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**The Atlas of Religious or Belief Minority Rights in the EU:
First remarks on Belief Organisations¹**

ABSTRACT: This paper focuses on the first results of the *Atlas of Religious or Belief Minority Rights in the EU* regarding the legal status of Belief Organisations. The first part of this work describes “Belief Organisations”, focusing on why they are included in the Atlas, and analyses the growth of atheism and agnosticism in the countries covered by the project. The second part focuses on some of the findings that emerge from Atlas data, providing a few (provisional) remarks.

ABSTRACT: Il contributo analizza alcuni primi risultati dell’*Atlas of Religious or Belief Minority Rights in the EU* in relazione allo *status* giuridico delle “belief organisations”. Dopo aver delimitato il perimetro definitorio delle “belief organisations”, il lavoro illustra le ragioni della loro inclusione all’interno del progetto e la diffusione del fenomeno ateo e agnostico nei Paesi coinvolti nell’Atlas. Il contributo formula alcune prime osservazioni sui risultati emersi dai dati analizzati.

SUMMARY: 1. The Atlas of Religious or Belief Minority Rights in the EU: a brief introduction - 2. Belief Organisations as actors in the religious field - 3. The religious demography of atheism and agnosticism - 4. About Belief Organisations - 5. Focus on Belief Organisations: first findings.

1. The Atlas of Religious or Belief Minority Rights in the EU: a brief introduction

Atlas is a research project developed by an international team of researchers². It aims at mapping and measuring the rights of religion or belief minorities (RBMs) in the countries in the European Union. Mapping is the first step to build a framework measuring respect for, promotion, and implementation of RBM rights. Mapping and measuring are essential to develop implementation policies based on empirical

¹ This article is a reworking of my part of the joint paper with Rossella Bottoni “Respect for and promotion of belief organisations’ rights in the EU space: results from the Atlas project”, presented at the conference *The Non-Religious and the State: Choices and Frameworks for the Secular from the Age of Revolution to the Present*, Vrije Universiteit Brussel, Brussels (20-22 October 2022).

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evidence, reduce unjustified inequalities between religious or belief organisations, and foster the development of inclusive citizenship.

At the core of the Atlas work is the recognition of a need and urgency to promote equal treatment of RBMs and the elimination of discrimination³. The European religious landscape is rapidly changing, opening to an extremely rich and complex religious pluralism. Today, legal systems are called upon to respond to challenges that were once unimaginable, and to overcome them with new theoretical approaches, effective strategies, and interdisciplinary research methodologies.

So far, Atlas covers 12 countries⁴, 13 RBMs⁵, 4 policy areas⁶, but 4 new countries and new policy areas are in the process of being added. Atlas consists of two “Episodes”: “Episode 1” focuses on the analysis and measurement of legal systems, while “Episode 2” (forthcoming) will supplement this data with sociological analysis.

Atlas data have been collected through very detailed questionnaires sent to legal experts in each country⁷. After being checked, the answers are given a score to assign each country to 3 indices: 1) Promotion (P-Index States and P-Index RBMs); 2) Equal treatment (E-Index RBMs); 3) Religious majority-minorities gap (G-Index).

The P-Index measures the degree to which RBM rights are promoted, respected or restricted according to international human rights standards in the 12 countries taken as a whole (Eu12) and separately. This index helps identify those countries that provide the most (or least) favourable legal regulations. It takes the international standards on minority rights as a benchmark and assigns a “0” score to state provisions that comply with them. Values above zero indicate that minority rights are promoted: the score ranges, depending on the level of promotion – from 0 to 1. State provisions that fall below this line are marked with scores from 0 to -1.

The E-index measures any differences between the rights recognised to individual RBMs in each State (these differences, if not legitimate or disproportionate, may constitute discrimination). This index is created by breaking down the data from the P-Index and assigning them to each RBM (data relating to religious/belief majorities are not calculated here but are taken into account in the G-Index). When

³ See *The Atlas Manifesto of Religious or Belief Minority (RBM) Rights*, <https://atlasminorityrights.eu/about>.

⁴ Austria, Belgium, Estonia, Finland, France, Greece, Hungary, Italy, Poland, Romania, Spain, Sweden.

⁵ Buddhist communities, Church of Jesus Christ of Latter-Day Saints, Hindu communities, Islamic communities, Jehovah’s Witnesses, Jewish communities, Orthodox Churches, Protestant Churches (Mainline), Protestant Churches (Evangelical), Roman Catholic Church, Scientology, Sikh communities, and Belief Organisations. More information on the criteria adopted for their selection is provided in the *Methodology Section* of the *About* page on Atlas website.

⁶ 1) Legal status of RBMs, 2) RBM rights in public schools, 3) spiritual assistance in prisons, health facilities and armed forces, 4) religious/belief symbols. Afterwards, the following policy areas will be included: denominational schools, worship and meeting places, marriage and family, mass media, ritual slaughter and halal/kosher food.

