

RELIGIOUS FREEDOM

AND STATE RECOGNITION OF BELIEF

Brandon Reece Taylorian

Associate Lecturer at UCLan and

Lancaster University

brtaylorian@uclan.ac.uk

ORIGINS OF MY RESEARCH

- My interests began with new religious movements and their apparent struggle for recognition by the state and society.
- I had an interest in how religious organisations are able to operate commercially (which combined my bachelors and masters degrees).
- I had an interest in how the commercial activities of religious organisations (e.g. collecting donations, their legal status, publishing literature) are key to allowing religious groups to thrive.



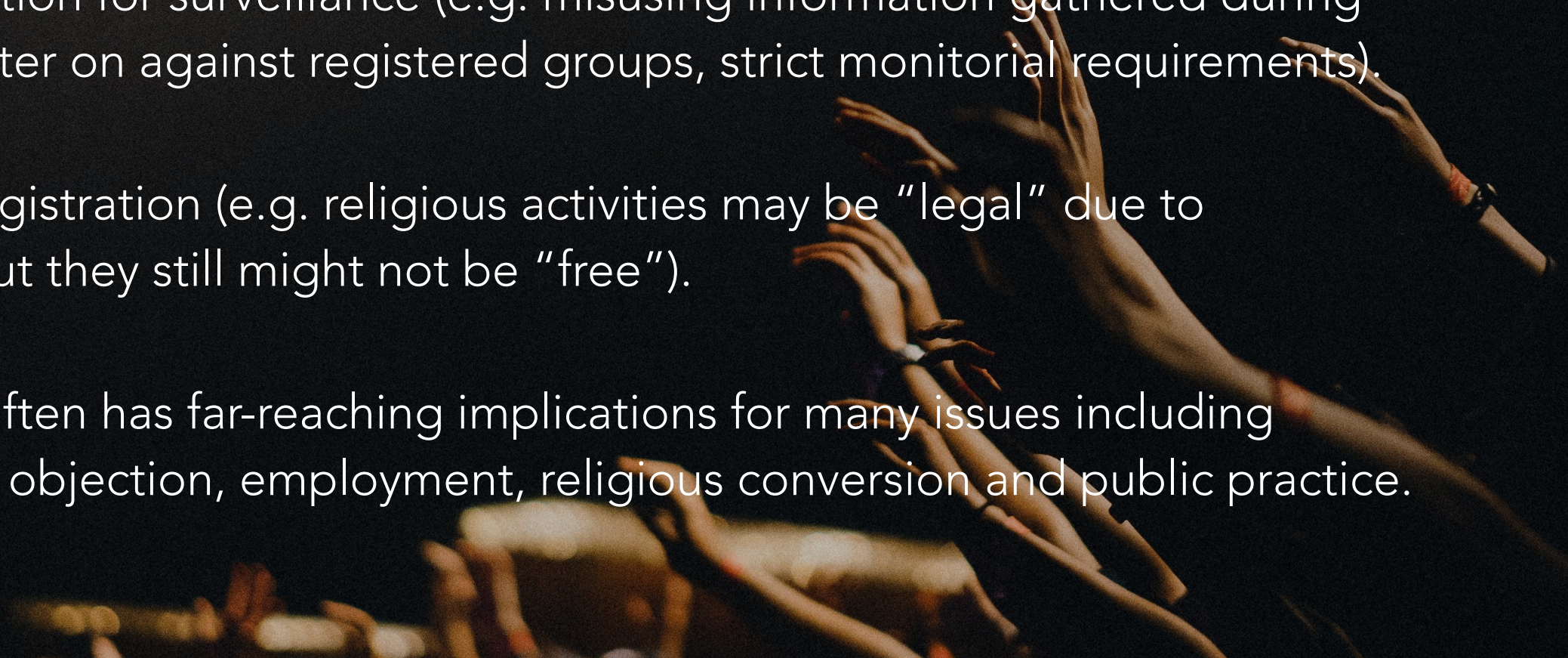
REGISTRATION SYSTEMS

- I quickly discovered that each country has established both legal and social mechanisms for recognising — or misrecognising — religions and beliefs.
- It was when I began to see these recognition and registration issues in the context of human rights as a religious freedom concern that my work began to take on a new form.
- I realised that access to and fair treatment by the state in terms of registration and recognition systems is integral to upholding the basic human right of freedom of religion or belief (FoRB).



