

DESCRIPTION FOR THE GENERAL PUBLIC (IN ENGLISH)

Regarding the democracy crisis in the European Union, the question concerning the possibility of building a European identity through shaping and strengthening the citizens' constitutional consciousness, as well as through integrating them around the principles and values which constitute the foundation of the constitution, should be raised. It might be assumed that constitutional patriotism is an alternative model for creating a European identity. The democracy deficit clearly reveals the problem of the legitimacy of authorities and powers, both at the Community (EU) and at the national level. Such issues are perceived from the perspective of an individual and they are worth being analysed from such perspective hereby.

Undoubtedly, the society is the subject of both – constitutional and national identity, therefore both assume the presence of a community, and a community is primarily based on an individual. The problem of legitimacy of powers is, above all, the problem of low level of constitutional consciousness. The latter can be understood not only in the legal aspect but also in the context of a certain political culture or, finally, in the sociological aspect. Pluralism (cultural, ethical or religious) and the complexity of modern societies justify the need for identification of a common communication level as well as a set of values. Law can be undeniably considered as such common level. Since the constitution is an act containing the most basic values and principles, it is only possible to build a common, constitutional, national or even European identity by assuming that the society consciously supports the aforementioned values and principles. The notion of "constitution" tends to be more and more openly defined - not solely from the perspective of a certain constitutional moment of its adoption, but also through the self-constitutionalisation of the citizens at the legal and political level. The constitution, which covers the basis for the legal order, means the self-understanding of community members and the self-institutionalisation (namely, the institutionalisation of them as citizens), based on the category of empowerment. Therefore, constitutional patriotism arises from not solely *de lege lata* legal text, but from the living constitution – a constitution open to changing social, cultural and economic contexts.

The main research thesis of the project presumes that the constitution is based on the concept that law exists in the consciousness of the citizens. Constitutional consciousness – as a one of the basic identity structures - is a pattern (paradigm) recognised by the majority. Such paradigm covers the approach towards the state and its institutions, which results from self-understanding and self-institutionalisation. It is also closely related to the constitutional culture, understood as a comprehensive body of legal norms and socially acceptable values. Therefore constitutional consciousness may be considered as a basis – worthy of promotion - for constitutional patriotism, but not in the sense of unconditional devotion to its mere text, but rather in the sense of respect for law, state institutions, actions related to the common good, and – above all – the protection of human rights.

The research will be carried out by academic persons specializing in the theory and philosophy of law as well as by constitutional law dogmatists at three interrelated levels: a) legal (based on the text of the constitution and its interpretation, with particular emphasis on case-law and the judgments of constitutional courts); b) institutional (concerning mainly public institutions oriented towards building, extending and strengthening the citizens' constitutional consciousness, for instance: courts, including constitutional courts, ombudsman, but also non-governmental organisations) and c) social (by reference to various forms of citizens' participation in lawmaking – such as the institution of petition, civic proposal, public hearing, social consultation, civic budget). The citizens' constitutional consciousness will be analysed first and foremost from the Polish and Lithuanian perspective. However, the research would be incomplete without a reference to the constitution and public or social institutions in other EU Member States (Great Britain, France, Germany, Spain, Italy), mainly due to different legal traditions and the current crisis circumstances. Lastly, considering the aforementioned democracy crisis which occurred in the EU, it is worth to point out the impact of the CJEU jurisdiction as well as the impact of the European Parliament's and the European Ombudsman's activity on shaping citizens' attitude and converting it from "our state, our law, our constitution"- mindset approach in terms of "our common Europe".