

EVOLUTION OF THE DIPLOMATIC RELATIONS BETWEEN THE EUROPEAN UNION AND THE VATICAN

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Abstract: Since before the Great Schism, the Vatican played an important role, not only within the "movement", but also in international relations. Today, the Pope – the head of the Catholic Church and papal state – is the spiritual leader of a community which has over two billion souls worldwide. The European Union a political-legal and socio-economic structure emerged in the middle of the twentieth century, with a current population of over 700 million inhabitants, of which more than half are under the "hearing" the Catholic community leader. Given these considerations and putting it into the public law terms, we can state that relations are rather inter-institutional relations. It is important to see how the relations between the European Union and the Papal States have evolved during the nearly seven decades of existence of the European Union, but also the way the Catholic religious thesis influenced the philosophy of the European political construction.

After the Second World War we can observe, with impetuosity, a nodal characteristic of the Christian Democracy, i.e. the commitment to "promoting a policy of peace". Keeping the proportions, we can say that the Roman Catholic Church has been represented – at least spiritually – since the early beginnings of establishing the European Community, as the "founding fathers" of thereof were mostly Christian Democrats, some of them even practicing Catholics.

Keywords: European Union, Vatican, Pope, Christianity, Catholic Church.

The legal status of Vatican

From the legal point of view, the Vatican is a subject of international law, but a totally atypical one as it meets only a few of the elements of statehood. While it may conclude international treaties and is a member or has an observer status in various international organizations, the Vatican is not a perfect state, whereas its form of statehood is not a complete one. Even if it exercises sovereign jurisdiction over its territory and has administrative governance in religious matters, public services remain in the exercise of the Italian Republic.

Through the Lateran Pacts of 1929, Italy recognized the exclusive and sovereign property of Vatican over 44 ha of territory of Rome, its inviolability, as well as the right to diplomatic representation, and then, in 1984, the two countries recognized their independence and sovereignty towards each other.¹

Regarding the role that the Holy See plays in international relations, the Lateran Treaty provides in Article 24 that the Vatican establishes its position of neutrality and distance from

¹ Adrian Năstase, Bogdan Aurescu, *Public International Law: syntheses*, 7th Edition, C.H.Beck Publishing House, Bucharest, 2012, p. 136.

temporal competitions between states and within international congresses convened with such a purpose, except when the opposing parties simultaneously call its mission of peace, but it reserves its right to put forward its moral and spiritual power.

Christian democracy in the construction of Europe

Konrad Adenauer, one of the founders of the “United Europe” concept, Robert Schuman, Alcide de Gasperi and Jean Monnet are some of the voices that gave a Christian democratic character to the initial stages of integration. Robert Schuman, whose name is linked to an intense activity within Catholic organizations², managed to maintain the confessional regimen and the school system in Alsace and fought for getting an enhanced role of the Church within the French society, as well as for social justice³. Besides, of the founding fathers, Alcide de Gasperi, Robert Schuman and Konrad Adenauer (who said that “my goal is to dream that, one day, we could applaud the United States of Europe”⁴) were the Christian Democrats and Jean Monnet had received a Catholic education. Therefore, it said that the Community of Europe of the 1950s and 1960s owed the most to Christian democracy and its ideas of transnational cooperation.

If we were to make a plea for the Christian-democratic doctrine, the arguments are multiple. From the literature, we learn that Christian democracy is the ideology to which the European People's Party (EPP) and also the pivot of European construction, based on the rationale that it is the heir of the European Regional branch of the Christian Democratic Internationale, which has currently become the Christian Democratic Internationale⁵.

The EPP is the political force with the most representatives in the European Parliament, rooted in ideologies brought by the parents of European construction. Over time, Christian Democracy was reported in two political lines of development, namely the social-Christianity, which designates “the confessional line” of Christian democracy, and the “secular” Christian democracy, which is autonomous in relation to the Church, but based on its principles⁶.

