

Religion and the European Union: Identity, Politics, Law, Lobbies

Lucian Leustean and John Madeley

At the Faith in Europe Briefing Meeting on 20 November 2008 Lucian Leustean spoke on the subject of the changing self-understanding of Europe. Much of his talk was based on material he and John Madeley had commissioned for a special issue of the journal *Religion, State & Society (RSS)* (issue No. 1/2 (March/June) 2009) which they co-edited. The following text is an abridged version of their article, 'Religion, Politics and Law in the European Union: an Introduction', in that issue of *RSS*. It is reprinted here by permission of the publisher Taylor & Francis Ltd, <http://www.informaworld.com>

Copies of the 230-page special issue of *RSS* can be ordered via the journal's Editor, Philip Walters, at a special price of £30. The publishers say that it may be possible to offer a lower price if a number of people were interested in making a bulk purchase.

The material in the special issue of *RSS* is also going to be published by Routledge as a book, *Religion, Politics and Law in the European Union*, on 6 August 2009, approximately 256 pages, at £75.

If you are interested in obtaining a copy or copies of the journal or the book please contact:

Dr Philip Walters, 81 Thorney Leys, Witney, Oxon OX28 5BY
Tel: 01993 771778
Email: philip.max.walters@gmail.com

The principal focus of the contributions to this volume is on examining the role of religion within the political evolution of the European Union and its institutions and to identify the ways in which religious communities have related to the challenges of an expanded united Europe. What role have religious communities had in the construction of the European Union? Is there a common European identity rooted in religion as claimed by some? In which ways have religious communities entered into dialogue with the European institutions? To what extent and by what means can religious communities be seen to influence decision-making processes in the EU?

Religion and European Institutions

In the aftermath of the Second World War which had wreaked such devastation on the European continent religious institutions and bodies were both directly and indirectly closely involved in the efforts of political, economic and cultural reconstruction. In the western part of the continent Christian Democratic parties became dominant players in the domestic politics of many countries and from the late 1940s formed a transnational network which was critical to the launch of the project of European integration.

The onset of the Cold War from 1948 cemented the growing division of the continent, in the eastern part of which Soviet domination led to the marginalisation of religious institutions, the suppression of some groups and the persecution of individual religious activists. In this context the partisan commitment of Christian Democrats to the building of institutions for cooperation and coordination in Western Europe is easily understood.

The Treaties of Paris (1951) and Rome (1957) were the foundation documents of the European Coal and Steel Community and the European Common Market respectively. Despite the Christian Democratic dominance of the political scene in the western part of the continent and the strong Catholic identity of most of the 'founding fathers', neither treaty made any reference to religion; the nascent European Community aimed to be purely concerned with economic matters.

The Vatican had promoted the idea of a united Europe immediately after the Second World War, with Pope Pius XII (1938-59) directly supporting the idea of a federal Europe, a vision that would become

even clearer with the next pontificates. Pope John XXIII issued his 1961 encyclical *Mater et Magistra*, reinforcing the principle of subsidiarity which was adopted as Community policy.

If the Vatican asserted an active interest in political and religious reunification in Europe, after the Second World War Protestant and Orthodox churches were more concerned with interreligious dialogue.

An independent branch of the WCC, the Conference of European Churches (CEC), was founded in 1959 with the aim of fostering dialogue between East and West. Meetings between the two sides were not always easy; CEC's congress to adopt its Constitution in 1964 was held on a boat on the Baltic Sea in order to avoid visa difficulties.

The recent interest of the European institutions in religious issues is connected to the relatively late official contact with religious communities. This informal liaison was later strengthened under President Jacques Delors. In a speech to representatives of religious communities in 1991 he stated that

We are now entering a fascinating time time when the debate on the meaning of European construction becomes a major political force...If in the next ten years we haven't managed to give a soul to Europe, to give it spirituality and meaning, the game will be up. This is why I want to revive the intellectual and spiritual debate on Europe. I invite the churches to participate actively in it...I would like to create a meeting place, a space for free discussion open to men and women of spirituality.

