposed on journalists critical of the regime ([153]).

Meanwhile, Western television monitored in the south is still heavily identified with US networks. Europe's television message in Arab countries is non-existing, diffused, or partially identified with certain countries. This is weakly accomplished via the UK's BBC, and on a smaller scale with France, Spain and German international programmes beamed in the original languages. Only a few hours of Italian television in Arabic is available in north Africa. Assessments of European-wide experiments such as Euronews are limited, and its expansion, future prospects and adaptations to other formats need to be addressed, but lack of funding or political will have cast serious doubt over its future viability.

Moreover, on a political level, when leadership and model-making were most needed and expected, mistakes in judgement made by the US media in endorsing the policy of the White House after 11 September, and especially in the war against Iraq, were dramatically admitted. They were recognised post facto and too late by important newspapers such as the *New York Times*. Among other reasons, lack of care and a mistaken sense of patriotism and trust in elected officials (at the level of the US President) in tragic times (11 September and the war in Iraq) have caused this fiasco of unprecedented dimensions ([154]). A harsher assessment within the United States has branded as a 'disgrace' the performance made by these newspapers and other major news organisations in reporting the war. The problem is not that they 'got the story wrong', under manipulation by the government, but that they were afraid to 'tell the truth' ([155]). This accusation comes when the media itself has been entangled in an insight polemic caused by the perception that one major television organisation, Fox News, has taken a brazen endorsing attitude of the Bush administration, with the result that the traditional 'liberal' and therefore critical view of any administration has suffered a correction in the sense that the Republican audience of Fox has dramatically increased. The fact that the United States is technically at war, or at least this is what the government officially declares, and this statement is replicated by the terrorist groups that make the goal of destroying the US system an explicit policy, has made the customary neutrality and objectivity of the media a sensitive subject. Having to choose between basic patriotism and collaboration with a murderous enemy, professional journalists elect accordingly. In consequence, a common accusation against third world media, controlled by governments, has thus been converted into a political boomerang, making the communication gap wider ([156]).

The damage is not limited to the US media. Reputable European organisations, with a historic record of independence, such as the British Broadcasting Corporation (BBC), have fallen victim to political manipulations, with the result of serious damage to the media trade and the model itself of State-owned enterprises. As a whole, political mistakes and shoddy professionalism have contributed to a diminishing of trust by its readership in the print sector. The ultimate business result has been the reduction of the number of pages and a decreasing number of newspapers available nationally and locally. This has in turn caused some major cities in the West to depend on only one major daily, with the obvious collateral damage of a monopoly controlled by a few publishing groups.

([153]) Cembrero, 'Acoso'.

([154]) Steinberg.

([155]) Wasserman.

([156]) Angwin.

Moreover, criminal activity, either sponsored or tolerated by government, or directly paid by private special interests, has converted the exercise of journalism into one of the most dangerous jobs in the world. This scourge against the basic freedom of the press has become a violation of fundamental human rights, targeting a specific sector of society. It has become endemic in the south, especially in Latin America, where economic control of the media in a few hands is not the most pressing problem encountered by the profession, because it is taken for granted, as a lesser evil. While journalists are frequent victims of the war in Iraq, either because they find themselves in the path of fire between confronting sides or because they fall victim to kidnappings, in some Latin American countries and other parts of the world, they are the object of reprisals by political sectors or illegal business ventures ([157]). In 2003 alone, 42 journalists died violently while on duty ([158]). Until 11 September, 50 had already been killed, while more than 200 were in jail ([159]).

Simultaneously, in the United States, journalists come under the pressure of democratic systems to violate the secrecy of sources, casting a serious doubt not only on the future of the profession but also on the credibility of the political system that is supposed to guarantee the inviolability of freedom of expression. In addition, in a move not directly connected to the repercussions of 11 September, the US government banned the publication of scientific articles originating in Iran, Cuba, Libya and Sudan, in compliance with the trade embargo imposed on these countries, a move denounced as a violation of freedom of expression, and a reduction of north–south communication ([160]).

Meanwhile, lack of interest in European and US media in dealing with non-commercial subjects, unconnected to the daily worries or interests of the readers (according to ratings in the case of television programmes or the often arbitrary decisions of editors), makes official support and private funding mandatory, putting pressure on budgets. There is not more dramatic evidence than the contrast shown by the content of the Public Broadcasting System (PBS), known as 'public television', in the United States and the rest of the networks, where cultural programmes and documentaries are absent or reduced to a minimum. With this space extremely limited, only the news hours and their periphery are available to fill the gap of an intercultural dialogue. As discussed below, this shortcoming is intimately linked with a customary business-oriented decision of using 'free' services for generating the hard content of newspapers.

([157]) As examples: Rohter, Herald.

([158]) RGG.

([159]) Reporters without Borders: http://www.rsf.fr/rubrique.php3?id_rubrique=20

([160]) Rivera.

IV. RECOMMENDATIONS AND REMEDIES

AN INDISPENSABLE NATION?

As outlined above, to pretend that the United States does not exist is a futile operation – the elephant in the zoo cannot be hidden. The most one can do is to help so that the elephant does not create havoc in the china shop. Questioned for her choice of terms, former Secretary of State Madeleine Albright attracted the attention of observers of the new international scene, by insisting that the United States has to be taken into account in any rearrangement of the world structure after the end of the Cold War. This demand has been even more dramatically recalled after 11 September. Considering that the communication gap between the north and the south has further deteriorated since the terrorist attacks of 2001 and accepting as an undeniable fact that Islamic fundamentalism has been identified as the main adversary in the new war, the conclusion is that any scheme to correct the fractious relationship between north and south needs to include, if not the 'indispensable' nation, at least the 'unavoidable' power.

Any solution contributing to the narrowing of the north–south gap needs, in principle, the incorporation of, first, a thorough comprehension of the problematic of the United States in today's complex world, and then the most suitable [way of engaging] the effective sectors of American society in solving the problem. Dealing with the south should be handled with great care and sensitivity; in engaging the United States, Europeans should be aggressive and direct, because Americans are part of the equation. Europeans, in subtle terms but without any ambiguous confusion, should make this clear: 'Houston, we have a problem'. Houston and Texas are very relevant today.

