POLITICIZATION OF RELIGION AND THE CONSTITUTIONALIZATION OF EUROPE

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Introduction: religion enters the European project

For many years religion was not considered as an important issue neither for scholars working on the process of European integration, nor for other social and political scientists. There was a clear consensus that Europe goes in the direction of the diminishing role of religion in the public sphere and rationalization of the European public order.

When it comes to the European Union, this simple image of an entirely secular polity became more complicated in the late eighties and early nineties when the political integration was pushed forward by the President of the European Commission Jacques Delors. The European Single Act (1986) and the subsequent Treaty of Maastricht (1992) changed deeply a character of the polity and led to the new challenges: the ‘unidentified political object’ was lacking legitimacy and a bond with its citizens (as the concept of European Citizenship was introduced by the Maastricht Treaty).

It is not surprising that Jacques Delors started to look for a social and cultural complement of the bureaucratic entity. He said: “We are in effect at a crossroads in the history of the European construction. 1992 is a turning point (...). The Maastricht summit marked the end of the economic phase of the European construction – what has been described as the ‘semi-automatic’ of the development of the European Communities, based on the drive towards the Common Market. (...) Believe me, we won’t succeed with Europe solely on the basis of legal expertise or economic know-how. It is impossible to put the potential of Maastricht into practice without a breath of air. 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.” (cited in Leustean 2012: 3-
This moment marked the beginning of the contacts between churches, non-confessional organizations and the European Commission. The dialogue was finally institutionalized by the Treaty of Lisbon that obliged European institutions to organize regular consultations with religious communities and non-confessional organisations. Religion and secularism started to be a highly politicized issue throughout the course of the debates surrounding the ratification of the Treaty Establishing Constitution for Europe (TCE), the enlargements of the EU, as well as the integration of Muslim immigrants (Checkel and Katzenstein 2009: 14).

At the same time many scholars became aware of steady importance of religion and the fact that it did not disappear as supporters of the ‘secularisation thesis’ were predicting. Peter Berger’s change of position can be seen here as quite symptomatic (Berger 1967, 1999). The rediscovery of religion was an important fact in different disciplines such as sociology (Casanova 1994), political philosophy (Habermas 2001), as well as international relations (Scott 2005). The growing role of religion in the European public debate, as well as rediscovery of religion in the social sciences have inspired me to study issues concerning religion and secularism in the European Union.

**Previous research: between accommodationism and secularism**

The point of departure for my research is a relative silence of theoretical approaches to European integration on the role of religion in this process (François Forêt 2011). This statement can be confirmed by the analysis of the fundamental scholarship on the European integration that do not mention issues related to religion almost at all (Haas 1958, Hoffmann 1966, Moravcsik 1998). They concentrated rather on the issues related to the economic development, national identity and sovereignty or the political governance of the emerging polity. More recently, the research on the European integration concentrated on the interest groups, citizens’ support or an emerging European identity¹. Even though there is some scholarly literature on the subject of religion and secularization in the EU-context that will be discussed below, the current scholarship on these issues is far too reticent (Byrnes and Katzenstein, 2006: VIII).

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¹ Surprisingly, the current scholarship on the European identity does not deal with the issues related to religion almost at all. The only exception I found is a book by Checkel and Katzenstein (2009).
This is a weakness of the European integration theory, especially, if we realize the increasing involvement of the EU with issues concerning religions. It has growing competences in matters such as: non-discrimination, justice, freedom, and security. Its responsibility for ensuring free movement covers now important for the balance between churches and societies issues like recognition of same-sex marriages or reproductive health rights. The aim of my research is therefore to bridge this gap in the theory of European integration.

We can identify two most important currents in the scholarship on the relationship between religion and European integration. The first current – I call its representatives accommodationists - presents religion as a relevant element of the political integration: this notion can be found in the works by Jose Casanova (1994, 2006: 65-92) Grace Davie (2000, 2001: 455-73), Peter Katzenstein (2006), Lucian Leustean (2010, 2013). All these scholars acknowledge the impact of secularization on the core of European identity but perceive it rather as a weakness of the European integration process, because religions are one of the elements of European diversity. More normative stance adopt scholars appealing for the return of Europe to the Christian roots in order to find a legitimization and inspiration for its contemporary functioning (Joseph Weiler 2003, Larry Siedentop 2003, Philip Jenkins 2007).