Diplomatic relations of the Vatican with EU

In 1970, the Holy See delegated a papal Nuncio (who is also the dean of the diplomatic corps) in Brussels, to represent its interests within the European Community but who also represents the Holy See in the relations with Belgium. Only after 26 years, in 1996, a separation was made, the Holy See being represented by different nuncios, both within the European Community and in Belgium, with substantially different activities⁷. Since 1980, the Roman Catholic bishops of Europe are represented in Brussels, forming the *Commission of the Bishops Conferences of the European Community*⁸. This Commission is currently in function, with the presidency ensured by a bishop and the General Secretariat from Brussels is led by a priest. The

² ****Encyclopedia of the European Union*, Desmond Dinan (ed.), p. 415.

³ https://ro.wikipedia.org/wiki/Robert_Schuman, accessed on 20.09.2016.

⁴ Paul Magnette, *Political Europe*, Iaşi, 2003, p. 11.

⁵ Victor Ionescu, *European Christian democracy and Romanian Christian democracy*, Lumen Publishing House, Iaşi, 2006, pp. 27-29.

⁶ Florin Şomlea, *People's Parties in the European Union*, Cartimpex Publishing House, Cluj-Napoca, 2007, pp. 12-13.

⁷ *Ibidem*, p. 139.

⁸ <http://www.comece.eu/site/en/whoware/ourhistory>, accessed on 20.09.2016.

Brussels office is well structured, covering areas as diverse as: Legal and Institutional Affairs, fundamental rights, research and bioethics, migration and asylum, economic and social policy, sustainable development. The Roman Catholic Church is also represented in Brussels by Catholic NGOs, which cover a considerable number of areas, such as, for example, *Caritas Europa*.

The first head of the EU delegation in Rome, Luis Ritto, was accredited to the Holy See on the 24th of June, 2006, following approval by Member States of the European Union on the 4th of April, 2006. It is important to mention the visit paid by the European Commission President, José Manuel Barroso, to Pope Benedict XVI on the 5th of May 2006, a visit that paved the way for this accreditation and showed the interest and commitment of the EC President to establishing full diplomatic relations between the European Union and the Holy See. At this meeting, José Manuel Barroso – a Catholic Portuguese – said that “many of the founding fathers of Europe were Catholics, and today, despite the fact that the institutions are secular, we have a duty to recognize the contribution that Christianity has always had to the European idea.”⁹

Earlier, in 2005, Pope John Paul II designated Archbishop André Dupuy as nuncio in the European Communities. This function has grown in importance due to the integration process conducted by the European Union. Cardinal Angelo Sodano, secretary of state, on the 4th of February, when he received the visit of Josep Borrell Fontelles, President of the European Parliament, highlighted “the importance of the apostolic nunciature accredited to the European Union, to foster a fruitful dialogue on the major issues of the moment”¹⁰.

In 2007 and 2009, Commissioner Figel visited the Vatican, and in 2009 was visited by Commissioner Rehn. Moreover, in 2007, President of European Parliament, Hans-Gert Pöttering, was received by Pope Benedict XVI in a private audience. Following that meeting, Pope Benedict XVI was invited to speak before the plenary of the European Parliament. The next visit to the Vatican was made by the successor of Hans-Gert Pöttering, Jerzy Buzek, in February 2011. At his installation, Pope Francis received the visit of European Council President, Van Rompuy, European Commission President, Barroso, and European Parliament President, Martin Schulz¹¹. The latest visit has been paid by President Barroso in 2013, when he had a private meeting with Pope Francis, the dominant themes of the discussion being: *the European integration, economic crisis and promoting religious freedom*. In the statement to the press office of the Holy See, it was written: “The cordial discussions provided an opportunity of a useful exchange of views on the international situation, with particular attention to the European integration process and economic crisis that continues and has serious consequences over the job market, especially for young people, and a negative impact on family life. Further discussions were focused on *the positive contribution that the Catholic Church could make in the current context, for the material and spiritual welfare of Europe*. Finally, a particular attention was paid to promoting human rights, especially religious freedom, and the protection of Christian minorities worldwide”¹².

On the 6th of February 2012, Ambassador Laurence Argimon-Pistre presented his credentials to Pope Benedict XVI as the new Head of the EU Delegation to the Holy See. In June

⁹ <http://www.catholica.ro/2006/05/06/presedintele-comisiei-europene-s-a-intalniti-cu-papa/>, accessed on 20.09.2016.