It is a coincidence that US President George W. Bush was the former Governor of Texas, but an important cause of transatlantic disagreements is centred on his personal performance. The majority of the problems of the north–south intercultural dialogue did not begin with, nor are a result of, the foreign policies activated by Bush after 11 September. Nevertheless, one must admit that the world perceives the policy of the United States, rejecting it or supporting it, as a personal enterprise of the current president. 'Bush, we have a problem,' seems to say any observer of the miscommunication with a portion of the south that seems not to listen to the promises of a better life after Saddam Hussein. The same statement seems to come from an impressive part of the European citizens and leaders who do not see the world as safer after the Iraq war. The same statement, pronounced as coolly and calmly as the US astronaut once sent it through the space waves, has to be presented to the present and future US leadership because the true meaning of 'we' is that Europe and the United States are immersed in the same circumstances and have to work together in finding a solution.

This mutual dependency and the need to engage the United States in finding a solution for common problems is further dramatised by the perception that, in spite of denials and certain positive indicators, American society and crucial sectors of the economy are in relatively deep trouble, added to the fact that visions of contemporary living in a complex world are different in Europe and the United States; data show alarming shortcomings in the United States, when compared with their counterparts in the European Union. Health, education, life expectancy, personal security and income distribution are some of the areas where the United States fares negatively when compared with the new 'European dream' ([16]). A sick American society with a population scared and confused facing international hate and terrorism is not the best partner to be left alone and at the mercy of risky solutions. Different visions do not suggest drastic divorce in mapping a strategy.

([16]) Rifkin.

While a true dialogue always needs two partners, and ultimately the south should respond, this is not guaranteed. The cultural simile implied in the expression 'it takes two to tango' is best understood regarding the cooperation with the United States. After all, in the crucial dimension of the trade industry we are considering, the relationship between media and politics, the United States experience enjoys a permanent classic space evident in the two extremes. First, it becomes evident in the manipulation of power by the media, as in the example of Citizen Kane; second, in the correction of the abuse of power as in the spectacular results of the inquiry of the reporters of *The Washington Post* into the activities of President Nixon in the Watergate case. Only when convinced of the ultimate rejection of this role by influential US actors, policy recommendations should include an agenda solely based on European means and perceptions.

It is for this reason that, from a European perspective, one should pay close attention to some miscalculations pondered by decision-making circles in the United States. One specific example is centred on recent calls for a more effective government policy in correcting the negative image of the United States in the south, a demand that is bound to generate further damage, on two grounds. First, the US government does not have a comprehensive strategy of policy and programmes to build or sell a specific image of the United States. With the exception of some news packaging in defeating the Axis in World War II, or exceptional government interference at the height of the McCarthy era, a Madison Avenue style campaign with the government at the helm has not been the rule, but the exception. In contrast, the 'selling' of American culture has been the monopoly of private industry pushing its own products (film, clothing, music, sports). Only systematic research, never attempted for lack of necessary resources, will probably demonstrate that the outside world really does not adopt or internalise fashion, mores, or cultural products because they are identified as American (United States), but because they are appealing due to their modern qualities, practicality, instant satisfaction, sheer feeling of freedom, or simple political and social freedom.

Attempts to rescue, as genuinely American, the products and patterns universally adopted as global may backfire. Experiments of reducing goods and other cultural products as 'local' and 'national' (identified as exclusively belonging to the United States) may be received with disdain and lack of understanding. This incorrect strategy frequently ignores that the strength of US 'culture' is paradoxically connected to its intrinsic absence or weakness of a specific linkage with local identifiers. This apparently is the key for the understanding of the appeal of basic, uncomplicated, universally perceivable cultural features, moral codes, and legal requirements. Millions of people of diverse origin find it surprisingly easy to adapt to (if migrating) or to adopt (if from a distance) a non-existing 'national' culture, weakly 'sold' by a modest government policy. Identified as universal, the myth of the American dream may be a product very difficult to market when it is damaged by a specific government policy, such as the apparent strategy in Iraq and the misguided war against international terrorism. Damage to the image of the United States, whose values have been adopted as universally feasible, can only be repaired by a natural, social, people-friendly process, free from further government manipulation and disruption.

1. The European participation

Across the ocean, while admitting limitations and mistakes, Europe cannot renounce its positive legacy and must insist on sharing a recent experience. While not returning to a past 'mission civilizatrice', there is still a sense of obligation to be matched with effective action. If that means imposing conditions on aid and assistance for the protection of human rights and basic liberties, so be it. Looking the other way when freedom is trampled in lands receiving European attention is a failed policy that has been implemented in the past for the sake of self-interest. Nevertheless, it has generated a due payment to be met in the future.

In any case, if there is to be a basic message from the north (Europe in this case) disseminated through the media, it needs to be perfectly identified with the permanent admission of the past mistakes that led Europe to almost self-destruction. Intolerance, totalitarian ideologies, racism, ultra-nationalism and a futile sense of political or economic superiority have been rejected to a certain notable extent through a sharing of sovereignty, and cultural and political cooperation that began by pooling the scarce resources of coal and steel. Mistakes included, this recent European experience needs to be the irreplaceable centrepiece of the proposal from the north. Functional and fair regional integration, open to the rest of the world, adorned with all the trappings of structural funds administered by common institutions, continues to be the EU gospel.

Europe must exploit its most important asset: the values Europeans have been defending since the foundation of the original European Coal and Steel Community in 1950. They have apparently been missing in action by virtue of the cruel war fought by the United States in the confusing world of today. While admitting the military and possibly economic dominance of the United States, doubts are seriously raised about the potential for the effective use by the United States of what is called 'soft power' ([92]). Ironically, this national dimension for dealing with the rest of the world has historically been the key for the success of US culture in influencing other cultures. Film, music, sport, drinks and clothing crafted in the United States have contributed to the confusion of Western values with what are, in origin, American, and simultaneously and universally appealing. This is the key explanation for its impressive accomplishment in capturing the minds of millions of people in all corners of the planet.