⁷ For more information see <https://atlasminorityrights.eu/about/Methodology.php>.



a right is recognized for an RBM, it is given a score of 1, when this right is denied, it gets a -1 score. The E-Index makes it possible to evaluate both the degree of equal treatment guaranteed by each State to RBMs in general, and the degree of equal treatment enjoyed by each RBM in a specific country compared to all other RBMs.

The G-Index measures the distance between the rights granted to religious/belief majority and minorities in each country. It is based on the same scoring system as the E-Index but also considers majority religious/belief organisations (RBOs)⁸.

Atlas distinguishes between religious or belief “majority” and “minorities”, on the basis of the numerical criterion mentioned by the United Nations Special Rapporteur on minority issues to define a minority:

“An ethnic, religious or linguistic minority is any group of persons which constitutes less than half of the population in the entire territory of a State whose members share common characteristics of culture, religion or language, or a combination of any of these. A person can freely belong to an ethnic, religious or linguistic minority without any requirement of citizenship, residence, official recognition or any other status” (A/74/160).

2. Belief Organisations as actors in the religious field

Atlas has adopted a definition of minority religion that is inclusive of belief and conviction minorities. This definition is consistent with UN Human Rights Committee’s General Comment No. 22 (1993), n. 2, and the Recommendations of the Forum on Minority Issues at its sixth session: *Guaranteeing the rights of religious minorities*, 26 and 27 November 2013, n. 8.

In General Comment No. 22 of 1993, which provides an official interpretation of the provisions of the International Covenant on Civil and Political Rights, the UN Human Rights Committee stated that (§ 2):

“Article 18 protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. The terms “belief” and “religion” are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with institutional characteristics or practices analogous to those of traditional religions. The Committee therefore views with concern any tendency to discriminate against any religion or belief for any reason, including the fact that they are newly established, or represent religious minorities that may be the subject of hostility on the part of a predominant religious community”.

In this perspective, the Recommendations of the Forum on Minority Issues point out that (§ 8):

⁸ For further details on index construction and use see <https://atlasminorityrights.eu/about/Methodology.php>.



«The term “religious minorities” as used in the present document therefore encompasses a broad range of religious or belief communities, traditional and non-traditional, whether recognized by the State or not, including more recently established faith or belief groups, and large and small communities, that seek protection of their rights under minority rights standards. Non-believers, atheists or agnostics may also face challenges and discrimination and require protection of their rights. Attention should likewise be given to the situation of religious minorities where they form the minority in a particular region or locality, but not in the country as a whole».

Based on this inclusive approach, Belief organisations have been included in the Atlas project in the same way as religious organisations. RBM is therefore defined as a group of people representing less than half the population of a state, united by a common religious/belief affiliation and the intent to preserve and promote their religion or belief.

The approach that includes the “belief component” in the religious phenomenon is, as noted, long-standing and ongoing. Since the 1970s, the religion/belief dyad has become a constant in the texts of the UN, the European Union, the Council of Europe, the OSCE/ODHIR, and in the jurisprudence of the European Court of Human Rights. The need for states to ensure “effective equality between believers and non-believers” was first made explicit in the Concluding Document of the Vienna Meeting of Representatives of the Participating States of the Conference on Security and Cooperation in Europe (1986), convened on the basis of the provisions of the Helsinki Final Act of 1975, a document signed by 35 countries.

In the last thirty years, after the fall of the Berlin Wall and the rapid transformation/reconfiguration of the international socio-political context, a more substantive approach to the different and most relevant aspects of religious freedom has become necessary. According to Article 10 of the *Charter of Fundamental Rights of the European Union*, everyone has the right to freedom of thought, conscience and religion. This right also includes freedom to manifest his religion and freedom to change it. Following the approval of the Lisbon Treaty in 2007, the Nice Charter was given the same binding legal effect as the EU treaties.

Adopting the hermeneutic paradigm already noted in international documents, in *Kokkinakis v. Greece* (25 May 1993), the ECtHR observed that freedom of thought, conscience and religion guaranteed by Article 9 of the Convention (§ 31)

“is one of the foundations of a “democratic society”; “It is, in its religious dimension, one of the most vital elements that go to make up the identity of believers and their conception of life, but it is also a precious asset for atheists, agnostics, sceptics and the unconcerned. The pluralism indissociable from a democratic society, which has been dearly won over the centuries, depends on it”.

The ECtHR has never defined the concept of “religion”.



“This omission is quite logical, because such a definition would have to be both flexible enough to embrace the whole range of religions worldwide (major and minor, old and new, theistic and nontheistic) and specific enough to be applicable to individual cases – an extremely difficult, indeed impossible undertaking”⁹.

Regarding the term “convictions”, the Court stated:

“In its ordinary meaning the word “convictions”, taken on its own, is not synonymous with the words “opinions” and “ideas”, such as are utilised in Article 10 (art. 10) of the Convention, which guarantees freedom of expression; it is more akin to the term “beliefs” (in the French text: “convictions”) appearing in Article 9 (art. 9) – which guarantees freedom of thought, conscience and religion – and denotes views that attain a certain level of cogency, seriousness, cohesion and importance”¹⁰.

