



# Around Europe

Quaker Council for European Affairs

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## What happened to the Constitution? The 'no' votes in France and the Netherlands

The Treaty establishing a Constitution for Europe was agreed by the Member States in December 2003. The ratification process started in 2004. What does the ratification process entail?

Article IV-447 (Ratification and entry into force) of the Treaty establishing a Constitution for Europe reads as follows:

1. This Treaty shall be ratified by the High Contracting Parties (i.e. the governments of the Member States) in accordance with their respective constitutional requirements.

That is one of the reasons why the ratification process is being conducted at a Member State level (and not as a Europe wide referendum). Some Member States have to have a referendum which is binding (e.g. Ireland), some cannot have a referendum on this issue but must use the parliamentary process for ratification (e.g. Germany), some can opt to have a binding referendum (e.g. France), and some can opt to have a non-binding referendum (e.g. Spain).

Article IV-447 further reads:

2. This Treaty shall enter into force on 1 November 2006, provided that all the instruments of ratification have been deposited, or, failing that, the first day of the second month following the deposit of the instrument of ratification by the last signatory State to take this step.

In other words, if one or more countries fail to ratify the Treaty there is a possibility of extending the ratification period to allow for another attempt.

Some commentators have argued that Article VI-443 (4) allows for the European Council to make decisions about implementation even if some Member States have not ratified. However, Article VI-443 applies to treaties amending the Treaty establishing a Constitution for Europe and not the Treaty establishing a Constitution for Europe itself and therefore does not apply to the current situation.

France and the Netherlands would have to

have another go at ratification or the Treaty is at an impasse.

But is that likely? Both the turnout and the 'no' vote were pretty convincing in both countries. In both countries the 'no' campaigns were campaigning on a wide range of issues, some of which had little to do with the content of the Treaty. There was (as in other countries which have yet to ratify) a coming together of domestic issues (such as dissatisfaction with the national government), concern over social policies (some of which would not be affected by the Treaty), concern about immigration (which in itself is not going to be affected by the Treaty), concern about cheap labour coming into Western Europe (which is more related to enlargement than to the Treaty), concern about the accession of Turkey (again, not necessarily affected by the Treaty), anger about price increases as a result of the introduction of the Euro (again, not related to the Treaty) and concern about the loss of national sovereignty.

The 'no' campaigns were a mixture of the far right and the left with very different agendas.

So how likely is it that another vote would end differently in these two countries? How likely is it that either government, even if it wanted to, could justify and survive ratification in opposition to the referenda? How likely is it that cosmetic or even non-cosmetic minor changes to the Treaty would sway the electorate?

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## Bertha Von Suttner 2005

**Invitation: Sylvester (New Year's) - Workshop In Vienna  
28 December 2005 to 02 January 2006**

2005 sees the 100th anniversary of the Nobel Peace Prize award to the Austrian Bertha von Suttner. This is an excellent opportunity to commemorate her outstanding performance and to learn about her concern and her peace engagement. Her activities and publications are just as current today as they were in her time.

The Austrian Quarterly Meeting (of Friends) and Konfliktkultur Association in Vienna have established a central coordinating event-office and a webplatform to honour Bertha von Suttner - [www.BerthavonSuttner2005.info](http://www.BerthavonSuttner2005.info) - and we are now inviting young Friends from European countries to participate in the project 'Imagine Peace' reflecting on the significance of peace, asking about its meaning and developing descriptions and images of their understanding of peace.

The central idea of this project derives from the thesis that peace must be more than the opposite of war. How can we define active positive peace? What kind of images develop in a process of searching for new notions and definitions of peace?

We are planning a workshop where creative new representations can be developed in words, figures, pictures or other conceptions defining peace without any connotation to war as its opposite.

Similar workshops will take place in several European countries, also remembering Bertha von Suttner and searching for all kinds of creative transformations according to a new concept of peace.

The webplatform [www.BerthavonSuttner2005.info](http://www.BerthavonSuttner2005.info) will offer an exchange-forum for communication between the workshop groups.

On 19 April 2006 there will be a conference at the City Hall in Vienna, showing the products of all workshops in an exhibition and presenting their different approaches to peace. Delegates of all workshop groups will be invited to discuss their concepts with international peace activists. This event will be an unusual innovative peace conference in remembrance of Bertha von Suttner.

Shortly after this conference the exhibition will also be presented in Brussels in the European Parliament.

If you are interested in our Sylvester workshop please contact us at:

[office@BerthavonSuttner2005.info](mailto:office@BerthavonSuttner2005.info) or [jalka@konfliktkultur.at](mailto:jalka@konfliktkultur.at)

*Jalka for Konfliktkultur Association*

### What happened to the Constitution

*(Continued from page 1)*

More to the point, the concerns of many of the 'no' voters in France and the Netherlands are different to the concerns of potential 'no' voters in the UK, for example. Hence, changes to address the concerns in France and the Netherlands may be unacceptable to other Member States and/or their electorate.

At the Council Summit in June 2005, the Heads of State and Government decided to put the ratification process on hold. They also promised full discussions with citizens in each of the Member States. Let us hold them to it!

QCEA will remain focused on developments and will provide you with further information and analysis of the situation in the next issue of **Around Europe**.

