



Forum of European Muslim Youth and Student Organisations

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FEMYSO

FEMYSO was established on the 1st September 1996. Its mission is to be a platform for Muslim youth organisations to congregate, exchange information, gain experience and benefit from each other, to work for a better Europe.

FEMYSO is now a network of 42 national and international organisations bringing together youth from over 26 different countries.

Over the last 4 years, FEMYSO has become the de facto voice of Muslim youth in Europe. It is regularly consulted on issues pertaining to Muslims in Europe. It has also developed useful links with:

- *The European Parliament*
- *The Council of Europe*
- *The United Nations*
- *The European Youth Forum*
- *Numerous relevant NGOs at the European level*

FEMYSO envisages a Europe in which Muslims take pride in their historical contribution to the development of European society as European Muslims throughout a civilisation that had been flourishing for numerous centuries in Spain, the Balkans, Greece, Cyprus and Italy.

FEMYSO is committed to fighting prejudices at all levels, so that the future of Europe is a multicultural, inclusive and respectful one, in which individuals and communities – religious, philosophical or else – can collaborate to create a just, peaceful and prosperous society.

The European Convention – FEMYSO's Contribution

The Muslim Europeans represented by FEMYSO are not indifferent to the multiple debates that are livening up the Convention about the Union's values.

Numerous Europeans are in favour of a clear mention of the *spiritual values* as founding and determining in the, if not passed at least future, construction of the Union. However, we are not less aware that some are attempting to instrumentalise some of those fantasized values in the vain hope of building up an ideological barrier to the entry of South-East European countries in the Union, negating consequently the hundreds of years presence of Muslim communities on the geographical territory of Europe (Spain, Balkans, Poland, Hungary, Turkey, Ukraine...).

A romanticised, or even a mythological or mythified, vision of Europe shall not make forget the huge contribution that Muslims offered to the development of sciences, technology, medicine, and also of reason, philosophy and spirituality in Europe, throughout the eight centuries of

presence in Spain, followed by a five centuries long presence in the Balkans under the Ottoman aegis. Out of the 14 centuries of Muslim presence to the world, 13 centuries elapsed in the intense neighbourhood allowed by the sharing of a same geographical territory: Europe.

Thus, it will be in the name of our commonly shared values, in the name of the huge heritage of the Hellenistic philosophy that Muslims brought up to sublime heights to which are indebted the thinkers of the Christian Occident, in the name of the Abrahamic tradition which the referential universe of Islam is *de facto* including and assuming, that – by virtue of our knowledge of both our common history and the founding values of the European Union, by virtue of our active participation in the development of our European societies for decades, by virtues of our deep rooting within our European societies – we, Muslim Europeans, want now to be recognised as important players and contributors to the construction of today and tomorrow’s Europe.

Therefore, some major points must be taken into account in the general elaboration of the *Treaty establishing a Constitution for Europe*:

1. As Muslims, we insist on the importance, in this world, of Justice and Equality. Not only between men and women, but also between people, ethnic groups, cultures, religions, philosophies, languages, ways of life, or again in front of Law, justice, politics and economy. Equality of opportunities shall not be made to the detriment of equality in accompaniment, not to say in results. It is evident for us that those principles must absolutely appear in the future *Treaty*. A *Treaty* that will put on all occasions the human dimension back to the centre of the Union’s preoccupations.
2. These principles can not become a reality by themselves. They are based on the implementation of other principles to which we are giving, by virtue of our attachment to our References, a major importance:
 - The principles of participation of all in political life and in the evolution of institutions, and Rule of law,
 - Individual liberty,
 - Religious liberty (individual, community based, or even institutional),
 - Human rights,
 - The just balance between the respect of individual values and collective values in order to ensure the harmonious development of every one within society,
 - The fundamental right to a balanced education, developing not only intelligence, but also the different sensibilities and aptitudes of the individual, while allowing the learning of the values upon which the Union is based, among which the values of respect and of right to difference,
 - Social solidarity and solidarity between generations that make us declare ourselves in favour of a welfare state modelled on the highest standards present in the Union and not on the lowest, and make us refuse the “all economic” option to the detriment of a social cohesion that founds a fair progress in which every one can take part according to his/her own capacities,
 - Respect of the family,
 - Respect of environment and obligation of a sustainable development including the cautious and reasonable management of universe as a *sine qua non* condition for an harmonious future for the generations to come,
 - Respect of property.
3. We also ask that Europe acquire all legal means aiming to enforce its international and diplomatic presence and weight (creation of unique “Ministry” for Union’s Foreign Affairs, definitive suppression of the right of veto for all Union’s matters in favour of votes with diversified majorities according to the matters submitted to vote, acquisition of a unified military force).

