



# Experience of legal formation of interfaith relations in the context of European integration and globalization processes

Valeriy Kolyukh

Department of Political Science  
Taras Shevchenko National University of Kyiv  
01033, 60 Volodymyrska Str., Kyiv, Ukraine

Roman Shestopalov

Department of Law and Methods of Teaching Jurisprudence  
Institute of Law and International Relations  
Sumy State Pedagogical University named after AS Makarenko  
40002, 87 Romenska Str., Sumy, Ukraine

Oleksii Kovtun

Department of Criminal Law and Procedure  
Faculty of Law, National Aviation University  
03058, 1 Liubomyr Huzar Ave., Kyiv, Ukraine

Yurii Taraban

Department of History of Ukraine  
Sumy State Pedagogical University named after AS Makarenko  
40002, 87 Romenska Str., Sumy, Ukraine

Maryna Dei

Department of Constitutional and Administrative Law  
Faculty of Law, National Aviation University  
03058, 1 Liubomyr Huzar Ave., Kyiv, Ukraine

Doi:

## Abstract

The integration process in European states inevitably requires developing a unified system of legislation and, consequently, actualizes the search for a unifying vector for a new model of common European law. The social system of values, formed under the substantial influence of religion, has become such a vector. In the context of integration processes, religion represents a determinative factor that forms the common public consciousness of the nations where interfaith organizations are important social institutions that carry out activities aimed at supporting their religious and some international state initiatives. This article aims to analyze the activities of interfaith organizations in the context of political and legal integration in Europe and to determine the influence of the religious factor on the globalization processes. The authors of this article analyzed a set of legal instruments and mechanisms for ensuring European integration based on the religious community. The article puts forward the hypothesis that the effective integration process requires the rule of law and the mechanism of legal regulation of social relations to proceed from a single system of values formed in the conditions of unity of perception of the spiritual and material world.

**Keywords:** legal relations, European Union, European law, European integration.



## Introduction

The process of formation of the legal field of the state reflects cultural, historical, socio-economic, mental and others features of the formation of the state itself. Moreover, the legal field demonstrates its uniqueness, independence, degree self-identification of the nation, as well as the level of moral and ethical perception reality. Legal understanding and legal consciousness which are initial criteria and parameters of effective legal implementation, also indicate the degree of self-awareness of the nation and the value system, established in society (Yermakova, 2018). This value system was not formed by the state, it only legalized and eliminated them, leaving the most acceptable from the point of view of each specific historical period development. The formation process itself took place under the influence of society, but the role of the church was unconditional and guiding in this aspect (Palinchak, 2014).

We found that the legal status of the church and the model church-state relations differ significantly in different EU countries. Moreover, in different EU member states dominant diametrically opposed currents of Christianity are recognized: in Great Britain - Anglicanism, in Denmark - Lutheranism, in Greece - Orthodoxy. Despite this, and perhaps even due to the polarity of religions prevailing in Europe, what has been achieved and is so necessary is a political and public consensus in the processes of European integration. Common vision of the future, unity in the desire to build civil society, development within the framework of a single civilizational vector - all these are derivative phenomena of that regulatory and guiding role the church played for a long period in European stories.

In this context, the point of view of the German scientists Byrnes and Katzenstein (2006) is indicative; they note that in the initial stages of integration the Roman Catholic Church played a leading role, defining not only political guidelines for future integration of education, but also social ideals, while placing religious values above secular (Andrusyshyn & Bondarenko, 2009). In turn, the Italian Casanova (2006) believes that the project The European Union adhered to was Christian Democratic, and certainly even sanctioned by the Vatican. Its implementation began in the background of the general religious upsurge in Europe after World War II and in the geopolitical context of the Cold War (Yelenskiy, 2013).

The representative of the Germans takes a similar position. The Political Science School (Hehir, 2006), focuses on close ties with the Catholic Church, and specifically the Vatican, and also with Christian Democratic parties in Western Europe. The Modern European Union is based on the concept of the so-called "European Community", and the European Community itself was under the influence of Christian democracy. In turn, the Christian democracy of post-war Europe from 1945 is a political movement associated with Catholic social thought, and it determined the priority of the formation of a new the European community influenced by religious values, as proclaimed by the Vatican (Yermakova, 2018).

