

# **IN THE WAKE OF THE FOUNDING FATHERS**

## **Searching for Common European Values.<sup>1</sup>**

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**Reference** to “*Values*” in official European documents is a recent phenomenon. The term so far has appeared only in articles I-1, I-2, 1-3, 1-58 and the Preamble to Part II of the Constitution for Europe of 2005 (not yet in force). I shall come back to these poorly formulated provisions later. At this point it suffices to say that “values” replaced “principles” in the previous European Union Treaties (Article 6 in the Consolidated Text of 2002).

Still, as happened earlier with the introduction of the term “subsidiarity” into Euro-speak, “values” suddenly began to appear everywhere without being properly defined anywhere. This phenomenon has become fairly typical in European and international politics since the end of the East-West division. New fancy terminology serves as a theme for debate and conferences, but also conceals lack of agreement. Public debate is hoped to contribute to the resolution of a serious crisis in European unification. This latter hope was clearly expressed in the contribution of the Bishops of COMECE to the preparation of the Berlin Declaration: *Common Values as the Living Source* of the European Project (italics added).

The Berlin Declaration and our Conference coincide in time. Our task could be twofold. We could try to discover the meaning of the concept of common values to see whether it could be a living source. And we should look for a little advice from the European Union’s Founding Fathers; in particular those who took the lead in solving the first serious crisis of 1954 in European unification. Robert Schuman, Jean Monnet, Konrad Adenauer and Alcide de Gasperi were the founding fathers of the Treaty of Paris instituting the ECSC. Johan Willem Beyen, Paul-Henri Spaak and in a way Jean Monnet (again) were the founding fathers of the Treaties of Rome instituting the EEC and Euratom. We should also look at the leaders of civil resistance in Central Europe, who are to be recognised as founding fathers of Europe’s surprising re-unification after 1989.

### **IDEAS HAVE CONSEQUENCES!**

A brief excursion to Europe’s modern history teaches us that the search for “values” invariably indicates a desire to distinguish oneself, or stand apart from and contrast with somebody or something else. After the Second World War, Western Civilization with its common heritage and common values contrasted with the East (the Soviet Empire). The Atlantic Alliance was to become the dynamic counter-attraction to Communism. Teaching the

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<sup>1</sup> Text prepared for the European Congress of COMECE (Commission of the Episcopates of the European Community/Union) on: “Values and Perspectives for Europe. 50 Years of the Treaties of Rome” held in Rome from March 23-25, 2007.

history of great ideas from Plato to NATO<sup>2</sup>, should raise the awareness of a Western identity. Within the West dominated by the United States of America, France since President Charles de Gaulle looked for arguments to distinguish the emerging European Community she wanted to dominate, from America. Her search for a “European identity” (since the 1970’s) tried to discover typical European values distinct from American ones. There was a time the European Left in fact supported this attempt. In the era of East-West *détente* and the nuclear balance of terror, many on the left and among the liberals felt closer to Moscow’s bureaucratic socialism than to America’s outright capitalism. Among them was the Counter-Culture being established in our universities after the student revolts of 1968 in Paris. By the time of the end of the so called Cold War in 1990, this counter-culture had been transformed into “widely accepted conventional wisdom, a new form of conformity, values that are taken for granted.”<sup>3</sup>

Of course both – France and the European left – got a little lost when communism collapsed, Germany re-united and America remained as the only “superpower”. During the decade of the Nineties, America clearly took the lead in shaping a new order directed towards the advance of democracy and the market economy. Europe reluctantly followed by its own approach towards deepening and widening European unification. While the first stagnated, enlargement irresistibly continued.

“Nine-eleven”, the terrorist attack on America, would be another turning point. In the new “war against terror” declared by U.S. President Bush jr., Europe wanted her identity to be more clearly distinguishable. The search for common European values was to serve the effort to give an enlarging European Union a firmer foundation in a European Constitutional document. At the same time it should set Europe apart from American and Islamic culture: more peaceful and secular than the former, more democratic and more tolerant than the latter.

The values-debates referred to so far, have one thing in common. They all reflect an effort to prove the superiority of one’s own culture over others. The study of history and the reading of classical texts should prove it. The common values enumerated in the Constitution for Europe are of this kind. They are taken for granted and dutifully recited whenever asked.

To the best of my knowledge, no ideas of any consequence have been advanced so far. It is not by lack of effort. Two prestigious European institutes devoted substantial efforts and time to the debate on values. The Vienna Institute for Human Sciences (IWM) set up a high level Reflection Group on the Spiritual and Cultural Dimension of Europe, on the invitation of Romano Prodi President of the European Commission. The Tilburg Nexus Institute organised a series of high level conferences on Europe A Beautiful Idea, during the Dutch Presidency of the European Union. At the end of a confused and often contradictory report, the Reflection Group concluded that: “There is no essence of Europe, no fixed list of European values. There is no “finality” to the process of European integration.”<sup>4</sup>

Such a conclusion is saddening rather than surprising. Europe’s debate on values is hardly a century old and began with Nietzsche’s “God is dead” philosophy. The underlying philosophical crisis has not as yet been overcome ... on the contrary; it has deepened by the counter-culture that became a new form of conformity.

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<sup>2</sup> From PLATO to NATO, is the title of a book by David Gress. The Free Press 1998.

<sup>3</sup> Pual Hollander, Decline and Discontent. Communism and the West Today. Transaction Publishers 1992.

<sup>4</sup> The Spiritual and Cultural Dimension of Europe. IWM. Vienna/Brussels, October 2004. For the Nexus Conferences, see below and Annex 2.

## *Beyond Good and Evil?*

Until Nietzsche, value meant a measure: a mathematical rather than a moral category. One spoke of the value of a property (to be expressed in monetary terms), of the estimated price for a good, value added tax, the exchange value of a currency, as the precise meaning of a word, or in art as the relative lightness or darkness of a colour. It was Nietzsche who initiated a new way of speaking about values, primarily in an effort to move mankind beyond categories of good and evil as taught through the Christian faith. He did most clearly so after "Thus spoke Zarathustra" in "The AntiChrist" :

"What is good? Everything that heightens the feeling of power in man, the will to power, power itself.