If Europe wants to contribute to the apparition of a credible alternative to the world disorder which is presently taking place, it is necessary that it can develop a common foreign policy based on human rights and justice that are not varying according to the interests of certain Union’s Member States. Without this, the European values will be condemned to be perceived as a cynical application of double standards, undermining

any future possibility of dialogue with people daily subjected to a certain European hypocrisy existing between the official discourses and the ground level reality.

4. Integration in Europe shall be conceived not as the acceptance and the unconditional subscription to a cultural or civilisation model, but as the full participation of every one within a shared citizenship understood in its broadest meaning of “participation to the life of the City”, in respect of cultures, beliefs or philosophical options, languages, and ways of life of every individual.

Consequently, we propose that the *Preamble of the Charter of Fundamental Rights of the European Union*, which recognizes *the importance of the spiritual and moral heritage of Europe*, and in which Muslims can unquestionably find themselves, be integrated as a preamble to the *Treaty*, in case it would not be possible to mention the *spiritual values* in the Article 2 defining the *Union’s values*¹ (see our reservations here under, Article 1).

However, with a view to justice and wider opening, we insist for the text of the preamble to be amended in the following way: “*Conscious of its spiritual and moral heritages, the Union...*” so that the contribution of each culture, each religion and each system of values to the construction of Europe as we know it today be legitimately recognised.

The mention of these values seems effectively essential to us as far as the relation, though differentiated, to Transcendence is determining for the majority of Europeans. The contribution of men of faith and values has been decisive at every period in the rapprochement of men and communities, beyond ignorance, prejudices, hatreds, and differences.

However, in order to avoid any false debate, we insist on précising that, for us, Muslims, the combination of spiritual or religious values with the principle of secularism is truly not a problem. Indeed, we favour, at the European level, the application of a secularism² understood in the sense of its original promoters as the “*separation of Church and State*” and also as the participation to the “public thing” of the greatest number of religious, philosophical, ethnical, cultural, linguistic... communities as such. It must absolutely not be understood as the negation of the spiritual dimension of the “Other”, as it is nowadays the case by certain anti-clerical or even anti-religious literalist fundamentalists who are trying to lock up and to confine every relation to Transcendence within the sole private sphere through the imposition of a secularism which became an ideology of a-religion as dogmatic as the evils it pretends to fight against.

On the contrary, we are in favour of the application of a secularism that would allow every one to express himself freely and to live his “being to the world and to Transcendence” without any bullying, nor discrimination nor bondage, in both the private and public spheres³ (including State corps). The State, conceived as a legal and administrative entity and not as the sum of its servants, being philosophically, religiously and ideologically neutral, and watching over the good harmony and the respect of the identity of every one within the public sphere from which it is itself also part of.

Secularism wants itself to be the separation of two entities that at a certain moment in history, aimed to invest and assume a same temporal power. It was not, at the beginning, the negation of

¹ Extract of the preamble of the Charter of Fundamental Rights: “[...] *Conscious of its spiritual and moral heritage, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law. It places the individual at the heart of its activities, by establishing the citizenship of the Union and by creating an area of freedom, security and justice[...]*”.