HOW IS REGISTRATION MISUSED?

- Mandatory registration order (76 countries and territories as of 2022).
- Limiting access to registration (e.g. instituting membership or longevity quotas).
- Creating onerous registration procedures (e.g. multi-step procedures, multiple government departments and ministries involved, delays or non-responses).
- Using registration for surveillance (e.g. misusing information gathered during registration later on against registered groups, strict monitorial requirements).
- Inauthentic registration (e.g. religious activities may be “legal” due to registration but they still might not be “free”).
- Registration often has far-reaching implications for many issues including conscientious objection, employment, religious conversion and public practice.

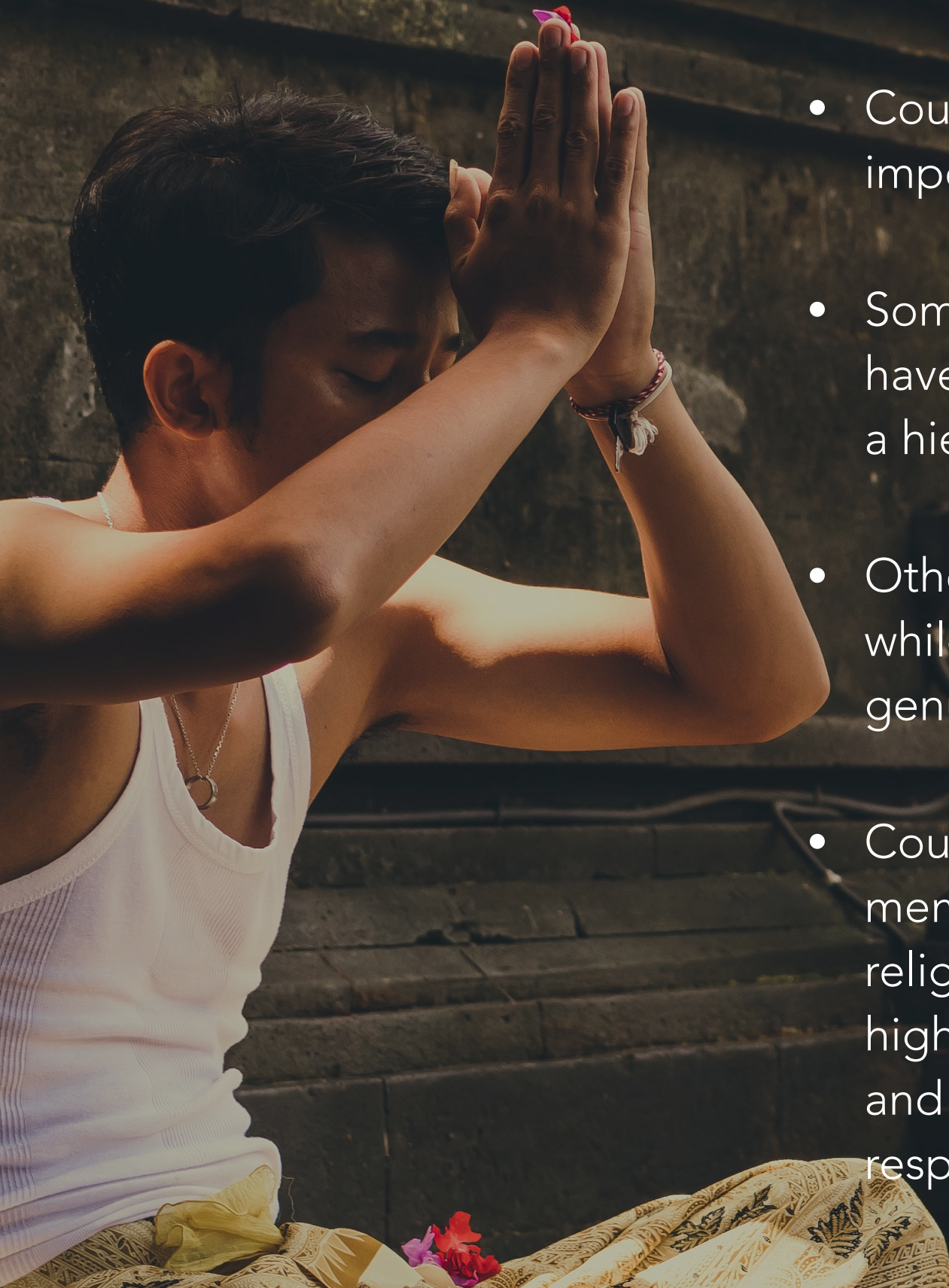


HOW SEVERE IS REGISTRATION?