Reiterating these general principles, the European Commission of Human Rights (*Union des Athées v. la France*, no. 14635/89, 6 July 1994, §79), observed that the philosophical nature of an atheistic conviction is not sufficient to distinguish atheism from a religious cult and to justify discriminatory legal treatment and that freedom of religion implies the freedom to have or not to have religious beliefs, to practise or not to practise a religion (ECtHR, *Buscarini and Others v. San Marino*, 18 February 1999, § 34).

A European paradigm for regulating the religious phenomenon, inclusive of the non-religious phenomenon, is therefore gradually emerging through legal sources and case law. For the European Union, a pivotal point of this paradigm could be Article 17 TFEU, which, recognising the identity and specific contribution of churches, religious associations and philosophical and non-confessional organisations, imposes – for the first time in the EU – a legal obligation to dialogue openly and transparently and regularly with these subjects, evidently considered equal in their function of representing the different components of the religious phenomenon.

3. The religious demography of atheism and agnosticism

It is difficult to quantify the number of non-religious people due to the absence of accurate and up-to-date data in some countries. A preliminary distinction must be made between the “nones” (the religiously unaffiliated: atheists, agnostics and people who do not identify with a particular religion in surveys and censuses) and those affiliated with philosophical and non-confessional organisations. As for the latter, the number varies widely among associations, ranging from a few hundred to several thousand; the “nones”, on the other hand, are much more

⁹ *Guide on Article 9 of the European Convention on Human Rights. Freedom of thought, conscience and religion*, 31 August 2022, www.echr.coe.int/documents/d/echr/guide_art_9_eng.

¹⁰ *Campbell and Cosans v. the United Kingdom*, 25 February 1982, § 36.



numerous and represent a large percentage of both the world population (16% in 2020, according to the *Pew Research Center*)¹¹ and the European population (20%, according to *Religions and Secularism Observatory-ORELA*, 2018). The gap between the nones and the affiliated is due to several reasons: some do not feel the need to affiliate or believe that spirituality is something private and personal; or do not want to reveal their religious beliefs, while others fear a possible social stigma arising from affiliation.

Atlas data on religious demographics are based on the findings of the *World Religion Database (WRD)* experts, who, in 2020, conducted specific studies on the growth of atheism and agnosticism in the world.

As shown in the table below, the number of agnostics has been on an upward trend over the years in the different areas of the world with a few exceptions. The data not only record the number – as an absolute value and percentage – of agnostics over time, and precisely from 1900 to 2020, but also outlines possible scenarios for the development of the agnostic population, with a long-term projection period, from 2020 to 2050. More specifically, data show a growth of agnostics both in absolute numbers and as a percentage of the world population until 1970. Afterwards, they record a further increase in absolute numbers until 2020, along with a decrease in the world population percentage. This decrease in the percentage of agnostics is mainly due to a substantial growth of the global population and, probably, the spread of a heterogeneous religious and spiritual pluralism. The projections for 2050 are also interesting. These confirm the growing trend of atheists and agnostics in most of the areas considered, except for East and Central Asia, Eastern Europe and Central Africa.

¹¹ Pew Research Center, *Religious Composition by Country, 2010-2050. Estimated religious composition of 198 countries and territories for 2010 to 2050*, 21 December 2022, www.pewresearch.org/religion/interactives/religious-composition-by-country-2010-2050/.