In fact, the Vatican with its purely theocratic center of Catholicism and as an associate member at many international organizations is trying to transform into a fully-fledged subject of international political relations. In particular, its influence on ideologically based Christian Democratic Parties and Movements in Central and Western Europe is marked by the declaration of these parties high social standards of life, high moral values and harsh ethical standards that are being followed and which are binding on all members of this political force (Pisulińska, 2021). Trying to lift and give new impetus to the development of several abandoned ideals of Catholicism, the Vatican is increasingly acting as a measure of the system's public values of Europeans, and in this aspect revitalization of the public political activity of the pope becomes an additional tool for influencing the trajectory of pan-European politicians.



A more radical view of the origins of processes of interstate European integration has come from a Frenchman, Risso (2009), which claims that Christian Democratic parties were initiators of the process of European integration, translating the politics of the Vatican into a more secular channel, which made it possible to spread the impact on a wider range of socio-political processes in Europe. At the same time, the researcher emphasizes that the European Christian Democratic parties of the post-war years based their political programs on the thesis that Western civilization is interconnected with Christian values, and needs protection from the temptation of a modern lifestyle and additionally from communism as an even greater danger (Somin et al., 2002).

A similar thesis has the right to life, but the evolution of public political thought and socio-political formations after the Second World War clearly demonstrate the strengths of liberal democracy as the most optimal form of organization as social and economic processes. In other words, the Catholic church through Christian democratic movements was the guiding element by which Western society came to the ideas of liberalization of all spheres of life (Matvieieva et al., 2022). Liberalization of society entailed the division of functions between the church and the state, as well as the fact that a person has the right to freedom of conscience and religious belief. Liberalization was based on the ideas of democracy and social justice. Over time, these ideas were embodied and enshrined in legislation, primarily in constitutions which guarantee the rights and freedoms of citizens. This ethical aspect is important, because under the influence of a system of values, built in a religious environment, there was post-war transformation of the consciousness of entire nations. The church is clearly illustrated by war and destruction and demonstrated the fallacy of anthropocentric models of philosophy, gravitating toward utilitarianism and rationalism on a scale involving the whole of society. In turn, such an ideological coloring contributed in the dissemination of ideas of interstate integration immediately in the post-war period. Although political parties were not so much dependent upon the ideals of the Catholic Church, many propagated their ideal in parallel with The Vatican.

### **The social content of the religious legal tradition and the unifying role of the church**

An important role was played in the formation of the idea of unity of civilizational values of the new Europe and the development of a moral and ethical basis by Pope Pius XII who occupied the Roman throne from 1939 to 1958. also drove further European integration processes. After the Second World of War (1939-1945) he developed the theme of a possible European Union, trying to build a Christian Democratic Europe. The basis for catalyzing the European interstate integration is largely based on Catholic social doctrine, which at the same time was based on principles of democracy and in the framework of which there was an active search for possible institutional forms for a union and cooperation, based on Christian values. Pope Pius XII, supported the creation of the European Community, and he saw this as a historical mission for Christian Europe (Palinchak, 2014).

However, the role of the church in the integration processes and its activity was caused by other factors. Thus, the Maastricht Treaty (European Union, 1992) significantly strengthened the political component of European integration. The integration processes have become non-governmental associations and representatives of civil society. The drastic changes initiated in 1992 could not affect the participation of religious institutions in creating a unified Europe. It became logical that European integration has become the object of close attention from the Christian churches (Kazanova, 2017). If we talk about the Eastern Orthodox, Lutherans, Anglicans and others, then it is worth noting that their approaches to theology and worship are significantly different in comparison with the Catholic Church and among themselves. However, there are common features which are expressed in common approaches to solving certain issues. We can cite an example when some Christian



denominations can cooperate with the Catholic Church in social issues, such as the fight against poverty, health care or environmental protection. In this, they have a single vision for solving problems. However, otherwise the views of the Catholic Church are significantly different and far-reaching. Taking an active part in the processes of interstate integration, the Catholic Church is trying to solve several questions: firstly, declaring its influence on the process itself with associations through historical traditions and retrospectives dissemination of Christian teachings as a unifying idea for social development on the continent; secondly, providing its own monopolies to meet the spiritual needs of people. The Catholic Church represents its role in uniting European states as a historical mission, seeking to consolidate this at the level of constituent documents of the EU. Moreover, such a linkage means that Christian standards and dogmas became the key to the unification of Europe. But the Catholic Church should take an active part in relations with European institutions through the active pursuit of the latter practically to ensure the equality of the religious rights of all citizens. European institutions literally understood them - trying to spread multi-faith notions and guaranteeing free access to religious ministries and occupations of various movements, as well as various religions.

