RELIGION, CULTURE AND LAW AS INCLUSIVE CONDITIONS AND CRITERIA FOR BELONGING TO THE EUROPEAN CIVILIZATION AND THE EUROPEAN UNION

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Abstract: The history of a national state is not understandable, taken on its own and unrelated to the other. Groups of related communities, known as civilizations, are the distinct spheres of learning. Civilization is the broadest cultural community. It is a characteristic of every civilization to protect and preserve its identity. At the core of each civilization there are characteristics that define it as such, and accordingly distinguish it from others. These are - religion; as a consequence of the way the state-religion relations are regulated; the heritage (considered as historical and / or cultural); the role of law in public life (sources, principles).

Religion is a major determinant of civilizations, and great religions are the foundations of great civilizations. Christianity has created the principle of moral unity and has given peoples in Europe spiritual values, moral standards, and the concept of divine law from which all human laws are derived in sanction and validity.

The peoples, divided by ideologies but connected with a common culture, converge. Societies united on an ideological basis or with historical circumstances, but divided on a civilization basis, either disintegrate or have to overcome a tremendous internal tension

Culturally related countries cooperate economically and politically. International organizations based on culturally similar countries are developing much more successfully than organizations that aspire to overcome cultures. Culture in different countries has its own specificity and distinctive features, however the sharing of common cultural values, thus creating a common cultural characteristic of a the particular community. The idea of a united Europe must reflect both the common and the private. To be able to combine universal and peculiar.

Keywords: Civilization, community, religion, culture, belonging, Europe, European Union

INTRODUCTION

Human society emerges as separate societies based on specific ethnic groups. Human society is a collection of ethno-social communities. Ethnicity is the first and foremost feature of every person. Ethnicity has two sides - natural (biological) and social (public) - societas. Ethnicity is not only a group of human subjects with general biological or cultural characteristics. Ethnicity is also the form in which the human community is realized. Two spheres of manifestation of ethnic groups exist in unity and interaction. Independent public entities that arise from the mutual influence and penetration of the biological and social, possess relative autonomy and sustainability, and ensure ethnic reproduction, we define as ethnosocial communities.

The state is the organized ethno-social community. The ethnic side characterizes the state through the historical kind of ethnicity - tribe, people, nation - and the ethnic processes that take place in it. The social side finds expression in the social structure of the society in the state and outlines the corresponding type of collectivity, which achieves social sufficiency.

The features of the ethno-social community are different, but from the legal point of view, we limit them to three commonly accepted and indisputable marks - language, religion and culture, which are reflected in the Constitution of the Republic of Bulgaria, in the Constitutions of the States in Europe and are at the heart of European civilization and the European Union.

EXPOSITION

I. Religion

Religion is a major determining characteristic of civilizations - "Great religions are the foundations of great civilizations." Christianity introduces the principle of moral unity and has given peoples in Europe spiritual values, moral standards, and the concept of divine law from which all human laws are derived from their sanction and validity. The Christian civilization, Dawson writes, is certainly not the perfect civilization, but it is a civilization that embraces the Christian way of life and forms its institutions as the embodiment of the Christian order.

Huntington marks a global religious renaissance. The reasons, he thinks, are social, economic and cultural modernization, which are destroying long-distance sources of identity and systems of authority. People need sense and purpose, a sense of empathy and belonging, stability. Religion offers answers to the questions "Who am I?", "Where is my place?". Religion is the "bridge" with the past, which gives a strong "support". Religious revival, according to Huntington, is a reaction to secularism, moral relativism and self-satisfaction, and represents, alongside this, the reconfirmation of the values of order, discipline, labor, mutual assistance, and human solidarity.

One of the ironies of human history is that religion proclaimed by as equanimity and brotherhood among people at the same time raises intolerance and persecution. Exploring the encounters between civilizations that existed in the same period of time has made us realize that only fruitful results have peaceful intercourse.