UN Region	Agnostics Pop 1900	Pct_1900	Agnostics Pop 1970	Pct_1970	Agnostics Pop 2000	Pct_2000	Agnostics Pop 2015	Pct_2015	Agnostics Pop 2020	Pct_2020	Agnostics Pop 2050	Pct_2050
Eastern Asia	30.000	0,01%	420.164.472	42,09%	466.419.870	30,69%	498.088.355	30,28%	506.860.716	30,15%	374.083.614	23,12%
Northern America	1.010.000	1,24%	11.349.140	4,91%	33.757.946	10,81%	59.055.397	16,54%	64.154.601	17,39%	91.006.900	21,40%
Western Europe	300.800	0,29%	12.023.124	7,24%	32.590.223	17,87%	42.804.072	22,28%	44.299.846	22,59%	52.961.370	26,90%
Eastern Europe	291.000	0,17%	57.877.946	20,96%	39.494.524	13,00%	22.894.447	7,78%	22.370.366	7,63%	14.524.685	5,54%
Northern Europe	790.200	1,36%	7.910.553	9,07%	15.643.918	16,56%	19.295.840	18,64%	20.628.054	19,41%	27.815.737	24,20%
South-eastern Asia	2.100	0,00%	5.676.000	2,02%	15.382.534	2,93%	17.997.576	2,84%	18.834.093	2,82%	23.340.500	2,94%
South Asia	10.000	0,00%	2.110.000	0,28%	12.662.822	0,87%	16.091.525	0,88%	17.069.289	0,88%	26.219.100	1,08%
South America	360.180	0,89%	2.364.890	1,23%	9.135.662	2,79%	14.148.632	3,43%	15.008.972	3,48%	29.094.650	5,92%
Southern Europe	166.000	0,23%	9.021.602	7,08%	11.664.004	8,05%	14.091.042	9,21%	14.072.615	9,25%	17.472.500	12,79%
Australia-New Zealand	42.800	0,93%	645.610	4,14%	3.901.122	17,07%	7.595.817	26,60%	8.160.026	26,91%	13.085.000	34,06%
Central America	10.160	0,06%	889.500	1,28%	2.940.074	2,17%	4.362.039	2,58%	4.780.430	2,66%	10.555.500	4,72%
Western Asia	1.000	0,00%	3.895.300	4,52%	2.571.202	1,39%	3.114.081	1,21%	3.308.012	1,18%	5.744.000	1,49%
Southern Africa	2.000	0,04%	150.500	0,60%	2.160.930	4,20%	2.974.347	4,72%	3.273.841	4,85%	6.665.000	7,63%
Caribbean	2.000	0,03%	2.785.550	11,05%	3.346.053	8,52%	2.839.970	6,66%	2.804.316	6,44%	3.503.582	7,39%
Central Asia	4.000	0,07%	9.272.891	27,92%	4.171.785	7,54%	2.792.836	4,08%	2.447.441	3,29%	1.120.000	1,12%
Northern Africa	5.000	0,02%	228.000	0,28%	907.634	0,53%	1.380.240	0,62%	1.610.526	0,65%	2.531.600	0,68%
Western Africa		0,00%	118.710	0,11%	682.483	0,29%	1.014.440	0,29%	1.163.088	0,29%	2.630.250	0,33%
Eastern Africa	210	0,00%	56.130	0,05%	688.509	0,27%	1.025.390	0,26%	1.094.032	0,25%	2.478.800	0,29%
Middle Africa		0,00%	34.400	0,09%	532.607	0,55%	907.827	0,59%	1.073.816	0,60%	2.203.000	0,58%
Melanesia	1.000	0,07%	8.860	0,24%	52.904	0,71%	83.837	0,83%	97.792	0,88%	178.000	1,02%
Polynesia		0,00%	2.510	0,62%	12.967	2,10%	15.508	2,32%	15.734	2,30%	27.395	3,38%
Micronesia		0,00%	1.250	0,50%	5.070	1,05%	6.206	1,19%	7.225	1,32%	12.700	1,88%
	3.028.450	0,19%	547.088.738	14,78%	659.224.843	10,73%	732.576.423	9,93%	752.134.821	9,65%	707.143.883	7,66%

* Source: T. M. JOHNSON, B. J. GRIM (eds.), *World Religion Database*, Brill, Leiden/Boston, 2020.

Atlas, based on WRD data, charted the religious demographics of the minorities considered for each of the countries examined in the project.

The religious demography is represented by two graphs for each country. The first graph shows the majority group and RBMs¹². The

¹² Data analysis cannot disregard the phenomena of “believing without belonging” (spiritual people who leave organized religion behind) and of “belonging without believing” (religious affiliation becomes a sort of customary respect for tradition but is not accompanied by an intimate adherence to that belief). See **G. DAVIE**, *Believing Without Belonging: is this the Future of Religion in Great-Britain?*, in *Social Compass*, 4, 1990,



second graph shows the demographic composition of the RBMs segment, taking into account only religious groups exceeding 0.5% of the national population among the minorities considered in the project.

Atlas graphs show the following¹³:

– In countries with a Catholic majority (Austria, Belgium, France, Italy, Spain), the second most common group is Agnostics, with the exception of Poland, where the percentages of Agnostics and Unaffiliated Christians are close.

In more detail: Austria: Catholic Church 57.97%; RBMs 42.03%. Of all RBMs, 51.21% are Agnostics; 4.35% are Atheists; Belgium: Catholic Church 60.54%; RBMs 39.46%. Of all RBMs, 65.64% are Agnostics; 5.35% are Atheists; France: Catholic Church 58.61%, RBMs 41.39%. Of all RBMs, 47.38% are Agnostics; 10.13% are Atheists; Italy: Catholic Church 73.12%; RBMs 26.88%. Of all RBMs, 49.94% are Agnostics; 13.15% are Atheists; Spain: Catholic Church 83.1%; RBMs 16.9%. Of all RBMs, 51.83% are Agnostics; 8.95% are Atheists; Poland: Catholic Church 88.99%; RBMs 11.01%. Of all RBMs, 36.74% are Unaffiliated Christians; 36.06% are Agnostics.

– Also in countries with a Protestant majority, Agnostics constitute the second most widespread group. In particular: Finland: Protestant Churches 72.15%; RBMs 27.85%. Of all RBMs, 61.49% are Agnostics; 6.97% are Atheists; in Sweden: Protestant Churches 54.26%; RBMs 45.74%. Of all RBMs, 47.12% are Agnostics; 24.15% are Atheists.