This 'soft power' dimension is where Europe can play a positive role in capturing the minds of the south in an enriching way. Only in this way, will we upturn the apparent fateful mandate of the 'clash of civilisations' (a paradigm crafted, among other purposes, as a replacement for the targeting of the enemy in the Cold War, to justify defence spending) into a 'dialogue of civilisations'.

2. Self-inflicted wounds

The effective role of the media in strengthening positive communication between north and south, and at the same time properly disseminating corresponding values and legitimate views and perceptions, needs independent, well-funded and solidly supported means. This is a prerequisite to back and nurture the energies of individuals who ultimately will address the direct policy actors in different countries and cultures.

The current panorama of media crossing borders and transcending the frontiers of different cultures, on both sides of the north-south divide, reveals a basic pattern composed of visual media and print sources with some obvious contrasting patterns. Western television consumed by the south is overwhelmingly dominated by private US networks (CNN in the lead) and secondarily by some selective State-owned national services, beaming special, combined programmes for international consumption with the double purpose and intention of informing national citizens residing overseas and supplementing foreign policy interests and views, while serving as a supplementary mechanism to foreign aid and assistance. Television sources have been slowly and tenaciously taking the place of the old, traditional radio networks, historically accessible in short-wave format. While in the past, films were (and still are) a primary source for spreading an image of Western values (overwhelmingly of the US variance) in Africa, Asia and Latin America, television now reigns supreme in spreading a 'real' image of instant, perceptible, current life and opportunities of the north.

([92]) Nye.

While visual images tend to be consumed and internalised by a wide range of the population, [who are] in large numbers illiterate or not very well educated, print media has a more selective circulation; it is more expensive and costly to produce and disseminate, and requires more labour-intensive investment, making it more dependent on government subsidies (if not control) and willing private interests expecting a return or influence. In contrast with the passive consumption of culture by the masses, it is the elite sector of the north that is bestowed with the mission of transmitting European and US views to the cultures of Asia and Africa.

Reserved in the past for an aristocratic, highly educated elite, a product of the Enlightenment, nowadays independent journalists and columnists are the survivors of the ideological confrontations of the 20th century, the fights to obtain social justice and equality, and the reprisals inflicted by the State systems under threat or, much worse, today's diverse interests not responding to governments. The problem is that, today, publications are under the double threat of diminishing advertisement income (caused by the competition of other media, where budgets have fled in search of a faster return on sales) and increases in production costs (generated by rising costs of paper, ink, and technological advances). As a result, the sections that usually fell victim to the axe in budget cuts are the ones suffering from one of three negative features. First, they may be seen as simply expendable, by the sheer magic of arbitrary decisions made by the business management. Second, they may be labelled as supplementary. In other words, applying a strict journalistic logic, they are not intrinsically considered as 'news'. Third, they are treated negatively for being external in production and dealing with foreign issues.

Op-ed pieces and selective analysis features are vastly written by outsiders, individual freelancers (in most of the world), or established columnists (in the case of the United States), marketed by 'press syndicates' (in essence, agencies distributing articles to numerous newspapers, or services developed by the most powerful newspapers), with either non-existent contracts or arbitrarily renewable arrangements in the case of the modest freelancers (the majority) and profitable agreements (a minority). When written by staff writers, their work obligations rest on other duties in the newspapers and magazines. Moreover, these op-ed articles and analytical pieces deal with foreign subjects, normally very distant from the daily experiences of the bulk of the readers, whose lives do not seem to depend on the degree of information and judgement on exotic topics.

The result is that analysis and opinion provided by independent views, either under the cover of private 'syndicates' or supplied by individual freelancers, are the two sectors converted into the first victims of downsizing. Then three of the most formidable enemies faced by freelancers fill the space traditionally occupied by independent views. The first is the traditional, expected and acceptable appearance of inside columnists, already on the payroll of the newspapers, fulfilling part of their professional duties as op-ed contributors, while working in the news and analytical sections. The second is the occasional writers who claim that they do not want (because apparently they do not need) to be compensated. The individuals who actually 'pay' to be published represent the third.

While the first and second variances have been in existence for centuries and respond to a set of reasons (economic independence, vanity, and legitimate freedom of expression), the third is the most dangerous for the ultimate freedom of the press, with serious consequences in connection with the topic of this essay. It simply means that the media management and ownership have renounced their central role in guaranteeing the honesty, credibility and objectivity of analysis and opinion, by leaving that task to the mercy of arbitrary interests and pressures that do not have as their primary objective the search for truth and the most effective enlightenment of the readers. While under the pressure of budget cuts and the reduction

of print space, they have vacated a valuable 'real estate', in the words of an editor of the *The New York Times* ([163]), for the occupation of government and partisan views.

By incorporating unpaid contributors in the op-ed pages, newspapers may cut expenses. But the apparent short-term benefit received may be offset by the loss of contributions from the logically more prestigious and compensated contributors. Ultimately, editors and owners may discover that, using the American English popular expression, 'there is no such thing as a free lunch'. There is no such thing as 'free' freelancers, either. Somehow, they will be paid, at a cost to the readers and also to the newspaper. Besides the obvious lack of professionalism and disloyal competition posed by the unpaid frequent or sporadic columnists, a malaise that may reside solely in the realm of ethics, the most damage is caused by the interests and individuals who exert all kinds of pressure and mechanisms to get articles published by 'paying' the newspapers and magazines in different forms. They, for example, exchange this favour by allowing or promoting advertisement of the governments and interests they represent or own. They also may offer pieces with angles or theses greatly favoured by the ideological view of the publication, making its publication much easier.

While this perturbing phenomenon is a manageable problem to deal with in the Western world, with the independent columnists possibly being the only ultimate victims, it is worrisome when it is a norm in the newspapers of the south. The result is that only the economically powerful, backed by a comfortable social and economic situation, if not political support, capture the analytical and opinion space of the print media. It is doubtful that, on both sides of the north–south divide, clarification of the sensitive issues that makes the intercultural dialogue mandatory will be accomplished by remaining a monopoly of sectors that are intimately linked to governmental dependency or control. It is not surprising that in the United States and the Arab countries the controversy created by Iraq became a casualty of overzealous patriotism and partisan views expressed by 'unpaid' freelancers, whose ranks enlarged in a spectacular fashion.