Church relations with European institutions, on the one hand, and the conditions, on the other, explain the growing political activity of the pontificate and higher clergy, and they also reveal the mechanisms of relations between States and Churches in matters of spiritual education and formation moral and ethical determinants towards European integration. Studying the mechanism of influence of religious legal tradition does not only hinge on law-making, but also on integration processes in Europe which allows one to highlight a number of specific characteristics, significantly distinguishing it from existing within the framework of secular legal traditions and conditioning the very mechanism of conversion of religious dogma into imperatives of building public relations and state legal foundations (Baker, 2007):

- firstly, by its nature, religious legal tradition as a kind of social regulation is built so that it has a relatively stable system of principles, unchanged (during millennia) is the nature of permits, prescriptions and prohibitions;

- secondly, it is realized in its significant part with the help of religious means, approved by centuries-old practice, and is an integral part of the national culture of the people, and ethnic groups. In other words, religious regulation, in contrast to legal (state) regulation, is carried out through a special influence peculiar only to religion and to properly ensure the achievement of goals defined by religious sources. This is the social content of religious legal tradition as a public institutional and normative formation.

In certain areas of public relations, a religious legal tradition has greater possibilities of influence than “pure” law. One of the options provides for a situation where the current law at this stage has exhausted its capabilities (problems of social adaptation, refugees and internally displaced persons, etc.). Another option implies a lack of legal prohibitions (interethnic and inter-confessional conflicts) and needs to improve legislation, as well as improve the mechanisms of activity of state bodies, the need for which is dictated by the fundamentally new sociocultural situation that developed at the turn of the 20th - 21st centuries, and which are personifying the expansion of the EU (Boomgarden & Freire, 2009). In fact, the unity and uniqueness of Christian doctrine, and its integrity, led to the formation of a united Europe as a concept of civilizational development on the basis of public-political and mentally cultural unity of European peoples related in their worldviews. This is where the unifying role of the church is manifesting - in the continuation of the traditional rapprochement of peoples on a religious basis, on the basis of spiritual unity.

The Christian religion can give the European legislator, first of all, the understanding that there is a Higher Power, a Higher Expert, who will equally punish both for an unjust act and for an unjust rule of conduct elevated to the law, given that the consequences of the latter



are much larger. According to the church's teaching and vision lack of faith in God gives rise to irresponsibility in writing laws. The same can be said of law enforcement institutions, in particular judges. The wrongfulness of an action with unfairly negative legal consequences for others inevitably entails moral and ethical responsibility. For example, a court passing an unfair and unlawful sentence on a person who did not commit an offence, or a disproportionate sentence to the offence committed. In such a case, the judge is condemned by society and is subject to moral and ethical responsibility, which further serves as a basis for bringing him or her to more serious types of liability. However, the formation of such a doctrine is possible, on the one hand, if there is a "public will" that can be detected by the participation of religious associations of citizens in the political life of society - and here it is necessary to reconsider the position of the "limited" pluralism of political ideologies, where the religious worldview is currently closed; on the other hand, it is necessary to have a sufficient number of specialists in the field of religious legal tradition - this raises the problem of studying a new subject within the framework of higher legal education: religious law (Byrnes, 2006).

Religious law gives an understanding of how and by what the church is guided in an attempt to unite, socialize and generalize the best achievements of social regulation within the framework of a single generally accepted system. The modern Catholic Church sees such a system as the EU law system, but it developed and formed on the basis of axiological determinants of religious perception of such categories as "justice", "righteousness", "equality". It should be noted that the Catholic Church, promoting the ideas of a united Europe, had its own reasons and goals, the achievement of which would not only contribute to the spread and consolidation of Christianity as the leading European religion, but would also strengthen the political influence of the Pope on the entire European continent. It can be reasonably argued that the main tasks that the church solved in its quest for the integration of European states were the following:

- stopping the spread of the process of secularization of social processes and civic institutions;
- clericalization of public political institutions and attempts to make secular public authorities dependent on the church;
- stopping the processes of church schism, the emergence of new trends in Christianity: Protestantism, Lutheranism, Anglicanism, Calvinism and the like;
- the spread of the church as the only institution that ensures the satisfaction of society's demand for spiritual values.

