

The Dynamic Nature of European Identity

By Sanja Ivic*

EU citizenship requires a multilayered and dynamic concept of European identity. The idea of European identity embodied in the Declaration on European Identity and within A Charter on European Identity needs to be rethought. These documents should not contain essentialist assumptions based on the difference between "Europe" and "Other" that excludes and marginalizes a number of citizens. European identity should not create new forms of nationalism. That is why the concept of European identity should be flexible and dynamic. The concepts of identity, values, and Europe need to be rebuilt and reinterpreted in a multifaceted, adaptable, and dynamic manner. We can only discuss the dynamic nature of the European Union and the European identity in this sense. The concept of European identity should be developed less in terms of a predetermined past and more in terms of shared projects, long-term goals and connections resulting from a long-term, deliberate process.

Introduction

This paper examines the nature of European identity, which is defined by the *Declaration on European Identity* as well as its various interpretations. This paper primarily investigates whether the notion of European identity represents a postmodern category (which overcomes binary oppositions, such as: we/they, European/ non-European, old EU Member States/new EU Member states, core/ periphery, and so on) or whether it represents a modernist category based on a homogeneous notion of identity that excludes a number of individuals. It will be argued that the dynamic nature of the concept of European identity requires a postmodern theoretical framework.

European identity and EU citizenship should embrace the idea of a fluid identity, as a dynamic, hybrid and changing category, which includes and respects diversity. An idea of citizenship based on a fixed identity constructs a public sphere that does not include diversity. According to Williams, "identity has been used as a focus for gathering people together under the banner of some unifying notion or characteristic (...) The development of collective identities in this way has always been fundamentally concerned with acts of power."¹

*Principal Research Fellow, Institute for European Studies, Serbia.

1. Andrew Williams, *EU Human Rights Policies: A Study in Irony* (Oxford: Oxford University Press, 2005), 84.

In many documents defining the concept of European identity, there is a disagreement between identity and difference,² that is, between unity and diversity. With these documents, on the one hand, national and regional diversity is promoted, and on the other hand, common cultural heritage comes to the fore. Therefore, these documents simultaneously promote a policy based on a homogeneous, fixed identity and a policy that affirms heterogeneous, multiple identities. Consequently, European and regional identities are not clearly defined within these legal documents.

European identity should certainly represent some kind of postmodern identity, since the European Union is a supranational community, which includes supranational, national and subnational levels. European identity should not be based on a set of homogenous values, which exclude the *Other*, since identity thus becomes a passive instrument of discord.³

The various types of crises that the European Union has faced since 2008 have shown that the lack of a strong concept of European identity reflected the lack of solidarity in the European Union during the search for solutions to solve the economic, political, migration and pandemic crisis.⁴ The concept of European identity is significant for building European solidarity.

The method on which this work is based includes the hermeneutic analysis of the concept of identity and the analysis of different interpretations of this concept within the history of philosophy, such as modernist, postmodernist and poststructuralist interpretations, and then the application of the results of this hermeneutic analysis to the concept of European identity. The method used in this paper relies on both hermeneutics and postmodern approaches.

Methodologically, one cannot persist in the postmodern model of identity, bearing in mind some binary oppositions that are difficult to overcome, namely: European/non-European, supranational/national, heterogeneous/homogeneous, etc. When we talk about postmodernism applied to European studies and the field of practical political possibilities, we mean, first of all, the idea of polyphonic and fluid identities, in order to solve the problem of "internal exclusion" in the territory of the EU. Therefore, the postmodern idea of identity applied to EU citizenship implies decentralization, as well as the recognition and rejection of essentialist elements (these are the contents that lead to the homogenization of *European identity*, *European values* and *European heritage* – by denying and ignoring the contributions of other cultures in the process of their constitution).

2. Seyla Benhabib, "Democracy and Difference: Reflections on the Metapolitics of Lyotard and Derrida," *Journal of Political Philosophy* 2, no. 1 (1994): 1-23.