What is bad? Everything that is born of weakness.

What is happiness? The feeling that power is growing, that resistance is overcome.

Not contentedness but more power; not peace but war; not virtue but fitness (Renaissance virtue, virtu, virtue that is moraline-free).

The weak and the failures shall perish: first principle of our love of man. And they shall even be given every possible assistance.

What is more harmful than any vice? Active pity for all the failures and all the weak: Christianity.

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It is a painful, horrible spectacle that has dawned on me: I have drawn back the curtain from the corruption of man. In my mouth, this word is at least free from one suspicion: that it might involve a moral accusation of man. It is meant—let me emphasize this once more—moraline-free. so much so that I experience this corruption most strongly precisely where men have so far aspired most deliberately to "virtue" and "godliness." I understand corruption, as you will guess, in the sense of decadence: it is my contention that all the values in which mankind now sums up its supreme desiderata are decadence-values.

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Let us not underestimate this: we ourselves, we free spirits, are nothing less than a "revaluation of all values," an incarnate declaration of war and triumph over all the traditional conceptions of "true" and "untrue."

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One should not be deceived: great spirits are skeptics. Zarathustra is a skeptic. Strength, freedom which is born of the strength and overstrength of the spirit, proves itself by skepticism. Men of conviction are not worthy of the least consideration in fundamental questions of value and disvalue. Convictions are prisons."<sup>5</sup>

I extensively quoted from Nietzsche's aphoristic book, to underline the astonishing and insufficiently noticed phenomenon, rightly exposed by Allan Bloom : "there is now an entirely new language of good and evil, in an attempt to get "beyond good and evil" and preventing us from talking with any conviction about good and evil anymore. Even those who deplore our current moral condition do so in the very language that exemplifies that condition.

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<sup>5</sup> Quotations are from *The Antichrist* as translated by W. Kaufmann and R.J. Hollingdale. See also annex 1. In : *The Portable Nietzsche*. The Viking Press 1954. The term "moraline" means hypocritical moral opinions.

The new language is that of *value* relativism, and it constitutes a change in our views of things moral and political as great as the one that took place when Christianity replaced Greek and Roman paganism.” It is much easier to reduce the tension between values than the tension between good and evil. “The term “value” meaning the radical subjectivity of all belief about good and evil, serves the easygoing quest for comfortable self-preservation” Use of the value language, however, leads us in two opposite directions – “to follow the line of least resistance, and to adopt strong poses and fanatic resolutions.”<sup>6</sup> Freud and Weber – both profoundly influenced by Nietzsche – “are the immediate source of most of the language with which we are so familiar ”<sup>7</sup> according to Bloom.

Values have thus taken the place of good and evil. **They are purely subjective and relative. Their possible number is unlimited. They are preferences to pursue rather than norms or standards of behaviour to observe, but they can be imposed by force. All it needs is the will and the power to do so.**

Allan Bloom wrote his book before the collapse of communism about the intellectual state of the - American - Union. Despite the “Spirit of Solidarity”<sup>8</sup> that brought down communism, the new language of value relativism spread like wildfire across America and Europe (East and West) after 1989. Its use, indeed, leads in two opposite directions. On the one hand, we often take the line of least resistance when accepting different Chinese, Asian or Islamic values in discussions on human rights. On the other hand, *laïcistes* and secularists tend to adopt strong poses and fanatic resolutions against Christian moral principles. Some examples in the European Union are well-known : the fanatic pursuit of the right to abortion for women in developing countries under the heading of “Reproductive Health Care and Rights”; resolutions in the European Parliament condemning homophobia or rejecting the appointment of Buttiglione as European Commissioner; the elimination of any reference to the Christian heritage in the Preamble and the modernisation of the language in Part II (Charter of Fundamental Human Rights) of the Constitution for Europe – in contrast with appeasement towards the perpetrators of violence against harmless Danish caricatures on Mohamed.

Ideas do have consequences, indeed. In his last book, *Memory and Identity*,<sup>9</sup> Pope John-Paul II wrote that the ideologies of evil in the twentieth century were deeply rooted in the history of European philosophical thought. The same applies to our new language of value relativism. Nietzsche’s impact has been so great, because of his central place in the context of that history from Descartes, through the Enlightenment, the nineteenth century’s philosophies of progress-as-power, to existentialism and neo-Marxism.

Any effort on our part to contribute to a debate on common values must take this context into account. As Christian Europeans we are caught between aggressive secularists and fanatic Islamists - Europe’s two culture wars as George Weigel called it<sup>10</sup> – while most of us in between are indifferent, afraid to stand up or take the line of least resistance. That is very dangerous, writes Weigel in his concluding alinea: “Nihilism rooted in scepticism, issuing in the bad faith of moral relativism and Western self-loathing, comforting itself with a vacuous humanitarianism: not only is this not marvellous, it has contributed to killing Europe demographically, and to paralyzing Europe in the face of an aggressive ideology aimed at the

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<sup>6</sup> Allan Bloom, *The Closing of the American Mind. How Higher Education has failed democracy and impoverished the souls of today’s students*. New York 1987 at p. 141,142,143.

<sup>7</sup> On p. 148. Also : Alasdair MacIntyre, *After Virtue*. University of Notre Dame Press 1984.

<sup>8</sup> Jozef Tischner, *The Spirit of Solidarity*. Harper & Row 1984. Translated from the Polish, it demonstrates the profound faith that fuelled the movement of civil resistance against communist rule.

<sup>9</sup> Published by the Vatican Press in April 2005.

<sup>10</sup> George Weigel, ‘Europe’s Two Culture Wars’ *Commentary* May 2006. p.29-36.

eradication of Western humanism in the name of a lethally distorted understanding of God's will.”

## THE FOUNDING FATHERS

Ideas have consequences, indeed. Still, honesty forces us to admit that the ideas of philosophers, too often, have been sources of confusion rather than living sources for action. Where such ideas were the sources for political ideologies of evil, the consequences have been disastrous, as we all know from the history of the twentieth century.