Thus, it can be reasonably argued that the Christian church was at the origins of the creation and dissemination of the concept of the so-called "consumer society". True, the product that it consumed had an intangible nature and satisfied the need of society for the formation of worldview positions.

### **The entry of the church into the political stage and its active participation in matters of European integration**

With the development of a scientific approach to the perception of the world, as well as with the spread of ideas of skepticism and rationalism, the church began to lose its own position as a universal supranational institution. Its influence on public-political and socio-economic processes also decreased, which required the leaders of the Catholic Church to respond quickly to environmental challenges, and gradually it turned into a global network organization (Andrusyshyn & Bondarenko, 2009).

Unlike the church as an institutional entity, the importance of religion in social processes does not change. It is worth noting that although the church as an institution may change its



organization, structure or features of worship, the basic religious beliefs and values which guide its members and their interaction with the world remain unchanged. Therefore, it is important to note in this aspect that even in the case of the complete decline of the church as an institution, the influence of religion on the formation of social processes would still remain significant due to the constant influence of religious beliefs and values on individuals and society as a whole. It continues to fulfill an axiological function, determining the minimum requirements for the level of public morality and cultural development of the nation. Therefore, the penetration of the system of religious values into the sphere of law. Legality cannot exist without morality, and morality is the essence of the empirical achievements of society, which were formed primarily under the influence of religion. Penetrating the processes of the formation of civil society and the rule of law through the system of law, religion enters a new level of influence on the human mind, identifying its dichotomous system of "good - evil" with categories such as "morality", "decency", "legality" (Casanova, 2006).

The processes of adoption of the Charter of Fundamental Rights of the European Union (European Union, 2000) and the creation and ratification of the Lisbon Treaty (European Union, 2007) are indicative in the context of the influence of the church, and in particular the clergy, papacy, and higher clergy, on the rule-making process in the EU. In particular, the situation surrounding the participation of European Churches in drafting the Charter of Fundamental Rights of the EU, the pattern of their attempt to influence political processes is typical for their further participation in EU policy. This was the first experience of the practical dialogue of the Churches with euro institutions, the invitation of religious organizations to participate in the formation of European politics (Caporaso, 1996).

The Conference of European Churches, and in particular the Vatican, presented their proposals and even their own conceptual vision of certain provisions of the EU Charter of Fundamental Rights. Although these proposals concerned mainly the humanitarian sector, as well as reassessing the role of the Church in the integration and unification of European states on the same principles that were proclaimed by the political leadership, this form of interaction with secular authorities nevertheless makes the Church an active participant in a range of socio-political processes. The pontificate, taking advantage of the international legal status of the Vatican, receives a significant influence on the processes of forming the organizational and legal foundations and even the regulatory framework of the new Europe.

Moreover, we should focus on the fact that at the same time in the middle of the twentieth century there was an ecumenical movement of the churches themselves and the signing of an Ecumenical Charter. That is to show then, that the church not only takes part in the process of creating a united Europe, but through its own cooperation and in an attempt to unite, has in part created the prerequisites for further integration at the state level. This fact clearly demonstrates the general changes in the consciousness and perception of the clergy. The Popes, starting with Pius XII, and all his followers emphasized the guiding activity of the church, its tolerance for socially important trends, but its desire is to be decisive in matters of ethics and morality. This is also indicative of the position of Pope Francis I, who is not only trying to unite Europe, but is turning into an active political figure, a preacher of the idea of further rapprochement of European states. His active diplomatic activity demonstrates the proximity of the church to secular power, essentially partnerships, readiness for dialogue and discussion of the cornerstones of the socio-political and socio-economic development of modern Western civilization. In addition, the active position of Pope John Paul II and the late Francis I towards rapprochement between the Catholic world and the Orthodox one, plays an important role in unifying the religious and social space of Europe, especially given the religious orientation of the EU member states of Eastern Europe.