Some observers may be sceptical about the factual exactness of the statements in the preceding paragraphs. In the absence of accurate statistics and content analysis of myriads of op-ed pages in a representative sample of newspapers around the world, an exercise only available at a high research cost, they may opt for an alternative method of inquiry, which will yield similar results. The scanning of the opinion pages for a limited period of time, a week or two, but also feasible on a single day, will reveal an alarming number of pieces signed (not necessarily written) by a high number of top governmental officials and sporadic commentators who are intimately linked with the businesses connected with the same media. It would not be surprising to find out that today more than 50 % of the content of these pages has such origin. One wonders if this unusually high proportion of non-independent views is the best contribution to closing the communication gap.

3. Conclusions

Some basic media recommendations and a realistic warning should be entertained with the intention of maintaining the hope of a better relationship in this crucial triangle composed on one side of Europe and the United States, and on the other by a wide south, narrowly considered as represented by most Islamic countries.

The urgent closing of the communication gap between the north and south is a two-way street. The north has to be more ambitiously open to the views from the south. It also needs to be actively involved in the self-education of the realities of the south. In other words, the media

([163]) See Shipley.

in Europe and the United States needs to distribute more materials produced by Western authors, as well as accepting original works crafted with a genuine perspective of the south.

At the same time, the media and governments of Europe and the United States have an obligation to make (by investment and sharing of resources) the media of the south more open to content contributing to better information of both the views of the north and the north–south relationship. At all times, the cornerstone of any Western policy contributing to a more open communication line with the south should be the respect of human rights and the specific protection of freedom of expression. Any government programme of assistance should include this variance of a democratic clause. Private investment and commercial links with the media of the south should include the same guarantees that exist in the countries of origin.

While still recognising that the occupation of valuable analytical space in European and US newspapers by unpaid contributors is a fact of life that seems not to have a quick solution, print media should still be encouraged and lobbied to be more receptive to the incorporation of views from the south. The only limitation will be the skilful placing of a filter that will detect unacceptable interests and extreme views, which will damage the intercultural dialogue, if not make it worse. An effective procedure to guarantee an indispensable degree of equanimity in the editorial policies of organisations dedicated to the dissemination of free materials to the press should be that non-profit foundations control them ([164]). Nevertheless, this solution will not solve the economic problem. The cost of their operations will still be dependent on the largesse of government and international organisation subsidies, unless private philanthropy decides to increase its contribution to this difficult field, open to manipulation, controversy and, ultimately, damage to prestigious sources of funding.

Government television networks should make a further effort in incorporating more air time dedicated to news, analysis, and documentaries from the south that are locally generated and free from the control of governments. Private electronic media should be moderately assisted, by tax incentives, subsidies given to NGOs through foreign aid programmes, and other legitimate mechanisms, in their efforts to incorporate information and commentary on the realities of the south.

From a strategic, multilevel European perspective, the lines of communication should be kept open at almost any cost. However, two obstacles posed by either the south, most especially fundamentalist sectors in the Arab countries, or the continuation of a unilateralist policy in the United States, may render the intercultural dialogue inoperative. An increase in the selective terrorist attacks against specific sectors of European interests in the Middle East (such as media representatives taken as hostages), and a stubborn confirmation of a pattern in US policy that seems to have as primary objective the continuation of the control exerted by the military and certain economic interests, will result in the breaking of the feeble communication lines with Europe. As surveys and incisive analysts have recently proved and shown, the gap between the views of Europe and the United States over sensitive issues (terrorism, Iraq, security) is getting wider ([165]). Concentrated, autocratic and messianic leadership in the United States, in addition to the diffusion of power and impotence by failed States in the south, will result in an undesirable negative result as an answer to the often-quoted demand of a European telephone number to call in order to obtain effective cooperation. In the words of sceptical observers, the moderates in the south and a US Secretary of State may know 'what number to dial [as a result of a deepening of its foreign policy] to reach Europe — but Europe may not answer the

([164]) For examples, see the experimental programmes organised and run by Inter Press Service (IPS).

([165]) Editorial by *Financial Times* and report by Dombey.

phone' ([168]). That would be the ultimate kiss of death inflicted on the intercultural dialogue and a tragedy for all.

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([168]) Mowle.

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WORKSHOP 6

Youth and the religious factor, tolerance and laicism

(The dialogue in the international context)

ATELIER 6

La jeunesse face au fait religieux, à la tolérance et à la laïcité

(Alternatives à la crise des idéologies)

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Dans quelle mesure, et en quoi, les attitudes de la jeunesse d'aujourd'hui face au fait religieux, à la tolérance ou à la laïcité diffèrent de celles des générations précédentes? Est-ce que nos jeunes sont aussi religieux, autrement tolérants ou plus laïques que leurs aînés? De pareilles questions trouvent des réponses assez différentes d'un pays à l'autre, selon l'importance que les religions mêmes assument et conservent dans chaque communauté particulière, en Europe ou sur le pourtour de la Méditerranée.

Les termes de «tolérance» et de «laïcité» n'ont pas dans nos langues les mêmes connotations. Le sens que donnent à l'idée de la tolérance un John Locke ou un Voltaire ou bien la manière dont la conçoit un poète catholique comme Paul Claudel — en reléguant la tolérance *«à la maison de tolérance»* — sont, de toute évidence, différents, parfois opposés l'un à l'autre, voire contradictoires. Quant à la laïcité, la confusion est encore plus fréquente. Le mot vient, comme on sait, du grec (*laos* — peuple) et passe par le latin médiéval *(laicus)*, pour désigner d'abord celui qui ne faisait pas partie d'un ordre ecclésiastique, tout en restant en quelque manière rattaché à l'Église *(frère laïc)*. Le siècle des lumières reprend le terme et en modifie la signification. Voltaire parle des «missionnaires laïques» et se range parmi eux. Le mot n'est pourtant pas fréquent dans les discours de la Révolution française qui conserve à sa façon le culte de l'«être suprême» avec son panthéon, son martyrologe et ses rituels. On ne le trouve pas non plus dans la *déclaration des droits de l'homme et du citoyen*. L'esprit laïque triomphera dans la fameuse loi 1905, préparée par la politique de Jules Ferry, accentuée par les prises de position contre le cléricalisme, marquée finalement par l'issue dramatique de l'affaire Dreyfus.