French historian Duroselle <sup>11</sup> rightly observed that Monnet's ideas about European integration did not come from a study of the philosophers. They came from the spectacle of the ruins left by the Second World War. The same can be said of Robert Schuman's ideas as expressed in his Declaration of 9 May 1950. His proposal to make German-French reconciliation the cornerstone for future peace had the same origin. From experience and observation he knew that another Treaty of Versailles <sup>12</sup> would not bring peace. He equally knew that such reconciliation would not result from solemn declarations. **It required true and effective solidarity to be carefully developed under the authority of common institutions and common rules** (and within the Western alliance).

The political context at the time was important. Europe was emerging from the dreadful experience of the war and faced at the same time a new totalitarian threat from Stalin's Soviet Union. Most governments had returned from exile with little more in mind than national recovery. The depth of the moral and material crisis was such, that only a fundamental change of policies could save Western Europe. George Marshall with Dean Acheson in Washington, Jean Monnet and Robert Schuman in cooperation with Konrad Adenauer and Alcide de Gasperi, had the courage to launch such changes. The Marshall plan and the OEEC, the North Atlantic Alliance and the ECSC indeed changed the policies of the states concerned. It did not go easy or smoothly. Solidarity and reconciliation proved to be still too weak to achieve the next intended objective. The agreement to place the defence of the six under common institutions and rules in the European Defence Community (EDC) foundered on 30 August 1954 in the National Assembly. Europe's first draft-constitution – the Treaty Embodying the Statute for the European Political Community drafted by the Assembly *ad hoc* – thereafter disappeared in the archives of history. France – at the time of the government of Mendès-France - was not ready to place its army under a European authority for the sake of West Germany's participation in the defence of the West.

It took less than a year thereafter to accept West German participation through the revised Western Union Treaty (the West European Union), but on the basis of inter-state cooperation. It is important to keep in mind that French resistance against supranational authority in defence and foreign affairs has not as yet been overcome. Since the assault of President Charles de Gaulle against supranational authority in general, this part of the crisis is still ongoing.

The European unification crisis of 1954 thus has been overcome but only partially.

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<sup>11</sup> J.B.Duroselle, *L'Idee d'Europe dans l'histoire*. Paris 1965. Préface de Jean Monnet.

<sup>12</sup> The Peace Treaty of 1919, stating Germany's responsibility for the outbreak of the First World War and imposing heavy reparation payments. Compare this author's, *Western Cooperation: Origins and History*. Wolf Legal Publishers 2002. Volume I.

Johan Willem Beyen became Dutch Foreign Minister at the time the ECSC Ministers debated plans for a European Political Community in order to give ECSC and EDC a constitutional foundation. Contrary to his predecessor and most other members of the Dutch government he saw no conflict between further economic integration and political unification. In the first ECSC Foreign Ministers Conference he attended after taking office, he proposed to link the two. Political unification without economic integration would be just as unworkable as economic integration without political unity. The political community needed a common market, and a common market needed a supranational political authority in his vision. Chapter V, articles 82-87 in the draft Statute for an EPC was devoted to the progressive realisation of a common market.

Throughout the negotiations on the statute and with the French, Beyen remained convinced that European unification required a solid supranational basis in military as well as economic matters. It was a question of principle on which he was not prepared to compromise.

Early in 1955, when France had another new government, time was considered ripe for an attempt to relaunch the European integration process. Jean Monnet favoured the sector by sector approach, transport and energy to be added to coal and steel. Beyen revived his earlier plan for a European common market. Thanks to Belgian Foreign Minister Paul-Henri Spaak, both plans were presented in the Memorandum from the Benelux countries to the member states of ECSC of 18 May 1955. The Memorandum – rather than a French-German document for much more limited cooperation – won the day in the last night of the Ministerial Conference in Messina in June 1955. Under the leadership of Spaak a special committee was charged to study the institutional modalities for the realisation and functioning of a common market and the creation of a common organisation for the development of atomic energy. In May 1956 in Venice, it was agreed to open negotiations on a treaty to institute a common market and a treaty to institute an organisation for atomic energy. Prior to his departure as Foreign Minister in 1956, the plan Beyen had received prime of place in the *relance européenne*. Soon after the entry into force in 1958 of the two Treaties of Rome, Euratom ran into serious difficulties and the EEC emerged as the centrepiece of the unification process. Just in time before the collapse of the IVth. French Republic and the advent of the considerably more nationalistic Vth. Republic, a European Common Market under a common supranational authority could begin to function.

### *Ironies of History.*

Every history has its ironies. Walter Hallstein who initially supported the French in their resistance against a common market, became the first President of the new Commission for the European Economic Community. He successfully resisted the efforts by President de Gaulle to reduce the Commission to an advisory body. Whereas French resistance during the negotiations could be overcome only by accepting a long (12years+) transitional period, completion of the common market was accelerated with de Gaulle's agreement – most likely in his efforts to keep Britain out. The initial success of the common market convinced President Kennedy and Prime Minister Harold MacMillan that Britain should be in – a belated recognition of Beyen's abortive efforts to associate Britain to the *relance européenne*. De Gaulle's *Veto* against British membership lasted as long as his presidency. The Hague

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<sup>13</sup> Apart from the Mémoires of Paul-Henri Spaak, there is not much on the primary role of Minister Beyen in the Relance Européenne. In the Dutch language : W.H.Weenink, *Johan Willem Beyen 1897-1976 Bankier van de Wereld Bouwer van Europa*. Prometheus//NRC Handelsblad 2005.

Summit of December 1969 opened the road to British entry and political cooperation. Various British governments would turn out to be at least as nationalistic as the French ones of the Vth. Republic. Political cooperation would be the prelude to accepting the very Gaullist idea of regular meetings between the Heads of State and Government. Since 1974 we are familiar with the European Council, legalised in the European Union Treaties, which as Europe's collective emperor stands above the law, but is supposed to give guidelines to the European institutions.

