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CHURCH AUTONOMY IN EUROPE

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DRAFT PAPER

The word -not the concept- of autonomy applied to the institutional relationship of churches with the legal system of their respective States is recent. The request for autonomy has not been expressed with the same intensity by all Churches or religious organizations. Some of them bear more than others the seal of former State control. In Europe unlike America, we have a very differentiated history of church-State relations, which plunges into the present day. In the short history of America the simple principle of the first Amendment has never been challenged and continues to guarantee the legal coexistence of religious organizations in the common framework of law equal for all. In Europe we had previously only established or official Churches with some important nuances: strongly identified with the State administration were Orthodox national churches, Anglican and Lutheran Churches. The catholic Church maintained with more success the fundamental distinction of both orders. For her, since the XIth century the recurring claim was «libertas Ecclesiae», the request of freedom of self-government.

In recent history the changes which occurred in civil society and in the State and the growing secularization of western culture induced an increasing distance between society and religion, Church and State. It is not the French Revolution which gave autonomy to the

Church.

In the same year (1791) in which the first Amendment was adopted in the US, the Catholic Church of France was totally nationalized by the *Constitution civile du clergé*. There is therefore no wonder if historical factors, including self-understanding of churches and national legal traditions, so strongly merge into the present ecclesiastical legislation of European State.

I. WHICH AUTONOMY DO CHURCHES SEEK?

Albeit all European States have signed the *International Covenant for civil rights* of 1966 and the *European Convention on human rights* of 1950, the constitutions of States show how different is their legal approach to religion and more specifically to religious institutions. In some cases, the constitution will be coherent with the expectations of the Churches, be they established, recognized or not. In other cases, the constitutional law may witness the struggle between Church and State and impose unilaterally a view of what religion is or should be. Even if to-day there might be a certain convergence among churches claiming autonomy, not all Churches or religious organizations have always expressed the same need or wish for institutional autonomy with respect to the State.

The claim for autonomy comes from a Church's own understanding of its specific identity in relation to the civil society and to its legal environment. This understanding may vary from one historical and legal context to the other. The long debate between protestant and catholic understanding of the Churches' legal profile through the seventeenth century up to the

present time runs precisely on the preservation of a domain of exclusive competence. Catholic canonists defended the conviction that the Church has received from its Founder all the means necessary for its independence from the State. Lutheran theologians justified the choice made by their Churches to submit the external legal administration of the Church to the political ruler. Catholics said the Church is *sui iuris*, enjoying a total institutional autonomy with respect to the State, while the Protestants sustained that all rules in the Church were bestowed by the State. This was coherent with the Lutheran teaching on the two reigns. So while the Catholic Church was fighting for its institutional autonomy in front of the absolutist and the liberal state, another challenge for autonomy came from non-conformist evangelical Churches in England and in America. These religious communities had no specific link with the State at all. They did not claim for total institutional freedom as did the Catholics, but for individual freedom in a more and more pluralistic society. The non-conformist Christian communities in the New World were at the origin of the American understanding of religious freedom which strongly determined the international juridical instruments since 1948.

The World council of Churches stated in 1948 and later in 1961 that art. 18 of the *Universal Declaration* was in accordance with Christian freedom. The Catholics, with the Declaration *Dignitatis humanae* at Vatican II, admitted that the common right to religious freedom as guarantied in international law and state constitutions covers the needs of «Church

liberty», that means the autonomy with which the Church has been endowed by its Founder.

Moreover, Vatican II recalled the general rule that «in their own domain, the political community

and the Church are independent from one another and autonomous», and called to develop a «healthy cooperation» (*Gaudium et spes* 76 § 3). When we compare State constitutions and

Church declarations, it is probable that we are witnessing parallel -not always overlapping-

assertions about what is religion and corporate religious freedom: two concepts far from enjoying

an overall accepted definition. European constitutions and laws in particular offer a range of quite

different legal frameworks on this issue.

Civil constitutions do not in the same way deal with the same object when they grant

religious freedom.