The second group of scholars including – which I call secularists - François Forêt (2007), Bernard Seeger (2008), Ronan McCrea (2010) or Lorenzo Zucca (2012) depicts the EU as an essentially secular regime where the role of religion is legitimately restricted, either because they consider the separation between religion and politics as good for both spheres, or because it is impossible to create links between these two spheres as this relation looks very different in each member state, and it is not possible to create one single model for the whole European Union. It is worth noting that almost all scholars in this group are lawyers (apart from François Forêt).

**The puzzle: Depoliticization of religion in the religious times and politicization of religion in the secular times**

The relationship between organized religion and the process of European integration has been paradoxical. On the one hand, the project was launched by the devoted Catholics such as Robert Schuman, Alcide de Gasperi, Konrad Adenauer (Chenaux 1990 and 2007, Risso 2010: 93-108, Sutton 2012: 36 – 46) who even met for a prayer in the Benedictine monastery before negotiating the Paris Treaty in 1951 (Stan and Turescu 2011: 8). What is also remarkable, the degree of religiosity in all countries that created European Communities was
at that time quite high. British historian of religion Hugh McLeod describes it in a following way:

The years of the Second World War and then of the cold war boosted the sense of Christian national identity in many Western countries. The church-building boom was accompanied by a relatively brief boom in church-going, which was probably strongest in the middle classes and among students. Confessional parties enjoyed exceptional electoral success and laws regulating morality were widely accepted. The great majority of children and adolescents were receiving a Christian socialization, and whether or not they gained an understanding of Christian doctrine or ethics, they internalized a sense of confessional identity. Christendom appeared to be intact, and even enjoying a revival (McLeod: 58-59).

On the other hand, religion was not a subject of any official document of the European Union until 1997 and the Treaty of Amsterdam with its Declaration no. 11 on the status of churches and non-confessional organisations. Surprisingly, religion was not introduced into the European politics until the early nineties. After all, it could have served as basis for the common identity, we-feeling, source of legitimacy of the political project².

Another puzzle that informs my research is the fact that the Convention on the Future of Europe rejected the invocatio dei and a reference to Christianity, and at the same time it accepted the article that obliged European institutions to conduct dialogue with churches and non-confessional organizations:

ARTICLE I-52: Status of churches and non-confessional organisations.

1. The Union respects and does not prejudice the status under national law of churches and religious associations or communities in the Member States.
2. The Union equally respects the status under national law of philosophical and non-confessional organisations.
3. Recognising their identity and their specific contribution, the Union shall maintain an open, transparent and regular dialogue with these churches and organisations.

It should be also mentioned, that the article was incorporated into the Treaty of Lisbon without any changes (as the article 17). Convention decided to reject the reference to God and Christianity and, at the same time, give the churches a privileged position.³

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²I mean the founding phase when the degree of religiosity in Western Europe was very high.
Conceptual framework

These are two main concepts I will use in my dissertation (it is maybe worth mentioning that both of them have processual character):

**Politization of religion** (dependent variable) – a process that makes religion part of politics. Sometimes politicization is presented as making issues a matter of public debate (Kaelble 2009, Trenz 2013), which is also the case with respect to religion. I draw this term from Peter Katzenstein and Jeffrey Checkel who claim that politicization “may be found in dynamics of exclusion and boundary drawing” (Checkel and Katzenstein 2009: 14). This corresponds well with Luhmannian statement that religion is a “primary source of conflicts” (Luhmann 2000: 121) as an exclusion and boundary drawing is also a major source of conflicts. With respect to the EU the process of politicisation of religion was in my opinion a result of the enlargements, debates on the preamble of the TCE, growing immigration from the Muslim Countries, as well as the cleavage between religious and nonreligious citizens (for more detailed description see: Research Question 1).