A solid supranational basis for European unification was a matter of principle for Beyen. He did not change his mind at the time (1958-1963) he was ambassador in Paris. He had just arrived, when a *coup d'état* brought the IVth. French Republic to an end and General de Gaulle to power. He left shortly after General de Gaulle's NO to Britain. He showed understanding for the efforts to create a more stable France, but disagreed with the President's European policies.

As one of the Founding Fathers – with Schuman, de Gasperi and Adenauer - Beyen (like Spaak by the way) was convinced of our Christian heritage. Already in his first appearance as Foreign Minister in the Dutch Parliament, he reaffirmed that the Western world can neither survive nor blossom when she would renounce the Christian principles that are the foundation of her civilisation. On 29 October 1962 Beyen was baptised into the Roman Catholic Church with French philosopher and friend Jean Guilton as a witness. For the founding fathers Christian principles apparently were living sources for political action.

It is most important to underline that **Europe had founding fathers rather than founding countries**. All of them looked beyond the perceived interests of their countries and had great difficulty to convince their fellow ministers. Schuman had to find a ruse to have his plan adopted by the French Government. Adenauer had to overcome resistance against integration in the West before German re-unification. Beyen had great difficulty in overcoming resistance in the Dutch government against supranational authority and economic union without Britain. Each of them was guided by what they understood to be their personal and political responsibility to change the pattern of European politics in the direction mentioned above: **true reconciliation and effective solidarity to be carefully developed under the authority of common institutions and common rules**.

Their commitment to action was not necessarily guided by some common values held by the public in their countries. In fact there was quite some resistance to it. A referendum on the Schuman plan in 1950 and on the Beyen plan in 1955 might not have received a majority in France or the Netherlands. Well over 50 successful years later a majority in both countries voted against adopting the Constitution for Europe. This latest Constitution, finally, has produced its own ironies. The Convention preparing it was no true convention. The members accepted by consensus what ought to have been voted on article by article. The Constitution is no true constitution but a lengthy and complex document full of contradictions, non-binding proclamations and empty formulae. It undermines rather than promotes supranational authority and postpones the very decisions which had been the reason for launching the exercise.

## **THE SPIRIT OF 1989 AND ITS CONSEQUENCES.**

The Founding Fathers of the 1950's had caused European unification to become a reality. The leaders of Civil Resistance in East and Central Europe from 1968-1989 caused Europe's re-unification to become a reality. Its Founding Fathers are Pope John-Paul II and the leaders of

*Solidarnosc* in Poland and *Charta 77* in Czechoslovakia. They initiated and organised the peaceful revolution of the spirit against totalitarian repression.

Life under totalitarian communism was permeated with hypocrisy and lies. One party rule was called a people's democracy; humiliation was called liberation and military intervention, fraternal assistance. The regime falsified the past, the present and the future, thus depriving man of any certainty, identity or memory and thus trying to intrude his "inner sanctuary" and destroy his human dignity.

Far too many who challenged the totalitarian assault on human dignity perished in the *Gulag* or suffered humiliation. Far too many also passively accepted, complied with or were accomplices in helping to perpetuate the system. Still, totalitarian communism has been peacefully overcome by *Solidarnosc* in Poland and by *Charta 77* in Czechoslovakia, in both cases in the name of human dignity. It brought the end of Europe's division and the enlargement of the European Union from 12 to 27 member states.

The success of civil resistance against the most intrusive totalitarian system known in human history indeed is a message of hope. However deeply the system managed to intrude the inner sanctuary of man, it ultimately failed to paralyse his conscience. As Pope John-Paul II wrote in the Encyclical *Veritatis Splendor* :

"54. The relationship between man's freedom and God's law is most deeply lived out in the "heart" of the person, in his moral conscience. As the Second Vatican Council observed: "In the depths of his conscience man detects a law which he does not impose on himself, but which holds him to obedience. Always summoning him to love good and avoid evil, the voice of conscience can when necessary speak to his heart more specifically: 'do this, shun that'. For man has in his heart a law written by God. To obey it is the very dignity of man; according to it he will be judged (cf. *Rom* 2:14-16)".

Such obedience to the law written in their heart gave birth to *Charta 77* and to *Solidarnosc* in 1980 in reply to the question Pope John-Paul II asked the Polish people during his visit in 1979 :

"What are you in favour of? Of conformist consent to totalitarian coercion or of the inviolable right in God's and man's order of things for human beings to live in freedom and dignity?"

Their obedience changed the history of their country and of Europe. The creation of *Solidarnosc* acted like a forceful earthquake in the communist system. No building any longer stood solid or reliable. No martial law, no masterminded assassination attempt on the Pope and no internment of the trade union's leadership could any longer break civil resistance. The most intrusive and, in a way, the most powerful totalitarian system collapsed without major violence. No armies were moved, no battles fought no frontiers crossed.

It was not Michael Gorbachev, who changed history with his *Glasnost and Perestroika* ; he wanted to reform the system from above (and obviously failed), his principal contribution was to refrain from the use of force when Poland formed its first non-communist government in September 1989. That moment all other communist leaders knew that their days were numbered. Nor was it the West that "won the Cold War". Western leaders and intellectuals were all taken by surprise. Not a few of them had acted on the belief that the communist system was there to stay and could at best be assisted in reforms from above by *détente* and negotiation.

It was the spirit of solidarity by which non-violent civil resistance was organised and prevailed over repression. As Józef Tischner told his fellow-members of *Solidarnosc*: the key to our cause is faith and it is our task to "carry one another's burden and in this way fulfil



God's law.”<sup>14</sup> It was a call for the solidarity of consciences. This virtue does not need to be imposed from the outside by force, it is born from the heart. It does not need an enemy to grow, but unites us in pursuing truth and justice. What happened in the years prior to 1989, can be summarised in the following way :

<i>Against the “Secrets” Of the System :</i>		<i>Civil Society replied with</i>
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Official atheism	←	Live in Faith
Propaganda, mass mobilisation	←	Turn away, organise ourselves
The organised lie	←	Live within the truth
Organised forgetting	←	Active remembering
Betrayal and distrust	←	Solidarity of consciences
Persecution and humiliation	←	Organise assistance
Apathetic subjection	←	Restore sense of responsibility
Violence against citizens	←	Non-violent revolution of the spirit
Usurpation	←	Live as if you are already free.