3. Jacques Derrida, *The Other Heading: Reflections on Today's Europe* (Bloomington: Indiana University Press, 1992).

4. Sanja Ivic, *The Concept of European Identity: Creating a New Narrative for Europe* (Lanham, MD: Rowman & Littlefield; Lexington Books, 2023).

The method that reexamines the notion of European identity from the perspective of postmodernism tries to avoid the static and one-dimensional nature of many legal studies. Postmodernism rethinks the basic concepts represented in the history of philosophy and calls into question the entire ontological and epistemological regime, which is in the subtext of the legal system.

European Identity and the Legacy of Enlightenment

The emergence of European identity narratives, which influenced European conceptions of justice, community and truth, is significant for understanding the concepts of European identity and European values. A number of scholars argue that "at the heart of the sense of European identity is the contrasting legacy of ideas and beliefs that emerged from the 18th century Enlightenment."⁵ Although there are many differences when it comes to evaluating the Enlightenment legacy, both proponents and critics of the Enlightenment agree that it had a decisive influence on the shaping of modern Western view of the world.⁶ Contemporary civilization (not only Western), is largely the legacy of the European eighteenth century.⁷

Since the Enlightenment was a complex phenomenon with numerous facets, there are many possible interpretations. For instance, John Gray links the writings of Bacon, Hobbes, Descartes, Locke, Kant, and Gibbon to the Enlightenment.⁸ However, some philosophers and historians do not see Bacon, Hobbes, and Descartes as Enlightenment representatives.⁹ Some scholars link rationalism and the Enlightenment "(but David Hume criticized reason and explored the sentiments); for some it meant optimism about human nature (but Voltaire was wickedly sceptical about many human qualities); for others it meant science (but Rousseau was hardly a friend of science)."¹⁰

According to Goldmann, "the accepted meaning of 'the Enlightenment' includes the various rationalist and empirical currents of thought of eighteenth century Europe, especially France and England. In the perspective of intellectual history, these currents have their origins in earlier centuries, while their

5. Alain Veuillemin, "The Makings of European Identity: 'The Spirit of the Enlightenment'," *Hermès, La Revue* 51, no. 2, (2008): 29.

6. Mile Savic, "Prosvetiteljstvo: Kriza i preobrazaj pojma," *Filozofija i društvo*, no. 2 (2006): 10.

7. Ibid.

8. James Schmidt, "What Enlightenment Project?," *Political Theory* 28, no. 6 (2000): 738.

9. Ibid.

10. James Q. Wilson, *The Moral Sense* (New York: Free Press, 1993), 196.

development has continued into our own time."¹¹ Although there are different conceptions of subjectivity within the Enlightenment, they all emphasize the autonomy of the individual.

One of the characteristics of the Enlightenment was a philosophical preoccupation with the developing market economy.¹² "It seems self-evident that there is a close relation between the development of the market economy, in which every individual appears as the autonomous source of his decisions and actions, and the evolution of these different philosophical visions of the world, all of which treat the individual's consciousness as the absolute origin of his knowledge and action."¹³

The modern concept of identity was established on the logic of homogeneity, which emphasizes the totality and universality. The individual is seen as a stable, conscious, rational, autonomous, coherent and ahistorical category that is endowed with reason and will.¹⁴ The modernist definition of identity is built on a realist paradigm that assigns rationality, consciousness and stability to the subject. Modernist idea of subjectivity is founded on an abstract and simplified individual, divorced from diversity and change, and as a result, it is incapable of meeting the needs of multicultural and multilayered society.

In the second part of the twentieth century, the Enlightenment idea of the authoritative, rational subject as the bearer of rights faced a crisis. The grounds for the Enlightenment's failure should be found in the Enlightenment's rejection of the concept of pluralism, which indicates irreducibility of values whose potential conflict cannot be addressed by any metatheoretical principle or by any kind of authority.¹⁵

Modern political thought is based on numerous binary oppositions such as: identity/difference, citizen/foreigner, West/East, reason/emotion, nature/culture and so on. Since it is seen as grounded in reason, which is considered universal, the first term in these binary oppositions is considered dominant. On the other hand, the second term in these binary oppositions is often ignored or marginalized, because it is perceived as based on the concept of 'good', which is considered contingent. "Modernist liberals offered theoretical discourses designed to show

11. Lucien Goldmann, *The Philosophy of the Enlightenment: The Christian Burgess and the Enlightenment* (London: Routledge & Kegan Paul, 1973), 16.