The eastern trend of modern politics of the Roman Catholic Church crystallized during the pontificate of John Paul II, who devoted much of his ministry to the idea of reuniting the two parts of Europe in the fight against the Iron Curtain during the era of the Cold War and the bi-polar world. Pope John Paul II can be regarded today as a real full-fledged European politician, whose long-term efforts, planned ideological work included, have made possible the eastern expansion of the European Union. His contribution to the idea of a united Europe was marked on the eve of the ten new members joining the EU with the Charlemagne Prize, Europe's most prestigious political award (Casanova, 2006). In the process of creating the EU, the Vatican and other local churches advocated the expansion of the EU and the inclusion of new member states for two reasons. Firstly, this provided for the growing need of the Church to expand the geography of its presence and the number of its adherents (generally within the European space, given the focus of this study). On the other hand, it was the spread of a single religion and Christian principles that made it possible to influence public consciousness in such a way as to form a new EU member society with a strong conviction of the necessity and steadiness of its development according to the EU development vector.

That is what gives us every reason to assert that the Pope is turning into a political figure in matters of European integration, personifying the religious, mental, cultural unity of European civilization and the moral, ethical, axiological base on which the norms governing social relations should be based, including and law. It should also be noted that the close attention of the Catholic Church to the socio-political and economic problems associated with the integration process in Europe shows that the Vatican not only has information about what is happening, but also, realizing the need for its own update, in many cases provides and sets the vectors of socio-political activity of Christian-democratic parties. Thus, the Second Vatican Council (1962–1965), initiating the "Aggiornamento" process, which literally means "bringing it into conformity with the present," at the same time launched the process of evolution of the social doctrine of Catholicism: the encyclical "*Pacem in Terris*" ("peace on earth", April 11, 1963) was imbued with the desire for peace, although the earlier encyclical "*Mater et Magistra*" already contained fresh approaches and interpretations of the Catholic social position, for example, with regard to state support for farmers, tax reform, social security and regulation of others (Hehir, 2006).

Pope Paul IV, who succeeded John XXIII, took practical steps in identifying the basic social problems of mankind in the 77th encyclical "*Populorum Progressio*" ("On the Progress of Peoples", March 26, 1967). In 1981, in the third year of the pontificate, the social encyclical "*Laborem exercens*" ("Carrying out work") was published by Pope John Paul II, during which the "Sollicitudo rei socialis" (Caring for Social Affairs) fell in 1987. and published in 1991 on the centenary of *Rerum novarum*, "*Centesimus annus*" ("The Hundred Year"), which revealed the fundamental issues of the moral teaching of the Roman Catholic Church "*Veritatis Splendor*" ("The Radiance of Truth", 1993) and the encyclical on fundamental issues regarding the value, dignity and integrity of human life, *Evangelium Vitae* (Pope John Paul II, 1995; Tomka, 1999).

Thus, we conclude that the Catholic Church continues to try to influence the political, social and economic processes in a united Europe, however, this influence is not so obvious and most often manifests itself in the spread of religious doctrine as an alternative to the existing system of moral and ethical values of modern information society.

### **Integration and the church: principles of the Christian faith through an axiological perception of law**

The reasons for the political activity of the church, the participation of the clergy in the electoral process should include the desire to achieve such a model of state-church relations, in which the church would be given the status of an active factor that can influence



the adoption of state decisions. Ideally, this is the desire to introduce Christian moral principles directly into politics and government structures (Hehir, 2006). The church's interest in politics is also caused by the desire to defend those interests of the church that are directly related to its activities: protecting the church from pressure from state factors; unhindered implementation of educational, enlightenment, charity activities; protection of the moral foundations of public life. The role of the church in the electoral process is also determined by the country's model of state-church relations, which determines the way, ways, and the intensity of interaction between the church and the state. Moreover, this is influenced by political (political system, factors of domestic and foreign policy), social (nature of public relations) and historical (historical traditions that differ in different historical periods) factors (Hilberg, 2003).