-First of all, they rarely qualify the religious phenomenon as such. Often, there is no

recognition of religion as a specific activity, distinct from the correlated domains of thought,

conscience or conviction. During the failed discussions about a project of a convention on religious freedom (1987), an attempt at a definition included under the equivalent concept «religion or conviction»: all «convictions, theist, non-theist and atheist». This is a perfect expression of the Enlightenment view of religion as a form of individual conviction, thought or

belief decided by an individual, just as his/her opinion on any other subject. We find this approach

coined in the French *Declaration des droits de l'homme* of 1789, art. 10 which reads: «nobody

will be harassed about his/her opinion, even religious, as long as they do not disturb the public

order guarantied by law». So the freedom of religion is nothing else than a variety of the freedom of opinion, and it is essentially an individual freedom. It seems useless to say that for believers, religious faith is a relationship with God and an adherence to his revelation, in no case a self-made opinion.

If we glance at the European constitutions, we observe that France, Spain, Germany explicitly associate religion with something else: opinion (France, already quoted); «religious or non-religious faith» (Germany 1949, art. 4,1) or «religious confessions and non-religious persuasions» (Germany, art. 33,3); «ideology, religion and belief» (Spain 1978, art. 16). Other constitutions have a more homogeneous view of religion. «Religion and belief» are associated by Netherlands (1983, art. 6), «religion and faith» by Poland (1997, art. 53).

-Since 1948, international law guarantees the right to religious freedom as an individual right which may also be exercised in community with others. So affirms art. 18 of the *Universal Declaration of human rights* and art. 18 of the relative *Covenant on civil rights* of 1966. Art. 9 of the *European Convention* of 1950 is worded in a similar way. In these basic instruments, religious institutions are not mentioned. Nor are they are excluded as associations of those who exercise their right «to manifest [their] religion or belief in teaching, practice, worship and observance». But associations of believers as such are not legally qualified. The qualifications of the legal structures and statutes of religious organizations are left to national legislation, where history and specific juridical traditions play a major role. We may observe that

international law,
as it stands, perfectly fits with the American experiment: no established or recognized church, no
prohibition of the free exercise of religious belief, no religious institutions appearing as a partner
at law. In the legal framework of society, religious groups may adopt such features that the law
offers for all associations. European constitutions deal in a very differentiated way with religious
institutions.

II. LEGAL INSTITUTIONAL AUTONOMY

A classical classification of European ecclesiastical law may distinguish between established Churches (Anglican and Lutheran in Scandinavia), legally recognized churches as in
Germany Austria and Switzerland, and now also in Southern Europe; State controlled churches
under the remnants of Napoleonic laws such as in Belgium, Luxemburg, and Alsace-Moselle, and
those countries in which religion should be considered as a private activity like France and
Netherlands.

1) Established churches

The existence of a State religion does not necessarily imply a loss of autonomy for the
respective church. State religions are not synonymous with established churches. The latter enjoy
generally little institutional autonomy, while the constitutional norm of Catholicism as "the unique
religion of the State" as in Italy before 1984 or Spain before 1976 was perfectly

**compatible with
the other constitutional norm of the "independence and sovereignty of the Catholic Church" in its
own sphere (so the Italian constitution of 1946 and the former Spanish concordat of 1953).**

**The Churches of England and Scotland are the established official churches for religious
state ceremonies. They are the only religious organizations whose autonomy is restricted. The
Queen is supreme governor of the Church of England. Not even the clergy are directly funded by
the State but by Church owned foundations. The established Churches have no monopoly of
religious teaching in schools. The only individuals whose religious freedom is inexistent are the Sovereigns. So the Swedish Act of Succession of 1810 prescribes that the royals should belong
to the Confession of Augsburg (art. 4). In Norway the constitution of 1814 is still in force. Art.
2 rules that «the Evangelical-Lutheran religion shall remain the official religion of the State». By
constitution all Lutherans are bound to bring up their children in the official religion. Not only the
Sovereign but also more than half the number of the ministers (art. 12,2) must belong to the
official religion. The official church has no legal autonomy. Art. 16 stipulates that the King
decides upon public church services and worship, about meetings and assemblies dealing with
religious matters and controls public teachers of religion.**

**The Orthodox Church of Greece enjoys a special legal protection as «the prevailing
religion in this country (constitution of 1975, art. 3,1). Art. 3 of the constitution is of a**

declarative nature. It contains theological and canonical affirmations, which can be interpreted as framing the autonomy of the Church within constitutional norms. It is said that (the church) «is autocephalous, exercising its sovereign rights independently of any other church». This says nothing about its dependence or independence of or from the State. The constitution even forbids translations of the Holy Scripture which would not have the sanction of the autocephalous Church. The principle put forward in the relationship between Church ad State is «synallelia» (distinction and reciprocity) which would mean organizational independence and functional solidarity. The church in many respects acts as an organ of the State, for example in marriages, education, religious holidays.