12. Daniel Carey (ed.), *Money and Political Economy in the Enlightenment* (Oxford, UK: Voltaire Foundation, 2014).

13. Goldmann, *The Philosophy of the Enlightenment: The Christian Burgess and the Enlightenment*, 20.

14. Judith Butler, "Contingent Foundations: Feminism and the Question of Postmodernism," in: *Feminists Theorize the Political*, edited by Judith Butler and Joan W. Scott (New York: Routledge, 1992).

15. Sanja Ivic, "European Philosophical Identity Narratives," *Cultura. International Journal of Philosophy of Culture and Axiology* 15, no. 1 (2018): 125-145.

that liberal democratic norms are founded upon or derived from universal principles and objective truths."¹⁶

Representatives of poststructuralist and postmodernist thought aim to destabilize and deconstruct the homogeneity and coherence of the modernist idea of identity. Poststructuralist and postmodern thinkers reinterpret the traditional concept of identity. Both modern and postmodern philosophy are complex and include different, often contradictory theories. As a result, examining the basic ideas of the Enlightenment through the lenses of poststructuralism and postmodernism should not result in the formation of binary oppositions such as: self/other, modernism/postmodernism, Enlightenment/poststructuralism and so forth, in which either of these two concepts is considered dominant.

Proponents of poststructuralism and postmodernism¹⁷ reject key concepts from Western metaphysics such as *identity*, *subject*, *reality*, *truth*, and so on. They argue that these concepts should not be seen as fixed, but should be reinterpreted and deconstructed.

"The concept of postmodernism is ambiguous and is not yet widely understood. It has probably emerged as a specific reaction against the established forms of high modernism. For some thinkers postmodernism is a periodizing concept whose function is to correlate the emergence of new features in culture. The concept seems to be connected with the appearance, between 1950s and the 1960s, of a new social and economic order. (...) There are so many similarities between poststructuralist theories and postmodernist practices that it is difficult to make a clear distinction between them."¹⁸

Poststructuralist and postmodernist authors argue that identity is a hybrid, dynamic, and changing category, rather than an essentialist concept. They emphasize that universalist ideals are oppressive because they ignore diverse, discursively constructed views.¹⁹ The poststructuralist approach encourages diversity and particularity.

Representatives of poststructuralism and postmodernism claim that modernist ideals of a fixed and stable identity should be deconstructed, and that the essentialist

16. Thomas Bridges, *The Culture of Citizenship: Inventing Postmodern Civic Culture* (Albany: State University of New York Press, 1994), 18.

17. "According to a number of authors, these two approaches are interchangeable, and authors such as Derrida, Lyotard and Foucault can be considered as both poststructuralist and postmodernist. This perspective was criticized by Judith Butler who argues that Lacanian psychoanalysis in France rejects poststructuralism, that Kristeva denounces postmodernist, that Foucault's and Derrida's theories are diverse, and so forth" (Sanja Ivic, "European Udine Declaration: Poststructuralist Reading," *Review of European Studies* 1, no. 2 (2009): 115).

18. Madan Sarup, *An Introductory Guide to Post-Structuralism and Postmodernism* (London: Harvester Wheatsheaf, 1988), 131.