Particular attention should be paid to how the religious factor affects the integration processes, and what the mechanism of this influence is. Thus, the extrapolation of religious norms and church law to modern public political processes allows at least a search for certain legal structures and even a new specific content of legal norms. It will not be entirely correct to assert that religion remains, as in medieval times, a certain source for the formation of the imperative of behavior of subjects of public relations, but to a certain extent it is church law, especially its progress, under the influence of changing worldview guidelines and the spread of the scientific paradigm of worldview that makes it possible take a fresh look at the process of forming a single moral and ethical vector of development of European nations. By means of sermons, the Church focuses on the most significant problems of today, through a new interpretation of famous religious texts and canon law, as well as by influencing human needs for the spiritual component, it offers its own solutions to civilizational problems (Guglielmi, 2018). Although these decisions do not meet the criteria of the modern paradigm of European integration, such as rationalism, pragmatism, or utilitarianism, they carry humanity and are socially oriented, which corresponds to the latest European philosophy, in which civil society is holding the leading place.

Given this, the philosophical context of European integration processes determines the postulate of the impossibility or inadmissibility of integration into a European community of a state with an official non-Christian religion. Such a direct prohibition or restriction, of course, does not exist, because, firstly, it is not democratic, and secondly, it substantially distorts the concept of human and civil rights and freedoms, in which freedom of conscience and religion occupy one of the leading places. The official position of the European Union is that integration is possible only if a number of socio-economic and socio-political criteria are achieved, which are objective in nature and affect precisely the level of development of democracy in a given country (Škrlec, 2020). At the same time, it is quite clear that the influence of religion on the formation of a system of social morality and the values of civilizational development determines the a priori polarity of the vectors of state-building processes in countries with different prevailing religions.

However, at the present stage, European Churches are still interested in upholding the historical right of Christianity to occupy a special place in the system of European values. Most of all, the Roman Catholic Church insists on this, which was expressed, for example, in the publication by Pope John Paul II after the synodal address "The Church in Europe" a week after the adoption of the European Constitution at the EU Brussels Summit in June 2004 and was also expressed in the pope's constant statements by Benedict XVI on the importance of taking into account the Christian traditions of Europe for its future development (Jenkin, 2007; Bobrovnyk et al., 2022). Benedict XVI sought to continue the work begun by John Paul II to consolidate the role of the church in the processes of forming a single vector of the desire of European countries to unite as a reflection of the civilizational choice of European nations, made, inter alia, under the influence of Christian dogma.





The Catholic Church tried to consolidate its monopoly on the dissemination of its own teachings and the opening of new parishes, but other religious movements also actively competed for adherents. There is a competition in which the Catholic Church receives a de facto monopoly on satisfying the spiritual needs of man and citizen, since it was the Catholic Church that spread the idea of European integration. In addition, the desire of the Catholic Church to enlist the support of the political leadership of the EU countries in its fight against dominance and the spread of Islamic teachings in Europe became very important. The problem of Islamic fundamentalism and religious confrontation is becoming increasingly relevant in Europe, and therefore requires closer attention from the EU states and institutions.

In order to determine the significance of the Catholic Church at this current stage of European integration, we should turn to the practice of undergoing the process of reforming the institutional component of the EU, as outlined in the Lisbon Treaty. The progress of treaty reform can be divided into three stages. The first stage is the work of the Convention regarding the future of Europe (February 2002 - July 2003), which prepared a draft Constitutional Treaty ("European Constitution"). The second stage is an intergovernmental conference with the participation of heads of state and government of the EU member states and candidates for EU membership (October 2003 - June 2004.). The third stage is work on the Lisbon Treaty, including the process of its ratification (2006 - 2009) (Kaufmann, 2010).

EU reform is taking place with the active participation of the Vatican and other Christian churches in order to strengthen its own positions and to find ways to limit the influence of Islam and other religions on the population of Europe. The Christian Church takes an active part in this by rethinking the axiological dimension of the moral and ethical determinants of legal understanding and the moral and ethical imperatives of a civilizational scale. In fact, the Christian Church is trying to change the value orientations of the EU and all integration processes in order to find an effective mechanism for changing legal thinking based on Christian principles and a Christian understanding of the problem of peaceful coexistence and socio-economic development within the framework of a united Europe (Kaufmann, 2010).

The emphasis was placed on three aspects: references to religion, dialogue with the EU and the status of churches; therefore, the Congress of Christian Churches of the EU came to the conclusion that the Constitutional Treaty requires:

- recognize the openness and maximum association with the name of God, since a reference to the Supernatural gives guarantees of individual freedom;
- recognize the special contribution of churches and religious communities, provide an opportunity for structural dialogue between European institutions and churches and religious communities;
- include Declaration No. 11, annexed to the Final Act of the Amsterdam Treaty, which enshrines mandatory respect for the status of churches and religious communities in the form recognized by each of the member states.