2) State controlled recognized churches

The second model is that of State controlled Churches. It takes its roots in the «law organizing the «cultes» in April 1802 which integrated the concordat with the pope and dictated a whole ecclesiastical legislation under the name of *Organic Articles*: one for the Catholic and one the «Protestant *cultes*». Later came a similar unilateral provision concerning the «Jewish *culte*» (1844). The chosen wording «culte» implicitly contains a concept of religion, which would consist on external ceremonies. This legislation is still in force in Alsace-Moselle and in Belgium and Luxemburg where it was extended at that time. The Organic Articles are unilateral legislation

imposed by the State on the inner functioning of the respective «cultes». The Catholic Church never accepted the Articles, but had to cope with them. They had been simply added to the Concordat without previous agreement or understanding with the Church. The Concordat itself gave to the head of State the right to choose the bishops just as under the former monarchy. So the State conserved the means of control over the clergy and the whole Church activities without being itself bound to the Church in virtue of any specific link. The official ideology expressed by Prefect Portalis was that religion was useful for keeping the moral standards of the people and teaching loyalty to the State. Under the Bonapartist legislation, Churches must enjoy an official recognition to be considered as partners by the State and play the social role entrusted to them.

In Alsace-Moselle, where the whole legislation is still in force, the number of the recognized «cultes» remains unchanged since the early 1800's. Instead in Belgium it has constantly be adapted so as to incorporate other religious communities, presently seven, in this framework.

The Belgian constitution has some detailed provisions about the legal status of recognized Churches. Art. 21 forbids the State to intervene in the appointment of ministers of any religion. The State may not prevent them from corresponding with their superiors or from publishing their acts. These provisions abolish the corresponding legislation of the Organic Articles in the sense of the autonomy of the churches. They only maintain the obligation of the civil wedding prior to

the religious ceremony. Ministers of the recognized religions as well as non-religious moral leaders providing moral assistance are remunerated by the state (art. 181).

Luxemburg has also maintained the obligation of prior civil marriage to the religious rite (1868, art. 21). The constitution of 1868 looks forward to further conventions with the respective churches, without abolishing any of the rights inherited from the former French Organic Articles (art. 22).

In these three areas, not the churches but some administrative entities serving as financial structure enjoy legal recognition such as dioceses, seminaries, parishes, recognized religious orders. Only in 1981 did the diocese of Luxemburg receive a civil juridical personality.

3) Separation without recognition or institutional cooperation

The French constitution of 1958, Churches are not mentioned, and religion only incidently appears in art. 10 *Declaration of human and civil rights* of 1789 already quoted. Instead the Republic is defined as «laïque». This is a reference to the *Law of separation between Church and State* of 1905, which abolished the previous legislation and decided to not to recognize anymore any religious institution or activity in civil law. Since then the law ignore the concept of Church and of Church autonomy. Religious organizations were invited to adopt the common law of associations established in 1901. Under the guaranty of freedom of opinion and freedom of association, citizens sharing the same religious views could associate on the model of other non profit associations. Each meeting (each daily mass, for example) would have to be

declared in advance and receive special permission. This was not acceptable to the Catholic Church which refused these associations, and the legislator had to resort to a form of association better adapted to the hierarchical structure of the Catholic Church, ans so suppressed the previous authorization for all associations.

The lack of institutional autonomy of the Churches is still more apparent in respect of the legal recognition of religious orders, which depends on a specific decree taken by the Council of State. Members of such orders are discriminated in their civil rights as they are declared unable to exercise several public functions, such as teaching in public schools. Obviously, religion is not a matter of school teaching. It is left to the half day weekly rest for those families who wish to send their children to the parish religion teaching.

When new religious groups emerge, public authorities urge them to elect representative bodies, so as to have an institutional partner to whom to refer. Up to now this proves to be difficult with the Muslims, and may be interpreted as an intrusion in their religious autonomy.

4) Autonomous and cooperating religious communities.

