

Laicity (Frauengrossloge von Deutschland)

In the Federal Republic of Germany (FRG), there is a particular relationship between state and church, which we would like to describe.

The current situation

The principle of laicity is not implemented in the FRG. Christian churches enjoy a privileged position: German citizens are obliged to pay church taxes (Kirchensteuer/Annexionssteuer), which are collected by the tax offices. This is at the request of the religious communities, and a fee is charged for the service. In case a citizen wants to leave a church, he is obliged to officially declare his decision to a state authority, for example, a court (Amtsgericht). Religious communities like the Catholic or the Protestant church, (and, since 2006, the Witnesses of Jehova), which are considered as corporations of public law, profit from financial privileges, while their own legislation may deviate from civil law. The German state guarantees and funds religion courses in public schools, as well as studies of theology in universities. In addition to this, the state participates in the paying of the wages of bishops and other church staff. This can be done either directly or indirectly (by tax exemptions). Numerous child cares, schools, hospitals, youth centers, old people's homes, run by churches, profit from state subsidies. Their staff is obliged to respect a particular work legislation (Arbeitsrecht), which forbids them, for example, to become a member of a trade union. They may, however, be allowed to elect a so-called representative council, which, in fact, can not be compared to an ordinary workers' council, because it has to respect ecclesiastical law.

In general, the relationship between state and church is similar to a cooperation or a partnership: there are concordats and contracts between church and state, in a lot of court-houses there are Christian crosses, Christian holidays are protected by the German constitution.

History of the development of the relationship between church and state

Since the 19th century, the „principle of subsidiarity“ (Subsidiaritätsprinzip), that means the obligation of the state to subsidize the church, as well as granting them the right to run social institutions, was part of the social teaching of the Catholic church. In 1919, it was constitutionalized by the Republic of Weimar. When the National Socialist Party (NSDAP) came into power in 1933, political parties, trade unions, as well as all organizations, which favoured freedom of thinking and expression, were formally forbidden, their books and files were destroyed, their supporters were arrested and sent to concentration camps, where many of them died or were murdered. The National Socialist state founded its own social associations and institutions, submitting

them to strict state and party supervision. The position of the christian churches was, however, maintained by concorts and other contracts.

At the end of the war, in 1945, the christian churches were the only associations, which had survived the Third Reich. In 1946, the constitution of the FRG equipped the churches with the same rights, which they already had acquired in the Republic of Weimar.

Consequences

State funding and ecclesiastical work legislation

Churches and their numerous institutions and enterprises are among the most important employers in the FRG. Supporters of this privileged situation point out, that the churches display a considerable social engagement by helping the poor, by creating and maintaining cultural and social institutions, by taking care of historic buildings and cathedrals, making them accessible to the public. Consequently, the state funding of the churches is justified.

Opponents of church tax, as Carsten Frerk, an expert in church and state relationship ('Violettbuch Kirchenfinanzen', 2010), argue, that churches, as well as their staff, and their social institutions receive much more subsidies than supposed by the public. Frerk points out, that the german state is funding the catholic and the protestant church by an annual amount of 19 billion Euros, in addition to the 45 billions paid for 'Caritas' and 'Diakonie', and the 9 billions raised by church tax. These funds were granted partly directly, as wages of the bishops and other church staff, and partly indirectly by tax exemptions. Carsten Frerk emphasizes, that even purely ecclesiastical enterprises, as the Episcopal Assistance Work „Miserior“, were funded by 63% of the 162 million budget of the Ministry of Development, while only 5% came from the catholic church.

Critical voices express dissatisfaction about the fact, that churches have turned into omnipresent profit-making social enterprises, having a considerable influence on the whole of society.

In view of the enormous state funds, a growing number of opponents are unable to understand, why the churches are still allowed to mantain a particular work legislation, determined by ecclesiastecal ethics, and why they are still permitted to impose this on all employees, even those, who do not directly work for parishes and dioceses, but only for welfare institutions (Caritas, Diakonie).

These employees are obliged to submit themselves - more of less unvoluntarily - to the following moral rules: they have to be church members, they have to base their life on christian principles. The violation of these principles, as a new marriage after a divorce, an illegitimate birth, etc., can be a reason for dismissal.

It is a real problem, that ecclesiastical institutions, funded up to 80-100% by the state, refuse to respect public law!

„Principle of subsidiarity“ (Subsidiaritätsprinzip)

„Principle of subsidiarity means, that, in order to strengthen the responsibilities and obligations of the citizens, social services and institutions should not only be run by the state, but, preferentially, by private organizations, including churches.

