News

A man leaves an empty church in Bonn, Germany, June 12, 2020. A draft bill in Germany's lower house of parliament would abolish state payments to Catholic and Protestant churches. (CNS/KNA/Harald Oppitz)

by Catholic News Service

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Germany's lower house of Parliament is considering replacing state payments to the nation's two largest churches. The Catholic and Protestant churches received combined state benefits of more than $650 million in 2020.

At a hearing in the interior affairs committee of the Bundestag, or lower house of parliament, they welcomed in principle the intention of legislation by the opposition liberal Free Democratic Party, the Greens and the Left Party and pointed out that it was in line with a constitutional mandate to abolish the payments, which date back to a 19th-century provision. By contrast, a number of legal experts said an alternative bill by the Alternative for Germany party to simply phase out the benefits was unconstitutional, reported the German Catholic news agency KNA.

The bill by the three parties aims to create the necessary framework for agreements between the federal states, which currently make the payments, and the Catholic dioceses and Protestant regional churches.

Most of the state payments date back to 1803, when German imperial princes received expropriated church property as compensation for a loss of territory. In return, the princes paid the churches money on a regular basis.

The right of the churches to levy contributions, or a church tax, from their members has nothing to do with these state benefits, KNA reported.

Since 1919, the constitution has called for these benefits to be replaced. The prerequisite for this would be agreements with the churches at the federal and state level as well as corresponding laws. However, the churches would have to receive high redemption sums for this, which is why most of the federal states have so far refrained from taking the step.

According to the new draft law, the maximum amount of the replacement payments is to be based on the so-called equivalence principle — 18.6 times the annual payment to be made, which would be nearly $12 billion. The federal states would be obliged to implement this within five years of the law coming into force and complete the payment within 20 years.

Ansgar Hense, director of the Institute for State Church Law of the Catholic dioceses in Germany, said the new legislation should not be seen as an anti-religious measure. However, like other experts, he called for a more precise definition of the size of the payments to be replaced. He also called for greater flexibility in the redemption period in order to take account of the federal states' financial situations.

On the question of the amount, several experts asked for allowances for regional differences. Hans Michael Heinig, a constitutional law expert from Göttingen, emphasized, however, that although differences were conceivable, they should be between 16 and 20 times the annual sums. The experts called for the churches and the federal states to be involved in drafting the law.