

FOREWORD

CIRO SBAILÒ

Academic Co-ordinator of the Conference

“The Mediterranean, beyond its present political divisions, identifies itself with three cultural communities, three civilizations characterized by great vitality and extension, three peculiar ways of thinking, believing, eating, drinking, living... Really, they are three monsters ever ready to show their teeth, three characters with their endless destiny, which have always been present – or at least they have for centuries. Their boundaries cross those of other States, and these – on their side – are but Arlecchino’s garments, and such light ones!”

Thus speaks Fernand Braudel in a memorable introductory text to the History of Mediterranean. In this region, civilization seems to be born from an encounter / clash of cultures. Originally, the concepts of ‘human rights’ and ‘tolerance’ developed in this area. And yet in this area there are the most violent clashes between world-views and between philosophies of life. Nowadays, the Mediterranean represents the crossroads of all the main tensions of the Post-Cold War world but this situation is also the test bed of Western civilization in a time of globalization of human rights themselves.

The international conference on “Human rights and Diverse cultural identities in the Euro-Mediterranean area” – held in Naples on 30th-31st January 2003 within the framework of the Mediterranean Master programme in Human Rights and Democratisation of the University of Malta – was an important occasion for debate on such an old and yet still topical subject. It is a very old matter because it concerns the very same roots of the Western civilization. It is also topical since no global governance and no diffusion of democracy on a global scale are thinkable unless they are accompanied by a human rights policy.

The conference was held under the patronage of the European Commission, in collaboration with the University Federico II of Naples (Faculty of Political Sciences and the Department of International Sciences and European political system) the A.R.S.A.E. – Association of Researchers and Scholars on Political Representation in Elective Assemblies) and the C.E.S.D.U. – The Euro-Mediterranean Centre of juridical studies and human rights). The meeting featured many speakers, amongst whom were professors, researchers, representatives of the institutions and of the civil society of the Mediterranean region. Of course, the problems required an interdisciplinary approach and the aim of the conference was that of dealing with a series of ‘open’ matters, not pretending to suggest any solutions but simply trying to offer a survey which is as wide and detailed as possible.

The multiplication of cultural identities – also beyond the territorial sphere – might imply second thoughts about the policy of human rights, especially with regard to the role of the State. The ‘negative’ conception of the tutelage of human rights proves to be insufficient whenever there is the need to guarantee to a person the possibility of developing his own personality within a community. And yet, independently from the ‘positive’ or ‘negative’ meaning – human rights are both the limit and the foundation of the sovereignty of States, in the sense that the legitimacy of a State depends on the respect and promotion of fundamental human rights. Thus, whereas the right to a cultural identity takes shape as a fundamental right, no State can oppose the development of a multi-ethnic and multi-national society in the name of the unity of the nation-state. The State holds the monopoly of legitimate violence, but it is authorized to use it for its defence only and not for the violation of rights.

Besides being a limit, human rights are also an opportunity for States. The promotion of cultural identities can in fact be an element of social stability in a time when the traditional welfare support provisions are facing a crisis due to the processes of globalization. The internal ethnic and cultural communities in States can offer the weakest people a chance to adjust and integrate. It is necessary to work on two tracks. On one hand, the concept of ethnic community must be separated from that of a ‘minority’ and in particular from that of a ‘linguistic or territorial minority’. On the other hand, every single person must be guaranteed the possibility of relying on some ‘state’ rules that allow him to assert his identity also ‘against’ his community.

As regards international politics, in the Post-Cold War world the protection of human rights is also an essential condition to guarantee a civil life and the peaceful living-together of people. Due to the processes of economic integration and increasing migratory flows, a human rights policy must face a complex and dynamic picture of old and new ethnic and cultural identities which demand not only freedom of expression but also the recognition of both their geopolitical and social role. The situation appears full of risks and opportunities. The risks are connected to probable incompatibilities between the principles of Western constitutionalism and the fundamental values and habits of some ethnic-cultural groups. The opportunities, on the other hand, regard the chance to develop the workings of a union based on a community of cultural identities for the tutelage and promotion of human rights.

This group of problems concerns Europe both on the internal and external levels. On the external one, the engagement of the Union in the field of human rights in the Mediterranean area must keep into consideration the different ethnic and cultural identities that characterize the region. On the internal level, the migratory flows see to it that in the States of the Union themselves there is the forming of ethnic and cultural identities that are foreign to the Western tradition. Besides, this very same difference between 'external' and 'internal' is continuously tested by the birth of 'diasporical' communities that cannot be included in the traditional territorial parameters.

Nowadays, for this reason, the role of universities and cultural association is decisive: their aim is to maintain and strengthen the network of communications and dialogue between cultures and civilizations; of course this network finds its roots solely in the Mediterranean as a whole.