19. Bridges, *The Culture of Citizenship: Inventing Postmodern Civic Culture*, 1994.

ideas of identity should be rejected. They advocate particularistic, contingent conceptions of the good. Jacques Derrida argues that the politics of (fixed) identity, which prioritizes unity, reflects a dangerous ethics and politics.²⁰ According to Derrida, identity based on unity and totality is an illusion. Derrida emphasizes that "the concepts by which people define who they are – in which they articulate their sense of identity – are all of them concepts without sharp borders, and hence cannot provide a basis for sharp demarcations such as political boundaries between states."²¹

Postmodernism is based on the premise that reason is historical and contextual, not transhistorical and universal. Postmodernists point out that all concepts, which the representatives of modernism defined as stable and universal, like reason, are in fact socially and historically constructed. "Poststructuralist notion of identity embraces a conception of culture which is an infinite source of identities and meanings. It reflects new forms of global migration and new hybridity of cultures."²² The concepts of membership and *Other* are redefined by this idea of culture.²³

"Rejection of the modernist notion of the unified subject includes more fluid idea of boundaries. Foucault criticizes the idea of space as undialectical and fixed. He emphasizes that space and borders are constructed. Thus, 'belonging to a common space' can be perceived as a mental construct, which is determined by feeling and belief."²⁴

Poststructuralists emphasize that the subject is produced by discourse.

"Lacan believes that discourse within which the subject finds its identity is always the discourse of the Other – of a symbolic order which transcends the subject. (...) In other words, subjectivity is not an essence but a set of relationships. It can only be induced by the activation of a signifying system which exists before the individual and which determines his or her identity. Discourse, then, is the agency whereby the subject is produced and the existing order sustained."²⁵

20. John D. Caputo, *Deconstruction in a Nutshell: A Conversation with Jacques Derrida* (New York: Fordham University Press, 1997), 13.

21. Ibid.

22. Sanja Ivic, "European Udine Declaration: Poststructuralist Reading," *Review of European Studies* 1, no. 2 (2009): 112.

23. Ibid.

24. Sanja Ivic, *European Identity and Citizenship: Between Modernity and Postmodernity* (London: Palgrave Macmillan, 2016), 95.

25. Sarup, *An Introductory Guide to Post-Structuralism and Postmodernism*, 29.

Thus, identity is fluid, fragmented and multiple. It is always in the process of reinterpretation and reconstruction.²⁶ This view emphasizes that meaning is always deferred and represents the interplay of two opposites. As a result, concepts such as *identity, equality, difference* and so on are always open to different interpretations.

Some critics of poststructuralist philosophy point out that poststructuralist theory is itself essentialist and universalist. According to Sarup, "this sort of Nietzschean pluralism or perspectivism is fundamentally inconsistent because, in fact, the right to difference can only be held by universal principles."²⁷ However, poststructuralism can be seen as a universalizing theory that unifies various theories into a single point of view. Judith Butler highlights this problem, posing the question:

"Do all these theories have the same structure (a comforting notion to the critic who would dispense with them and all at once?) Is the effort to colonize and domesticate these theories under the sign of the same, to group them synthetically and masterfully under a single rubric, a simple refusal to grant the specificity of these positions, an excuse not to read, and not to read, and not to read closely?."²⁸

Nevertheless, poststructuralist and postmodernist thought helped to reconstruct the modernist exclusivist idea of identity.

The Idea of European Identity within the European Legal Discourse

According to postmodernist thinkers, Europe can be seen as a contingent, cultural construct rather than a homogeneous historical entity. The European Union, according to Derrida, embodies Enlightenment ideals based on homogeneous values, which result in binary oppositions such as universal/particular, European/non-European, West/East, self/other, essential/contingent and so on.²⁹ Derrida emphasizes that European identity should be more inclusive of diversity. Consequently, it needs to be redefined.

European identity is established by the Heads of State or Government of the nine Member States³⁰ of the enlarged European Community at the Copenhagen European Summit on 14 and 15 December 1973. The notion of European identity was created as a means of strengthening Europe's position in the world order. *The*

26. David L. Collinson, "Rethinking Followership: A Post-Structuralist Analysis of Follower Identities," *The Leadership Quarterly* 17, no. 2 (2006): 182.