As Vaclav Havel wrote: “There are no terms whatsoever in which living within the lie can coexist with living within the truth, and therefore everyone who steps out of line denies the system in principle and threatens it in its entirety.”<sup>15</sup> The same can be said of living the faith and practicing our Christian virtues: they threatened the system in its entirety. As a consequence, 1989 became the YEAR OF TRUTH for communism and Europe.

When John-Paul II visited his country as the Pope for the first time in 1979, none of the standard communist banners had been removed, but some had been edited privately. Under the banner “The Party is for the People”, somebody had added: “But the People are for God.” Making fun of the omnipotent Party was another weapon of civil resistance against communist repression.<sup>16</sup>

I have no doubt that Pope John-Paul II and the leaders of civil resistance in East and Central Europe should be counted among the founding fathers of Europe, in particular of her reunification and the peaceful enlargement of the European Union. **The reply of civil society against the “secrets” of the totalitarian communist system (see figure above), are an excellent point of departure for a discussion on “European values”, together with the reply of the post-war founding fathers to the ruins of war.** I think President Vaclav Havel of the Czech Republic tried to launch such a discussion with his address to the European

<sup>14</sup> Jozef Tischner, *The Spirit of Solidarity*. Harper & Row 1984 (translated from the Polish).

<sup>15</sup> Vaclav Havel, ‘The Power of the Powerless’. *Vaclav Havel or Living in Truth*. Edited by Jan Vladislav. Meulenhof with Faber and Faber 1986.

<sup>16</sup> Milan Kundera, *The Book of Laughter and Forgetting*.

Parliament on 8 March 1994. The *Europa-Union Deutschland* indeed took up his suggestion and adopted **A Charta of European Identity** on 28 October 1995.

*With 27 member states but without a constitution*

Today, almost twenty years after the breakdown of communism, Europe has not become what many of us hoped for in 1989. The spirit of solidarity seems to have faded with the communist system, despite the enlargement of NATO and the European Union. The effort to live within the truth is still threatened. The family – as foundation of our society – is still under attack, no longer by totalitarian regimes but by private initiative and parliamentary majorities. Instead of official atheism, we are now faced with an aggressive secularism and fanatic Islamism. Apparently (according to a majority in the European Parliament) it is politically more correct to be dishonest than to be a convinced catholic. Interestingly, it also seems to be politically correct no longer to want to learn from history: communism was bad, yes, but is now past history and should be forgotten. Could it be that aggressive secularists have something to suppress in their memory as far as their attitude to communism before 1989? Could it be that they have something to deny loudly as it does not fit in their schemes for a secular or *laïciste* European Union, namely that the communist ideology was defeated by the Gospel?

I cannot escape the conclusion that the European values debate today is dominated by the secularist apprentices of Nietzsche. One likes to talk about the European Union as a community of values, but not of Christian values. In addition to the very balanced German-made Charta of European identity – dismissed as the product of conservative Christian intellectuals – I have already come across an alternative declaration of European values and a call for shared European values by the Social Platform, claiming to represent thousands of social organisations, associations and initiatives in the EU. As Nietzsche wanted it, everyone with a strong enough will is entitled to his own common values. The list you proclaim establishes your political identity with no other aim than to use as your visiting card in the ongoing debate on “Europe”. No further obligations attached!

Our task should be a very different one.

## **CLARITY AND CONTRADICTION.**

In the meantime, the preparation of the Berlin Declaration of Heads of State and of Government from the 27 EU member states will have run its course. Hopefully, the contribution of the COMECE Bishops has been taken into account. Whatever the outcome, the Declaration is bound to be a compromise and a political document without binding force.

As the very concept of “common values” is a dubious one from the outset, it is bound to present us with a number of pitfalls. The first one is a beautiful list of values – we want our neighbour to live by. Another one is an unlimited list of subjective preferences – personal, collective or national ones. Still another one is a claim to superiority – West European against East European or European against American values. Last but not least is the concept of values as an instrument to delegitimise the Christian heritage of Europe. There is, on our part, a need for clarity and contradiction through discernment and distinction.

*Let Principles Be Principles!*

Clarity comes first. When we deal with a legal text like a constitution for Europe, we need principles to be observed, either as general principles of law or as principles to be transposed into binding legal rules.<sup>17</sup>

In this respect article 6 of the current Treaty of the European Union is sufficiently clear. It gives four principles on which the Union is founded. Two of them (liberty and respect for human rights and fundamental freedoms) are dealt with in the European Convention which the Union is to respect “as general principles of Community law”. The better solution, of course, would be to make the European Union a party to the European Convention. Then the European Union would be obliged to observe the rules of the Convention just as the European States party to the Convention. These principles (of art. 6) must be observed as well by applicant member states according to article 49. The other two (democracy and the rule of law) are guiding principles still to be transposed into binding rules in the European Union. Their inclusion as principles can be seen as gentle pressure to correct the democratic deficit in the European Union.

There were no good reasons to replace “principles” by “values” in the Constitution for Europe. In fact it meant a degrading of observable and eventually enforceable principles to subjective and unenforceable preferences. The new formulation is confusing and open-ended. According to article I-2 the Union is no longer founded on principles to be observed but on the values of respect. The list is enriched by (respect for) human dignity. The “values of respect for” are declared to be common in societies “in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.” This mish-mash is highly confusing and dangerous. Human dignity is an inspiring Christian and philosophical concept. Pluralism and non-discrimination have become code-words for value relativism. Tolerance is a principle by which public authority has the obligation to respect freedom of religion. Justice and solidarity are primarily virtues to be practiced and secondarily principles to be transposed into legal rules. Equality between women and men is already a prescription of European law. The mish-mash appears to be highly stimulating for proclaiming and promoting a great variety of personal preferences. It opens the way for declaring abortion a fundamental human right, for accepting same-sex marriage as required by the value of non-discrimination or for allowing *sharia* for the sake of tolerance and equality. **So, our advice should be: let principles be principles. The formulation of article 6 is correct and more than enough for a Union with limited and attributed competences.**

At the same time, we should be conscious of the frailty of these very principles. Liberty, democracy, respect for human rights and the rule of law are no age-old European values but bitterly fought principles in the short period after the Second World War or the even shorter period after the end of the Cold War. Assuring respect for these principles and for their transposition into binding legal rules is bound to be a perennial effort.<sup>18</sup>

*Expose the hidden persuaders.*

In the affluent societies of the European Union, there is a strong tendency to reduce the values we cherish to mere economic values: what serves shareholders value, competition and the free market, what promotes the culture of consumption and what contributes to economic growth. In the era of globalisation and in an EU giving priority to economic and monetary matters,

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<sup>17</sup> See annex 2 for a comparison of the European Union Treaty with the Constitution for Europe.