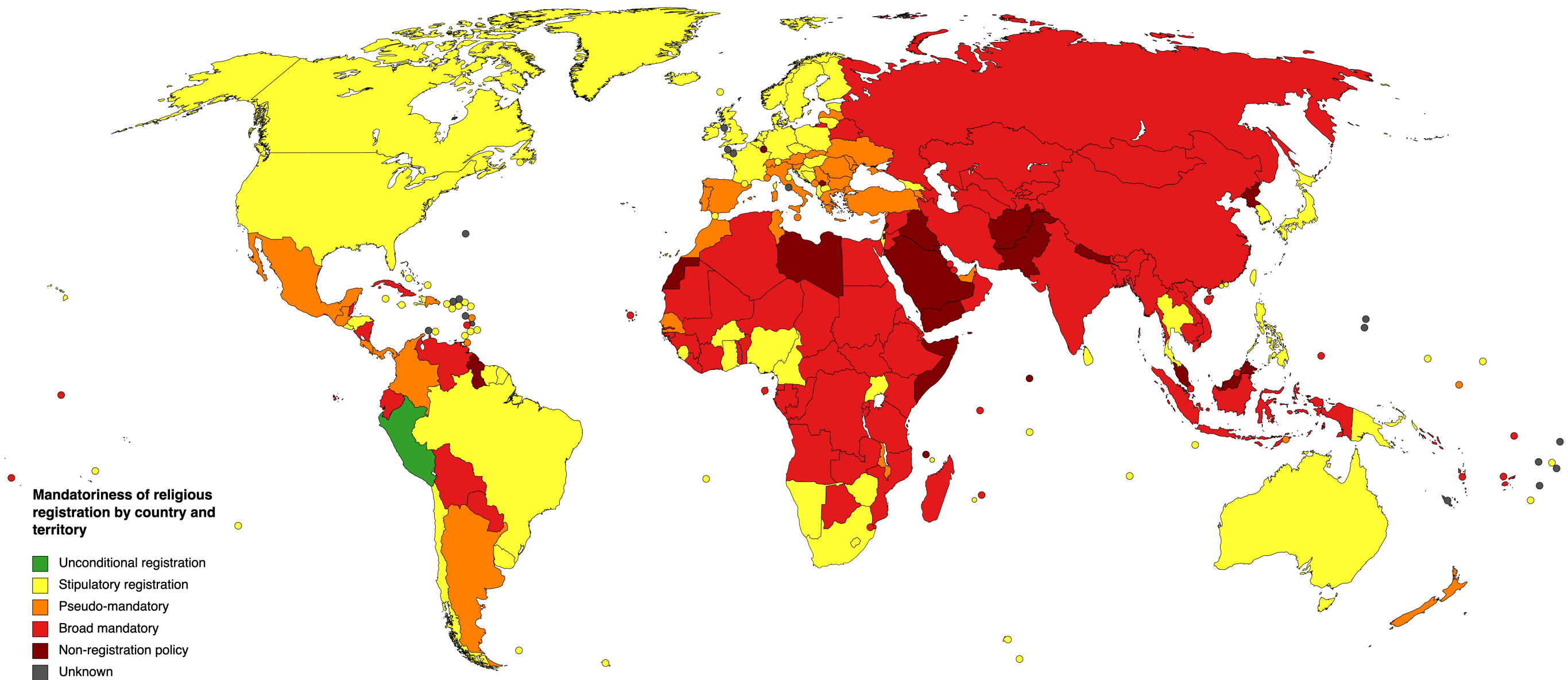
- Registration is a way for states to control the religious activities of citizens through organisations that offer religious services.
- I began by deconstructing the registration procedure into three parts: **preregistration**, **registration procedure** and **postregistration**. I also distinguished between 'basic' and 'registrable' religious activities.
- States have created powerful narrative tools that justify their implementation of restrictive registration laws including "public order", "national security", "national heritage" and especially since the COVID-19 pandemic, "public health". These narratives seem reasonable but they are misused to justify restrictions on the most basic aspects of FoRB.
- I have created the **Spectrum of Religious Recognition** (or the **SRR**) to measure countries according to the severity of their misuse of registration.

