

Marián KUNA

## God, Christian Values and the European Constitution: Should the Latter Refer to the Former and Why?

*The European Union has been drafting and redrafting her first constitution. Alongside several sensitive discussions concerning various institutional issues, that the constitution is to provide guidance on (some of them still far from being settled), it is almost impossible not to notice a very peculiar anxiety surrounding the debate of the preamble. It is precisely the preamble that is supposed to proclaim the roots and basic values of the politically united European community.*

*This anxiety concerns the question of whether the preamble should refer also to God and Christian values, taking them to be one of the sources of the European cultural and political identity. The last attempt to reach a compromise on this issue ended up with an ambiguous reference to the European religious heritage<sup>1</sup>. What then is the true nature of this anxiety?*

*The final constitution draft considers respect towards reason to be one of the values of European humanism.<sup>2</sup> Serious polemics and resistance, however, can be observed when the suggestion is made to include into the preamble the reference to God and Christian values.<sup>3</sup> All this gives rise to the question: why is this the case?*

1 See *Návrh zmluvy zakladajúcej ústavu pre Európu* (Proposal for the Agreement Founding the Constitution for Europe). Európsky konvent, Bratislava, 2004. 5. I hold that this is a too-cheap compromise that does not work anyway, for it cannot satisfy those who have argued for including the reference to God and Christian values into the constitution. There is a possibility that it can make them even less satisfied, for it logically includes all sorts of religious streams and traditions that Europe has ever historically experienced.

2 *Ibid.* 5.

3 Though it is possible to distinguish between the reference to God and that to Christian values, for the sake of simplicity I will speak here as if they were mutually interchangeable. Moreover, some may argue, and have in fact argued, that Christian values are implicitly present (represented) in the constitution draft in the values of equality of all humans and freedom, or when the central role of the human being and her or his inalien

*The problem can be framed in terms of the descriptive and normative functions of a constitution preamble reference.<sup>4</sup> By the descriptive function, I mean a simple proclamation about the state of affairs which is so generally accepted that it is almost nonsensical or foolish to question it.<sup>5</sup>*

*The normative function, on the other hand, does not slavishly observe status quo, but rather proclaims a certain position about how things should be – so even though in many cases it does not reflect the current situation, it indicates what should be altered to achieve the desired goal.<sup>6</sup>*

## Are European Values of ‘Self-Sustaining’ Nature?

The descriptive aspect of the main issue of this paper means the *description* of the reality that faith in God and Christian values have significantly shaped European culture, and in historical terms were the unifying elements of European cultural diversity.<sup>7</sup> They permeated the European culture so profoundly that they are not only fundamental to our moral and political convictions, but they are also at least implicitly present in many of our cultural principles, habits, and institutions.

As Pope John Paul II recently put it in his postsynodal exhortation *Ecclesia in Europa*: “*Europe has been widely and profoundly permeated by Christianity*. There can be no doubt that, in Europe’s complex history, Christianity has been a central and defining ele-

able rights is mentioned. I do not consider this satisfactory as, for example, the “central role of the human being” can be easily interpreted in a selfish and extremely individualist manner that is hardly reconcilable with a distinctively Christian humanism. However, even if accepted that in this way the distinctively Christian values have entered into the constitution proposal, it would still be substantially insufficient as these values cannot represent a substitute for the reference to God that would still be absent in the constitution.

4 Talking about the preamble functions, I assume that the role of the preamble is more extensive than to add to the document some stylistic and aesthetic flavour, though this is logically possible as well.

5 It is very similar to a simple statement that (historically) there was such an event as the French Revolution in 1789 which overturned the French monarchy. So it functions neither to claim that it was a good thing, nor to defend the opposite.

6 This is similar to saying that in the times of World War II Adolf Hitler ruled Germany, as well as other countries, which was an unfortunate fact and it was *good* he was deprived of his power.