The most significant decision on religious issues was the establishment of a European programme promoting religious dialogue entitled 'A Soul for Europe: Ethics and Spirituality' by the European Parliament (1999-2005). However, the programme did not have any legal implications and the dialogue between faiths resulted only in a few conferences and meetings of religious leaders discussing the spiritual consequences of European enlargement and integration.

Until the Convention on the Future of Europe (2001) which drafted a Treaty establishing a Constitution for Europe, religion was largely kept outside the main documents of the European Union.

For the first time, Article I-52 of the European Constitution recognised the role of churches and non-confessional organisations in the European Union, officially considering them as partners in dialogue.

After the Constitution was rejected by the French and Dutch referenda, Article I-52 was replaced by Article 17 of the Lisbon Treaty, which stated that 'the Union shall maintain an open, transparent and regular dialogue with these churches and organisations'.

Religion and European Identity

Controversy about the role of religion or of religious institutions, groups, movements and individuals, in public – and especially political – life has become more prominent in recent decades in Europe. While 60 years ago the strong Roman Catholic identity of most of those who launched the project of European integration provided a bond which did not prevent the eventual formation of a wider consensus embracing those of other traditions and party families, questions of confessional identity have recently been associated more with conflict than consensus.

The idea that Protestantism fosters Euroscepticism or is, as such, at least significantly ambivalent about European integration is supported by evidence from the countries which have historically been either overwhelmingly or mainly Protestant since the sixteenth century: the countries which constitute Scandinavia, the Netherlands and the United Kingdom. But if the contrast between the Europhile attitudes found in the leadership of the mainstream denominations and the extreme sectarian versions of Euroscepticism undermines the hypothesis that Protestantism as such generates anti-EU sentiments, the observation that similarly hostile sentiments are to be found also among sections of Catholic, Orthodox and Islamic opinion further weakens it.

To illustrate this claim it is necessary only to consult the contents of the volume *Religion in an Expanding Europe* (2006) edited by Timothy Byrnes and Peter Katzenstein. There José Casanova identifies a category of 'Catholic europhobes' in Poland

"...who are against European integration because today's Europe has lost its Christian identity and therefore its secularist, materialist, hedonist values represent a threat to Poland's Catholic identity and values."

And Sabrina Ramet writes of 'Orthodoxy's war with the EU' which has been directed against the enshrining of liberalism within the EU's projected Constitution – with liberalism understood as

"an amalgam of select features associated with the liberal project (tolerance of homosexuality, neutrality of the state in matters of religion), pathological symptoms of social decay (pornography, drug abuse), and an assortment of groups of whom [Orthodoxy] disapproves (Jehovah's Witnesses, prostitutes, and advocates of globalization)."

And in the same volume Bassam Tibi argues that the Islamists among Europe's burgeoning Muslim diaspora population support a version of Islamisation, which regards Europe's states gathered together within the EU as irredeemably corrupt, and aims at their eventual incorporation into *Dar-al-Islam* (the House of Islam), an ambition which, he argues, 'runs totally counter to Europeanization'. On the basis of these observations alone it is clear that Eurosceptic sentiments of the most vigorous sort are to be found across all the principal confessional families represented in Europe: Protestant, Catholic, Orthodox and Islamic.

Controversy about the role of religion in the European integration project turns no longer mainly around differences between Catholics and Protestants, Eastern Orthodox and Muslims, mainstream liberals and fundamentalists, however (although issues along these lines of cleavage continue to occur); it is also now a matter of those who insist that religious viewpoints be heard in debates about public policy against those who maintain that they have no place.

This agitated public debate was prefigured in normative political philosophy by the secular liberal theses of such as John Rawls, Richard Rorty and Jürgen Habermas to the effect that under liberal democratic arrangements debates about public policy should be conducted in terms equally accessible to all so that those which relied on premises (for example, religious premises) which were not universally shared should either be translated into secular terms or excluded from consideration.