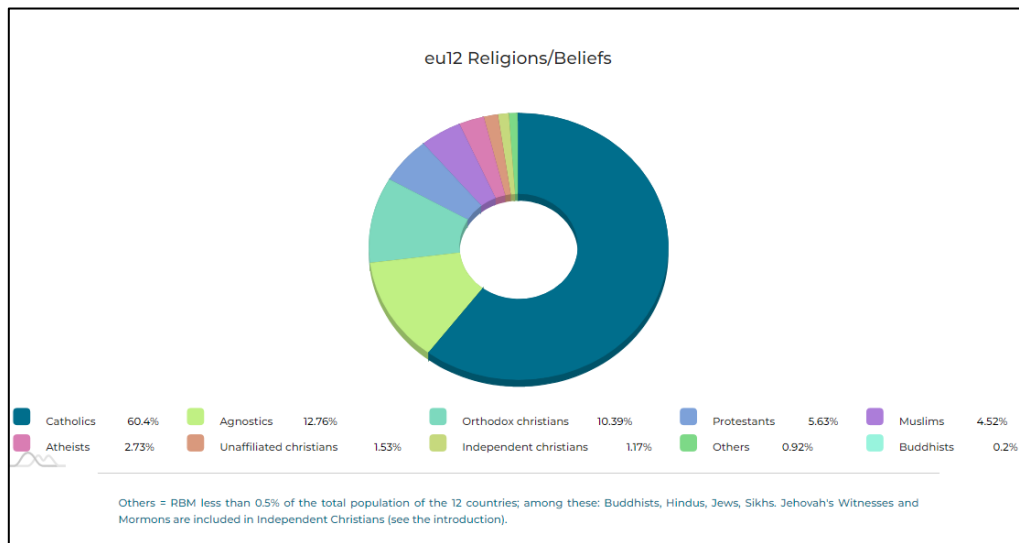
– In Estonia and Hungary data are as follows. Estonia: Agnostics 57.81%; RBMs 42.19%. Of all RBMs, 34.13% are Protestants; 10.35% are Atheists; Hungary: Catholic Church 58.31%; RBMs 41.69%. Of all RBMs, 18.31% are Agnostics; 10.11% are Atheists.

– In two countries with an Orthodox majority, Agnostics constitute a minority group, although a conspicuous one is in Greece. In particular: Greece: Orthodox Churches 86.98%; RBMs 13.02%. Of all RBMs, 44.75% are Muslims; 29.52 are Agnostics; Romania: Orthodox Church 81.37%; other RBMs 18.63%. Of all RBMs, 50.34% are Protestants; 35.76% are Catholics; 4.41% are Agnostics.

The overall religious demography of the 12 countries involved so far, therefore, appears as follows:

pp. 455-469; **D. HERVIEU-LÉGER**, *Religion as a Chain of Memory*, New Brunswick, NJ: Rutgers University Press, 2000.

¹³ <https://atlasminorityrights.eu/#>, data access: 10 January 2024.



4. About Belief Organisations

The diversified nature of belief organisations makes any final definition questionable. Thus, the difficulty of *reductio ad unum* also arises here; it is the same difficulty encountered with the terms “religion” and “atheism”. The lexical options adopted in Article 17 TFEU – Churches, associations, religious communities, philosophical and non-confessional organisations – seem to imply the inclusion of a wide range of forms of aggregation; however, even the supposedly common aspect of philosophical groups, “non-confessionality”, is inadequate to theoretically condense the fluidity and dynamism of the universe of these organisations. Moreover, it does not make it possible to use a conceptual category that was established in the wake of monotheist traditions and the Latin-Christian lexical matrix and that is now marginal and/or not applicable to many religious experiences rooted in distant contexts, but now also present in the Old Continent.

In Belgium, the definition *organisations convictionnelles* – referring both to churches, associations and religious communities, and to philosophical and non-denominational organisations, has become quite common. Indeed, this expression appears to be more inclusive of the plurality of tiles in an increasingly complex religious mosaic.

In 2010, the Working Group in charge of the reform of the legislation on cults and non-denominational philosophical organisations in Belgium proposed a simplification of the terminology, aimed at achieving substantial equality between “cults” and “non-denominational philosophical organisations”, recommending to replace these definitions with *communauté convictionnelle* in Articles 19, 20, 21, 24,



181 of the Constitution¹⁴. Although not followed up, this proposal appears pragmatic and still relevant today.

If we now turn to a brief description of the historical development of belief organisations, Atheistic, skeptical, agnostic, rationalist and humanist beliefs can be found in every age as answers to the “ultimate questions” about life. Their genesis and evolution, parallel to the paths of the countless religious beliefs, are embedded in major philosophical movements, in the cultural traditions of peoples and civilisations of every age, from ancient China to classical Greece, from Rome to the Renaissance, from the Enlightenment to the scientific revolution of the modern world. The parallel itinerary of theist and non-theist conceptions has developed in a purely theoretical dimension, diverging at a practical level: while confessional groups have often endowed themselves with a structured organisation, secular-humanist thought has developed mainly in the form of individual philosophical speculation.