The weakness of Western culture, according to Dawson, in the face of the new forces that threaten its existence, is primarily due to the loss of belief in its own spiritual values and to the ever greater departure of life from its religious grounds and sources of spiritual energy . If Europe wants to survive, if we do not want to succumb to the pressure of the inhuman ideal of a mass society driven only by the will to power, we must find a way to overturn this process and restore our spiritual unity. Neither in science nor elsewhere in the modern world we see the emergence of a force capable of fulfilling the essential function that has been practiced by religion in societies in the past as a principle of cultural unity and a creator of moral values.

The emergence of a universal religion is a probability not greater than the probability of imposing a universal language. The rise of fundamentalist movements deepens the differences between religions. This, in turn, does not mean a significant change in the relationship between different religions, even though we are seeing an increase in the Muslim population as a result of increased birth rates in the respective societies.

II. Culture

The peoples, divided by ideologies (what was the situation during the Cold War), but related to a common culture are converging. Societies united on an ideological basis or historically circumscribed, but divided on a civilization basis, either disintegrate or have to overcome a great internal tension. Culturally related countries cooperate economically and politically. International organizations based on culturally similar countries, such as the European Union, are developing much more successfully than organizations that aspire to overcome cultures. People identify themselves through their ancestors, religion, language, culture and customs. In this way, they identify themselves with the cultural groups to which they belong. Shared values and cultural achievements define state interests and are prerequisites for alliance formation. Culture in different countries has its own specificity and distinctive features, but the sharing of common cultural values, thus creating a common cultural characteristic of a particular community, is what distinguishes it, distinguishes it from other communities. Cultural identity, viewed in a broader sense, is what accompanies the life of modern society. The division of societies by civilization is the accompanying and an indispensable part of human development, division of *"we and they"* into *"ours and aliens".* Identifying a cultural community can be determined in relation to the other, the different. The civilization *"we"* and the beyond the civilization *"they"* are constants in the

history of mankind, Huntington argues. Affiliation is often associated with a sense of superiority, coupled with fear and lack of trust towards people perceived as different.

Civilization is the broadest cultural community. Civilizations are not only long-lasting education but also develop. The cultures of the individual peoples who are part of a particular civilization interact and complement each other. At the heart of each civilization are several characteristics that define it as such, and accordingly distinguish it from others. In general, they are - religion; as a consequence of the way the state-religion relations are regulated; the heritage (considered as historical and / or cultural); the role of law in public life (sources, principles, etc.); representation in governance. As we can see, although we do not claim to be comprehensive, in formulating and guaranteeing these principles are first of all the states that build civilizations. In other words, a nation-state society seeks, on the basis of these principles, to identify with such a person.

The imposition of a culture, of cultural values, regardless of the mode of implementation (be it economically / indirectly or military / direct) is a process that always leads to the denial of the foreign, the non-peculiar. This essence is a common reaction that we can trace in relation to the individual person, the group, the society organized in the state as well as the level of civilizations. Often, the result of "imposing" on someone else's, in terms of your inner understanding, realization, acceptance and maintenance of values shared by other members of the society, is a reverse sign and leads to indigenization. The process is accelerated, especially if the foreign culture loses its picture. Denying the myth of superiority, at least the understanding and acceptance of "Western society" in terms of its own significance, is accompanied by a reduction in economic and military power.

III. Law

The law as a form of social consciousness Europe is a reflection of European culture and values. Reflecting realities through the dynamics of practical, historical changing, and active human activities, its ideological, theoretical and mental conclusions are designed in the image of law. Public development, in which the cognitive and social side always goes hand in hand, leads to sustainable development.

The process of reflecting public awareness on public life is not measured by geographic and temporal dimensions. Today, we are witnessing a historical scale, which is why we must accept it as a cultural phenomenon. Cultural development in itself also stimulates the development of law. But culture also has its fundamental characteristics.

Understanding justice as a result of the relationship between people, seeking to share their experience leads to the formation of its cultural form. As a cultural phenomenon, Thus, besides reflecting public relations, it appears to express habits and a sustainable form of social group behavior. In this way, justice is a real reflection of the socio-historical behavior of people and always accompanies their cultural values. Legal consciousness is not only a vehicle of knowledge of the diverse forms of relations in society but expresses their changes and adaptations in the particular social environment.Consciousness reflects the educational side in human relations. The individual in the process of education is involved in the culturally created environment of society. Law-consciousness carries a social-group duty.