27. Sarup, *An Introductory Guide to Post-Structuralism and Postmodernism*, 166.

28. Butler, "Contingent Foundations: Feminism and the Question of Postmodernism," 5.

29. Derrida, *The Other Heading: Reflections on Today's Europe*.

30. These are: Germany, France, Italy, Netherlands, Belgium, Luxembourg, Denmark, Ireland and United Kingdom.

Declaration on European Identity emphasizes the distinctive character of European identity, the unity of the European Community and its responsibility for the rest of the world, which includes: 1. responsibility towards other European countries; 2. responsibility towards the Mediterranean and African countries; 3. developing close relations between the United States and Europe of the Nine based on common values and the "spirit of friendship"³¹; 4. developing cooperation and "a constructive dialogue with the other industrialized countries, such as Japan and Canada"³²; 5. developing cooperation with the Soviet East European countries; 6. intensifying relations with the Chinese Government and promoting contacts between China's and Europe's leaders; 7. developing relations with other Asian countries and Latin American countries.³³

The Declaration on European Identity also states:

"The Nine intend to play an active role in world affairs and thus to contribute, in accordance with the purposes and principles of the United Nations Charter, to ensuring that international relations have a more just basis; that the independence and equality of States are better preserved; that prosperity is more equitably shared; and that the security of each country is more effectively guaranteed."³⁴

The concept of European identity is created as a means of strengthening Europe's position in the world. In the *Declaration on European Identity* it is emphasized that: "the Nine member countries of the European Communities have decided that the time has come to draw up a document on the European Identity. This will enable them to achieve a better definition of their relations with other countries and of their responsibilities and the place which they occupy in world affairs."³⁵ This approach, which makes a sharp distinction between the *European* and *non-European*, and identifies a European identity with a homogeneous set of principles (such as democracy, the rule of law, social justice and respect for human rights), as well as values (such as European cultural heritage) is based on binary oppositions facing outwards (for example, Europe/the rest of the world; West/East and so on). Therefore, the constitutive factors of European identity were external, geographically and culturally established *Other*, such as Russia and Turkey.³⁶

31. European Communities, "The Declaration on European Identity," *Bulletin of the European Communities*, no. 12 (1973): 118-122.

32. *Ibid*, 121.

33. *Ibid*.

34. *Ibid*, 120.

35. *Ibid*, 118.

36. Beyza Ç. Tekin, "Re-Negotiating European Identity at Times of Crisis," The Second Euroacademia Global Conference: Europe Inside-Out: Europe and Europeanness

The Declaration on European Identity emphasizes the common heritage and values of European peoples.³⁷ This declaration states:

"The Nine wish to ensure that the cherished values of their legal, political and moral order are respected, and to preserve the rich variety of their national cultures. Sharing as they do the same attitudes to life, based on a determination to build a society which measures up to the needs of the individual, they are determined to defend the principles of representative democracy, of the rule of law, of social justice – which is the ultimate goal of economic progress – and of respect for human rights. All of these are fundamental elements of the European Identity."³⁸

The common heritage and values of European peoples are also highlighted in the preamble of the *Draft Treaty Establishing a Constitution for Europe* that emphasizes "the cultural, religious and humanist inheritance of Europe, the values of which, still present in its heritage, have embedded within the life of society the central role of the human person and his or her inviolable and inalienable rights, and respect for law."³⁹

The preamble of the *Charter of Fundamental Rights of the European Union* emphasizes the idea of a European Union built on common values.⁴⁰ It states: "Conscious of its spiritual and moral heritage, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law. It places the individual at the heart of its activities, by establishing the citizenship of the Union and by creating an area of freedom, security and justice."⁴¹

The Treaty on European Union emphasizes the importance of European identity for common defense policy. *The Treaty on European Union* emphasizes "a common defense policy, which might lead to a common defense in accordance with the provisions of Article 42, thereby reinforcing the European identity and its independence in order to promote peace, security and progress in Europe and in the world."⁴²

Exposed to Plural Observers, April 27, 2012. http://euroacademia.eu/wordpress/wpcontent/uploads/2012/04/Beyza_Tekin_Re_Negotiating_European_Identity_In_Times_of_Crisis1.pdf.

