

St Thomas, as I understand, faced a situation in certain ways similar—an apparent choice between an ascetic, Augustinian, world-denying attitude which struck many people as unrealistic, and a seductive, Pagan alternative that might make a more modest form of earthly virtue look possible. By working out more fully Aristotle's deep conviction of continuity between soul and body, between feeling and reason, between form and matter, between physical matter and the divine, St Thomas managed to salvage something of the best of both worlds. This same sense of continuity seems to me to be what is needed in dealing with the aberrations I have been describing, which have flowed from an increasingly confused and disintegrating ideal of science.

## Visions of Europe

Aidan O'Neill

The church of San Miniato al Monte lies on a hill on the north side of the Arno, overlooking the city of Florence. It is dedicated to a deacon, reputedly the son of the king of Armenia, who was martyred in the city around 25 A.D. during one of the imperial persecutions. The church which presently stands on the site was begun in 1013. It is one of the oldest and certainly one of the most beautiful churches in Florence—a perfectly preserved Romanesque basilica with a striking façade of mosaics and green and white marble in geometric designs. The church is attached to a monastery of Olivetan monks and their services attract large congregations, both tourists and native Florentines.

At Mass opening the Octave of prayer for Christian unity this year, the abbot of San Miniato preached a sermon on the Christian vision of Europe. He spoke of the two great scourges which had afflicted Europe in this century, Nazism and Stalinism. He talked of the post-War division of Europe at Yalta by the agreement of the triumvirate of Churchill, Stalin and Roosevelt. He presented this division as a rending of Europe in two, as the creation of a dualism in the world which was antithetical to

the Christian vision. However, he saw a Christian response to this division, to this freezing of Europe in a state of war, in the work of three other men: De Gasperi of Italy, Schumann of France and Adenauer of Germany. These men were responsible for the formulation of the idea of a European Community. In this they were seen by the abbot to be in contrast to the earlier triumvirate. Inspired by their Christianity, they sought to bind rather than to divide, to build up rather than to destroy, and to work for peace and the healing of wounds rather than to continue to fight in a cold war. The creation of this community of nations in Europe was seen to be one in which Christian hope might flourish and Christian faith find a unity which transcended national boundaries.

In articulating such a high vision of Europe, the abbot was reflecting, in a theological context, what is a commonplace in Italy: that the European Community is unreservedly a good thing. There exists a great deal of idealism in Italy about the European Community. There are no doubts expressed about the wisdom or desirability of replacing existing national political institutions by supra-national community institutions. The European Community is seen as the means to rescue the people and the nation from itself and from the shortcomings of its own political institutions.

This apparent preference for supra-national community institutions over and against those of the individual nation state is not one which is peculiar to Italy. Of the current twelve member states in the European Community, it would appear to be only in the U.K. and Denmark that there is any real degree of scepticism, publicly and politically expressed, about the workings of the institutions of the European Community or any questioning about the drive for the nation state to surrender its sovereignty. The ambivalence that Denmark has shown to the European Community is complicated by the fact that Denmark's community membership has cut it off from its natural constituency in the other Scandinavian countries. It is not that Denmark is opposed to the development of supra-national institutions *per se*, but just that historically, culturally and linguistically it would make more sense to forge these with Norway, Sweden and Iceland, rather than, say, with Greece, Portugal and Italy. However, among the remaining ten member states of the Community the prevailing mood is one of enthusiasm for their further integration into a federal Community. Increased integration in the Community is seen to be something to be pursued as a matter of principle. All this seems quite alien to the general political culture in Britain which can be characterised as seeing the European Community in pragmatic rather than idealistic terms; as a means to protect and increase our own economic prosperity, rather than as the political model to usher

in a new age.

It can be argued that this difference in attitude between Britain and its partners may be ascribed to differences in the history of the countries. What is self-evident in one context, becomes much less than evident against a different background and set of presuppositions determined by past experiences. All of the member-states of the European Community, with the exception of the United Kingdom, can be characterised as having experienced a complete breakdown in their respective domestic political orders in the twentieth century. Their politics has failed them.

Italy's political institutions failed it in the rise of Fascism, and its post-war governments have not been monuments to stability. Similarly in Germany, the constitutional Weimar republic collapsed in the face of economic crisis and left the way open for the rise of Nazism. France's political institutions were generally seen to be inadequate in the Third Republic in the 1930s and this disillusionment allowed for the capitulation of the French Government which chose not to go into exile after the successful German invasion, but to continue to function as the régime installed in Vichy. Spain, Portugal and Greece were all ruled by non-democratic military backed regimes less than 20 years ago. Ireland went through a war of independence, followed by partition and a civil war. While the political orders in Belgium, the Netherlands, Luxembourg, and Denmark, collapsed, not under internal pressures, but from external forces. These last four countries experienced the overthrow of their political régimes on their occupation by Germany in the last "European civil war", as World War II is termed by the enthusiastically *communautaire*.

The lesson which has been taken from history for all of these countries is that political institutions are fragile. They were not able to preserve society so as to prevent any lapse into a Hobbesian state of nature in perpetual war. The breakdown of lawful constitutional government leads to tragedy and war.

It is, I would argue, the fear that politics might once more fail and the bonds of society dissolve in lawless anarchy or tyranny that characterizes attitudes in continental Europe toward the European Community. In this light, the idea of a supra-national European Community which can transcend the internal feuding of domestic politics and which, by its very nature, will prevent the recurrence of war among the states who are members of it (by taking away any reason for such war) is a good which cannot be questioned. In order to realize the vision of peace and lawful government offered, supranational institutions are to be preferred, to the discredited institutions of the nation state.