The term “freethinker” was coined towards the end of the 17th century¹⁵ and was first attributed to the Irish philosopher John Toland, whose book “Christianity without Mystery”, considered “Socinian” by his contemporaries and “Deist” by posterity¹⁶, was publicly burnt in Dublin in 1696 as decided by the Parliament. After the publication in London (1713) of Anthony Collins’s “Discourse on Freethought”, the term spread to identify those who opposed the authority of church teaching, first, and later those who generally rejected belief in God¹⁷.

With the Enlightenment and the deep socioeconomic and political transformations brought by the first industrial revolution, the French Revolution, and the end of the *ancien régime*, Europe’s bourgeoisie paved the way for ever-larger spaces for free thought, previously only accessible to social, economic, and intellectual *élites*. The new information space promotes the formation and development of public opinion.

¹⁴ L.-L. CHRISTIANS, M. MAGITS, C. SÄGESSER, L. DE FLEURQUIN (Groupe de travail chargé de la réforme de la législation sur les cultes et sur les organisations philosophiques non confessionnelles, instauré par Arrêté Royal du 13 mai 2009), Rapport *La réforme de la législation sur les cultes et les organisations philosophiques non confessionnelles*, octobre 2010, in www.laicite.be/app/uploads/2016/11/rapport-GT-II-reforme-cultes-2010-part-1.pdf.

¹⁵ George Berkeley called Toland a “freethinker” in his work *Alciphron, or the minute philosopher* (1732), a Christian apologetic writing consisting of seven dialogues in which Alciphron and Lysicles discuss the point of view of “modern freethinkers”, who are compared to what Cicero called minute philosophers as they belittle all that is most valuable, such as men’s thoughts, aims and hopes.

¹⁶ R. E. SULLIVAN, *John Toland and the Deist Controversy: A Study in Adaptations*, Harvard University Press, Cambridge MA, 1982, p. 109.

¹⁷ Among the earliest detractors of Collins’ book was Richard Bentley, who «fought his battle with the aim of “undermining and destroying”, as he puts it, “all the batteries which the atheists have aimed at heaven” (as in vol. III of The Works, p. 75), and could certainly not accept a discourse, such as Collins’, which appealed to critical reason as the foundation of all philosophical enquiry (...), A. SABETTI, *Recensione a Anthony Collins, Discorso sul libero pensiero*, edited by I. CAPPIELLO, Liberilibri, Macerata, 1990, in *Rivista di Storia della Filosofia* (1984-), 47, 1, 1992, pp. 239-243, available at www.jstor.org/stable/44022812.



The “anti-metaphysical” nature of the Enlightenment gave a strong impulse to the opening of new horizons, both ontological and existential, determining

“a freedom of thought and action that ideologies and their regimes are not willing to tolerate. (...) for the first time someone highlighted the problem of man in relation to the cosmos in its true dimension and not to the mythical one of theologies. (...) with the Enlightenment mentality, science in its various branches comes to the fore as an essential component of culture in relation to an evolution of man and the cosmos independent of the will of God”¹⁸.

The synergy between the progressive evolution of free thought and religious freedom is evident when free thinkers gather in associations, setting themselves objectives whose achievement would not only improve their legal and social condition, but would also have had far-reaching effects, improving the protection of freedom of belief, conviction, conscience and thought for all. Associations of non-believers and free-thinkers began to spread in Europe in the mid-19th century, in heterogeneous cultural contexts, penetrated by multiple new components, including positivist theories¹⁹, materialist, anarchist and evolutionist theories.

In the first half of the 20th century, the repression of rights and freedoms by dictatorial regimes caused the persecution of many free thinkers and many free thought associations were closed. The movement reorganised and grew rapidly after the end of the Second World War²⁰.

Over the last thirty years, in this scenario characterised by radical changes, philosophical and non-confessional organisations have taken on a new legal and cultural subjectivity. While retaining numerous aspects of the early secular-humanist associations, they multiplied; they framed the objectives in a broader and more articulated horizon of claims and adopted a synergistic operational practice that made it possible to overcome the monad character, prevalent in nineteenth-century clubs and associations. Multiple factors contributed to their metamorphosis: in addition to the maturation of historical conditions generating new and different problems, a significant push for change was determined by the affirmation of the “age of rights” and secularism²¹, by the process of globalization, by migratory movements and the spread of the Internet. Particularly significant is the temporal coincidence between the diffusion

¹⁸ C. TAMAGNONE, *L'Illuminismo e la rinascita dell'ateismo filosofico. Teologia, filosofia e scienza nella cultura del Settecento*, Editrice Clinamen, Florence, 2008, volume II, pp. 1018, 1019, 1022.

¹⁹ See C. LAMONT (1949), *The philosophy of Humanism, Eighth Edition*, Humanist Press, Washington DC, 1997, p. 48, available at www.corliss-lamont.org/philos8.htm.