37. European Communities, "The Declaration on European Identity."

38. Ibid, 119.

39. European Union, *Draft Treaty Establishing a Constitution for Europe*, Official Journal C 169, July 18, 2003. <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX%3A52003XX0718%2801%29>.

40. European Union, *Charter of Fundamental Rights of the European Union*, Official Journal of the European Communities C 364/1, December 18, 2000. https://www.europarl.europa.eu/charter/pdf/text_en.pdf.

41. Ibid.

42. European Union, *Consolidated Version on the Treaty on European Union*, Official Journal of the European Union C 326/13, October 26, 2012. https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF.

The Declaration on European Identity states that representative democracy, the rule of law, social fairness, and human rights are the fundamental characteristics of European identity.⁴³ Although this document acknowledges the diversity of cultures, it does so within the framework of shared values and ideals. The *Declaration on European Identity* highlights the importance of "common European civilization", "the attachment to common values and principles" and "the increasing convergence of attitudes to life."⁴⁴ As a result, European identity tends to be homogenized and essentialized. This declaration considers European identity and values as static concepts. Despite the fact that pluralism is mentioned, it promotes univocal paradigms.⁴⁵ The same can be said for the *Solemn Declaration on European Union*, which advocates "consciousness of a common cultural heritage as an element of European identity."⁴⁶

On the other hand, various European legal documents equate Europe and the European Union, which is also problematic. These two ideas are not interchangeable. Unlike the borders of the European Union, the borders of Europe are not clearly defined. For example, some scholars claim that the term "Europe" includes all countries west of the Ural Mountains, while, on the other hand, there are those who under the name "Europe" mean frameworks that are narrower or wider than this. The complexity and vagueness of this term is reflected in the case of some European countries that include some overseas territories in their national definition.⁴⁷ Europe is a vague term that some authors compare to a mental construct.⁴⁸ References to a "common destiny" in the EU treaties imply that European identity is synonymous with EU identity.

European identity is considered an instrumental good in the EU treaties. It is seen as a means to an end rather than an intrinsic good desirable in itself.⁴⁹ A similar approach to European identity can be seen in the *Declaration on European Identity*. As already mentioned, the main goal of this declaration is to improve the definition of relations with non-European countries. *The Declaration on European Identity* embodies a modernist, homogeneous conception of European identity. This declaration states:

43. European Communities, "The Declaration on European Identity."

44. *Ibid*, 119.

45. Sanja Ivic and Dragan Lakicevic, "European Identity: Between Modernity and Postmodernity," *Innovation: The European Journal of Social Science Research* 24, no. 4 (2011): 395.

46. European Communities. *Solemn Declaration on European Union*, Stuttgart, June 19, 1983. https://www.cvce.eu/en/obj/solemn_declaration_on_european_union_stuttgart_19_june_1983-en-a2e74239-a12b-4efc-b4ce-cd3dee9cf71d.html.

47. For example, the Caribbean island of Saint Martin divided into two entities - "Sint Maarten" belonging to the Netherlands and "Saint Martin" belonging to France.

48. Julian Chapple (ed), *Boundaries: Dichotomies of Keeping in and Keeping out* (Oxford: Interdisciplinary Press, 2010).

49. Ivic and Lakicevic, "European Identity: Between Modernity and Postmodernity," 397.

"On the basis of the Treaties of Paris and Rome setting up the European Communities and of subsequent decisions, they have created a common market, based on a customs union, and have established institutions, common policies and machinery for co-operation. All these are an essential part of the European Identity."⁵⁰

The *Declaration on European Identity* also states that common heritage is one of the foundations of European identity. Some parts of this declaration, on the other hand, allude to dynamic and postmodern conceptions of identity that embrace pluralism and diversity. The declaration emphasizes "the dynamic nature of European unification."⁵¹ The third section of the declaration, entitled "The Dynamic Nature of the Construction of a United Europe" states: "The European identity will evolve as a function of the dynamic construction of a unified Europe."⁵² This sentence, on the other hand, contradicts the main premises of the declaration expressed in the first section of the declaration entitled "The Unity of the Nine Member Countries of the Community" and the second section entitled "The European Identity in Relation to the World", which emphasize the homogeneous nature of European identity that should serve as a building block of Europe as a global actor.⁵³

The ideas of *identity, values and Europe*, as stated by postmodern and poststructuralist authors, must be reconstructed and reinterpreted in a multidimensional, flexible and dynamic way. Only in this sense can we talk about the dynamic nature of the European Union and the European identity.