COUNTRY EXAMPLES

- Countries including Bolivia, South Sudan and Liberia impose extortionate registration fees.
- Some European countries (i.e. Austria and Hungary) have established vertical systems in which there exists a hierarchy of registered statuses for religious groups.
- Other countries impose mandatory registration orders while the benefits tied into registration are not genuinely bestowed (e.g. China, Vietnam and Russia).
- Countries like Sweden, Thailand and Bosnia impose membership quotas of various sizes that limit which religious groups can access registration. Some of the highest membership quotas can be seen in Slovakia and Angola where 50,000 and 60,000 members respectively are needed to access registration.



MAP OF RELIGIOUS REGISTRATION



Unconditional registration: registration is not required for a group to conduct any activities.

Stipulatory registration: registration is not required except to legally conducted certain 'registrable religious activities'.

Pseudo-mandatory: a country claims not to mandate registration yet requires registration for a group to conduct at least one of the 'basic religious activities'.

Broad mandatory: registration is mandatory for all or most religious organisations to legally operate.

Non-registration: no coherent registration system established.

RECOGNITION

Recognition is a broader concept than registration. It is mostly a process of social acceptance of religions with some legal manifestations while registration is purely a legal mechanism.

Registration is therefore a form of recognition. Recognition issues are the basis of state-religion relations.

My development of recognition of religion or belief (RoRB) as a branch of FoRB is intended to highlight recognition and registration issues.



THE ROLE OF RECOGNITION

- State religion or state denomination.
- State privilege (a secular state that favours one or more religions over others).
- Bilateral cooperation agreements (e.g. the Catholic Church has established concordats with almost every country to shape its relations with those government).
- Other concerns include national identity cards, laws that insist the head of state profess a certain religion, use of the constitution and census to recognise religions, and misuse of citizenship laws.
- Theories of recognition include separation of church and state as well as accommodationist, assimilationist, and cooperationist models.



RORB STANDARDS

- In spite of how registration and recognition are misused by governments around the world, it is my hypothesis that they both may be used for good to enhance FoRB.
- Having come to the consensus that registration is being widely misused, a question then arose: what standards exist in the international human rights system to prevent misuses of registration and recognition?
- The OSCE has issued guidelines on registration issues and the UN Special Rapporteur reports establish general principles but these institutions remain tentative to set specific standards. Although the ECtHR has adjudicated on matters pertaining to registration issues in the past, court hearings are reactionary rather than preventative.
- The core aim of my thesis is to recommend that standards be established to clearly delineate what is permissible and impermissible when it comes to how governments form and apply their registration and recognition policies.



FACILITATIONISM

- State recognition and registration can be used to facilitate religious freedom in the following ways:
 - Recognising a diverse range of religious or belief groups and recognising the equality among those religions and beliefs.
 - Using optional registration to establish relations between religious groups and the government.
 - Using registration to offer services and benefits to religious or belief organisations.
 - The state can recognise a plurality of religions to support interfaith dialogue.



INTERVIEWS & METHODOLOGY

- Throughout 2022, I focused on conducting a series of interviews with two participant categories: religious freedom experts and religious minorities who had been impacted by registration or recognition issues.
- With experts, I asked for clarity on aspects of registration law and what mechanisms exist to help combat the misuse of registration laws and related issues.
- With members of minority religions, I asked about the importance to them of the state's recognition of their religion and whether a lack of recognition has come to impact their observance of their religion.

2022 RELIGIOUS RECOGNITION REPORT

- Creating this report from most recent data reinforced just how widespread registration issues are and how useful registration can be for authoritarian states in particular at restricting religious activity.
- This report acts as a compliment to my upcoming thesis.
- Over 270 pages exploring each country and territory's recognition systems and registration policies.



UPCOMING PUBLICATIONS

- *2023 Global Religious Recognition Report* set for publication in June.
- *International Religious Rights & Standards* document set to be published in September alongside my thesis titled *Religious Freedom & State Recognition of Belief*.



A person with dark hair, wearing a dark long-sleeved shirt, is shown from the side, lighting a bundle of incense sticks. The incense is being lit in a series of large, ornate metal incense burners. The burners are filled with many thin incense sticks, and some are wrapped in red paper with gold patterns. Smoke is rising from the burners, creating a hazy atmosphere. The background is dark and out of focus, suggesting an indoor temple setting.

THANK YOU FOR
LISTENING