Cette loi, proclamant hautement «la séparation des églises et de l'État», fut précédée par une série de mesures séculières: autorisation de divorce (1884), ouverture des cimetières aux citoyens de toutes les confessions (1881), suppression du repos dominical obligatoire (1879), extension et gratuité de la scolarisation (1881), interdiction de l'enseignement religieux dans les établissements primaires de l'État (1880). Une partie importante de l'intelligentsia — «ce grand diocèse des esprits émancipés», selon la formule de Sainte-Beuve — accueillit avec enthousiasme ces innovations dans la vie sociale et culturelle. Les emblèmes religieux dans les écoles publiques (crucifix pour tous, effigies de la Vierge pour les filles) furent enlevés dans plus d'un département bien avant 1905. «L'école ne doit être ni une chapelle, ni une tribune, ni un théâtre», déclarait Jules Ferry. Léon Gambetta voyait l'enseignement comme un «séminaire de l'avenir». Aristide Briand donnait à ces idées un cadre réel et pratique. La Constitution de 1946 définira dans son premier article la France comme une république «laïque».

Cette «exception française» avant la lettre provoquait à l'étranger des réactions, parfois violentes, notamment dans les pays catholiques. La Belgique l'a acceptée plus vite et suivie de plus près que la plupart des autres, non sans polémiques avec son épiscopat. Dans des pays protestants, où le catéchisme est autrement présent au sein de la vie quotidienne, les tensions de ce genre ne prirent généralement pas trop d'ampleur. Aux États-Unis, «on ne s'imaginait même pas que la lecture de la Bible fût un acte confessionnel», comme l'attestent des témoins. Les références à Dieu ou à la Trinité se sont conservées jusqu'à nos jours dans les Constitutions du Royaume-Uni ou de l'Allemagne, plus particulièrement de la Grèce ou de l'Irlande. Il serait intéressant de faire un travail comparatif sur ces différences et ces dissensions. Il s'agit d'établir un nouveau dialogue entre histoire et mémoire.

Je rappelle ces faits, pour la plupart connus, tentant de décrire le bagage que nous portons dans nos balluchons sur les radeaux qui naviguent d'un rivage à l'autre, ou de montrer cette sorte de

panoplie avec laquelle nous entrons parfois en lice. On constate souvent, avec plus ou moins de réserve ou de reproche, qu'une laïcité «identifiée à l'expérience historique française et difficilement traduisible renvoie, dans les perceptions qu'en ont les autres pays d'Europe, à une neutralité plutôt négative à l'égard des religions». Il est peut-être utile de distinguer au préalable une laïcité de la notion de «culte» de celle de «culture». Cette dernière s'identifie dans bien des cas à la sécularisation. Dans l'usage courant se rencontrent et se confrontent les attitudes des croyants et de ceux qui refusent de croire. Quoi qu'il en soit, il serait erroné de réduire la démarche laïque au seul agnosticisme ou à l'athéisme.

Il y a dix ans, venant m'installer en Italie, je fus surpris de lire le sous-titre d'une revue assez connue, *«Rivista per il dialogo fra credenti e laici»*. Doit-on opposer de la sorte les croyants et les laïques? Ne pourrait-on admettre également une laïcité de la foi ou bien une foi des laïques? Cela semble aujourd'hui moins difficile que dans le passé. Penseur spirituel de grande envergure, excommunié par l'Église orthodoxe russe avant la Révolution et exilé de l'Union soviétique après, Nikolaï Berdiaev proposait aussi de distinguer la religion comme un phénomène collectif de la foi en tant qu'acte personnalisé, sans nier pour autant ni l'une ni l'autre. L'expérience du personnalisme chrétien et sa manière d'accorder croyance et laïcité méritent d'être évoquées en l'occurrence.

Le débat actuel sur ce sujet nous confronte avec différents problèmes d'ordre moral, idéologique, éthique ou psychologique, avec ceux d'éducation, d'enseignement, de profession de foi au sens plus large du terme. Une revendication particulière de la laïcité s'inscrit dans les droits de l'homme ou relève de la liberté d'expression. Elle favorise la rencontre des différentes religions ou sert d'intermédiaire entre elles, se démarquant d'une «laïcité de combat», vue par d'aucuns comme trop «intégriste». Certains d'entre nous appellent de leurs vœux «une laïcisation de la laïcité». Malheureusement, dans les pays où un nationalisme enraciné s'associe au cléricalisme, la démarche laïque se voit condamnée à la marginalisation ou à l'ostracisme. (Nous avons eu l'occasion d'observer les rapports entre les chrétiens orthodoxes et catholiques au sein d'un espace où ces contradictions sont accentuées par le schisme chrétien, presque millénaire — dans les Balkans —, et où les églises ont fourni dans différentes situations leur soutien aux nationalistes qui frappaient plus particulièrement les citoyens de confession islamique.) Le vocabulaire du stalinisme, pratiquant une impitoyable propagande antireligieuse, refusait à son tour toute notion de *laïcité*, vue comme l'un des «résidus bourgeois».

Autour des questions de laïcité se regroupent celles, nombreuses, qui dépassent le cadre socio-religieux et appartiennent également à d'autres ordres d'idées: les relations de l'individu et de l'État, les clivages entre les sphères publique et privée, la liberté de conscience, le rejet du communautarisme, le respect de l'égalité des droits et des devoirs des citoyens, la lutte contre les discriminations (aussi bien religieuse ou confessionnelle que raciale, ethnique, nationale, sexuelle ou autre), certains types d'oppositions entre la gauche et la droite, la quête d'un espace universel ou commun, l'affirmation de la citoyenneté, la promotion d'un idéal de tolérance et de fraternité, une nouvelle pédagogie et, somme toute, une défense et illustration d'une éducation moderne. Reste à constater dans quelle mesure le dogme libéral, tel qu'il est pratiqué dans certains pays économiquement avancés, pourrait être compatible avec les valeurs d'un système éducatif réellement laïque.