Some authors rightly recognize that the craving for inheritance and reciprocity lies at the heart of the civilization gap in modern societies.

Parsons outlines several evolutionary breakthroughs that solve specific problems and give impetus to the development of societies. After the first break, social stratification follows a second "explicit cultural legitimacy". The next evolutionary step is the development of a summary legal order. His generalized universality, unlike the formal rationality (Weber, M.) of the Talmud law and traditional Islam, is the foundation of modern law. The aggregate legal system is a system of universal norms applicable to society as a whole.

Legal culture, apart from the level of development of law, is above all a synthesis of legal relationships and legal obligations of people in a given society, the system of legal acts and individual legal documents. The center of legal culture is the cultural person for whom law is an

irreplaceable part of the essence and quality of life. In this respect, justice is a means reflecting cultural achievements and values in society.

One fact, however, remains indisputable, public consciousness would most effectively account for a relatively stable, peaceful historical period. At times of social change, activation of religious consciousness, demographic, ecological, and / or other instability, this is actually impossible. With a strong presence of religious consciousness, justice ceases to turn to universal human values because religion, in its essence, claims to determine (and as the sole source), protects and sanctions, if necessary, their distortion.

IV.The European Union

In general, European efforts to reunite after the Second World War are a complex picture of numerous, complex and difficult-to-understand organizations. The European Union is a quality new-for-human history supranational formation that expresses the radical change in the understanding of the meaning of the original human values and whose purpose is precisely to capture and realize them in practice. Unlike all other attempts to unite humanity based on the principles of authority, obedience and superiority, the EU is a reunion of equal entities that delegate part of their sovereignty in the name of higher common goals and common values. They are formulated precisely as the foundation of the European Community project.

The European Union is the third group of European organizations. The basis for the creation of the EU was laid by France's Foreign Minister Robert Schuman with his Declaration of May 9, 1950, in which he presented the plan for the merger of the European Coal and Steel Industry with the European Coal and Steel Community . This is also the beginning of a historic initiative for an organized Europe that has "made a significant contribution to civilization" and without which "world peace can not be preserved". This community was established for 50 years and, on the expiry of the treaty to establish it on 23 July 2002, it was "integrated" into the European Community. A few years later, the same countries created the European Economic Community (EEC) and the European Atomic Energy Community (EAEC or Euratom) with the Treaties of Rome of 25 March 1957 (the "Treaties of Rome"), force on 1 January 1958.

The Union is founded on values that respect human dignity, freedom, democracy, equality, the rule of law, and human rights. These values are common to the Member States and have the characteristics: pluralism, non-discrimination, tolerance, justice, solidarity and equality. The main instrument for their functioning and protection is the European legislation and the European institutions. This gives grounds for the EU to be defined as a "community of values and a community of law".

From this point of view, European values, formed by the Christian and cultural "roots" of European civilization, are objectified by legal norms, which are a major tool for their protection. In this way, Christianity "takes away" in values, and values - in law. This is and reflects the deep interrelation and essence of the relationship Christianity - Values - Right. It is this vision of Christianity, in the context of modern European values, to rediscover the relationship of Christianity - Europe. A link drawn from their common past, serving as the foundation and cornerstone of the unity of the present and of the future, as a unified and complete process of development of Christian Europe.

In the exercise of its competence, the European Union is guided by the principle of subsidiarity enshrined in the Christian social doctrine enshrined in the EU Treaty. This principle has two aspects - positive and negative. Positive, confirming the Union's competence, which means that it should act when the objectives "can be better achieved at Union level". The negative, preventive aspect of the principle of subsidiarity means that the EU should not act when the actions of the Member States are sufficient to achieve the objectives. In practice, this means that all EU institutions, and in particular the Commission, must demonstrate that there is a real need for common rules and common actions. We find the answer consistent with the principle of proportionality. Accordingly, the need for a new, overly detailed legal framework must be carefully considered. Compliance with the two principles mentioned above can also be checked by national parliaments.