The definition proposed above corresponds with a general definition of politicization delivered by Thomas Risse: “By politicization, I mean that issues become subject to political debates and controversies among interest groups and political parties as well as in the various public spheres” (Risse 2010: 237).

**Constitutionalization of Europe** (independent variable) – I propose to use this word in order to indicate my concentration on the milestones of the European integration as they are central to the problem of politicization of religion. My understanding of the “Constitutionalization of Europe” is informed by Thomas Risse: “Over time, the EU treaties have created a legal order (...). Although the term 'constitution' is heavily contested in the

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3 A very positive evaluation of the Constitutional Treaty by the Commission of the Bishops' Conferences of the European Community (COMECE) can serve as a proof for the thesis that churches gained a privileged position through that article: “The Treaty provides a framework for a dialogue with Churches and religious communities. This framework needs to be fleshed out with mechanisms which allow the Churches to contribute to the debate on fundamental values of the European Union, to the discussion on the common good in particular policy areas (e.g. economic and social affairs, foreign and security policy, asylum and migration, education and culture) and to the protection of religious freedom in its cooperative dimension. The Churches may foster the possibilities of such a dialogue by building upon the capacities of their experts in particular policy areas who may act as interlocutors on behalf of the Church.” (COMECE 2005)
EU and has ultimately been rejected, the process of EU treaty-making can aptly be described as one of constitutionalization (...). While this process has not resulted in a single legal document, the on-going treaty-making process has led to no less than six major treaties over the past twenty years - from the 1986 Single European Act to the 1992 Maastricht Treaties, the 1997 Amsterdam Treaty, the 2000 Treaty of Nice, the (failed) Constitutional Treaty and the 2007 Treaty of Lisbon, which incorporates the most important provisions of the failed effort.” (Risse: 196).

“Constitutionalization” can be seen as a part of a broader process called by Joseph H.H. Weiler’s “the Constitution of Europe” (Weiler, 1999: VIII). Three of them are for me of particular importance: (1) act or process of constituting (How the Union was constituted?), (2) the system of fundamental principles according to which the polity is governed, and (3) the documents embodying this process.

**The research question and its rationale**

This study aims at answering one main research question:

**RQ 1: Why did the politicization of religion occur forty years after the beginning of the process of European integration? What factors explain the degree of politicization of religion?**

One could expect that religion would have been a good mobilization factor for the societies of mainly Catholic countries. Especially if we take into account that an important part of the political elite at that time wanted to deepen the integration by launching the European Political Community (as a merger of the European Community of Coal and Steal and the European Defence Community). The fact that the majority of the “founding fathers” were Christian Democrats (and devoted Catholics) could also make us think that they would have liked to make religion a common reference point and a substance of the bond between citizens and an emerging polity.

**RQ 2: How can we explain the pattern of politicization of religion in the European Union? Why the Convention on the Future of Europe rejected the reference to God and to Christianity in the preamble of the TCE and at the same time accepted the Art.**
I-52 that gave churches and religious organizations a privileged position in the process?

In my opinion the discussion on the Constitutional Treaty, decision made by the Convention, as well as the fact that the crucial Art. I-52 was incorporated into the Treaty of Lisbon let us trace the way religion is framed by the European elite. The conflicts over the preamble revealed the tensions between different cultures (the term ‘multiple modernities’ can be used here) and ideologies. I believe that through the investigation of the religious aspect of these Treaties, I will be able to reveal the pattern of politicization of religion in the EU.

**Theoretical framework**

The theoretical framework of my research is constituted by two theoretical approaches: (1) the body of theories on politicization and agenda-setting in the EU-context, complemented by (2) the theory of associational governance of religion.