La laïcité est à même d'aider à sa manière les religions en les guérissant de leur particularisme ou de leur prosélytisme excessifs. L'Église catholique, après l'*aggiornamento* du Vatican II qui a rejeté, entre autres, l'idée antisémite du «peuple déicide» et a aidé à lever l'anathème frappant les «schismatiques» d'Orient, permet de réviser plus d'une prise de position du passé. Jean Paul II a récemment surpris bien des fidèles acceptant dans un de ses discours *urbi et orbi* une «laïcité juste» *(una giusta laicità)* opposée à l'intransigeance du «laïcisme». Le jeu avec les termes n'ar-

range pas toujours la clarté du débat. Quoi qu'il en soit, une certaine laïcité prend aujourd'hui à son compte l'engagement pour l'avortement ou la contraception, interdits ou déconseillés encore par l'Église, comme c'était le cas naguère du divorce ou de la sécularisation des cimetières. C'est dans le même contexte que s'inscrit le refus d'insérer dans la Constitution européenne la mention de la composante chrétienne (ou judéo-chrétienne), présumant que cette matière, quoique ineffaçable dans l'histoire, ne devrait pas faire partie d'une clausule constitutionnelle.

Certaines polémiques que l'on croyait jetées dans les oubliettes de l'histoire réapparaissent de temps à autre et reprennent parfois des dimensions inattendues. C'est notamment la place de l'enseignement de la religion dans les établissements publics ou bien le port des signes religieux dans les écoles. Ces questions ont déjà une longue histoire en Europe et se posent différemment d'un pays à l'autre. La laïcité de type français cherche à les résoudre en recourant à une législation spéciale ou en appliquant des instructions ministérielles. Dans d'autres pays, on évoque habituellement des traditions plus anciennes ou les usages moins astreignants. Cela crée parfois des querelles enflammées qui n'ont la plupart du temps que des effets provisoires ou palliatifs. Les exemples en sont nombreux; certains d'entre eux méritent malgré tout d'être cités. L'Allemagne a vu en 1995 une «querelle de crucifix» à l'échelle nationale lorsque le tribunal de Karlsruhe déclara inconstitutionnel un règlement du Land de Bavière obligeant les écoles publiques à accrocher un crucifix dans chaque salle de classe, ce qui causa, entre autres, un blâme venant du Vatican. L'Italie vient d'être à son tour secouée par la décision d'un tribunal de la petite ville de Chieti condamnant la pose du crucifix dans une des écoles — le tribunal d'instance supérieure a annulé tout de suite une pareille décision. Il semblerait que les lois de 1924 et de 1928, qui réclamaient en même temps la mise du crucifix et du portrait du roi dans les classes, n'auraient jamais été abrogées, malgré la chute tumultueuse de la monarchie italienne après la Seconde Guerre mondiale. Cela montre le peu de suite d'esprit en la matière. Le dernier changement du gouvernement en Espagne, qui a porté au pouvoir le parti social-démocrate, annonce avec empressement sa décision de supprimer l'obligation de l'enseignement religieux dans les écoles d'État. Et la Terre continue de tourner.

La présence de l'islam, devenu la deuxième religion de l'Europe, fait resurgir bien d'autres questions où la laïcité proprement dite n'est pas le seul enjeu. Je me limiterai à évoquer quelques analogies dans l'histoire des religions chrétienne et musulmane susceptibles d'éclairer probablement certains phénomènes couverts d'ombre. L'Europe n'a pas réussi à christianiser sa modernité, les Lumières s'y sont opposées. Elle a pourtant modernisé considérablement le christianisme. «Moderniser l'islam ou islamiser la modernité», cette alternative fut présentée pour la première fois par un penseur musulman en exil, qui n'aime pas que l'on cite son nom. Là aussi, de même que dans l'Europe d'hier, la modernité reste rétive ou réservée face à certaines manifestations de la religion. «On ne touche pas au Livre», c'est la réponse que donnent certains croyants en l'occurrence. On pourrait rappeler que rien n'a été changé dans la Sainte Écriture en éliminant l'Inquisition, le bûcher, la torture infligée aux hérétiques et certaines autres perversions de nos églises. L'histoire moderne — dans laquelle le colonialisme pèse de tout son poids — n'a pas permis à la plupart des pays islamiques de vivre leur siècle des lumières. La *Nahda* ou le *Tanzimat* ainsi que certaines autres tentatives de réforme n'ont pas eu la chance ou la possibilité d'aboutir. Peut-on donc moderniser la lecture du Coran sans en trahir la lettre? Y a-t-il une nouvelle lecture possible des paroles de l'Envoyé? C'est au seul monde musulman, à son intelligentsia éclairée, de chercher la réponse à ces questions. Ils ont de bonnes raisons de se méfier de nous autres. Nous pourrions peut-être les aider en cherchant à éviter certains de nos propres jugements, erronés ou tendancieux: l'islam et l'islamisme ne sont pas la même chose; l'islamisme et l'intégrisme islamique sont des choses différentes; l'intégrisme se différencie du fondamentalisme et, au sein même du fondamentalisme, il existe des courants mystiques, d'une part, et fanatiques, de l'autre — et ce sont seulement ces derniers qui deviennent terroristes et

assassins. Ces distinctions aideraient à réhabiliter une grande majorité des musulmans du monde entier et à rendre plus facile la vie à ceux qui vivent auprès de nous en Europe.

Nos amis arabes s'étonnent ou protestent à cause du fait que nous autres, Européens des différents pays, consacrons tant d'attention à la question juive. Mais nous avons nous-mêmes créé cette question. Nous en sommes en grande partie coupables: par les *pogroms* à l'est de l'Europe et les chambres à gaz à l'ouest, à travers l'*Holocauste* et la *Shoah*. Ce n'est pas par partialité que nous y regardons, mais par responsabilité. Même le retour de la diaspora juive en Palestine était voulu par une partie de l'Europe qui cherchait à s'en débarrasser. Un éminent intellectuel arabe comme le regretté Edward Saïd, laïque par son œuvre et son esprit, a bien saisi la portée de ce phénomène. Cet aveu n'autorise personne à oublier la tragédie que vit le peuple palestinien et les mesures draconiennes prises à son encontre.