Among the member states of the European community it is the island

of Great Britain which is unique in having a continuity in its political institutions since its creation as one unitary state in 1707, with the treaty of Parliamentary Union between Scotland and England. In Great Britain, as distinct from the island of Ireland, politics has appeared able always to adapt to changing circumstances. Since 1707 there has been an unbroken record of constitutional government in Great Britain. Political institutions have been seen to be strong enough to adapt to changing circumstances, while retaining their legitimacy and continuity. It might be argued that the strength of the political institutions stems from the adaptability of the constitution which is, for the most part, an unwritten one. An unwritten constitution can be changed simply by changing practices. Political practices may be changed by a consensus created by persuasion, by rhetoric.

Accordingly the political culture in Great Britain has been one in which political change has been effected by the power of the word, rather than by the sword. Rather than bloody revolutions precipitated by rioting in the streets, Britain has undergone greater or lesser degrees of political reform through the dialectic of political debate. Debate implies opposition, dissent and disagreement. It presupposes the existence of institutions and *fora* which are robust enough to allow for the questioning even of the principles on which they are currently based. It must allow space for scepticism.

The high vision of Europe and its politics, characterised by the sermon of the Abbot of San Miniato, leaves little or no room for critical dissent or for expressions of scepticism about either the end in view or of the particular workings of the Community or its central institutions. If it is presumed that the only choice is that between domestic political instability shadowed by the possibility of war, and supra-national peace and stability guaranteed by a single market, then it simply makes no sense to question any tendency towards federalism or the extension of greater power toward the central community institutions at the expense of national state governments. To question this is to be met with incomprehension—*une dialogue des sourds*.

Further, there appears to be a feeling that European political institutions share in that fragility which has characterised the institutions of eleven of the member states. As a result, in the workings of the European Commission and of the Council of Ministers in these post-Thatcher days, secrecy and compromise, deals brokered behind closed doors, are preferred to open public debate.

This fear of dissent applies even to the workings of the judicial body of the Community, the European Court of Justice. This court has immense power and influence. It rules on the legality of the actions of

Community institutions and on the compatibility of member states' actions and laws with the law of the European Community. The court models itself on the United State's Supreme Court and treats the foundation treaties of the European Communities as a form of federal constitution against which the acts of member states' legislatures may be measured and, if found wanting, struck down. As a result of its rulings, Acts of the United Kingdom Parliament may now be suspended and declared inoperative by British courts. This has already occurred in the case of the Merchant Shipping Act 1988 and, pending final rulings from the European Court of Justice, as regards the provisions of the English Shops Act of 1950 prohibiting Sunday trading.

However, the judgements of the European Court of Justice are presented as unanimous judgements of the whole court. Public dissent among the thirteen judges of the Court is not permitted. On taking office on the bench of the European Court the judge takes the following oath:

'I swear that I will perform my duties impartially and conscientiously; I swear that I will preserve the secrecy of the deliberations of the court.'

The European judges solemnly swear to keep their deliberations about a case secret; they undertake to sign any judgement which is supported by a majority of their judicial brethren in any case, notwithstanding their own particular opinions or reservations; and they pledge themselves not to publicly dissent from the decision of the majority. Dissent is concealed that the illusion of monolithic unanimity might be maintained.

What the European judicial oath appears to mean however, is that a judge swears always publicly to agree with the majority of judges. He forswears his duty as a judge to make his own decision in any one case insofar as that decision is not a majority view. He gives up any claim to be able to give reasons for his judgement. This is to fall into the Kantian sin of wilful heteronomy.

Why this fear of public dissent and the oath of secrecy, which appears more appropriate to a Masonic rather than to a judicial body? The traditional justification of the practice in the academic literature is that such measures are necessary to protect European judicial independence and to free the judges from the possibility of political pressure from their national governments. Further, it is claimed that the *illusion* of unanimity strengthens the unity and authority of European law.

In fact what the suppression of dissent means is that the European Court avoids any public accountability for its decisions. Neither the

individual litigants and their lawyers, nor the general public and their politicians, know the true reasons for any particular decision because the unanimous judgement is necessarily a compromise or amalgam of the views of those individual judges willing to vote in favour of the particular outcome.

The difficulty with the vision of Europe articulated by the Abbot of San Miniato is that it gives its blessing to a Europe which is monolithic, which does not admit of dissent and which works in secrecy. This may well be a model inspired by Catholic Christianity, if the methods and workings of the Roman Curia are seen to be characteristic of an institution based on Christian principles. The problem is that, unlike the Church, the European Community is a union of democracies. The experience of Britain has been that democratic institutions are not threatened, but instead thrive on dissent, scepticism, opposition and openness. There can be strength, unity and loyalty in diversity. It is this truth that the European Community should be seen to be embodying, rather than to be seen as a re-creation, in the sphere of politics, of a monolithic, nineteenth century ecclesial vision.

## On Becoming a Cardinal

Hamish F.G. Swanston

No commemoration is without its controversy, as the burghers of Genoa and Columbus, Ohio, have been discovering this year. And there may be some, in Lorenzo, Nebraska, or Lorenzo, Texas, to murmur about the sack of Volterra in 1472, or the revenge taken on the Pazzi conspirators in 1478, but in Florence they are confidently celebrating the five hundredth anniversary of the death of Il Magnifico. Perhaps Lorenzo de' Medici was not quite as finely magnificent as his grandfather, Cosimo II Vecchio, but it does seem largely right to recall a man who put his extraordinary energies into the seeking-after peace between the Italian