

Religious Persecution in Europe

Willy Fautré, *Human Rights Without Frontiers*

The European continent is multicultural, multilingual and multi-religious. However, in many cases, a specific religion has been closely linked to the edification of modern nation-states and pretends to enjoy or effectively enjoys some privileged status legally, politically and socially. Consequently, most European countries have a two-tiered or multi-tiered system in which religions have different statuses and in which citizens are not treated in the same way.

The most obvious shift is undeniably between, on the one hand religions, which the state recognizes and therefore legitimizes with some sort of quality label, and on the other hand second-rank religions that are not recognized - "sects" or "cults." The criteria for establishing various categories of religions are often disputable and sometimes nonexistent.

The categorization of religions leads to a categorization of state financing systems that are discriminatory. In the wide variety of financing systems in force in Western Europe, taxpayers may not be allowed to finance their own religion and may, to various degrees, have to finance religions and sometimes also secular humanist movements that they do not adhere to.

Mass homicides/suicides and crimes committed by a number of cults around the world in the 1990s have triggered an indiscriminate witch-hunt against hundreds of minority religions and against their adherents by anticult movements and the media all over Europe and by the parliaments of France, Belgium, Germany and Austria.

In the two-tiered system currently in force in Belgium, for example, state recognition implies access to state financial support. This explains why most religions, whatever their historicity or their size, apply for state recognition. However, State subsidies are provided by *all* taxpayers, including those who profess a nonrecognized religion or who do not profess any religion.

Such a system is no longer adapted to the globalization process, to an ever-extending Europe with increasingly fading international frontiers, or to modern societies that are becoming more and more heterogeneous. It needs to be replaced by a new deal with new rule, but it must be realistic.

Europe has a long history as a welfare state in most sectors of society, including the religious sphere. It is, therefore, more pragmatic to plead for a reform of the system in a way that could awaken synergies among various segments of civil society rather than a radical change, such as putting an end to the state financing of religions. Such a change would trigger much opposition from the religious establishment and is unlikely to find any political support. Norway, Germany, Austria, Italy and Spain have introduced a system that partially allows taxpayers to allocate a part of their income tax to the religion of their choice. However, there are big disparities among the systems of these countries.

Consider, also, how different international religious freedom reports handle the issue of two-tiered systems. There exist very few reports about world-wide religious freedom. Until recently the only one published on an annual basis was the report of the United Nations Special Rapporteur on Religious Intolerance and Discrimination. However, his financial and human resources are very limited. With the passing of time, the number of pages has been drastically reduced on budgetary grounds. In the last issue that comprises only 27 pages, every country is very briefly and quite unsatisfactorily covered.

Following on from the International Religious Freedom Act signed into law by President Clinton on October 27, 1998, the U.S. State Department published a first report in September 1999. In covering 194 countries in about 1,000 pages, the American report is the first large-scale attempt to X-ray religious freedom around the world on the basis of a number of criteria. It is a tool and a reference work. In the future, it will certainly be seen as a landmark in the history of advocacy of religious freedom because it is the first time that an international human rights report echoes the concerns and complaints voiced by minority religions.

What do the United States and State Department reports say about two-tiered systems and states that use them? The U.N. report is silent about France and Austria although they have created a category of second-rank religions called sects or cults and have decided to combat them. Germany's profile is limited to a few lines on a controversial group, Scientology. The part devoted to Belgium comprises three paragraphs, the last of which is quite at odds with assessments made by academics, experts, and international organizations such as the OSCE (Organization for Security and Cooperation in Europe). The contribution about Greece just focuses on minor incidents that are not representative of the situation in the country. In none of these country profiles is the two-tiered system highlighted as a structural source of institutionalized discrimination towards minority religions.

The U.S. State Department report, by contrast, deals with the discrimination and inequalities brought about by two-tiered systems. However, despite its qualities, the U.S. report is certainly perfectible. There are a number of factual mistakes, omissions, mischaracterizations, and over-emphases (especially regarding Scientology in Germany).

Such mistakes could have been avoided and could be noted in the next report if each embassy had had its first report proofread by one or two local experts before sending it to Washington for a final review. In the future, the U.S. embassies should remain in contact with three categories of sources if they want to be seen as neutral and credibly reliable: first, lawyers, human rights organizations, and minority groups; second, governmental sources; and third, established religions and anti-sect movements, etc.

An assessment is a first step, but it is not sufficient. A policy aimed at improving religious freedom must also be implemented by the United States. Also, there is the question of whether it is up to the United States alone to draft a report on religious freedom around the world. No other country seems interested in replacing or collaborating with the United States in advocating religious freedom. But would it be unthinkable to have the assessment of religious freedom in almost all European states carried out under the auspices of the OSCE? An annual evaluation of the religious freedom policies carried out by its member states with regard to their commitments to the 1989 Vienna Concluding Document would fit perfectly into the mandate of the OSCE's Office for Democratic Institutions and Human Rights and its committee of experts on freedom of religion and belief.