Critical voices point out, however, that, because of the complex ties between the state and the churches, including the massive funding, the churches have a clear advantage of becoming the most important organizers of social institutions, while other private organizations stand behind, having less political importance. Therefore the public is under the impression, that the state and the churches are assigning tasks and rights to each other, in order to consolidate their position and reinforce their power.

Opponents criticize, that the close partnership of the state and the churches, in the sphere of health and other social services, gives them the power to influence social developments, which other private organizations (not funded by the state) are denied.

Supporters put forward, that especially churches conserve and pass on the values relevant of our western civilization.

In this case, however, there seems to be a confusion of christian values and church ethics. On the one hand, church institutions are independent of state control, but, on the other hand, they are dependant on the pressure of church authorities.

Critical voices point at various scandals which, lately, occurred within the catholic church, such as sexual abuse of children, authoritarian leadership, waste of money, dismissal of staff because of „immoral behaviour“. In view of all this, they put into question the privileges and special rights, which the state accords to the churches.

Besides that, they emphasize the fact, that the number of church members is steadily diminishing.

Consequences for women

Susan Brownell Anthony, a forerunner of the american women's right movement, thinks, that „women do not have to be grateful to any religion“, because none ever encouraged them to fight for freedom and emancipation.

She is certainly right in the case of great religions, claiming universal authority and responsibility for the salvation of human souls, and proclaiming the rule of men over women. For centuries, the great religions have been enforcing on women the role of Mother, sinful Eve or Saint, preventing them from getting education and independence. Besides that, they controlled women, in order to preserve their 'purity'.

On the other hand, the great religions, above all the christian one, laid the foundation for freedom and equality, by considering human beings as equal, by calling men and women brothers and sisters.

In Europe, since the age of Reformation, protestant movements, like pietism, encouraged women to self-confidence and self-realization, by providing them with the right to preach, to teach, to become pastors and even bishops. While the catholic church is still excluding women from most of these tasks, reducing them to the minor state of 'helping hands'

Conclusion

Today, female masons in Germany defend the separation of state and church. They advocate, however, that laicism should not become a 'new faith', since it can be called neither good nor bad. They agree with modern philosophers, as Charles Taylor and Jürgen Habermas, who think, that the neutrality of the state should not be limited to the churches, but be extended to other spaces of society. They note, that, since, for millenaries, all societies have been under the influence of religions, there is strictly neither any secular state, nor any secular society. Even non-religious people are always, consciously or unconsciously, influenced by religion. All the values of secularized societies in Europe are based on the cultural patterns of occidental society, where state and religion have been constantly interacting.

Today's multicultural, globalized and technical world is exposed to a lot more influences than those of the church. Therefore the state should be obliged to observe a strict neutrality towards any ideology and philosophy, as well as to any kind of influential pressure groups. Today's pluralistic society should be open to all kinds of ideas, proposed by various groups, in order to make them fruitful for a better functioning of democracy.

The challenges of the 21th century, as the protection of nature, the managing of technology, economy and politics, call upon all citizens to develop a political responsibility and a moral conscience, as well as to actively participate in creating a peaceful pluralistic society.

As builders of the temple of humanity, we maintain, that ethics must be the foundation of any human society, and we are, moreover, considering, how the basic masonic values of freedom, equality and brotherhood can be put into practice.

Questions

Is the current social reality in Germany still compatible with the constitution and the public law derived from it?

Is the German society open enough for various world views, and how does it cope with them?

How do we protect our cultural and religious identity, our concepts of right and wrong?

What is the state obliged to do, and what is the task of the citizens?

How do individuals and groups - in spite of their differences - participate in the discourse on religion and the building of a future peaceful togetherness?

Laicism and secularism can only survive in a society, which respects the views of all citizens. The citizens of the pluralistic society must learn to estimate one another, and to find compromises in controversial topics. This is not possible by excluding religion and its ethics.

Rationality and religion are not incompatible. It is indispensable, that our thinking and acting is linked to values and moral obligations: As this is a new phenomenon in hu-

man history, its development is open-ended.

We consider, that, by all means, laicity is an important step to advance the goals of human emancipation, to establish a just and peaceful world order, a project, which was already elaborated by the utopian philosophers of the 16th century.

Modern philosophers try to continue this tradition: Jürgen Habermas argues, that a just and peaceful togetherness has to be based on the ethics of a civil society . Charles Taylor interprets 'brotherhood' as the equal right of all citizens to debate and deliberate - in the public sphere - the problems and issues of their society,

Female masons should contribute to the putting into practice of these concepts.