The Union contributes to the flowering of the cultures of the Member States, respecting their national and regional diversity, while at the same time bringing the common cultural heritage to the fore. In pursuit of this objective, the Union's actions are aimed at fostering cooperation between the countries that build it. The Union will provide the necessary support to Member States to disseminate the culture and history of European peoples and, on the other, to protect and protect the common cultural heritage, including through the promotion of non-commercial cultural exchanges. Again, we have a mix of ideas and relevant actions in the realization of cooperation in the field of culture and historical heritage. First of all, the diversity of national cultures of the Member States is respected and supported. The European Parliament and the Council, after consulting the Committee of the Regions, shall adopt incentive measures without interfering with the laws and regulations of the Member States. Secondly, a common European cultural identity is emerging. Lastly, in the Union's relations with third countries in the field of culture, the aim is to disseminate cultural and spiritual heritage of European significance, but with its protection and protection. Sharing the common ideal and values as a call to the other peoples of Europe for accession, combined with individual nationalities and enshrined in the Treaties, is the foundation and future of the European Union.

Adopted as a stand-alone legal act by the Presidents of the European Parliament, the Council of the EU and the European Commission, the Charter of Fundamental Rights of the European Union serves as a basis on which the EU Treaty is binding. According to Art. 22 of the Charter of Fundamental Rights of the European Union "The Union respects cultural, religious and linguistic diversity". The text reiterates the principles enshrined in the preamble to the Charter. In an effort to create a "closer union" in the future based on common values based on their common spiritual and cultural heritage, the peoples of Europe build up / build their unification.

In his conclusions in the case of Spain / Eurojust, Advocate General Maduro emphasizes the fact that "in a Union, dealt with as an area of freedom, security and justice aimed at establishing a society characterized by pluralism, respect for linguistic diversity has This stems from the fact that the Union is bound .... within the meaning of Art. 6 to respect the national identities of the Member States ".

CONCLUSION

V. Reflections on the future of the European Union

It is a characteristic of every civilization to protect and preserve their identity. This inevitably leads to a confrontation between Europe's arrogance, Islamic intolerance and Asian aggression. Recognizing and accepting cultural differences rather than proclaiming the superiority of their culture is the only possible solution. When a civilization reaches a universal state, its peoples are blinded by what Toynbe calls the "mirage of immortality," and are convinced that they are residing in the final form of human society.

According to U. Habermas, the challenge for Europeans is not to invent something new but to preserve the democratic achievements of the European national state and to bring it beyond its borders. Thus, the basic values shared in a state-organized society serve as a basis for cultural inclusion in the Community. This is why the deepening of European integration is based on shared values that legitimize the Union. Economic justifications, whether the initial impetus of community formation, need to be combined with ideas and interest in attachment to the specific "European" way of life.

In the political language, the notion of solidarity is necessary and we are familiar with the expressions "I am solidarity with someone", "Solidarize myself". Solidarity is the common attitude of the members of a community, which is prepared for mutual help when needed and active support in the endeavors of others. This requires consciousness and a sense of belonging to a given community. Accession stems from the acquisition of common knowledge, norms and values. One is able to learn to know and respect the practices of public life, to learn the idea that there is a public sphere. The set of cultural patterns and specific values that define a personal identity are

inextricably linked to collective identity. In any case, however, the values of the private sphere can not contradict public life for a long time. Otherwise, the very life in society will be raised.

Europe faces the problem of defending its Christian character, protecting its values, while at the same time refraining from imposing its own. The state of modern Europe is related to its religious history and European civilization is the result of the conflict between „*the two swords*".

Today, philosophers and lawyers have tried to draw new frameworks for an organization in which cultural and spiritual affiliation do not match and even are inconsistent with its ideas. In this respect, Juergen Habermas is developing the concept of a constitutional union. It, contrary to the usual form of national identity, will not refer to the specificity of a particular nation, but to abstract processes and principles.

"If the European Union is originally a club and if there can not be a Christian club, what is it said when it says that Europe is not a Christian club? What do they mean? They want to say without any doubt that Europe is not Christian, but they can not say it. Something prevents us from saying that Europe is not Christian. The only thing that prevents the saying that Europe is not Christian is that they are actually such. "

As Benedict Anderson notes, and we will allow him to regrease - Who would have sacrificed for the EU?

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