7 One may question my use of the label of Christian values as too simplistic. Such a challenge points to the fact that the issue of what the substantially Christian values are can be a subject of a serious controversy not exclusively within the various Christian communities and traditions. Unfortunately, I cannot pursue this question further here, but I believe that the most basic Christian values can be agreed upon, and their list would include values of love towards neighbours, compassion, equal dignity and worth of all human beings. This is to say that even though different Christian traditions may construct various lists of particular Christian values, having different priority orders, all of them would necessarily include these basic values in one way or the other.

ment, established on the firm foundation of the classical heritage and the multiple contributions of the various ethnic and cultural streams which have succeeded one another down the centuries. The Christian faith has shaped the culture of the Continent and is inextricably bound up with her history, to the extent that Europe’s history would be incomprehensible without reference to the events which marked first the great period of evangelization and the long centuries when Christianity, despite the painful division between East and West, came to be the religion of the European peoples. Even in modern and contemporary times, when religious unity progressively disintegrated as a result both of further divisions between Christians and the gradual detachment of cultures from the horizon of faith, the role played by faith has continued to be significant.”<sup>8</sup>

What is the normative aspect of the reference to God and Christian values in the preamble? It is not limited to a mere proclamation that these realities are a matter of agreement amongst historians conducting research within the field of European history, resulting in the fact that it makes absolutely no sense to question them; but it further emphasizes the fact that for Europe her Christian theist heritage *should be* crucial with regard to her future.

It can include the claim that the EU is not to become solely a socio-economic entity and/or at best a community of *whatever* values.<sup>9</sup> One of the elements that contributed to the formation of the Europe of values as we know them was Christianity. Therefore, if we are not to cut the tie between the European tradition and Christian values, the latter must occupy a significant position in our community.<sup>10</sup>

The claim that the European values originating to a large extent from Christianity have by now reached a state in which they are of “self-sustaining nature” so that they do not need anymore the support of the living Christian ethos and its public, nor constitutional

8 John Paul II, Apostolic Exhortation *Ecclesia in Europa*. Vatican City, 2003. Section 24.

9 Let me emphasize that this position is fundamentally anti-sceptical and anti-relativistic with respect to both our ability and moral need to distinguish between positive and negative values or, to put it in more traditional terms, between good and evil. Another integral moment of this position is my strongly held conviction of the truth of Christianity and its respective account of morality.

10 This claim, however, allows for several interpretations, as people may agree with respect to its truth, but still vary in what it as a claim amounts to. There may be its more public (institutional) and more private (inner life) manifestations. My own position lies somewhere in the middle between the extreme forms of these two interpretations.



recognition, should be, I believe, “safely stored at the department of dangerous illusions.”<sup>11</sup>

Let us quote the Pope once more: “The Church of today, with a renewed sense of responsibility, is conscious of the urgency of not squandering this precious patrimony and of helping Europe to build in revitalizing her original Christian roots.”<sup>12</sup>

## Dogma of Value Neutrality

Those who object to the inclusion of the reference to God in the European Constitution seem to be consciously blind to its descriptive aspect, solely because of their worries concerning its normative force that would enter into the constitution via this reference.

11 I believe that this claim is false, and if taken seriously, represents a threat to the very survival or at least to the vitality of those European values that originated from within the Christian tradition. In my statement above, however, one must distinguish between the necessity of a living Christian ethos and the necessity of public and/or constitutional recognition of Christian values. One may agree with the former, but reject the latter. I do not deny that there is something very true in a position claiming that it is primarily Christian *practice* which is at stake if Christianity is to have credibility. I do not think, however, that there is something wrong in political and also constitutional manifestation and support of Christian values in public in general, and in politics in particular. The Christian must be, however, very careful not to abuse Christianity and its values for some narrow ideological and/or biased purposes.

12 John Paul II, Apostolic Exhortation *Ecclesia in Europa*. Section. 25.

Why then is the normative moment of this reference such a serious problem for the aforementioned people so that they are (in my view) willing to put themselves in the position of “cultural barbarians” ignoring the historical contribution of Christianity to the culture of Europe?

One of the reasons may be their stubborn loyalty to a liberal and secular dogma of value neutrality of modern political arrangements.<sup>13</sup> Another possibility, related to the previous one, is their effort to express their tolerance towards those Europeans to whom Christian values and/or faith in (Christian or some other) God is foreign.<sup>14</sup>

This combination of reasons seems to produce a barricade of fear against any strengthening of the position of Christianity in the European Union. Is this fear well-based? And is it legitimate? I reckon that this fear is *well-based* from the strategic point of view of the rival, but it is morally *illegitimate*.