From 1973, when the Copenhagen Declaration on European Identity was promulgated, the fundamental elements which were identified as corresponding to the 'deepest aspirations' of Europe's peoples were presented in political, legal and philosophical terms without prejudice to cultural specificities: '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.'

Although Europe, and especially its western part, is seen as almost uniquely secularised relative to the rest of the world, including the USA, it is evident that it is not immune to the resurgence of religion-related issues in its politics, and this tendency has only been reinforced by the enlargement of the EU to embrace states in Eastern Europe where after the collapse of communism there has been a notable desecularising trend.

It is the overall thesis of the Byrnes and Katzenstein volume *Religion in an Expanding Europe* that the process of 'European enlargement will feed rather than undermine the importance of religion in the EU' as 'transnational religious communities in the European periphery are reintroducing religion into the center of Europe'. If they are right, issues which involve the mobilisation of religious difference are quite likely to become more rather than less significant in years to come. Peter Berger on the other hand sees the eastward expansion of the EU as more likely to have a secularising impact on Europe's east than a desecularising impact on its West.

Summary of Key Themes

This volume of *Religion, State & Society* is divided into four key themes, namely religious identity, religious and political leaders, religion and law, and religious lobbies.

The theme of religious identity in the European Union has proved to be controversial, particularly in the context of EU enlargement to countries in Central and Eastern Europe in 2004, the inclusion of Bulgaria and Romania in 2007, and possibly the inclusion of Turkey at a later stage. Jean-Paul Willaime argues that the European Union adopts a *laïcité* approach to religion. Despite the association of the term '*laïcité*' with French church-state relations only and the difficulty of properly translating it into other languages, this model suggests equal treatment of religious communities and the widespread generalisation of religious rights and freedoms. *Laïcité* has an impact on the ways in which religious identities are shaped by European integration. In his opinion, *laïcité* is at the basis of EU relations with religious communities, shaping the transposition of religious issues into national laws.

Willaime's interpretation is taken further by Francois Foret's analysis of the ways in which religion plays a role in the legitimacy of the European Union. In his opinion, religion is part of 'the usual rules of the games'; what matters is the institutional structure of religious dialogue with the European Union. Religion is a simple technical issue in the drafting of the myriad issues within the *acquis communautaire*. Foret suggests that the most potent identity mark posed by religion is visible in the mass media, for example, from the nationalist discourses of Radio Marija in Poland and the public controversy around Dan Brown's *Da Vinci Code* to the growing interests in cyber-religions.

The construction of a European identity is shaped by mass education, and in this context, Carin Laudrup examines its impact on religious curricula. She points out that the concept of civil religion promoted by Jean-Jacques Rousseau and Emile Durkheim had strong resonance in postwar Europe. The link between civil religion and the project of European integration emphasises a national rather than transnational European identity.

Benoit Challand brings religious identity closer to the European institutions. By examining the European Economic Community archival material relating to Turkey, he observes that in the 1950s and 1960s there were no references to religious issues. Instead Turkey was perceived by western political leaders as a defender of European values. By analysing the occurrence of religious terms in academic articles and EU treaties, Challand argues that religious issues mattered in the process of European integration only after the 1990s. He suggests that European identity revolves around external enemies, and from this perspective, the current Islamic 'threat' replaced the communist ideology of the Cold War period.

David Herbert and Max Frass travel eastwards with their analysis of religious identity, investigating the issues of secularisation and religious re-publicisation. By focusing on Poland, Hungary and Romania, they reveal the position of the predominant religious communities in these countries towards EU accession. The European Union has been 'an agent of secularisation' which predominated over religious and political differences in the Cold War era. By placing discussion into wider analysis of religion, as reflected by the European Convention on Human Rights and the World Values Survey, they argue that, after the fall of communism, religious communities extended their societal and political influence. The particular place of religion in these countries is in contrast to the predominantly secular character of the European Union.