The constitution of the German Republic of Weimar (WRV 1919, art. 137) is the first of its kind to adopt a complete set of norms on the institutional autonomy of religious associations, *Religionsgemeinschaften*. This was an innovation in respect to the former situation when the

Protestant churches were State churches and the Catholic was free. Now both main Churches were treated equally, and together with organized philosophical associations, could enjoy the status of «Körperschaft des öffentlichen Rechts». According to this constitution those churches or associations which fulfilled the conditions stipulated by the statutes in terms of number and permanence, decide freely their inner structure and social goals as long as they are religious or "weltanschaulich". As such they govern themselves with "Selbsbestimmungsrecht". This is indeed the kee concept. They are legal persons in public law, and as such entitled to raise taxes on their members with the help of the State tax collecting system. The articles 136 to 139 and 141 of the 1919 constitution were simply taken up again in the *Fundamental Law* (*Grundgesetz*, GG) of the Federal Republic of Germany in 1949, under art.140. The relationship between Church and State is based on two principles. First: there is no State Church; Church and State are separated.

Second: «religious bodies» (*Religionsgemeinschaften*) regulate and administer their affairs autonomously (*Selbsbestimmungs- und Selbstordnungsrecht*) within the limits of the law common to all. No public authority may interfere in the designation of religious ministers. The principle of institutional autonomy covers religious teaching in schools as demanded by the right of parents to give a religious education to their children (cf. GG Art. 7,2-4), appointments, worship, charity, labour laws and data protection. It is only limited by the general laws in which these activities are

framed. It also implies the judicial autonomy of Church tribunals. Such an institution as a tribunal of conflicts does not exist, as neither State nor Church have any competence to limit the inner autonomy of the other body. However some limitations to self-government may be found in concordats in matters which are of civil interest, like the creation or modification of territorial Church divisions where the government has to give his accord (*Reichskonkordat* 1933, art. 11), or the obligation to choose a native citizen for bishop (almost all European concordats).

So all religious bodies may acquire legal capacity according to the general provisions of civil law. Those religious bodies which fulfill the requirement of law conserve or may acquire the status of corporate bodies (*Körperschaften des öffentlichen Rechts*). Religious organizations with the status of a private association enjoy the same inner autonomy. Associations cultivating philosophical convictions may obtain the same status as religious bodies.

In Austria the *Basic Law on the General Rights of Nationals* of 1867 is still in force. Its art. 15 deals with the rights of «churches and religious societies». Those churches which are «recognized by the law» arrange and administer their inner affairs autonomously. Other religious organizations have the same inner freedom. They administer their funds and endowments devoted to worship, instruction and welfare.

The Swiss federal Constitution (1874) has no rules as to the statute of churches. It only maintains that the creation of new bishoprics on Swiss territory is subject to the authorization of

the Government (art. 50,4). Ecclesiastical laws are the competence of the 26 cantons: some are historically protestant, others catholic and others bi-confessional cantons. It must not be forgotten that each confession on its part has strongly influenced the cantonal constitution itself. The protestant cantons in the tradition of Zwingli were originally state churches. The state ruled over all questions of institutional organization of the "cantonal churches". Still to-day in the cantons of Zürich, Bern and Waadt the reformed churches are more strictly state controlled. For instance, protestant ministers are paid by the canton. Only the cantons of Geneva and Neuchâtel have performed a kind of separation between church and state. Even there, the main confessions enjoy the statute of public law, with minor exceptions. Church taxes are raised on Church members and on juridical persons like firms. The State may also finance directly Church activities. The trend to-day is towards a major parity among Churches in their partnership with the local State. Areas of restricted institutional autonomy are for instance: the admission of foreigners to local polls, the creation of new territorial communities or to the use of Church taxes for not strictly religious activities. Several non traditional religious organization having a certain number of members, a clear structure and the perspective of permanence have been recognized in some cantons. A 1980 initiative to totally separate church and state was rejected by the Parliament.

4) Independence and cooperation

The new Spanish constitution rules out any state religion. The public powers shall take into account the religious beliefs of the citizens and therefore maintain appropriate relations with the Catholic Church and other denominations. So the Catholic Church is a recognized entity and no restriction is made to its inner autonomy (1976, art. 16). According to the Law on religious freedom of 1980, all «religious associations» have a juridical personality after they are registered. This means that their internal autonomy is recognized.