Article 2 of the Treaty: The Union’s values:

“*The Union is founded on the values of respect for human dignity, liberty, democracy, the rule of law and respect for human rights, values which are common to the Member States. Its aim is a society at peace, through the practice of tolerance, justice and solidarity*”.

² In the sense of *laïcité*.

³ In the respect of Article 9 of the European Covenant for Human Rights.

the religiosity of the one for the benefit of the irreligiosity of the other. Neither was it the negation of the religious reference in the management of the worldly affairs. Why would it be like this now? It is up to every one to determine the values that he or she intends to mobilise in order to act on the world, in the respect of the values of the “Other” and in the search of complementarity and collaboration.

We thus advocate, as Muslim Europeans, the need to refer to spiritual and moral values as being at the very foundation of the construction of Europe while affirming the necessity of the future Union’s secularism, as it has just been defined: neutral Institutions watching over the protection of every one, public space opened to personal and community based investment in the respect of the Charter of Fundamental Rights, the European Covenant on Human Rights, and the spirit of secularism.

As far as Article 1 is concerned, we propose the following text⁴:

1. *Reflecting the will of the populations of Europe to build a common future, this Constitution establishes a Union [entitled ...], within which the policies of the Member States shall be coordinated, and which shall administer certain common competences on a federal basis.*
2. *The Union shall respect the national identities of its Member States.*
3. *The Union shall be open to all European States whose populations share the same values, respect them and are committed to promoting them together.*

Explanations: we replace by *populations* the mention of *the people and the States* which is too restrictive and based on a progressively disappearing ideology making sacred Nation State. The Union must surpass those retrograde visions of emanation of power to envisage and develop a more inclusive vision of citizenship based participation to its construction. The wider term *populations* encompasses also allochthonous populations settled for decades, not being part *stricto sensu* of the *people* of Europe but having however full right of participation to the political life of their State of residence.

Moreover, we question ourselves on the necessity to call in such “values” to justify the construction and the reinforcement of an economical and monetary union before all.

The specific mention of those values raises some problems: first of all, to integrate such values in a Constitution runs the risk of transforming them into constraints that could be problematic in the frame of an efficient management of a unique diversity in the world. Secondly, some are trying to monopolize those values in order to attempt to exclude states supposedly essentially extrinsic to this world or values. Thirdly, the acceptance of a State would be a function of the conformity of this State to those values: who will judge the (non)conformity of this State to those particular values and according to which criteria?

The evocation of such values, which are besides defined in a vague way (see Article 2), in a Constitution will not fail to raise serious problems in the times to come. Letting the choice of accepting another state to a referendum of the populations of the Member States would seem to be a more democratic process that would be less likely to give way to arbitrary.

As far as Article 2 is concerned, we propose the following text:

The Union is founded on the principles of Justice, democracy and Rule of law and on the values of respect for human dignity, liberty, equality and respect for human rights, values which are

⁴ Article 1: Establishment of the Union:

1. *Reflecting the will of the peoples and the States of Europe to build a common future, this Constitution establishes a Union [entitled ...], within which the policies of the Member States shall be coordinated, and which shall administer certain common competences on a federal basis.*
2. *The Union shall respect the national identities of its Member States.*
3. *The Union shall be open to all European States whose peoples share the same values, respect them and are committed to promoting them together.*

common to the Member States. Its aim is a society at peace, through the practice of respect, justice, social justice and solidarity.

Explanations : Justice shall not only be an aim for Europe, it must also be the first of its principles. Sometimes tyrants claim justice as their aim. In reality, however, they practice extreme injustice.

Democracy and Rule of law are not only values, they are before everything principles that have always been underlying the European construction project. Putting them at the forefront confers them a determining impact.

We add to the list of values, the notion of equality, which is fundamental in Islam.

