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GOVERNING A MULTICULTURAL EUROPE:
A NEW REPUBLICAN APPROACH

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INTRODUCTION

The extension of the scope of Community regulation to politicised areas beyond the market has been accompanied by institutional reforms and commitments to good governance aimed at appeasing citizens' fears regarding the creation of a European superstate. These fears, combined with feelings of insecurity and alienation stemming from globalisation and migratory flows, have not subsided. Europe is witnessing a revival of national and other collective identities and a growing demand of citizens to increase control over their own lives. The need to promote integration, while also accommodating the socio-cultural diversity of member states, as well as the collective identities of various groups such as minorities and immigrants, provides a formidable challenge to policy-makers, implementing authorities and the courts of law.

The contribution of the present research group is two-fold. Firstly, it traces the development of policies, norms and new governance instruments for dealing with the aforementioned challenges, while also looking at their potential for managing future conflicts; secondly, it provides a theoretical framework for reconciling sovereignty with collective governance within a composite polity, thereby contributing to the coherence of policy responses. The common thread of the two essays which follow is that the traditional way in which the Community has operated, namely by instituting a federal-type legal order, based on the principles of the primacy of Community law and non-discrimination between nationals of member states, and a political system where policies are devised and implemented for the benefit of citizens in

the context of the «regulatory state» has reached its limits; if integration is to proceed under the current conditions of growing politicisation of issues and identity revival, it is necessary to devise and implement more sophisticated forms of governance based on the neo-republican principle of non-domination.

The first contribution traces the development of the treaty safeguards of national identities and cultural diversity which are embodied in various institutional arrangements, savings clauses, prohibitions of harmonisation and constitutional principles moderating the exercise of Community competence. The integration of third-country immigrants has been sought by extending the scope of the principle of non-discrimination which covers economic, social, cultural and political rights although important deficits remain. Norm-creation at the Community level is influenced by the legal instruments adopted at the international level (UN, ILO) and the Council of Europe. The Community has also resorted to new governance methods, including financial incentives. Finally, central to the integration of immigrants is the issue of the education of their children; in this area multicultural approaches are gradually being abandoned in favour of intercultural approaches.

The second contribution starts by depicting the limits of the traditional approaches regarding the dynamics of polity formation. The understanding of the EU has recently been enhanced by the neo-constitutional and post-statist discourse on the processes of norm construction and change which demonstrate the EU potential for democratic self-development. On the other hand, neo-republican thinking allows for a new vision of EU legitimacy. Unlike earlier forms of republican thought, which focused on a basically homogeneous political community, republicanism as non-domination can accommodate and even embrace multiculturalism and group rights. In the EU context it entails a condition of *political polyculturalism* in which multiple allegiances coexist, without in any way denying the basic adherence to certain minimal shared political values.