²⁰ For further information on the history of free-thinking organisations from the second half of the 19th century until today, refer to N. DE NUTTE, B. GASENBEEK, *Looking Back to Look Forward, Organised Humanism in the World: Belgium, Great Britain, the Netherlands and the United States of America, 1945-2005*, VubPress, Brussel, 2019; S. BALDASSARRE, *Contributo allo studio delle organizzazioni filosofiche e non confessionali nel diritto italiano e internazionale*, con Premessa di S. FERRARI, ETS, Pisa, 2023.

²¹ G. HAARSCHER, *La laïcité*, PUF, Paris, (3 ed.), 1998, p. 128.



of the network and the foundation, in Prague, in 1991, of the European Humanist Federation, the European branch of the International Humanist and Ethical Union (IHEU), official partner of the dialogue with the EU (art. 17 TFEU) and member of the Advisory Committee of the European Parliament Platform for Secularism in Politics; it also collaborates with the Council of Europe and the OSCE and has consultative status in the Economic and Social Council of the United Nations²².

5. Focus on Belief Organisations: first findings

The following considerations arise from an initial analysis of Atlas data. They should not be considered as exhaustive, as they need to be supplemented and developed, also based on the evolution of the work within the Atlas project.

Considering the measurement parameters adopted by Atlas (“1” promotion of rights; “0” compliance with international standards; “-1” restrictions of rights), the main (initial) considerations regarding Belief organisations (BOs) are as follows:

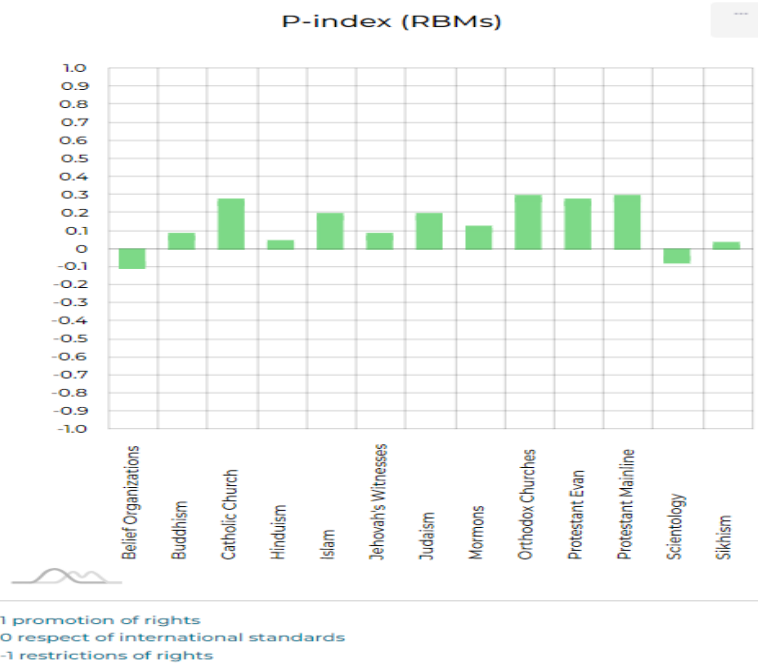
– the P-Index of BOs, shows that all the 12 countries considered in the Atlas project have a score higher than 0, which complies with the international standards concerning religious or belief minority rights. The countries with the highest P-Index (Total policy areas) for BOs are Sweden (0.24), Finland (0.2), Estonia (0.2), Belgium (0.23). much lower is the P-Index of BOs in Greece (0.13), Hungary (0.12), Spain (0.12), Italy (0.11), Austria (0.08), Poland (0.08), Romania (0.07), France (0.01).

The overall P-Index for the 12 countries (Eu12) is positive, but low (0.12).

– the G-Index of BOs shows a negative score, in all countries. The largest gap between the legal treatment of BOs and the majority religion occurs in Poland (-0.43). The gap is also quite wide in Italy (-0.41), Greece (-0.4), Spain (-0.39) and Romania (-0.34), while it is smaller in Finland (-0.2), Sweden (-0.17), France (-0.24). Only in Belgium there is no gap (Belgium, score 0). The overall Eu12 Gap Index also shows a negative result (-0.29).