At first glance, such a position may indicate an attempt by the church to revive the religious and philosophical concept of human rights and the objectivity of their origin by virtue of the divinity of the will, which reproduces man as a creation of God. In other words, God, having created man, endowed him with certain rights and obligations, highlighting them in such a way that they are most consistent with the divine teaching. The Church, however, took on the role of an interpreter of these norms and rules, which she actively promoted during a long historical period of development (Weigel, 2014).



The common positions of the Christian churches, expressed between May and September 2002, became a guide for those politicians, public figures and statesmen who respected the opinions of religious organizations or even had similar beliefs and value systems. In the course of lengthy debates and difficult negotiations, the churches and their representatives managed to include references to the “religious heritage” of Europe in the Preamble of the Constitution. The text of the Treaty also included guarantees of the status of churches and an indication of the need for regular dialogue between churches and the EU (Welsby, 2006). The Church achieved recognition of its initial fundamental role in creating a united Europe, the leader of European civilization, the founder of the system of civilizational values and the role of the determining institution in the context of establishing the moral and ethical framework for the existence of a new European united society.

Such a fundamental role and paramount importance of the Christian Church is manifesting not only in the legitimization of its influence at the level of individual EU legal acts. The Church extends its systemic and far-sighted influence through moral and ethical dominants of legal understanding and the right of perception. Public and individual consciousness, influenced by Christian dogmas, ultimately contributes to the formation of a new EU legal framework, which is grounded on the principles of Christian teachings, but at the same time justifies the need for liberalization of public relations, especially in the economic sphere. In other words, the Christian Church is trying, through an axiological perception of the law, to spread the principles of the Christian faith.

## **Conclusions**

On the basis of our research, we can say with confidence that the church and its values play and have always played an important role in European globalization processes. At one time the church became a certain unifying factor on the basis of which the entire European community was formed. When the possibilities of "pure" law are exhausted, religious values come to the rescue, which are a kind of catalyst for the further rapprochement of nations within the framework of European integration.

In addition to the significant influence of the church on culture, art and science, we cannot fail to note its indirect influence on politics and various legislative processes. Basic religious principles, such as equality, justice, respect, solidarity are the basis for the adoption of international documents which are ratified by many states. Fundamental human rights, such as inter-alia the right to life, equality before the law, the right to a fair trial, and freedom of religion have their origin in religious values and have become the basis of European legislation.

The formation of European identity was based, among other things, on common ideas about good and evil, about peace and tranquility, which derive from different religious texts. Moreover, the rapprochement of different cultures and religions should be based on the similarity of values which they bring to the masses.

It is important to note that the influence of the church on the above-mentioned processes should be carried out with caution and appropriate objectivity, while placing the main emphasis on a myriad of social issues, which are important vectors in the framework of European integration. Religion is the factor which ultimately stimulates the development of interfaith relations within the European Union.

## **References**



Andrusyshyn, B.I. & Bondarenko, V.D. (2009). State-church relations: nature, content, functioning, typology, *Scientific Journal of National Pedagogical Dragomanov University*, 7, 94-104.

Baker, J. (2007). *The Church of England*. Norwich: Canterbury Press.

Bobrovnyk, S. V., Shevchenko, A. I., Didych, T. O., Khodanovych, V. O., & Dei, M. O. (2022). Methodological strategy of modern knowledge of law: A manifestation of formal lawmaking in agriculture sector. *International Journal of Agricultural Extension*, 10(Special Issue 1), 71-76.

Boomgaarden, H. G. & Freire, A. (2009). Religion and euroscepticism: Direct, indirect or no effects? *West European Politics*, 32(6), 1240-1265. [Available online at <https://doi.org/10.1080/01402380903230686>].

Byrnes, T. (2006). Transnational religion and Europeanization. In T.A., Byrnes & P.J., Katzenstein (Eds.). *Religion in an Expanding Europe* (pp. 283-305). Cambridge: Cambridge University Press.

Caporaso, J.A. (1996). The European Union and forms of state: Westphalian, regulatory or Post-Modern, *Journal of Common Market Studies*, 34(1), 29-52.