It is well-based in the sense that the constitutional recognition of the importance of God and/or Christian values for Europe will put some other values, here those of secular humanism, into a comparative disadvantage. The fear, however, is illegitimate, because it is hardly anything more than a fear of a rival in the arena of values struggle of the modern world.<sup>15</sup>

What is more, it represents a serious problem for the very liberal and secularist who by definition proclaim the necessity of remaining neutral amongst different conceptions of the good life. The problem subsists in their biased rejection of the reference to

13 This is not to deny that a moderate secularism may have some positive impact on the religious life, particularly in multi-religious societies, and especially those divided by sectarian hatred. My doubts concern only an extreme form of secularism that pretends to do justice to the citizens' different values on the one hand, and represents the view that “private” values should be kept out of the public sphere considering religious values as a pre-eminent example of private values on the other.

14 This is also a quite controversial approach of how to arrive at tolerance. For it is important to bear in mind that there is a substantial potential in the Christian tradition for toleration on the one hand, and secularism may not necessarily lead to the most tolerant social and political arrangements available on the other. Here I mean the fact that for many Christians it is precisely their Christian faith (following the example of Jesus Christ) that makes them not only very tolerant to non-Christians, but enables them to transcend mere toleration and its requirements, and arrive at the loving attitude towards them. The fact that Christians repeatedly have not been able to live up to the standards of this ideal does not make my claim fundamentally implausible.

15 The assumption is made here that a mere fear of the possibility of becoming worse off via the inclusion of a serious rival in the value struggle does not make the exclusion of that legitimate rival fair. This is not to say that no rival can be excluded, for there are some limits to what is to be considered legitimate competition, and any form of fundamentalism is a very good candidate for such exclusion.

God, which means that these thinkers cease to be impartial and fair to Christians and smuggle all too much scepticism (doubts concerning the existence of truth) into the constitutional foundations of the (re)uniting Europe.

So in order to be consistent liberals of neutrality, they must subscribe to scepticism in the question of truth. However, they are unable fully to defend their position as true.<sup>16</sup> Now, if it cannot be proven as true, why should we follow it in debating such an important issue as the European Constitution?

## Christianity and Rationalist Humanism

The illegitimacy of the position sketched above, then, rests on an unfair constitutional exclusion of one of the serious contenders from the value arena where the battle over the intellectual and moral allegiance of European citizens takes place.<sup>17</sup>

It is unfair, for if we are not to mention God and Christian values in the constitution, why has the reference to the Enlightenment been implicitly included in the preamble? I assume that only a very intellectually and morally controversial person could think that Enlightenment rationalist humanism is more entitled to be mentioned in the preamble than Christianity.<sup>18</sup>

If my argument is correct, then we face the following dilemma: *either* to include them *or* leave them both out from this document. However, if they are both left out of the preamble, the constitution as a whole will have become at best only a caricature of what its authors meant it to be.<sup>19</sup> Here I am assuming that they have

16 Brian BARRY, a liberal of neutrality, concedes that it is not possible to arrive at liberal neutrality except by the use of the premise of at least moderate scepticism. My evaluation of the significance of this finding, however, conflicts with that of BARRY. Whereas he thinks that the necessity of scepticism for liberal neutrality does not destroy this type of neutrality, I hold that as moral scepticism is all too controversial (and for Christians, at least as I understand the Christian doctrine, unacceptable) then liberal neutrality is implausible.

17 One may object to this claim that Christianity as such is not excluded from public and political life, and the degree of this constitutional exclusion is legitimate for the reasons I touched upon in the previous section. The answer to this question must to some degree depend upon the importance of the constitution and of course on the form the European constitutional theory, practice, and adjudication will take in coming years.

18 I already suggested that the Enlightenment is present and represented in the preamble draft only implicitly. Now, one may wonder what form I propose the reference to God and Christian values should take. I must confess I have got at the moment no definite answer to this question. I believe, however, that there should be a good will to discuss this issue seriously, and various options could be developed, and the best one agreed upon.

tried to put forward a respectable document which will help the European community in its self-direction in the years to come.

