

# State Neutrality and Equal Treatment of Religions

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Ladies and gentlemen,

In my capacity of director of HRWF, an NGO based in Brussels, I feel extremely honored to have been invited by Joseph Grieboski, president of the Institute on Religion and Public Policy, to co-host this Transatlantic Exchange on Religious Coexistence in a Church-State Context along with the Department of State, the Washington Theological Union, the J.M. Dawson Institute of Church-State Studies of Baylor University and the Institute for Religious Values.

I will start my introductory remarks by telling you an incident that occurred in October last at the OSCE Meeting in Warsaw. During the session devoted to freedom of religion and belief, France was heavily attacked by a number of NGOs and the US delegation because of its anti-sect policy. The French representatives opposed a confused defence and claimed that there was a US interpretation of religious freedom that was incompatible with the French and even European perception.

I will not comment here on that statement but I then thought that it would be very useful to open a transatlantic dialogue between the US and Western Europe on freedom of religion and belief so as to defuse the tensions that have appeared and intensified around this issue in the last few years and to build up a common approach.

With this 2-day conference, my dream is becoming true but I am aware that it is only a first step and that many more initiatives will have to be taken on both sides of the Atlantic Ocean to involve not only academics but also political decision-makers.

Both in Western Europe and in the US, there is a will to fight against religious intolerance and to reduce religious discrimination and inequalities. This is essential to peaceful religious coexistence but this poses the principle of state neutrality, equal treatment of religions and believers or non-believers, an issue and a challenge to a human rights organization like ours.

Equal treatment of religions implies neutrality and non-interference of public authorities in their internal affairs. This neutrality can be expressed in two different ways. On one hand is the total separation of state and religion, without any particular material, financial or fiscal advantages either directly or indirectly. On the other hand, an impartial system of state support based on unique criteria for each and every religion and belief group.

The US, France, The Netherlands and Ireland are trying to implement the first solution. They do not have a system of recognition of religions and do not finance religions directly. However, public authorities are involved in various hidden types of indirect financing. Moreover, in the specific case of France, the sect issue has led to the exclusion of these groups from the religious field by public authorities and has implicitly led to the legitimization and a privileged treatment of so-called traditional religions. This is notably reflected in the fiscal advantages granted to so-called historical religions and denied to religious groups labeled 'sects'.

Other European states claim to treat all religions alike and indiscriminately. They practise different systems of registration or recognition of religions and therefore grant themselves the power to decide what group is or is not a religion. This also leads to two-tiered and multi-tiered systems and to inequality and discrimination between religions, especially in financial and fiscal matters.

Both categories still have a long way to go if they want to get closer to the objective they have set.

The most significant discrimination towards individuals relates to the link which several states have established between the financing of religions and the participation of their citizens in this financing. The discriminatory element is the obligation incumbent upon certain categories of citizens to finance, without their agreement and against their will, religions and belief groups which they are either opposed to, or which are opposed to their own religious convictions. Discriminatory also is the way in which certain categories of citizens are not allowed to finance their own religion via the system of income tax.

Despite the deviations in the implementation of the two models of relations between the state and religions that I have described before, the total separation between the state and religions is certainly more neutral and less discriminatory. This separation must however not be considered as hostility but must be respectful towards religions and believers.

However, for cultural, societal and political reasons, examples of voluntary and consensual passage to a total separation system are very rare. Realism imposes therefore to look for improvements to other models in the light of the provisions of international instruments.

I hope the transatlantic exchanges of expertise today and tomorrow will contribute to a better coexistence between states and religions and will pave the way to non-discrimination, mutual tolerance and respect, and peace.

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Washington  
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