¹⁰ Ibidem.

¹¹ Petr Kratochvíl, Tomáš Doležal, *The European Union and the Catholic Church*, Palgrave Macmillan, 2015, p. 44.

¹² <http://www.catholica.ro/2013/06/16/papa-francisc-l-a-primit-pe-presedintele-comisiei-uniunii-europene/>, accessed on 20.09.2016.

2012, Pope Benedict XVI designated Archbishop Alain Paul Lebeaupin as apostolic nuncio to the European Union, the French prelate succeeding Archbishop Andre Dupuy.

On the 25th of November 2014, following the invitation made on the 11th of October 2013, Pope Francis made a speech in the European Parliament¹³, where he underlined the connection between the Catholic Church and the EU: “I want to renew the willingness of the Holy See and the Catholic Church, through the Commission of the Bishops' Conferences of the European Community (COMECE), to maintain a fruitful, open and transparent dialogue with the EU institutions. I am also convinced that a Europe able to cherish their own religious roots, knowing how to perceive the richness and their potentialities can be even more easily immune to many forms of extremism that permeates the world today and the great ideal gap at which we witness in the so-called West, because forgetting God, and not His glorification, generates violence”. Emigration, environmental protection, promotion of human rights and democracy were the issues highlighted in a speech that urged Europe “to rediscover its best parts.”

Also, President Martin Schulz stressed the “common objectives” of EU and the Catholic Church to promote “the values of tolerance, respect, equality, solidarity and peace,” adding that “the European Union means rather inclusion and cooperation than exclusion and confrontation”¹⁴.

Topics addressed in diplomatic relations

The institutional presence of the Roman Catholic Church, like other Churches, in Brussels is closely linked to the evolution of the European construction. Thus, the prospect of achieving a major European markets, political union by the Treaty of Maastricht (1992), and the extension to new Member States by the Amsterdam Treaty (1997) made possible the European construction for Churches. The final Act of Amsterdam Treaty contains the *Annex Statement no. 11* on the Status of Churches, which states: “The European Union respects and does not prejudice the status that churches, religious associations or communities in the Member States have by virtue of national law”.¹⁵ Likewise, the White Paper on the European Governance recognized the role and the specific contribution of churches and religious communities to civil society. This attitude was taken, by the Lisbon Treaty, in the Treaty on the Functioning of the European Union (TFEU), where art. 17 states that “The Union respects and does not prejudice the status of churches and religious associations or communities in the Member States under national law”¹⁶.

In this context, the Churches in Europe were actively involved in discussions on the reform of the European treaties. Between 2002 and 2003, the Roman Catholic Church, the Orthodox Church and some Protestant communities took positions in this regard, with their presence and work showing that they can work together effectively to build a united Europe. The ecumenical witness of such an effort is obvious, since this is primarily about values which these churches consider being fundamental for a strong European construction and would be indispensable in a new treaty. The relations between the Holy See and the EU develop in the context of modern,

¹³ This is the first visit of a sovereign pontiff to Romanian Parliament, after that of Pope John Paul II, who addressed the Parliament in 1988, a year before the fall of Berlin Wall.

¹⁴ <http://www.europarl.europa.eu/>, accessed on 20.09.2016.

¹⁵ Jurnalul Oficial, C 340, din 10/11/1997 – <http://eur-lex.europa.eu/>, accessed on 20.09.2016.

¹⁶ Ibidem.

secularized and rising Europe. With the threat of communism, the church came to perceive social liberalism and individual rights as the biggest threat to their beliefs about world peace, family, sexuality and reproduction. In this situation, the Vatican and its conservative allies correlate social liberalism with the “eurosecularism” – a growing indifference to religion and hostility towards institutional authority of the Church.

European Constitution – Christian elements?