<sup>18</sup> For the Conclusions of the Nexus Conferences, see Annex 2. They are not very different from the values listed in the Constitution for Europe. Their claim of being fundamental and inviolable values only underlines my argument that principles must be principles. Necessarily subjective values can't be at the same time fundamental and inviolable!

moral considerations are being marginalised in decision-making. Governments and their (bloated) bureaucracies are turned into managers – like universities, hospitals, utilities, public transport etc. – acting in conformity with market principles. Public service for the purpose of the common good is being replaced by privatisation schemes for the sake of efficiency and better profit. Values are the façade, competition is the rule behind.

As Jonathan Sachs writes:

“It is difficult to talk about the common good when we lose the ability to speak about duty, obligation and restraint, and find ourselves only with desires clamouring for satisfaction.”

Later in the same book, when discussing why competition came to occupy centre stage in modern thought, he challenged the theory behind it. It is a fallacy to think that “private vice would become public virtue, when society was so organized as to turn passions into interests”.<sup>19</sup> Contracts are not the only and certainly not the most fundamental forms of association. Markets, according to him, depend on virtues learned in more fundamental associations like marriage and family, he calls Covenantal<sup>20</sup> relationships sustained by trust.

The hidden persuader here, to be exposed in a debate on common values, is what I would like to call **the dictatorship of economic values**. Under this dictatorship we are supposed to be concerned only about economics and such economic values as competition, efficiency or profit. **So, our advice should be to expose this dictatorship as ultimately destructive.**

As we are well aware, behind the façade of the UN Millennium goals is the reality of a growing gap between rich and poor and growing violent conflict e.g. in Africa and the Middle-East. The reasons are obvious. Nowhere occupies the search for the common good a more reduced place than in international relations. In our world of sovereign states, there is little or no room for the pursuance of the universal common good. Globalisation can run rampant as there is nothing - except the parochial interests of the major powers – to restrain the dictatorship of economic values. Neither the United States nor the European Union sees it to be in their interest to promote such restraint.

That dictatorship must also be exposed inside the European Union. Without the vision and the sense of responsibility of the founding fathers, the principal interest appears to be to keep the process of economic and monetary integration going. Insufficient transparency enables the national and European bureaucracies to promote certain liberal or secularist agenda's in e.g. human rights and social policy with the argument that the functioning of the common market so requires. There is hardly any room for evaluating measures on other than economic values.

Finally, it is important to expose and reverse the trend to introduce economic values like competition into the more fundamental covenantal associations. The protection of marriage and the family is not just a traditional reflex but an urgent responsibility. Without the virtues learned in these associations, we can not build justice and peace.

*Remember Europe's recent past...properly.*

The enlargement of the European Union this century should be seen as a major event in the spiritual realm rather than just an inevitability in the economic realm. As Norman Davies rightly emphasised in his latest book<sup>21</sup> there is a long history of misunderstanding, neglect, sense of superiority and ignorance of Western Europe towards East and Central Europe. As a result of the Cold War, “the East” was something like a black hole to most in the West. Worse

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<sup>19</sup> Jonathan Sack, *The Dignity of Difference. How to avoid the clash of civilizations*. Continuum 2002. p. 23,144.

<sup>20</sup> Covenantal after the biblical : Covenant. I shall come back to the importance of covenantal relationships.

<sup>21</sup> Norman Davies, *Europe East & West*. Jonathan Cape 2006.

than the hostile image of Eastern Europe was the well-established convention of ignoring Eastern Europe completely writes Norman Davies. Few of us in the Western part of Europe understood the profound significance of the spirit of 1989; because few of us really understand how different the Eastern experience with totalitarianism has been from our Western experience. The majority of the new member states were squeezed between the two ideologies of evil for most of their national life in the twentieth century. In all these countries, people have great difficulty to deal with the moral heritage of these ideologies and the superficial and materialist view on economic progress brought in from the West. In a “debased moral environment” (Vaclav Havel) it is difficult to resist the Western dictatorship of economic values. The inability to come to grips with the communist past and the new dictatorship is proving to be a poisonous mixture. Judging by political developments in the new member states and the arrogant comments on them in the West, there still is a long way to go. **Our advice should go in at least two directions: West and East.** The original EU member states have their own past to come to grip with; from the Nazi-Soviet partnership and the Grand Alliance (1939, 1941) <sup>22</sup> to their détente policies of the 1980’s and from their fellow-travellers in the 1930’s to their neo-Marxists and appeasers of the détente era. The longevity of totalitarianism in the East had a lot to do with Western acquiescence, indifference and ignorance. The new member states need support and understanding in the difficult process of transitional justice and reconciliation.

If the European Union continues to give priority to the process of economic integration, it is heading nowhere according to Norman Davies. It is a nice irony, he writes, that the peoples of the new member states may well have a more rounded vision of the Europe to which they wish to return than the often arrogant West Europeans who reluctantly let them in.<sup>23</sup>

Europe’s re-unification today like the initiation of its post-war unification needs the living sources tapped by the founding fathers in the 1950’s in the West and in the 1980’s in Central Europe.