*Martina Weitsch*

### Remembering Irene Tester

One of the joys of being involved with QCEA for Friends in Brussels has always been the privilege of meeting and working with Friends from the four corners of Europe - no corner more far flung than Devon from where Irene Tester, who has just died at 96, faithfully supported both the concept of a Quaker representation in Brussels and then staff and officers in Quaker House and the nascent British Committee. Her kindness and her intuitive understanding that events in Brussels and Strasbourg were of outstanding importance to all Europeans were considerable in the early days of QCEA and we were able to show our appreciation and love on her 96th birthday with flowers from Council to one of QCEA's earliest and strongest supporters.

*Elisabeth Baker*

## Women In Prison: What We've Discovered

### Some statistics to consider:

In 1997, HM Inspectorate of Prisons conducted a survey of 234 randomly selected women prisoners.

### It found that:

- half the women reported a history of abuse, of whom a third had been sexually abused, a third physically abused and a third reported both physical and sexual abuse.
- 40% had been heavily using, or were addicted to drugs.
- nearly 10% had been homeless before entering prison.
- 70% had been unemployed prior to imprisonment.
- 20% had spent time in care as children.

In February 2004 *Around Europe* readers were informed of QCEA's and QUNO's joint project on women in prison.

One of the things we've discovered is how little there is to discover! Governments keep data on the number of women coming into prison and their crimes but little else. Women's children rarely figure in official statistics demonstrating how unimportant childcare and child-welfare is to courts who do not consider the wider repercussions of the sentences they hand down. QCEA has experienced at first hand the impenetrability of the prison system through visits by our staff and by attempting to get our questionnaire inside prisons. We can only imagine how easily abuse and misery goes unresolved and unnoticed by the outside world.

QCEA gains a unique perspective by its Europe-wide approach. Both similarities and differences are striking. We have found examples of open prisons in the Netherlands where prisoners shop and cook for themselves in small units and we have found appalling human rights abuses wherever people are held in custody in Albania where the conditions themselves can be described as 'cruel and degrading'.

But the greatest similarity is children. Without exception the care of women prisoners' children is an unresolved problem. Right across Europe children are taken into care by social services, left in orphanages or dispersed among relatives. Few countries have enough mother and baby units, if any, and European experts can come to no agreement over whether it is best to separate a mother and child causing emotional trauma or to let children stay in prison with their mothers at the risk of their educational development.

Another common European problem is 'economies of scale': because there are fewer female prisoners they are more likely to be sent far away from their families (staying in touch with families reduces re-offending), to be in overcrowded conditions or to be attached to men's prisons risking sexual stereotyping in terms of work and education offered as well as violence. Women are less likely to have access to programmes that are designed for women e.g. support groups for drug offenders.

Above all a picture of who is being sent to prison is emerging: Higher rates of drug addiction, mental health problems and histories of abuse are to be found in prison than in the population at large. The high rate of petty property crimes committed by women suggest we are sending, not only the most damaged, but the poorest of our society to prison. What is also clear is that the loss of housing, jobs and above all the loss of their children means these women seldom come out of prison the better for their experience.

It is time to reconsider not only the poor conditions in women's prisons but the gender blindness of our judges and politicians. Equal sentences seldom have equal results.

### Of further interest:

- <http://www.quno.org/humanrights/women-in-prison/womenPrisonLinks.htm#QUNOPUB>
- 'Forgiving Justice', Swarthmore Lecture 2000 by Tim Newell.
- 'Offenders as People' Report of a conference held at Woodbrooke, An Occasional Paper published by QCEA.

QCEA would welcome contacts and information on women in prison in European countries including Turkey, Azerbaijan and Russia.

Charlotte Wetton



## Speaking Truth to Power in Europe

### Is it possible, is it useful, does it work?

Interested? Enrol on a course from Friday 23 - Sunday 25 September 2005 led by Liz Scurfield and Martina Weitsch, Joint Representatives at QCEA, at the Woodbrooke Quaker Study Centre in Birmingham, UK.

Come and hear of our direct experience of political work done at a European level in the name of Quakers and how this has influenced and developed our approach.

We explore what can and should be done and what the distinctive Quaker contribution is. When we came to this job we had little experience of international advocacy and lobbying though plenty of interest in and engagement with politics. We had no particular views pro or anti the EU. We think this was an excellent basis on which to approach this role openly and with the flexibility it needs in order to be responsive to the issues of the day - some that we did not expect to be able to work on and some that we did - and to reflect Quaker thinking rather than just our own.

The approach is also challenging and we have learnt much about what works and what doesn't.

This course is for those who are for or against the EU or who simply do not know. We welcome different views - a chance for real exploration and discussion.

(Bookings via Woodbrooke; full details at <http://www.woodbrooke.org.uk/>)

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#### Cost per year:

- **Around Europe:** £16/22 euros (25 euros outside Europe).
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- **Supporting Membership:** 95 euros/£65 (please ask for more details)

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**Deutschland:** über das Konto der Jahresversammlung: Rel. Gesellschaft der Freunde (Quäker), Postgiroamt Hannover, Konto 128 16-300, BLZ 250 100 30 (mit Vermerk QCEA).

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**UK:** by cheque payable to 'QCEA British Committee' sent to John Green, 3 C Hillcrest, Thornbury, Bristol BS35 2JA.



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