

# EU, STATE, CHURCHES

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REVACERN 2008 Conference:  
April 24-26, 2008, Szeged

## Starting points...

- Three traditional models:
- Separation (France + communist)
- National Churches (UK, Nordic)
- Concordatarian, confessional, cooperation (Central and South E.)
- + national differences + legal / social interactions

## Social processes...

- Secularization (secularity)
- Revitalization + another look on secularization (Casanova)
- Globalization + Post / high modernity:
- - global look, shifting looks
- - social uncertainties, particularistic responses
- - changing life styles + different relations /expectations from institutions....

## Social regulation

- Human / religious rights
- UDHR, 1948 – 18 – Everyone has the right to freedom of thought, conscience and religion; the right includes freedom to change his religion or belief, and freedom, either alone or in community with others an in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

- ...
- International Covenant on Civil and Political Rights, 1976
  - European Convention on Human Rights, 1952
  - European Court on Human Rights
  - Non-discrimination – religion and beliefs

## EU

- Basic human rights
- Article 17- Consolidated Treaty
- 1. The Union respects and does not prejudice the status under national law of churches and religious associations or communities in the Member States.
- 2. The Union equally respects the status under national law of philosophical and non-confessional organisations.
- 3. Recognising their identity and their specific contribution, the Union shall maintain an open, transparent and regular dialogue with these churches and organisations

## S. Ferrari:

Common European trend in respect of (a) the right of religious liberty; (b) the religious incompetence of the state and the autonomy of religious groups; (c) selective cooperation of states and religious groups

- Central-Eastern Europe is not so divergent from one that has become a norm in the Western part of the Old Continent. It also reflects its essential principles: substantial respect of individual religious freedom, guarantee of the autonomy and, in particular, the self-determination of the religious dominations, and selective collaboration of the states with the churches

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- Two reservations – gap between what is written and what happens is wider in CEE; lost opportunity – problems in WE, need for revision, need to compete efficiently with the US model?

## But....

- J. Fox, research in 175 countries
- religious discrimination – defined as restrictions placed on the practice on religion or religious institutions – has been both prevalent and increasing, at least between 1990 and 2002. This is true regardless of religious tradition, world religion and regime type, though there is certainly diversity in the specific patterns of religious discrimination both within and between these traditions and regions. This also runs counter to an increase in human rights observance by states on other types of human rights during the same period.

## Questions....

- Legal + social circumstances: separation + selective collaboration (confessional model)
- Differences in Constitutional provision (separation ≠ reference to religion) – differences in practice?
- Involvement of state administration
- Level of religiosity and Church – state model
- Way of financing and Church – state model

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- Religious education and Church-state model
- Social expectations from Churches and Church-state model
- Confessional tradition and Church-state model

## General methodological remarks

- Path dependency – history, role of institutions, expectations
- Differences in social structure
- Public and private
- Actors and their positions in economically, socially, ideologically ... divided societies – how to position sociological research?!?