A Charter of European Identity is also based on the idea of a modernist, homogeneous and fixed idea of identity.

"In a speech to the European Parliament on 8 March 1994, the poet Václav Havel, President of the Czech Republic, indicated the need for a Charter of European Identity. The idea was taken up by Europa-Union Deutschland which, at its 40th Congress held in Bremen on 5 November 1994, decided to undertake the work of producing such a Charter."⁵⁴

A Charter of European Identity defines Europe "as a community of values."⁵⁵ It states that the basic European values are humanity, fraternity and tolerance, and that these characteristics determine the European identity. It underlines that these values are rooted in European history and culture, including classical antiquity, Christianity, the Renaissance, Humanism, the Enlightenment, which led to the

50. European Communities, "The Declaration on European Identity," 119.

51. Ibid.

52. Ibid, 122.

53. Ibid, 120.

54. Europa-Union Deutschland, *A Charter of European Identity*, approved by the 41st Ordinary Congress in Lübeck, October 28, 1995. <http://www.eurit.it/Eurplace/diba/citta/cartaci.html>.

55. Ibid.

development of the rule of law, democracy and fundamental human rights. The same ideas are expressed by the Preamble to the *Treaty of European Union*, which states that "the universal values of the inviolable and inalienable rights of the human person, freedom, democracy, equality and the rule of law" are developed from "the cultural, religious and humanist inheritance of Europe."⁵⁶

A *Charter of European Identity* emphasizes "a sense of common purpose and an awareness of a shared identity."⁵⁷ Despite allowing for diversity, the Charter emphasizes the homogeneous nature of European identity. According to the Charter, the European Union and its member states need a cultural and educational strategy that fosters European identity. On the other hand, emphasizing the common roots and values of European peoples, as well as European diversity, the goal of developing European identity is to nurture the spirit of tolerance towards different people and cultures, to unite the citizens of Europe and to enable citizens to participate in the process of European unification.

Nevertheless, the Charter establishes a clear separation between the European and non-European spheres by tying the European identity to the European historical heritage. As a result, anything labeled as "non-European" is marginalized and discriminated against. Defining European identity as a fixed concept based on European values inherited from European culture and European history "makes invisible the (...) contributors of non-European origin to the economic, cultural and social life of Europe."⁵⁸ Furthermore, it is not in accordance with the postnational conception of the *demos*. The postnational concept of the *demos* points "towards the community of those who are affected, the 'stakeholders,' which is potentially more democratic than the community of the authors or members."⁵⁹

All these European charters, declarations and treaties define the concept of European identity as fixed, that is, based on a homogeneous system of values, and often give it only an instrumental value. *The Declaration on European Identity* emphasizes: "Although in the past the European countries were individually able to play a major role on the international scene, present international problems are difficult for any of the Nine to solve alone. International developments and the growing concentration of power and responsibility in the hands of a very small number of great powers mean that Europe must unite and speak increasingly with one voice if it wants to make itself heard and play its proper role in the world."⁶⁰ However, different definitions of European identity, which determine it as a homogeneous and fixed category, lead to numerous divisions and

56. European Union, *Consolidated Version on the Treaty on European Union*.

57. Europa-Union Deutschland, *A Charter of European Identity*.

58. Eleonore Kofman and Rosemary Sales, "Towards Fortress Europe," *Women's Studies International Forum* 15, no. 1 (1992): 29.