Casanova, J.A. (2006). Religion, European secular identities and European integration. In T.A., Byrnes & P.J., Katzenstein (Eds.). *Religion in an Expanding Europe* (pp. 65-92). Cambridge: Cambridge University Press.

European Union. (1992). The Treaty on European Union. Retrieved from [https://www.cvce.eu/content/publication/1997/10/13/5a6bfc79-757f-4d53-9379-ad23cc2cc911/publishable\\_en.pdf](https://www.cvce.eu/content/publication/1997/10/13/5a6bfc79-757f-4d53-9379-ad23cc2cc911/publishable_en.pdf)

European Union. (2000). Charter of Fundamental Rights of the European Union. Retrieved from [https://www.europarl.europa.eu/charter/pdf/text\\_en.pdf](https://www.europarl.europa.eu/charter/pdf/text_en.pdf)

European Union. (2007). Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community. Retrieved from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12007L%2FTXT>

Guglielmi, M. (2018). Globalization and orthodox christianity: A glocal perspective. *Religions*, 9(7), 1-10.

Hehir, B.J. (2006). The old Church and the new Europe: Charting the changes, *Religion, State and Society*, 2, 93-116.

Hilberg, R. (2003). *The Destruction of the European Jews*. Yale: Yale University Press, 1388.

Jenkin, Ph. (2007). *God's continent: Christianity, Islam, and Europe's religious crisis*. New York: Oxford University Press.

Kaufmann, E. (2010). *Shall the religious inherit the Earth?* London: Pro-file Books.

Kazanova, Kh. (2017). *Beyond secularization: The religious and secular dynamics of our global age*. Kyiv: Dukh i Litera.



Matvieieva, L., Dorofeieva, L., Burdin, M., Durnov, Y., & Dei, M. (2022). Legal process in the national legal doctrine of Ukraine through the scope of the case law of the European Court of Human Rights. *International Journal for Court Administration*, 13(2). [Available online at <https://doi.org/10.36745/ijca.4111>].

Palinchak, M.M. (2014). *The state and the church in post-socialist societies (on the example of the countries of Central Europe and Ukraine): A monograph*. Uzhhorod: Lira.

Pope John Paul II. (1995). *The Gospel of Life (Evangelium Vitae)*. New York: Three Rivers Press.

Pisulińska, J. (2021). Linguistics in legal communication: language, communication, text, law. *Journal of International Legal Communication* 2, 110-117. [Available online at <https://doi.org/10.32612/uw.27201643.2021.2.pp.110-117>].

Risso, L. (2009). Cracks in a façade of unity: The French and Italian Christian democrats and the early stages of the European integration process, 1945-1957, *Religion, State and Society*, 37(1-2 Special Issues), 115-129.

Škrlec, H. (2020). European integrations and the Catholic Church. *Bogoslovska Smotra*, 90(3), 513-536.

Somin, S.V., Kalnysh, Yu.H., Petryk, V.M. & Ostroukhov V.V. (2002). *State-church relations: world practice and experience of Ukraine*. Kyiv: International European University.

Tomka, M. (1999). Religion, church, state and civil society in Eastern-Central Europe. In I., Borowik (Ed.). *Church-State Relations in Central and Eastern Europe* (pp. 42-62). Krakow: Nomos.

Weigel, G. (2014). *Evangelical Catholicism: Deep reform in the 21st-century church*. New York: Basic Books.

Welsby, P.A. (2006). *A history of the Church of England, 1945 – 1983*. Oxford: Oxford University Press.

Yelenskyi, V.Ye. (2013). *The Big Return: Religion in Global Politics and International Relations in the Late 20th – Early 21st Century*. Lviv: Ukrainian Catholic University Press, 504 p.

Yermakova, H.S. (2018). Organizational and legal adjusting of the process of inter-confessional union at the level of European Union law in the context of European integration, *Scientific Bulletin of the Uzhhorod National University*, 51(1), 18-21.

**Conflict of Interest Statement:** The authors declare that the research was conducted in the absence of any commercial or financial relationships that could be construed as a potential conflict of interest.



**This article is open-access and distributed under the terms of the Creative Commons Attribution License.** The use, distribution or reproduction in other forums is permitted, provided the original author(s) and the copyright owner(s) are credited and that the original publication in this journal is cited, in accordance with accepted academic practice. No use, distribution or reproduction is permitted which does not comply with these terms.