(1) Politicization is a process that still needs a stronger theoretical underpinning. Nevertheless, I will draw on existing works combining empirical and theoretical approaches. There are two general currents in the research on politicization. The first one (Hooghe and Marks 2009) considers this process as a public contestation of the societies towards European integration. They tend to stress negative outcomes of politicization: the decrease of public support towards the EU, rise of populist and nationalist movements, as well as anti-immigrant and anti-elitist resentments. The second current considers politicization as something positive. As Thomas Risse puts it: “[p]oliticization will bring politics back in to EU affairs and, hence, democratize them. Politicization also enhances the Europeanization of public spheres. Controversies, discussions, even polarized debates are necessary ingredients of vibrant public spheres in liberal democracies - as long as speakers and audiences respect one another as part of a community of communication.” (Risse 2010:2). Other scholars – Paul Statham and Hans-Jörg Trenz - combine the process with the concept of public sphere: “[t]he theoretical underpinning our approach is (like Risse’s) that politicization of Europe is driven by an expanding public discourse that is carried by an independent self-steering mass media.” (Statham and Trenz 2013:7).
The discursive dimension of the problem analysed in the dissertation can also be traced by the analysis of agenda-setting in the European Union. Especially important here is the way how conflicts over religion and secularism or moved from local (national) to supranational (European) level (Cobb and Elder 1972, Princen 2009).

![Figure 1. A theoretical model of agenda-setting (Princen 2009: 36)](image)

The body of literature that I described above helps me in addressing my research question about timing and patterns of politicization, and offers me a methodological tip – I should use discourse analysis in order to understand the dynamic of politicization of religion in the EU-context.

(2) The normative political theory offers a very interesting framework for my research. My main reference point here are works by Veit Bader (2007, 2012) who proposes a model of associational governance of religious diversity. He opts for dropping both secularism and post-secularism from the legal language and replacing it with legal democratic constitutionalism (LDC). It is “a meta-constitutional and meta-legal ideal containing the constitutional essentials, or the core, of various and differing articulations of rights and principles in liberal-democratic international or regional conventions and state constitutions”. In this framework Bader also discusses the possibility of emergence of the politics of religion on the European level which is of special importance for my second hypothesis. (Bader 2012: 24)

The normative theory offered by Veit Bader and his concept of the associative democracy can prove very fruitful in combination with my mainly empirical research. It is also possible
that I will have an ambition to contribute to the normative political theory on the governance of religious diversity with respect to the European Union as I still see the gap here.

**Hypotheses: Towards European politics of religion**

The argument of my dissertation would be that the intensification of the European integration (the constitutionalisation of Europe as a political entity) leads to the politicization of religion. Apart from the internal political factors, there also external ones like secularization of the European societies that creates cleavages between believers and non-believers or a growing number of migrants from the Muslim countries. The aim of my research will be therefore to discover the patterns of the process of politicization of religion in the process of European integration.

**H1: The higher level of religious diversity, the higher level of politicization of religion.**

In case of the European Communities, we can see that the low level of diversification of the societies in the beginning of the whole process, as well as convergent political and religious views of the ‘founding fathers’ were reasons why religion was not a politicized issue. An instance of the low level of politicization of religion was the political debate on the accession of Turkey to the European Communities in the sixties. As Benoit Challand notes it, there was no reflection on the religious dimension of the accession of Turkey at that time (Challand 2010).

This situation started to change in 1980s with growing immigration from Muslim countries and the Enlargements of the European Union that have changed the religious situation of the Community. New important denomination came into play – the Orthodox Church (in 1981 with Greece and 2007 with Bulgaria and Romania), as well as a higher general level of religiosity in the new member states (especially Poland, Slovakia and Hungary that joined the EU in 2004). Another factor important here is the growing secularization of the Western European societies (also some Central and Eastern European countries) that has started in the 1960s and is often a source of tensions between religious and nonreligious citizens – I consider this also as an element of the religious diversity.

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4 Therefore my H1 can also be reversed: the higher level of religious homogeneity, the lower level of politicization of religion.
**H2: The politicization of religion results in the emerging politics of religion in the EU.**

I will argue that the high level of politicization of religion creates the need for the regulations on the European level. The debates on the Constitutional Treaty show that this notion is supported by the religious communities (that start to act as interest groups in Brussels), as well as the European political elite. The Treaty of Lisbon is in my opinion a first step towards the associational governance of religious diversity on the European level.

**Bibliography**


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