### *Clarity and Contradiction.*

As Christians we live under the Covenant, as we read in Genesis chapter 9:

“And this ‘, God said,’ is the sign of the covenant  
which I now make between myself and you  
and every living creature with you for all ages to come  
I now set my bow in the clouds and it will be the sign  
Of the covenant between me and the earth.”

It is an eternal Covenant, extended to all nations and deepened in the salvation through Christ. Ever since, we are part of human history and part of the history of salvation. We live under the contract and the Covenant. When we dare speak about a Christian Europe, we speak of the Grace we received and not the results we achieved. The good news of the Bible, Jesus Christ and not European Christianity made the difference. The Covenant teaches us love, loyalty, responsibility, obedience, equity, compassion, reconciliation; the building blocks of what St. Ambrosias called a **civilisation of love**. The Covenant is our living source of inspiration, enlightening our search for justice and constantly reminding us of our weaknesses. I have no doubt where Europe’s founding fathers found their source of inspiration for doing what they did to change the history of Europe. **They organised true and effective solidarity under the authority of common institutions and common rules – the supranational European**

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<sup>22</sup> Compare this author’s *Western Cooperation: Origins and History*. Wolf Legal Publishers 2002. Part I ch.4.

<sup>23</sup> *op.cit.* p.42.

**Communities.** Much the same way, as we saw above, did the leaders of civil resistance in Central Europe truly and effectively respond to day-to-day repression.

When I follow the debates on common European values today, I cannot help remembering the following fable:

*Once upon a time, a spider was sitting on the branch of a lovely tree rising high unto a starlit sky. A perfect place, he thought to weave his web. On his own thread, firmly fixed to the branch, he gently descended downwards and, going around, wove a most intricate cobweb in beautiful octagonal figures. At sunrise, when he saw the threads reflected in the sunlight, he looked at his web and was very proud of his work. With himself in the centre of the web, he thought it would be even more beautiful, when cutting his first thread from the branch of the tree. And so he did. The web collapsed and he found himself amidst a confusing heap of threads far down below on the ground. The more he tried to move around, the more he became entangled in the threads he had himself produced with so much pride.*

This is where disowning Christian Europe leads us, a confused and disorderly debate on values without any apparent structure or hierarchy.

We on our part should not be afraid to enter the debate on our own terms and with our own terminology. When we want to turn the professed common values into *the living source* of the European project, at least four lines of action are called for.

*First*, we must challenge the concept of value relativism, the idea that everyone is entitled to his or her subjective values. We must not fall into the trap that the principles we profess are accepted as our preferences in the private sphere now that “religion has made a comeback”. When we join the search for common European values, we must make clear from the outset that we are interested principles. **Values as preferences you can have; principles must be observed.** Our search for these principles finds its living sources in the Covenant.

*Second*, in debates on values we must introduce clear distinctions between virtues, principles, rights and obligations. Virtues must be taught in the family and at school; they must be practised in daily life. They form our inner sanctuary, enabling us to distinguish between the good to do and the evil to avoid. Principles are to be found and formulated. They can be found in Holy Scripture and in natural law. We must propose a selection of principles of fundamental importance to the European project. Rights and obligations are the “translation” of principles into positive law. Virtues can be distinguished from principles but are to be seen as inseparable. There can be no true justice or solidarity without them being practiced as a virtue. Rights and obligations must be properly balanced in positive law. Protection of rights requires the obligation to respect them.

*Third*, once we accept to focus on principles rather than talk about values and have been in a position to select principles relevant to the European project, we must consider the hierarchy between them. Are they of equal standing? Which one is to prevail in case of conflict?

*Fourth*, principles must be observed and human nature is such that society must dispose of the means to enforce them, if necessary. Democracy and the rule of law enshrined in a Constitution are the necessary condition for their observance. Principles that cannot be enforced are unsuitable as living sources for the European project.

Europe’s living sources, indeed, are in the Grace given to us Europeans. It would be a shame to lock ourselves up in a ghetto. As Romano Guardini wrote shortly after the Second World War : Europe will be Christian or it will not be.

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## Annex 1

### From : Nietzsche, *The AntiChrist*

2

“What is good? Everything that heightens the feeling of power in man, the will to power, power itself.  
What is bad? Everything that is born of weakness.  
What is happiness? The feeling that power is growing, that resistance is overcome.  
Not contentedness but more power; not peace but war; not virtue but fitness (Renaissance virtue, virtu, virtue that is moraline-free).  
The weak and the failures shall perish: first principle of our love of man. And they shall even be given every possible assistance.  
What is more harmful than any vice? Active pity for all the failures and all the weak: Christianity.

3

The problem I thus pose is not what shall succeed mankind in the sequence of living beings (man is an end), but what type of man shall be bred, shall be willed, for being higher in value, worthier of life, more certain of a future.

Even in the past this higher type has appeared often—but as a fortunate accident, as an exception, never as something willed. In fact, this has been the type most dreaded—almost the dreadful—and from dread the opposite type was willed, bred, and attained: the domestic animal, the herd animal, the sick human animal—the Christian.

5

Christianity should not be beautified and embellished. It has waged deadly war against this higher type of man; it has placed under a ban all the basic instincts of this type, and out of these instincts it has distilled evil and the Evil One: the strong man as the typically reprehensible man, the "reprobate." Christianity has sided with all that is weak and base, with all failures; it has made an ideal of whatever contradicts the instinct of the strong life to preserve itself. It has corrupted the reason even of those strongest in spirit by teaching men to consider the supreme values of the spirit as something sinful, as something that leads into error—as temptations. The most pitiful example: the corruption of Pascal, who believed in the corruption of his reason through original sin when it had in fact been corrupted only by his Christianity.

6

It is a painful, horrible spectacle that has dawned on me: I have drawn back the curtain from the corruption of man. In my mouth, this word is at least free from one suspicion: that it might involve a moral accusation of man. It is meant—let me emphasize this once more—moraline-free. so much so that I experience this corruption most strongly precisely where men have so far aspired most deliberately to "virtue" and "godliness." I understand corruption, as you will guess, in the sense of decadence: it is my contention that all the values in which mankind now sums up its supreme desiderata are decadence-values.