The Portuguese constitution of 1976 quite clearly says that churches and religious communities are separate from the state and free to organize and exercise their own ceremonies and worship (art. 41,4). Moreover, the separation of churches from the state is a constitutional rule not subject to revision (art. 288,c).

The Polish constitution of 1997 dedicates a rather long article to Church-State relations (art. 25). All churches or religious organizations have equal rights. Paragraph 3 affirms that their relationship with the state «will be based on the principle of their autonomy and the mutual independence of each in its own sphere, as well as the principle of cooperation for the individual and the common good» (art. 25,3). Then it is stipulated that the relations with the catholic Church will be determined by international treaty (the concordat signed in 1993 was ratified in 1998), and by statutes for the other Churches or religious organizations. The formulation combines the wording of art. 7 of the Italian constitution of 1946 and paragraph 76,3 of the conciliar

constitution *Gaudium et spes* (1965). It perfectly fits with the catholic doctrine of Church and

State relationship: autonomy, independence and cooperation, all three terms valid for both

partners and ensuring their free cooperation. All legally recognized religious organizations are

entitled to teach their religion at school (art. 53).

Italy presents the first constitution where the qualification of «independent and sovereign»

is applied both to the State and to the Catholic Church. (1946, art. 7). It maintains in force the Lateran Pacts of 1929. It might be remembered that the Lateran Treaty in its preamble stressed

«the absolute and visible independence» due to the Holy See, and guaranteed «the absolute

independence for the accomplishment of its mission in the world». Art. 8 of the constitution

guarantees the same autonomy to «religious denominations other than Catholic»: they «are entitled

to organize themselves according to their own creed», but «within the limits of the Italian juridical

order» (art. 8,2). They may sign agreements with the state. These agreements are enforced by a

state law. They illustrate that religious organizations, unlike civil associations are entitled to

discuss their institutional recognition with the State.

The word «autonomy» appears after 1984 in the recent agreements signed with the Waldense Church and five other communities. The constitutional court (decision 43) in 1988 ruled

that this term means institutional autonomy by which the State forbids itself to interfere with the

elaboration of inner norms. In 1989 the Court confirmed the principle of autonomy by the principle of «laicità» which means not indifference or hostility to religion, but the

safeguarding of
religious freedom. Having to decide upon the recognition of new religious communities, the
Council of state ruled that it would examine only their institutional structure and not their doctrine
or activity. This means it would follow the auto-qualification of the religious organization.
recently the court of cassation did not confirm sentences ignoring the specific nature of religious
organizations. Even those religious organizations which do not want or cannot sign agreements
with the State are regulated by their statutes and enjoy inner autonomy.

The Irish constitution of 1937 is in many respects remarkable. It expresses the views of
Catholic social doctrine without the exclusiveness of the traditional Catholic doctrine of the
confessional state. The state recognizes its duties towards God Almighty, from Whom is all
authority (preamble) and to Whom is due public worship; But there is no official confession: «The
State guarantees not to endow any religion» (art. 44,2.2). The State funds schools held by
different religious denominations. Each of these enjoys full inner autonomy:«every religious
denomination shall have the right to manage its own affairs, own, acquire and administer property,
movable or immovable, and maintain institutions for religious or charitable purposes» (art. 44,2.5).
The constitution even forbids alienation of property of religious or educational institutions (art.
44,2.6).

III. AUTONOMY AS A GENERAL TREND

Special laws on religious freedom and jurisprudence deal with Church autonomy in some sensitive fields like: faith and order, Church run welfare institutions, religious teaching in schools, appointment of ministers.

1. The most challenging issue of Church autonomy is certainly the question of its freedom to teach its faith. This is not obvious, as the creed of established Churches is somewhat anchored in the constitution of the State. An ecumenical move for instance to join another Church could be hindered by the constitution. In Britain or Denmark, the official Church could not come to an institutional integration with another Church without some changes in the constitutional rules. In Greece, the Orthodox Church is linked by constitution to the Church of Constantinople, and the organs of Church government are confirmed by the constitution (art. 3) and so any attempt to change or develop them would need a revision of the fundamental law.

The Lutheran Scandinavian Churches are run by their respective Parliaments who decide on matters of faith and order. Pastors are not free to refuse baptism to a child of non practising citizens. The procedure of election of bishops and clergy have been settled by law. Also the Church of England needs the confirmation by Parliament for inner decisions such as the revision of the *Prayer Book* (1927, 1928) or the ordaining of women. It is remarkable that Sweden has decided to abolish the official Church by the year 2000, and to grant all registered

churches equal
legal recognition and autonomy of government. All other State-Church models leave Churches
fully free in questions of faith and order. The alleged reason is indifference to religion rather than
an explicit consideration of religious faith.