I admit that my distinction between the two aspects, namely descriptive and normative, was made at a relatively high degree of abstraction that does not take into account a large portion of cultural and political reality and so it cannot escape some ambiguity.

Though it was helpful to use this distinction, I have to admit that the descriptive evidence of Christianity in European history does not logically entail its normativity for the Europe of today. If it is to be defended successfully today as normatively justifiable, a different strategy must be adopted; namely, the true nature of human beings that puts limits on what is politically desirable and legitimate must seriously be taken into account.<sup>20</sup>

In other words, the truth of being human must be uncovered, and the fact that such a conception is formulated out of the Christian tradition should not be seen as putting limits on the scope of its applicability. This is a point of controversy, however, and it seems to suggest that the tense atmosphere surrounding the preamble discussion originates, at least in part, from conflicting views concerning normative questions regarding the identity of the human being – all this within the context of the European Union and her future.

Let me conclude by suggesting the answer to the main question of this article. I maintain that the reference to God and Christian values in the preamble of the European Constitution should be considered *legitimate*. It is such because, from the descriptive point of view, it is unquestionable and from the normative perspective it is defensible.

It is descriptively unquestionable due to the fact that the influence of Christianity on European culture may be denied only by the insufficiently informed persons. It appears normatively defensible due to the persistent viability of the Christian vision of a person. Moreover, if it is acceptable to refer in the preamble to rationalist

19 It is worth bearing in mind the fact that both Christianity and the Enlightenment with its rationalist humanism have formed our most basic cultural patterns, because they are both immersed in our culture and have important institutional embodiments.

20 Christian philosophy and theology may be extremely helpful in doing so. From within the Roman Catholic intellectual tradition, for example, there is Thomas AQUINAS who achieved a significant progress in this direction in his time. Nowadays, there are very instructive works by philosophers and theologians building on his work in terms of the Thomist understanding of person, morality and law as well as upon the question of how the analyses in these fields relate to metaphysical analysis.

humanism, there can hardly be any good reasons for preventing its value rival from being mentioned as a mere value option.

This reference, however, is also very much needed. For there is still a significant number of people in Europe for whom Christianity and God do not represent merely some value items from the hypermarket of the modern world, but indeed provide them with guidance in the labyrinth of the contemporary world. I believe that it is a sign of good manners to provide these European citizens with an appropriate, i.e. also constitutional, recognition that regards their way of life with genuine respect.

#### **Suggested Reading**

- BARRY Brian, *Justice as Impartiality*. Oxford, 1995.  
JOHN PAUL II, *Apostolic Exhortation Ecclesia in Europa*. Vatican City, 2003.  
KUNA Marian, *Potrebuje Európa Boha? Zmienka o Bohu v preambule európskej ústavy* (Does Europe Need God? Reference to God in the Preamble of the European Constitution). *Domino fórum* 2003/40, 19.  
LISSKA A., *Aquinas's Theory of Natural Law. An Analytic Reconstruction*. Oxford, 1996.  
MCINERNEY R., *Ethica Thomistica. The Moral Philosophy of Thomas Aquinas*. Washington, 1997.  
*Návrh zmluvy zakladajúcej ústavu pre Európu* (Proposal for the Agreement Founding the Constitution for Europe). Európsky konvent, Bratislava, 2004.  
PORTER J., *The Recovery of Virtue. The Relevance of Thomas Aquinas for Christian Ethics*. Louisville, 1990.  
VOLEK P., *Filozofia človeka podľa sv. Tomáša Akvinského, vo svetle súčasných komentárov* (Philosophy of the Person According to St. Thomas Aquinas in the Light of Contemporary Commentaries). Ružomberok, 2003.

Marián KUNA is a Roman Catholic from Slovakia. He is an assistant professor at the Roman Catholic University in Ružomberok, in the Faculty of Philosophy. This is a revised version of his article published in the Slovak periodical *Domino fórum*. He also presented previous drafts of this paper at the symposium *The Christian Idea of Europe* held at the Faculty of Philosophy of the Catholic University in Ružomberok in association with the Ladislav Hanus Research Institute of the Faculty in March 2004. His email address is [kuna@phil.ku.sk](mailto:kuna@phil.ku.sk).