The second theme of the volume examines the role of religious and political leaders in the construction of the European Union. The project of the European Community is considered to be the product of Christian Democratic parties which dominated political life after the Second World War. Linda Risso investigates the role of the French and Italian Christian Democrats from 1945 until 1957. She points out that these parties had different agendas from each other, but that both were characterised by pragmatism rather than an integrationist ideal. Significant roles in the process of European integration were played by transnational political networks of the 'founding fathers'. Giulio Venneri and Paolo

Ferrara draw a parallel between the ways in which Europe was seen by Alcide de Gaspari, the Italian prime minister who led the country's negotiations with the European Community, and Antonio Messineo, a Jesuit theologian who wrote on European issues in the same period. Veneri and Ferrara suggest that despite different personal trajectories, both Italians shared similar visions of a united Europe.

A closer analysis of the Vatican's position towards a united Europe is provided by Blandine Chelini-Pont. This position is traced to the interwar period when the continent was divided between extreme forms of nationalism. The rise of totalitarianism and the Second World War were directly linked to nationalism and religious difference. From this perspective, the new European political entity refrained from being associated with religion. The Vatican engaged in dialogue with the European institutions and encouraged a federalist vision of Europe, becoming extremely active during the pontificate of John Paul II.

Religion and law in the European Union is the third theme of the volume. As Norman Doe suggests, 'law is a place where religion and politics meet', and religious issues are closely connected to communitarian and national legislation. Doe argues that similarities on religious issues in EU member states lead towards a 'common law' on religion. The 'common law' takes into account the fundamental principles which are at the basis of the supranational legislation on religion. Doe's view is reinforced by Mark Hill's analysis of the Church of England's place within the European Union. Hill suggests that both European institutions and religious communities are interested in developing and maintaining institutional contacts. The deepening of European integration led the Church of England to open channels influencing the decision-making process in Brussels. Hill points out that the current EU and national legislation on religion are nevertheless linked to the process of secularisation.

The fourth theme investigates the increasing religious lobbying of the European institutions. Martin Steven argues that religious communities promote similar patterns of lobbying to that of other interest groups. Religious lobbies aim to influence both national and EU legislation. Comparable examples can be drawn from the United States where lobbying is better organised and regulated. Steven focuses on the political roles of the Church of Scotland, the Church of England and the Catholic Church in France and suggests a re-analysis of church-state relations in Europe which takes into account the role of religious lobbies.

Among the most active lobbies in Brussels are the New Religious Movements (NRMs). As Sabrina Pastorelli indicates, the NRMs have an impact at both national and European levels and the European institutions and national governments are interested in monitoring their activities. Pastorelli examines the position of the main European bodies on religious issues, namely the European Parliament, the European Court of Justice, the Bureau of European Policy Advisers, the Council of Europe and the European Court of Human Rights. She focuses on Soka Gakkai's contact with the European Commission and argues that both this religious community and the European institutions benefit from the dialogue. On the one hand, Soka Gakkai gained religious recognition in the European Union, while, on the other, the Commission increased legitimacy in dealing with religious issues.

The most significant result of religious lobbying of the European institutions has been the incorporation of religious communities as partners of dialogue in the EU legislation. Kenneth Houston analyses the position of the Bureau of European Policy Advisers towards religion and the ways in which the European Constitution legalised the presence of religion. Houston suggests that religion remains a controversial issue as a result of the diversity of religious and political interests in the European Union. However, he points out that the drafting of the European Constitution represented positive relations between religious communities and the European institutions as their officials met and addressed issues of concern for both parties.

Lucian Leustean is a lecturer in politics and international relations at Aston University, Birmingham. He is the author of *Orthodoxy and the Cold War: Religion and Political Power in Romania, 1946-65* (Palgrave, 2009) and the editor of *Eastern Christianity and the Cold War, 1945-91* (Routledge, forthcoming 2009).

John Madeley is a lecturer in government at the London School of Economics and Political Science. In recent years his research has concentrated principally on comparing religion-state relations across the 50-odd countries of Europe. In addition to several journal articles and book chapters he has edited *Religion and Politics* (Ashgate, 2003) and co-edited (with Zsolt Enyedi) *Church and State in Contemporary Europe: the Chimera of Neutrality* (Cass, 2003).

