

OSCE HDIM

Tuesday 7 October 2008 a.m. - Freedom of Religion or Belief

Intervention by David Pollock, European Humanist Federation

Let me start with a quotation:

The principle of separation of church and state must not be used as an excuse to separate state and religion, suggesting that religion is a strictly internal matter for the individual and that the "public square" must be free of religion and therefore of believers and their communities.

This is the complaint we hear constantly today from some religious organisations. Things are allegedly reaching crisis point and a fight back is necessary. But this quotation came from an OSCE paper of 12 years ago, which suggests that what we see is actually a constant state of tension. That 1996 paper recommended:

Religious organizations should not decide political issues, but all religious communities should have the guarantee of participation in the public policy process on matters with ethical and social responsibility dimensions.

I think this needs some qualification. Loose talk segues dangerously between 'religion', 'religious people', 'religious communities' and 'religious organisations'.

Let me be quite plain. The European Humanist Federation has no wish to keep religious people out of the public square. They have a valuable contribution to make - not just as citizens but on the basis of their particular insights and experience. They have sometimes taken the lead and campaigned valiantly on matters of (for example) poverty and social injustice.

But there are buts.

But 1: Human rights attach to individuals, not (for example) to religions, despite the coordinated campaign across the world for so-called defamation of religion to be classed as an abuse of human rights. Individuals - religious or otherwise - have the right to organise the better to seek their aims. The Humanists do this, after all. But when organisations lobby governments, governments must consider the standing of those organisations - how democratic are they? how representative of their members or followers? Here the churches are often found to be unrepresentative. On matters of sexual morality, notoriously, the Catholic Church speaks for its obstinate institutional position, not for its followers. Likewise on matters of genetic research and sexuality, individual religious believers are often way ahead of their conservative religious institutions. Governments should not uncritically assume that the churches represent even their congregations, let alone all those who from inertia adopt a religious label when asked.

But 2: Even if religious people make up a majority of the population and share a particular position on a matter of political debate, it does not necessarily follow that the Government should adopt that line. Governments owe duties to **all** their citizens, and if (for example) a restriction of freedom is advocated by a religious majority on the basis only of religious doctrine, not prudential argument, then the Government must look to the rights of the rest of the population. There is nothing to prevent religious individuals abstaining from conduct that for religious reasons they deplore, but they have no right to restrict the freedom of others who do not share their views. Feelings of moral outrage may be powerfully felt by believers but they are not a reason for forcing others to behave by an alien code.

But 3: Governments should take care not to give religious groups a privileged position in the state for historic or political or other reasons. Many states in Europe give a special status to religious organisations - churches, mainly - and even allocate public money to them. Preferably they should not do so, but if they do, then they need to ensure:

1. that the subsidies decline as church membership declines; and
2. that non-confessional, humanist or laique organisations are treated on equal terms.

This happens only rarely. In Iceland, for example, the Government has over years refused to allow members of the humanist organisation, Sidmennt, to assign part of their income tax to it as the religious can to their churches.

In Greece, worse still, the state and the courts assume that everyone is a member of the Greek Orthodox Church and make it extraordinarily difficult for people to be recognised as having other - or no - beliefs. Greece has ignored several adverse rulings in the European Court of Human Rights.

Cardinal Tarcisio Bertone, the Vatican Secretary of State, made an interesting speech on church/state relations a few days ago. At the EHF side-meeting tomorrow evening, we will be making a critical examination of that speech and enlarging on the ideas I have just sketched.

5 October 2008