

# Financing Churches and Religious Societies

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## Are Sects to be Financed as Religious Societies?

Willy Fautré, *Human Rights Without Frontiers*

The financing of churches and religious societies unavoidably raises some basic terminology issues. What is and what is not a church or a religious society? Is a church or a religious society only related to so-called "*traditional religions*" in a specific country and at some definite time of its history? These are basic questions. In other words can or must a so-called "*sect*" be considered as a religion and its legal entity be financed on the same footing?

The concept of religion in countries of Judaeo-Christian tradition was never fixed once for all at some definite time in the past, but remained, and still is, in constant evolution. The world of religions is so heterogeneous, changing and evolutionary that modern scholars and international institutions such as the U.N. and the European Parliament have been unsuccessful in working out a definition which encompasses, within one framework of reference, the diverse range of actual religious movements and which can remain uncontaminated by cultural connotations.

Because of the diversity among and inside religions, it can be said from a human rights perspective that, even if a definition of the concept "*religion*" remains elusive, there is a nebula of interwoven religions and belief-systems which can claim the benefits of the provisions of international instruments safeguarding the freedom of conscience, religion and belief. In this regard, the last report of U.N. Special Rapporteur on Religious Intolerance and Discrimination, Mr Abdelfattah Amor, discloses violations of religious freedom committed by states not only towards the *religious establishment* specific to the concerned countries but also towards *dissident religious movements* which broke away from their respective religious establishments throughout their history: Baha'is, Ahmadis, Pentecostals, Adventists, Jehovah's Witnesses, Mormons, Hare Krishna and many others.

The major world religions usually identify all other religious groups as "*sects*" or "*cults*" with all the bad connotations that this terminology implies. They use this term to qualify splinter groups inside their own ranks or new religious movements challenging their theology or their supremacy in certain parts of the world. However, it must not be forgotten that the early Christians were once considered a sect by the Jewish establishment and were persecuted both by the mainstream Jews and by the Romans. They were themselves subject to accusations that can now be found in reports drafted by parliamentary commissions in France, Belgium or Switzerland: indoctrination, anti-social speech, breaking up families, infiltration of social and political elites, prozelytizing, exotic beliefs and practices, disturbance of public order...

Such criteria accurately indicate the kind of litmus test used by State institutions, the media, human rights organizations and secular institutions to make a distinction between sects and religions.

However, it must be admitted that major religions, their leaders and their clergy have also committed the very same malpractice as is normally associated with those belonging to "sects" and their leaders. If qualitative criteria are irrelevant, quantitative criteria cannot come into consideration either. A concrete example. In Belgium, Jews are less numerous than Jehovah's Witnesses but they enjoy more rights because their religion is recognized by the State. Historicity of a religion is not a relevant criterion either as a historical religion in one part of the world may not be historical in another continent where it has settled itself in a recent past. Why would privileges then be attributed to some and not to others on the grounds of historicity, which proves to be a very relative factor both in time and in space?

Therefore, the concept "*sect*" is quite relative. Moreover, from a human rights perspective, this term is not neutral and as such, its use should be banned by the State institutions in conformity with the basic principle of separation of State and Religions.

My conclusion is that from a secular point of view no objective criteria enable to distinguish *sects* from religions. This, of course, raises a number of awkward questions. If the State uses a percentage of the income taxes of its citizens to finance a limited number of religions, those who profess another religion or who do not profess any religion can claim that they are being discriminated and despoiled by the State as it embezzles a part of their revenues to the benefit of privileged religion(s). But if a State decides to finance churches and religious societies, it may be challenged to finance all religious associations whatever the number of their members. Are political decision-makers and their electors ripe enough and ready to accept such deep changes in their mentality and their culture? Is religious pluralism that different from political pluralism? Couldn't the State find in the financing of political parties, whether they are traditional or new, criteria that could be applied to religions? These are open questions in all the countries of our continent. Some are anxious to bring their legislation in conformity with religious pluralism and are exploring new ways of financing the wide range of religions which exist on their territories. In Italy, a recent draft law replacing the concept of "*religions admitted by the State*" by "*religious denominations having legal personality*" goes into that direction.

A French proverb says that all roads go to Rome. In the matter of State financial support to churches, the road may go through Rome.

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