59. Daniel Innerarity, "Does Europe Need a Demos to Be Truly Democratic?," *LEQS Paper* 77 (2014): 6.

60. European Communities, "The Declaration on European Identity," 120.

inequalities based on binary oppositions: European/non-European, West/east, EU center/EU periphery, old EU Member States/new EU Member States, citizen/foreigner and so forth.

Williams emphasizes that "identity has been used as a focus for gathering people together under the banner of some unifying notion or characteristic ... The development of collective identities in this way has always been fundamentally concerned with acts of power."⁶¹ European identity and values should not be viewed as homogeneous and fixed categories, because this implies essentialization and does not reflect a step towards greater freedom, pluralism and inclusiveness – which are all characteristics of the European Union as a supranational political community.

According to Innerarity, "European identity is not stable and definitive, fixed by pre-political categories; instead, it can be shaped by public discourse and political practices. Europe is nothing but an emergent polity, the result of a dynamic interaction between external challenges, internal responses, and citizens practices, in the midst of a process that combines decisions, omissions, projects, crises, and un-desired effects."⁶² The ideas of *identity*, *values* and *Europe*, as stated by postmodern and poststructuralist authors, must be reconstructed and reinterpreted in a multidimensional, flexible and dynamic way. Only in this sense can we talk about the dynamic nature of the European Union and the European identity.

In European public political discourse, poststructuralist and postmodernist approaches are still not sufficiently applied.

Conclusion

The notion of European identity presented by *A Charter of European Identity* and the *Declaration on European Identity*, which relies on a modernist, homogeneous and fixed conception of identity, is in contrast to the idea of European citizenship as based on a multi-layered, complex concept of identity, and as a postnational model of citizenship. Elizabeth Meehan argues that:

"A new kind of citizenship is emerging that is neither national nor cosmopolitan but that is multiple in the sense that identities, rights and obligations associated with citizenship are expressed through an increasingly complex configuration of common Community institutions, states, national and transnational voluntary associations, regions and alliances of regions."⁶³

61. Williams, *EU Human Rights Policies: A Study in Irony*, 184.

62. Innerarity, "Does Europe Need a Demos to Be Truly Democratic?," 15.

63. Elizabeth Meehan, *Citizenship and the European Community* (London: Sage, 1993), 1.

European citizenship requires a multi-layered concept of European identity. Accordingly, *identity* is not a stable, unitary category, but is constantly being transformed and reconfigured. The idea of European identity embodied in the *Declaration on European Identity* and within *A Charter on European Identity* needs to be rethought. These documents should not contain essentialist assumptions based on the difference between "Europe" and "Other" that excludes and marginalizes a number of citizens. European identity should not create new forms of nationalism. That is why the concept of European identity should be flexible and dynamic.

Innerarity emphasizes that future political developments are more important than cultural assumptions in determining European identity and establishing a process of self-identification at the European level.⁶⁴ The concept of European identity should be developed less in terms of a predetermined past and more in terms of shared projects, long-term goals and connections resulting from a long-term, deliberate process.⁶⁵ "There is no demos as a given, but as something shared that stems from the performative nature of politics, that recognizes that which is common and activates the procedures to configure, integrate, and renew it. We would understand the nature of the EU better if we moved forward with the conception of the object of political action as something changeable, contingent, incalculable, and multi-dimensional."⁶⁶

The European Union as a distinct political category necessitates the concept of a heterogeneous and fluid identity as "the developments in the European Union have brought forth the possibility of membership in various overlapping and strategically interacting political communities on supranational, national and subnational levels and have unleashed the potential of rethinking citizenship, community and identity."⁶⁷ Breaking with sameness and homogeneity is necessary for the development of the values of political pluralism and cultural diversity.

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64. Innerarity, "Does Europe Need a Demos to Be Truly Democratic?," 16.

65. Ibid.

66. Ibid.

67. Theodora Kostakopoulou, "Towards a Theory of Constructive Citizenship in Europe," *Journal of Political Philosophy* 4, no. 4 (1996): 338.

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