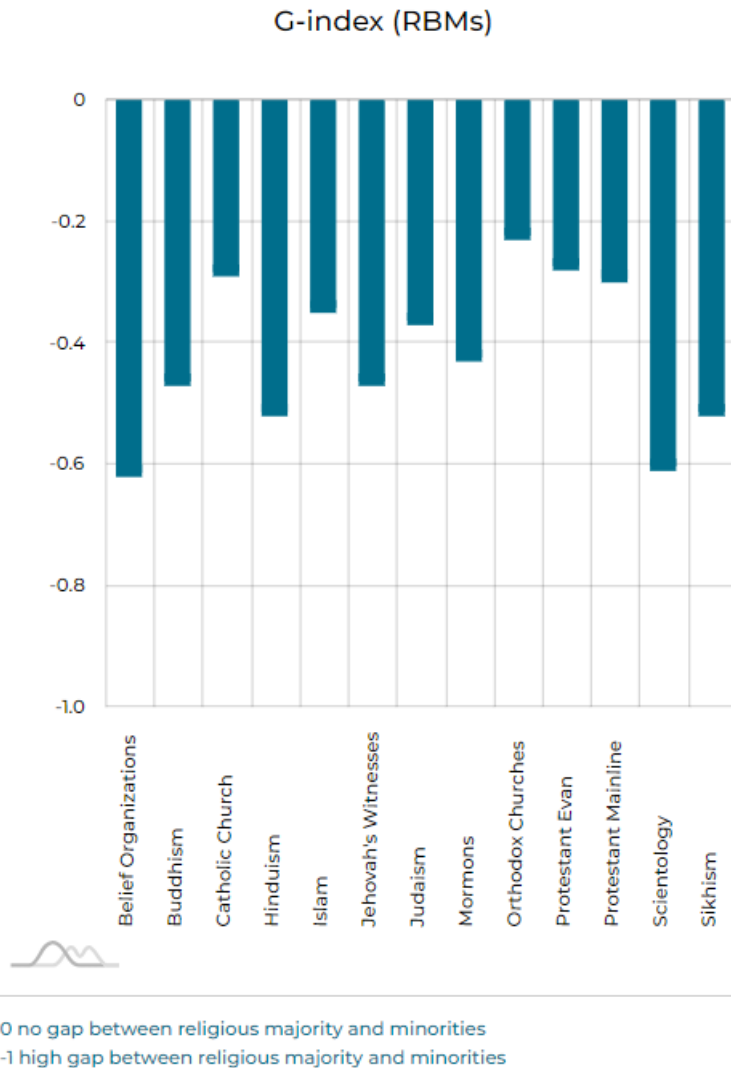
– Limiting now the analysis to the policy area of spiritual assistance, the data available for Belief organisations show some interesting findings. One of these concerns the Promotion index. The P-Index is positive for all religious minorities considered in the Atlas research, except for Belief organisations (-0.09) and Scientology (-0.06).

²² M. CROCE, S. BALDASSARRE, *Non credenti e globalizzazione. Primi appunti per una ricerca*, in *Quaderni di diritto e politica ecclesiastica*, 1, 2022, p. 253.



This means not only that the rights of BOs (as well as those of Scientology) are not promoted, but also that they are not respected either. In other words, the legal status of BOs and Scientology in this policy area falls below the line of compliance with international human rights standards.

At the same time, the G-Index shows that, among the thirteen religious and belief minorities considered, the value of BOs, with a score of -0.61, is the one closest to -1; this means that there is a wide gap between religious majority and minorities. The score assigned to Scientology -0.6 - is also close to -1.



It can be concluded that BOs are placed at a disadvantage in the fields examined. In many EU countries their legal status is not the same as churches and religious communities; BOs are therefore not accorded, at different levels, the same benefits and rights as religious groups.

As for spiritual assistance, we can identify other causes to explain the negative trend that affects BOs in the countries involved so far in the Atlas project. The analysis of the questionnaire cluster “Right to receive spiritual assistance in prison” shows that in all twelve countries a spiritual assistance service is organised or financed by the State. Furthermore, in many countries, this service is expected to be provided by a chaplain.

What about BOs? If we look at the question²³: “Are Belief organisations entitled to have chaplains?”, the answer is always negative

²³ All the questionnaires sent to legal experts are available in the “Questionnaires” section of Atlas, <https://atlasminorityrights.eu/data/Questionnaires.php>.



in all the countries, with the only exception of Belgium. This has a huge impact on the BOs score. Similarly, in all the countries considered by Atlas – except, once again, for Belgium – the answer to the question “Do Belief organisation representatives have the right to visit prison?” is, once again, negative because in these countries, as there is no legal equality between theistic and non-theistic groups, BO representative are not granted the right to visit prisons and provide secular moral assistance on an equal footing with religious organisations. Only in Belgium the *Centre d’action laïque* has a legal status equivalent to that of recognised religious organisations, based on art. 181 of the Constitution. On a practical level, even in the absence of an explicit right, BOs can meet requests for visits in some countries by invoking rules that are different from those that apply to religious organisations (for example, visits as a representative of social organisations). On this basis, in Italy, the Uaar (Union of Atheists and Rationalist Agnostics) has signed agreements with the hospitals of Rome, Florence and Turin, to allow volunteers to provide non-confessional moral assistance.

Another element that contributes to the negative trend of BOs seems to be a lack of multi-faith spaces for spiritual assistance. In many countries, especially in Greece, Italy, Spain and Romania, there are places of worship (chapels), which are reserved for the majority religions only.

These first results show that the legal status of BOs appears to be disadvantaged compared to RBMs in almost all the states analysed so far in the Atlas project, with the sole exception of Belgium. In this country the gap is filled by the constitutional guarantee of equal treatment for theistic and non-theistic phenomena.

The regulatory framework on the matter, therefore, should be improved. This would also be consistent with the international regulatory and jurisprudential framework which, as pointed out, supports the inclusion of non-theism in the religious phenomenon, and, consequently, equal legal treatment.