Quant au port des signes religieux «ostensibles», tels que le foulard auquel on ajoute par acquit de conscience aussi la kippa ou le crucifix, je n'ai pas l'intention de m'y attarder. Bien des choses ont été dites et redites sur ce sujet qu'il serait ennuyeux de répéter. Je me contenterai de rappeler une pensée chère à un ami récemment disparu — Pierre Bourdieu: «La question patente est le voile, celle latente est notre refus des émigrés.» Cette mise en garde mérite d'être retenue par les esprits laïques.

En créant l'Europe, il faut songer à créer aussi les Européennes et Européens. Il serait erroné d'y chercher une laïcité uniforme ou conformiste, obligatoire pour toutes et pour tous. Il s'agit d'affirmer une laïcité plurielle dans une Europe pluraliste — celle qui réunit l'Europe d'aujourd'hui et l'autre Europe d'hier. Et qui ne soit pas uniquement eurocentriste.

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1. What is Europe? Of course, this short text cannot be the place to give an adequate answer to this question. In a primary reality, it is a more or less diffuse geographical area. And probably this is the only point in which there is no debate. The other 'Europes' are visions, constructs, interpretations of history, culture(s), identity/ies. And they are not shared by all the citizens in this continent – because this geographical area has been settled by different peoples who have made the history and who have told the story of their history, who have defined their identity, which is being defined also by other peoples, who have determined also relations (to the territory, to the others, to the others' territory). But definitions and relations have not been seen in the same manner by one or other people. And the question: 'who belongs to the people?' has experienced different answers. Processes of inclusion and exclusion, efforts to be included or self-exclusion processes have marked Europe's history. The clash of interpretations, the clash of images and stereotypes, the fight to include or exclude (or to avoid self-exclusion) have marked centuries of European history.

2. The 'Europe' of the European integration is an attempt to establish a new interpretation, a new vision and to assure that this interpretation can become a long-term reality, dominating previous interpretations: the Europe of peace and freedom, of human rights, of safety and justice. This Europe has convinced generations of Europeans by the force of remembering the common past of destruction and blood. But this kind of assessment is no longer enough: the generations which are being and will be decisive in Europe no longer remember 'the other Europe'. This Europe has to convince now with other arguments. The 'European Europe' (the 'Europe of the European Union') is in a key moment of its history, in the moment in which – like in the Olympic Games – the fire has to be transmitted to the next member of the team. But, in that case, the next member of the team has grown in a completely different frame. The 'European Europe' will not persist if it is not accepted by the next generation: it needs a supporting society. Institutional dynamics can replace – this is the experience of the last decades – a lack of enthusiasm, but not a long-term lack of conviction.

3. In that context, 'the youth' in Europe becomes not only a sociological or economic factor, but also a decisive factor for the future of the 'European Europe'; it will have to deal with a very complex situation, more complex – I dare to say– than the post-war Europe, in which the 'European Europe' is born. The geographical borders of the Union will probably be defined in 10 years, but within these borders the challenges will wait for people wanting to face them. Immigration will cause (and is already causing) new processes of inclusion/exclusion and new definitions of identity; the difficulties to maintain the 'welfare state' will question the solidarity between the generations; the unemployment, also due to 'delocalisation' to third countries not respecting the social changes, may provoke tensions and probably motivate new poorness/richness borders within Europe's societies; the demographic evolution will carry problems and challenges to a new dimension.

4. The current youth in Europe will have to deal with this panorama. With which instruments? The 'European Europe' has been made on the basis of relatively wide shared values, in which also religion has had a widely accepted role. There was no problem to accept 'Christian humanism' as one root of the values the 'European Europe' would have to guarantee. Also *laïc* France was able to accept the symbolic power of religion when organising the decisive DeGaulle/Adenauer meeting in a cathedral. The German Grundgesetz after World War II did not doubt to mention God as an indication that the last foundation of the constitutional values laid outside the disposition of the State (a tendency which has found another expression in the so-called

Ewigkeitsklausel, those articles which can never be changed, and which are not at the parliamentary majorities' disposal).

5. Things have changed considerably, and regarding the European Constitution there has been no consensus to mention the Christian roots in the preamble. The consensus around the 'Christian humanism' as one of the founding elements of the 'European Europe' is broken. And the question arises, what role should religion play in the Europe to be transmitted to the youth that will reinterpretate it? There is no 'harmonisation' within the European Union, either among the citizens or among the official positions of the governments of the Member States. The debates on the Constitution have shown this very clearly. And, whilst the necessity of interreligious dialogue is underlined, the dialogue between the two main positions within the Union seems impossible. A combatant *laïcisme* (let us maintain the French term) seems to break the consensus about the historic and symbolic value of the Christian background for Europe, although on the other side no one sincerely doubts that the separation of Church and State, the recognition of the autonomy of the political sphere, has represented considerable progress in Europe. With this background it was possible to overcome the mixture, that had terrible consequences, of religion and politics: the separation of 'the two cities' appears to be a consolidated fact in Europe: it is part of 'modernity'.

6. In other geographic and cultural areas, however, this vision is described as 'Western' and not shared. And it is suggested that there can be 'multiple modernities', some of which do not include necessarily this separation. These cultures are now present in Europe as a result of immigration. What will the dialogue be like between these different visions of social life? Shall we insist on the fact that this is a part of the common European heritage which has to be shared if someone wants to be considered as a European? Is a democracy imaginable without this separation?

7. But *laïcisme* wants to go further and to let religion be an exclusively personal and private belief, without social manifestations, without social presence, without social relevance. What is more: 'provoking' religious manifestations will be expulsed from the public space, at least in the part of the public space which is controlled by the State. The educational system will not transmit religious content. Legislation should be free from all religious reminiscences, from all concessions to the ethical positions of churches and religious groups. The State has the right to organise itself without interference from religious motivated forces which – history is able to show several examples – often maintain conservative attitudes hindering social progress. In this perspective, *laïcisme* becomes a logical consequence of an enlightened modern mentality, in which all religious attitude is suspiciously near to fundamentalism.