2. The free appointment of ministers is a classical test for effective Church autonomy. In
modern Europe only non conformist churches were free to elect their ministers. In established
churches the sovereign or his government used to choose bishops. This has basically not changed.
The Church of England presents a list of two candidates for bishops to the Government which
chooses and proposes the appointment to the Monarch. In Greece the election of the Archbishop
of Athens by the Holy Synod is performed in the presence of a government representative.

In Catholic countries the privilege for heads of State to interfere in the appointment of
bishops was abolished in the post-Vatican II concordats (Spain, Monaco, Luxemburg). In post
World War I concordats the general practice was to inform governments before an appointment
is published, with a right to express eventually objection of general policy. Since Vatican II, only the official notification of the appointment is generally envisaged. Alsace-Moselle is now the only
area in the world where the bishops are appointed by the Head of State, and the other ministers
by the government. In Southern Europe, there are no longer limitations on the free designation
of Church ministers.

3. More subtle is the link between Church and State when the Church assumes

public services on a large scale like schools, hospitals, Kindergarten, theological faculties in State universities. Churches become a partner in social activities. In Germany, the two main Churches are among the main employers in the country. This raised the problem of labour laws and the specific goals of Church run institutions. This specificity is supported by laws. Employees accept to be bound by Church criteria on being hired or in the event of their dismissal. Churches are so narrowly woven into the net of social services that they are *de facto* restricted in their autonomy.

The autonomy both of the State and of the Church are interdependent, through the extension of Church social institutions. On the one side, Churches observe that social or educational services belong to their mission and so to the sphere of their organizational autonomy. On the other side the State has to foster a positive application of the principle of religious freedom.

In Germany, Austria and Switzerland, we have by constitution an identification between the Churches and the civil institution of the Körperschaft, with non little consequences. As Church taxes are compulsory for all citizens who are listed as members of the Körperschaft, those citizens who do not want to pay their Church taxes have to declare that they have left their Church, whether by conviction or by necessity or by commodity. This obviously represents a major limitation to the autonomy of the Church as community of faith. In so far the Italian and Spanish model avoid any interference between citizenship and being a believer. Anybody is free to dedicate

a reasonable tax to his/her Church or to dedicate it to another purpose. There are no civil or canonical consequences for either choice.

4. In Western Europe, when new constitutions are adopted they tend to a more radical, but friendly separation of Church and State. So the Netherlands suppressed in 1983 a former provision relating to Churches, but decided on a transitory basis to maintain stipends to religious denominations or their ministers until it will be provided otherwise (chap. 9, additional art. 4). In fact, until 1972, all religious ministers were financed by the State. In 1981 the State redeemed its last obligations by creating a foundation which would administer capital for the sustenance of the clergy if the different churches. From then on religious bodies will be treated indifferently as common associations of private law, with no fiscal exemptions.

5. Looking now at the constitutions of the new regimes emerging in Central and Eastern Europe since 1990, they seem to enforce the model of legal recognition and cooperation with the State. State churches are abolished, but national churches receive a special treatment. Art. 14 of the Russian constitution of 1993 rules that no religion may be instituted as state-sponsored or mandatory, and that all religious associations shall be separated from the State and equal before the law. It also guaranties freedom of religion including of disseminating religious beliefs. Now the *Law on religious associations* of 1997 seems in contradiction with the second paragraph of

art. 14, as it tries to render impossible the registration of religious associations which have less then fifty years of presence in Russia. But at least no attempt is made to impose to religious organizations their inner structure.

As a result of the more recent trends in ecclesiastical state law, Europe seems to converge towards a model of substantial autonomy of Churches in spite of the extreme variety of their juridical status. Churches historically linked with a nation and a legal system have often no more religious freedom than new religious movements with weak structures but intense proselytizing activity. States are taking into account the increasing indifference of their citizens to religious institutions. It is probable that a certain convergence in the juridical approach of Churches will develop in Europe. It may be suggested that European history shows that uniformity is not a solution and that regional and national experiences in the field of church-state relationship will continue to prevail.