

Supporting the inter-denominational cooperation through public policies

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Current public policy on inter-denominational relations and policy alternatives to improve cooperation

The current situation concerning the place of churches in civil society is characterized by a lack of clear legislative framework. The old law of religious denominations dates back to 1948. After 1989 many drafts of a new law were discussed by churches and officials of the State Secretariat of Religious Denominations, but, at best, a draft of Law on Religious Freedom and Status of Denominations will be submitted to the parliament in November this year, as the new Secretary of Religious Denominations stated in March 2005. The draft was very criticized by different experts and it is expected to be highly debated in the parliament.¹ The main critique resides in the fact that the law continues to differentiate between recognized and non-recognized churches, thus braking principles of freedom of association and religious ideas stated in the constitution.

Church-based NGOs have a great potential of being more involved in the “secular issues” like social protection, then they did until now. The state institutions developed partnerships with these church-based NGOs in social issues, and in many cases they did it effectively.

The principal stakeholders interested in the inter-denominational relations and cooperation at the level of church-based NGOs are:

- The churches
- The central government
- The local government
- Non church-based NGOs

The current public policy is characterized by scarce (directed without specific aim), random (without clear grant giving rules) and biased (criticized of being directed moreover towards ROC’s projects) support of state for churches’ social protection projects. Although a current regulation permits citizens to give 1% of their income to NGOs, churches are not eligible to receive such funds because they are not regulated

¹ Gabriel Andreescu “Spre crearea unui stat ortodox roman?” March 2004, www.humanism.ro

by the law of NGOs, invoked by the legislative when adopting the “1% law”.² The theoretical financial potential available to NGOs by this new regulation is about 20 millions euro, while, based on the similar experiences in Hungary or Slovakia, if about 25% of the people donates 1% of their income, NGOs might receive about 5 million euro taking into account that only half of the Romanians have a second job and thus are required to submit an yearly balance fiscal form to the fiscal administration.³ Until now churches have not expressed any concern about their exclusion from the target of 1% law. However, it is very probable that, after the first year of application of this law, the churches would realize the great potential for receiving money through this program and push the government to change the regulations in order to allow churches to compete for these funds. Alternatively, they could establish more NGOs in order to receive these donations.

Nonetheless theoretically it would be an important increase in churches’ sources of funding and it would support the idea of changing the current regulation concerning state funding for churches. As I will propose below, this change might be accompanied by new regulations concerning direct funds that the government gives to churches, in the direction that part of these funds should be given on a project proposal-based criteria and involvement in social issues.

As concerns the social protection, currently the large majority of these problems is managed only by state. As I mentioned above, NGOs, be they church-based or not, are getting involved more and more in social work projects and other activities regarding social protection. However, as proved by post-1989 experience the government did not manage to tackle the social issues. Thus, it is necessary to allow for subsidiarity of the social programs. Moreover, it would be more efficient to support the partnership between NGOs that are involved in social issues, between churches, and between these two actors and the governmental agencies.

² For details concerning 1% regulation see www.unulasuta.ro. For a comparative legislative framework in East Europe see www.onepercent.hu.

³ www.unulasuta.ro

Alternative policies

1. Direct involvement of government with more funds on social problems, funds to be delivered to the churches according to the current regulations.

- a. This would increase the funds given by the state to the church, but it would not change the unbalanced criteria for distributing them to the churches, thus, creating new ties between the state and the church, not allowing to the latter to be independent from the state. This would continue the controlling of the churches through financial means by the government.

2. Interdenominational cooperation encouraged by state keeping the current status of regulation

- a. Apart from the current situation, this add-on would change (if finally it will do) very little the church-state relations in the direction of cutting the most part of the control ties between them.

3. Church-based community initiative programs that have access to public funding. The government delivers new criteria for distributing the money to churches by splitting these funds in two parts. The first part would be delivered on a proportional, based on the number of the believers as recorded by census. The second part of the funds would be delivered to church-based NGOs that are involved in social issues, based on program projects submitted by the churches and these NGOs. A third part of the financing would be delivered by the government indirectly, allowing individuals to donate 1% to the churches.

- a. This would probably encourage church-based NGO's to cooperate in order to attract more money and to better manage the projects. Because of the scarce financial resources it might not be sustainable. However, the government might combine this policy with a cutting in the financial resources delivered to the churches under the current policy, thus balancing direct funds with funds delivered based on programs of cooperation and local development. As well, it would increase the number of NGOs and would strengthen the civil society as a whole.

4. Increase of churches' involvement in social projects with an emphasis on individual non-cooperative projects.

- a. Government would apply the same policy as in the previous strategy, only with the change in focus.

The costs of changing the current status of inter-denominational relations and church-state relations are:

- Reorganization of the financing system (it is possible because currently the system is changing and it would allow for new organization framework).
- A potential competition between denominations might arise, but the competition would not become worse than it is now.

The benefits after changing the current system would be:

- Development of the NGO sector
- Creation of specialized and diversified social services even in areas where the government can not manage to offer such services in sufficient quantities or at satisfying standards.
- Inter-denominational cooperation at the local level through NGOs would positively influence cooperation at higher levels of churches.

Recommendations and proposed measures to be taken:

In order to increase inter-denominational cooperation, the government should take the following measures through the State Secretariat for Cults:

1. Diversify the funding for churches, splitting the current framework in two parts:

- Direct funds on proportional basis and
- Direct funds based on program projects of delivering social services.

These funds should partially replace the current proportional and discretionary funds that the State Secretariat for Cults delivers to the churches.

2. Encourage the public-private partnership at the level of church-based NGOs (inter church-based NGOs cooperation and cooperation between government agencies and the church-based NGOs).

- The State Secretariat for Cults should make public the criteria for evaluating the project proposals of the churches. Currently these criteria are not clearly defined in terms of weight of each criterion towards the final evaluation that a proposal receives. The criterion that regards the inter-denominational cooperation at the level of church-based NGOs should receive special attention and the government should thus encourage churches to cooperate at the level of NGOs for ad-hoc community problems, like social charity. This cooperation should not be seek as a permanent and centralized one, but as a modular cooperation on common aims and problems in which the churches and their NGOs currently get involved through individual resources.

3. Direct the churches towards the alternative source of funding of 1% regulation.

- organize information meetings at the national and regional levels to give details about the available possibilities to access the 1% financial resources.