8. The argument could fit in times in which progress is one of the shared values, one of the main goals of the population. But in the last decades the enthusiasm for progress and the belief that there is a continuous ascending movement in the history of humanity have suffered as a result of the problematic consequences of progress, for example for the environment, for the existence of minority cultures, for world peace. Only, 'progress' is not enough as justification for legal measures. The abolition of slavery was undoubtedly a progress, because human beings have recovered freedom. The abolition of the death penalty all around the world would be undoubtedly progress, because errors and deaths of innocents could be avoided. In both cases, we are in front of important progresses because these measures mean a symbol, a sign, that humanity recognises that it is not, respectively, the lord of freedom and the lord of life and death. Freedom and life are not at our disposal. Abortion would be progress only if we were sure that the embryo is not a human being; if this sureness is not given, abortion could mean the death of an innocent person. However, this is not a question of *laïcisme* or religious marked ethic conviction, but of the messages you want to disseminate in society.

9. Regarding the presence of religious content in education, the main point is probably what the goal of the educational system should be. As a thesis I would dare to say that education has to provide the keys to find one's own place in the world, which obviously is always a personal process of recognition of one's vocation and knowledge of the environment in which this vocation has to be realised. Knowledge of the world is transmitted partially by the educational system, which is given the keys to decode the numerous symbols surrounding us continuously. In Europe, a part of these symbols come from a Christian heritage. The aim of schools cannot be to 'create' believers, but to eliminate ignorance, to teach the capacity to discover the messages linked to the symbols. The position of everyone in front of these messages is a personal decision. When we really believe in enlightenment, then we also believe that informed decisions are better than ill-informed ones.

10. The attraction of *laïcisme* is probably linked to the fact that religion is showing, in the last years, its worst face: the fundamentalist one. Religious fundamentalism is connected with widely disseminated tendencies in the last years. Probably as a reaction to globalisation (which has gained force as a reality and as a myth) and to the development of the new world order after the collapse of Communism, new 'identitarian' schemes have arisen with great force. Identity is now seen in connection with culture; in fact, the term 'cultural identity' has been extremely successful. And religion is often seen as a substantial part of culture and, therefore, as a part of identity. For example, Huntington's very successful (even if wrong and dangerous) model of the 'clash of civilisations' is operating with the religious factor to describe the different civilisations. So, religion has become a factor of real or possible conflict in the world. And in some conflicts the parts in conflict are indeed using religion as an argument for their war or terror actions. The argument is always based on the threat which another civilisation is supposed to be to one's own civilisation. The worst mechanism to build or consolidate identities appears here under new circumstances, the mechanism to create cohesion claiming for the necessity to protect against the risks coming from 'the other'.

11. Looking at this instrumentalisation of religion, *laïcisme* seems to be an alternative: if religion does not appear in public life, this phenomenon could be overcome. But *laïcisme* and fundamentalism are shaping the same attitude: to consider religion primarily as a cultural element. Both attitudes are ignoring the other, more profound dimension of religion. It is true that religion is linked to culture, it has consequences for culture and cultural expressions. And there is no doubt that some cultures are historically marked by concrete religions.

12. But religion is not only a cultural element. It affects firstly the individual: its attitude in front of transcendence, its relationship with God. And the expression of one's religious beliefs is a human right, whose manifestations are limited only by others people's human rights as protected by the legal system. In this frame, the supreme attitude from the public sphere towards religion has to be respect, the recognition of the State's action in front of a fundamental human right, which always marks the frontier for the State – with the exception of those expressions of human rights which constitute a danger for the State (is this given by a concrete style of presenting himself or herself in society?). Respect is more than tolerance, it implies an active attitude instead of merely passive tolerance. Tolerance – if not respect – can be expected also by society towards all the decisions of individuals in religious matters, including conversion to another religion or another belief, which may not be the religion or belief traditionally linked with the culture *a quo*. In the aforementioned collective sight of religion, belonging to a culture implies belonging to a religion; conversion to another faith can, then, be considered as treason to one's nation or culture. To avoid this, to guarantee free choice in these matters is also the scope of a *laïcist* State.

13. Behind these problems there is a notion of 'identity' which shall be overcome. The traditional view on identity is based on monolithic solutions: one State, one identity (one culture, one religion). We have to think in multiple identities, we have to realise that one citizen's identity is constituted of different elements, by linkages to different communities. This creates networks which give a structure to society. The State has to govern all this network expansion in the society, because the networks are able to stabilise or destabilise societies. It has to govern it but with the minimal interference in citizens' freedom. Also religious communities can stabilise or destabilise society. Therefore, dialogue between the State and these communities has to exist and to be fluent in order to recognise the forces building the community or destroying it.

14. But, again, the State can interfere only in that sphere of religious life which affects State life, and has to ensure that the religious options of the citizens can be realised (always when they are compatible with the societal ground order) without discrimination: because religion means one of the most profound spheres of realisation of a vital project and, therefore, of freedom. And 'religion' means here to believe or not, to manifest or not one's own beliefs, to be a member of a church or a confession or not, to change religion or belief or not. To pray or not. To include a transcendent reference in life or not.

15. Only this attitude of openness for a human right, of support for individual decisions, of recognition of the linkages which build society and express the richness of a mature society can give sense to interreligious dialogue, which aims at conflict prevention, mutual knowledge and tolerance. Interreligious dialogue is too important to be reduced to an instrument of tolerance. Could important aims for this dialogue not be to bring together the arguments in favour of the recognition of this human right, without penalties or discrimination at the legal or the social level? The European Union has committed itself with the creation of a space of liberty, security and justice. It includes, of course, the fulfilment of human rights, in which religious freedom is included. Fostering interreligious dialogue, the European Union is realising a part of the programme given for the 'new Union', the post-market Union (which has been completed with the single currency), the Union of the 21st century.

16. This Union will be realised by today's youth in the future. Young people will take on the Union that the previous generations will transmit, and they will recreate this Union according to their priorities. The Union is, like other communities, submitted to these continuous transmission processes. And transmission means always a complex network of interpretations. These interpretations will change the Union again and again. *La laïcité* is one consolidated element of the sociopolitical European heritage. Respect for the religious freedom – is this a priority in Europe?

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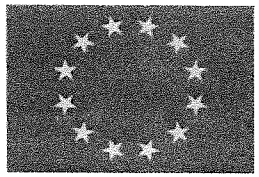

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