With the imminent accession, in May 2004, of ten countries joining the EU, the Union decided that its institutions to be reformed. Improving decision-making mechanism and efficient functioning of the Union were continuous processes and in those moments when the European Union is in full process of enlargement, this was all the more necessary. Therefore, the issue of creating a European Conventions was raised as the Union member states that concluded that the previous system was not working properly and that the Treaty of Amsterdam and the Treaty of Nice did not achieved the expected results. The *Convention on the Future of Europe*, known as the European Convention, was tasked with drafting a new Constitution, which will define the rules for political life in the EU, once it includes 25 Member States or more. A total of 105 delegates, representing the European Commission, the European Parliament, the governments and parliaments of the 25 countries concerned, and nine observers from civil society took part in the convention.

For the Vatican, this was an opportunity to support their point of view. Pope John Paul II and received Valérie Giscard d'Estaing, President of the Convention, Pat Cox, President of the European Parliament, Tony Blair, Prime Minister of the United Kingdom, Joshua Fischer, German Vice Chancellor and others in private audience. He also called on all Member States ambassadors who were accredited to the Holy See to a meeting to inform them about his desire to have certain items included in the European Constitution.

Focal points were:

Recognizing the “institutional dimension” of religious freedom. The Vatican argued that full religious freedom has three dimensions: individual, i.e. the right to choose a single system of belief; the collective dimension or the right to associate with others in order to live up the precepts of one’s faith; the institutional dimension, which means constitutional recognition of religious communities as political players in their own right, but in a specific form, different from other players of civil society. As common associations of civil society are usually interest groups formed to defend a cause or a small group of activities, the religious dimension includes the whole range of human concerns and provides connection to the church in almost all aspects.

Recognizing the right of the church to self-determination, thus giving the church the right to organize and manage as a community of faith, in accordance with its own rules.

Structured dialogue institution, which assigns a specific consultative status with to the church. By doing this, they wanted the Catholic Church to be consulted in the run up to drafting legislation on a large range of issues where the church is considered capable of expertise.

Mentioning God and Europe's Christian roots in the Constitution. European Commission President, Romano Prodi, supported in 2003 the initiatives of those who considered that the future European Constitution cannot exclude cultural and religious traditions, especially the Christian one, which led to the formation of the European continent: “In the process of building the new Europe, nothing can be left out or slighted or even excluded – Romano Prodi stated – the cultural and

religious traditions cannot be disregarded, especially the Christian one, which was and still is indispensable for defining the past and the hope of future Europe”¹⁷.

In January 2004, Pope John Paul II insisted that the future Constitution of the European Union to recognize explicitly the Christian roots of the old continent and urged the Italian Government to do everything possible to achieve this goal. The Sovereign Pontiff expressed this request on the occasion of presentation of credentials of the Ambassador of Italy, Giuseppe Balboni Acqua, to the Holy See. Recalling that the Christian religion is part of “the historical patrimony of the Italian people”, the Holy Father asked Italy to do everything possible in order that “Europe, in the relevant bodies, to recognize their Christian roots.” These roots, he explained, “are able to provide the citizens of the continent with an identity that is not ephemeral or not rely only on political and economic interests, but on the deep values that are not transient”¹⁸.

Failing to refer the Christian roots of the continent made Pope John Paul II to publicly express his disappointment with the Constitution, supported by the EU leaders: “We cannot be separated from our roots.” Also, the Vatican’s spokesman, Joaquín Navarro Valls, issued a statement recalling that “the Holy See cannot but express sorrow for the opposition of some governments to the explicit recognition of the Christian roots of Europe. It is a problem of non-observance of historical evidence and the Christian identity of European peoples.”¹⁹

Conclusions

Pope Paul VI was wondering, in a speech to ambassadors accredited to the Vatican, if the Holy See should frequently use the means of diplomacy, as long as the mission of the Catholic Church is essentially a religious one and whether it would be better that it does not interfere in the affairs of international organizations that have strictly a temporal power. The question, of course a rhetoric one, finds its answer not only in art 24 of the Lateran Treaty, but also in the conduct that the Vatican had over time. Although it is considered a microstate, due to its very small territory, the role of the Vatican in the contemporary diplomacy is huge and indispensable to human progress and world peace, as, in fact, history has already shown.

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