

Bertie Ahern
President of the European Council
c/o HE Mr Daithi O'Ceallaigh
17 Grosvenor Place
London
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Copies to Prime Ministers/Presidents of EU states

19 May 2004

Dear Mr. Ahern,

Draft European Constitution: Article I.51

The British Humanist Association (BHA), the principal organisation representing the large and growing population of people in the United Kingdom who seek to live good lives without religious or superstitious beliefs, calls on you and the other members of the European Council to remove Article I.51(3) from the draft constitution for the European Union.

The BHA is deeply committed to human rights and democracy. We advocate an open and inclusive society in which individual freedom of belief is protected while government and official bodies maintain a disinterested impartiality towards the many belief groups within society so long as they conform to the minimum conventions and laws of the society.

While we seek to promote the humanist life-stance as an alternative to (among others) religious beliefs, we do not seek any privilege in doing so. Correspondingly, while we recognise and respect the deep commitment of other people to religious and other non-humanist views, we reject any claims they may make to privileged positions by virtue of their beliefs.

We therefore find it deplorable that the European Union, despite its commitment to democracy, human rights and the principle of non-discrimination, should be planning to build into its constitution privileged access to policy-making for the churches over all other organisations of civil society.

Article I.51(3) *requires* EU institutions to “maintain an open, transparent and regular dialogue” with the churches and what it calls “philosophical and non-confessional organisations”.

This is a separate and superior right to the consultation offered to “representative associations” under Article I.46. It is utterly contrary to the principles of democracy and equality that the churches or any narrow category of organisation (we include ourselves, as - we assume - a “philosophical and non-confessional organisation”) should be privileged in this way over the generality of civil organisations.

It is especially deplorable given the intrinsically controversial and contentious beliefs and policies of these bodies.

The only justification the constitution offers for this unique privilege is the meaningless reference to “their identity and their specific contribution”, which can only be a veiled reference to the historically powerful position of the churches and their own claims to regulate the lives not just of their members but of everyone. Yet even their members have many affiliations and interests, of which attachment to a church will often be far from the most significant. Giving the churches special access to decision-makers puts too much emphasis on just one aspect even of believers’ interests and opinions.

It also allows superior rights for the churches etc. over specialised, expert and better informed organisations, for example, in the fields of international development, the environment and health. Why should the churches have superior rights of dialogue and consultation within the EU over Unicef, Oxfam, the International Planned Parenthood Federation, etc?

Moreover, the churches - and in particular the Roman Catholic Church - are among the most reactionary and least democratic organisations in Europe. The Vatican - by far the best placed to exploit the privilege proposed in Article I.51 - will undoubtedly use its position to seek to frustrate (to take but one example) development aid that includes vital family planning projects and programmes for HIV/AIDS prevention using condoms. Yet the Vatican does not even speak for its own members, many of whom ignore its strictures on these matters, leaving as the only victims of the church’s dogma the unfortunate recipients of religiously distorted aid programmes in third world countries.

It is notable that even within the Church people are speaking up against Article I.51 - we refer to Catholics for a Free Choice, whose damning report *Preserving Power and Privilege - the Vatican’s Agenda in the European Union* you will have seen. Our concern, and no doubt theirs, is underlined by the emphasis placed on Article I.51 by people such as the Archbishop of Vienna, Cardinal Christoph Schönborn, who was reported in the Roman Catholic journal *The Tablet* (1 May 2004) as saying

that the preamble was not ‘the main question’. ‘What is the preamble?’ Schönborn asked. ‘It’s a preface. The substance of a constitution is what is written in the constitution and therefore I am very glad to say that the fundamental options of this constitution are well done and acceptable from a Christian standpoint’.

Similarly, Monsignor Noel Treanor, secretary-general of the (Roman Catholic) Commission of the Bishops’ Conferences of the EU, said at a meeting in London on 24 April 2003

“the dynamic polarity between the churches and the EU institutions will lead to a form of mutual interactive control”.

We have no wish to see ourselves, as citizens of the European Union, subject in any sense to “control” by the churches.

The European Union is at present an organisation that makes no obeisance to any religion. This neutrality should make it equally acceptable to all its citizens. Separation of church and state has been an important principle in many European states and it is a matter principle of growing importance in the multi-faith communities which are so rapidly becoming the

European norm. For the European Union to abandon this neutrality now risks alienating the loyalties of huge numbers of otherwise well disposed Europeans. This is especially important in countries like the United Kingdom, where there is considerable ambivalence about the EU.

For all these reasons we call upon you most urgently to delete Article I.51(3) from the draft Constitution.

I am copying this letter to the Foreign Ministers of other EU member countries.

Yours sincerely

Hanne Stinson
Executive Director