We replace the term tolerance, discriminating and negative, by the term respect, because tolerance of difference is not an acceptance of difference: it is bearing it without even considering it. Respect of difference is accepting the difference for what it is. Between these two notions, there is a sizable nuance. Respect allows the Muslim and non-Muslim and all who are different, to feel at home in Europe, whereas tolerance makes one feel to the other that he is a perpetual alien for whom one dares condescendingly to make a little place.

Social justice must be clearly indicated as one of the tools of the Union and not only as one of its objectives (see Article 3).

As far as Article 3 is concerned, we propose the following text⁵ :

- 1. The Union's aim is to promote peace, its values and the well-being of its peoples.*
- 2. The Union shall work for a Europe of sustainable development based on social justice and balanced economic growth, with a free single market, and economic and monetary union, aiming at full employment and generating high levels of competitiveness and living standards. It shall promote social and economic cohesion, equality between women and men, and environmental and social protection, and shall develop scientific and technological advance including the discovery of space. It shall promote solidarity between generations and between States, and equal opportunities for all.*
- 3. The Union shall constitute an area of freedom, security and justice, in which its shared values are developed and the richness of its cultural and religious diversity is respected, due to a global and balanced education.*
- 4. In defending Europe's independence and interests, the Union shall seek to advance its values in the wider world. It shall contribute to the sustainable development of the earth, solidarity and mutual respect among peoples, eradication of poverty and protection of children's rights, strict observance of internationally accepted legal commitments, and peace between States.*
- 5. These objectives shall be pursued by appropriate means, depending on the extent to which the relevant competences are attributed to the Union by this Constitution.*

⁵ Article 3: The Union's objectives:

- 1. The Union's aim is to promote peace, its values and the well-being of its peoples.*
- 2. The Union shall work for a Europe of sustainable development based on balanced economic growth and social justice, with a free single market, and economic and monetary union, aiming at full employment and generating high levels of competitiveness and living standards. It shall promote economic and social cohesion, equality between women and men, and environmental and social protection, and shall develop scientific and technological advance including the discovery of space. It shall encourage solidarity between generations and between States, and equal opportunities for all.*
- 3. The Union shall constitute an area of freedom, security and justice, in which its shared values are developed and the richness of its cultural diversity is respected.*
- 4. In defending Europe's independence and interests, the Union shall seek to advance its values in the wider world. It shall contribute to the sustainable development of the earth, solidarity and mutual respect among peoples, eradication of poverty and protection of children's rights, strict observance of internationally accepted legal commitments, and peace between States.*
- 5. These objectives shall be pursued by appropriate means, depending on the extent to which the relevant competences are attributed to the Union by this Constitution.*

Explanations: Twice, we prefer to refer first to the social aspects of the Union's development: concerning justice and cohesion. The economical primacy has been the Union's foundation up till now. It would be good that Europe affirm finally clearly its will for promoting an alternative development in which every actor can blossom without it being done to the detriment of somebody else, and this in respect of the everyone's initiative.

The Union shall not only encourage solidarity and equality of opportunities, it shall first promote them and support their implementation.

Europe is not only characterised by a cultural diversity, but also by a religious diversity that it matters to mention, because religion and culture are not synonymous. Even if they cover common spaces and fields, their aims, their finalities and their modalities are nevertheless very different.

We also think that it is imperative to refer to a global balanced education as one of the principal tools to ensure the transmission and the implementation of those values for all Union's citizens.

Aware of the fact that this is presently the only contribution to the works of the European Convention emanating from a European and Muslim organisation, FEMYSO wants to reiterate our will to fully participate in all present and future processes aiming at the elaboration of a European society being peaceful, multicultural, multi-denominational, inclusive, respectful and open to the "Other". Furthermore, this European society that we hope and pray for should have as a goal to confer on Man his right place – and this in the name of our relation to God and in the sincere and serene collaboration with other systems of values and thoughts – and to avoid, for the times to come, any destructive conflict.

FEMYSO