I call an animal, a species, or an individual corrupt when it loses its instincts; when it chooses, when it prefers, what is disadvantageous for it. A history of "lofty sentiments," of the "ideals of mankind"—and it is possible that I shall have to write it—would almost explain too why man is so corrupt. Life itself is to my mind the instinct for growth, for durability, for an accumulation of forces, for power: where the will to power is lacking there is

decline. It is my contention that all the supreme values of mankind lack this will—that the values which are symptomatic of decline, nihilistic values, are lording it under the holiest names.

The pure spirit is the pure lie. As long as the priest is considered a higher type of man—this professional negator, slanderer, and poisoner of life—there is no answer to the question: what is truth? For truth has been stood on its head when the conscious advocate of nothingness and negation is accepted as the representative of "truth."

## 9

Against this theologians' instinct I wage war: { I have found its traces everywhere. Whoever has theologians' blood in his veins, sees all things in a distorted and dishonest perspective to begin with. The pathos which develops out of this condition calls itself faith: closing one's eyes to oneself once and for all, lest one suffer the sight of incurable falsehood. This faulty perspective on all things is elevated into a morality, a virtue, a holiness; the good conscience is tied to faulty vision; and no other perspective is conceded any further value once one's own has been made sacrosanct with the names of "God," "redemption," and "eternity." I have dug up the theologians' instinct everywhere: it is the most widespread, really subterranean, form of falsehood found on earth.

Whatever a theologian feels to be true must be false: this is almost a criterion of truth}. His most basic instinct of self-preservation forbids him to respect reality at any point or even to let it get a word in. Wherever the theologians' instinct extends, value judgments have been stood on their heads and the concepts of "true" and "false" are of necessity reversed: whatever is most harmful to life is called "true"; whatever elevates it, enhances, affirms, justifies it, and makes it triumphant, is called "false." When theologians reach out for power through the "conscience" of princes (or of peoples), we need never doubt what really happens at bottom: the will to the end, the nihilistic will, wants power.

## 11

(One more word against Kant as a moralist). A virtue must be our own invention, our most necessary self-expression and self-defence: any other kind of virtue is merely a danger. Whatever is not a condition of our life harms it: a virtue that is prompted solely by a feeling of respect for the concept of "virtue," as Kant would have it, is harmful. "Virtue," "duty," the "good in itself," the good which is impersonal and universally valid—chimeras and expressions of decline, of the final exhaustion of life, of the Chinese phase of Königsberg. The fundamental laws of self-preservation and growth demand the opposite—that everyone invent his own virtue, his own categorical imperative.

## 13

Let us not underestimate this: we ourselves, we free spirits, are nothing less than a "revaluation of all values," an incarnate declaration of war and triumph over all the traditional conceptions of "true" and "untrue."

## 54

One should not be deceived: great spirits are skeptics. Zarathustra is a skeptic. Strength, freedom which is born of the strength and overstrength of the spirit, proves itself by skepticism. Men of conviction are not worthy of the least consideration in fundamental questions of value and disvalue. Convictions are prisons.

. The man of faith, the "believer" of every kind, is necessarily a dependent man—one who cannot posit himself as an end, one who cannot posit any end at all by himself. The "believer" does not belong to himself, he can only be a means, he must be used up, he requires somebody to use him up. His instinct gives the highest honor to a morality of self-abnegation; everything persuades him in this direction: his prudence, his experience, his vanity. Every kind of faith is itself an expression of self-abnegation, of self-alienation.

The believer is not free to have any conscience at all for questions of "true" and "untrue": to have integrity on this point would at once destroy him. The pathological condition of his perspective turns the convinced into



fanatics—Savonarola, Luther, Rousseau, Robespierre, Saint-Simon: the opposition-type of the strong spirit who has become free. Yet the grand pose of these sick spirits, these epileptics of the concept, makes an impression on the great mass: the fanatics are picturesque; mankind prefers to see gestures rather than to hear reasons

## **Annex 2.**

Comparing the European Union Treaty with the Constitution for Europe.and Conclusions Nexus Conference.

### **Treaty European Union** **(Consolidated Text 2002)**

Art. 6.

1. The Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles which are common to the Member States.
2. The Union shall respect fundamental rights, as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms signed in Rome on 4 November 1950 and as they result from the constitutional traditions common to the Member States, as general principles of Community law.
3. The Union shall respect the national identities of its Member States.

Art.49.

Any European State which respects the principles set out in article 6(1) may apply to become a member of the Union.

### **Constitution for Europe**

Art. I-2

#### **The Union's values**

The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.

Art. I-3.

#### **The Union's objectives**

1. The Union's aim is to promote peace, its values and the well-being of its peoples.
4. In its relations with the wider world, the Union shall uphold and promote its values and interests. ..

Art. I-58

#### **(Conditions of eligibility..)**

1. The Union shall be open to all European States, which respect the values referred to in article I-2, and are committed to promoting them together.

Preamble Part II.

#### **The Charter of Fundamental Rights**

Conscious of its spiritual and moral heritage, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law.

### **From: Europe. A Beautiful Idea?** **Ten Conclusions .Nexus Institute 2004.**

#### **II. Europe's fundamental values are inviolable**

Europe is united in its diversity. Unity in diversity is a historical and a moral principle. It refers to the universal values which have come to constitute the foundation of European civilisation over more than two thousand years: respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights. These are the fundamental values that protect a pluralistic, tolerant society from absolutism, relativism and nihilism. These fundamental values are inviolable.

- Guarantee the inviolability of core constitutional values through a democratic, tolerant, but also robust state governed by the rule of law.

- Continually monitor European policy for compliance with core European values.
- Gear the education system to providing schooling in citizenship, both national and European, and promote a constitutional patriotism.
- Maintain a strict separation of church and state while encouraging dialogue between people with different life philosophies.
- Include ethics in secondary school and university curricula by using, among other works, Aristotle's *Ethics*, the Greek tragedies and Montaigne's *Essays*.
- Develop a secondary school and university curriculum which includes the democratic tradition and Western political and constitutional theory and practice.