

GOVERNMENT & HUMANISM AS A RELIGION
By Arthur Jackson (4/18/08)

Some Humanists have difficulty thinking of Humanism as a religion. Part of this results from their concern that many individuals understand the term to require belief in a supreme being, or other supernatural concepts. However, this interpretation is outdated, and sometimes provides a self-serving value to those who do this.

The courts have consistently ruled that Humanism is functionally equivalent to a religion and therefore provides all the rights and prerogatives of such. Below are excerpts from a California District Court Ruling later upheld by the Supreme Court of California on this issue. (Fellowship of Humanity v. County of Alameda, 11 September 1957.)

"4. Generally speaking, 'religious worship' is expressed by prayers, reverence, homage and adoration paid to a deity, and includes the seeking out by prayer and otherwise of the will of the deity for divine guidance.

"5. There are forms of belief generally and commonly accepted as religions and whose adherents, numbering in the millions, practice what is commonly accepted as religious worship, which do not include or require as essential the belief in a deity.

"6. The worship of gods other than the Christian or Judaic God would clearly fall within the exemption from taxation of property used 'solely and exclusively for religious worship.'

"7. In a country where religious tolerance is accepted, the limited definition of 'religion' or 'religious worship' as necessarily importing a belief in a deity is not in accord with our traditions.

"8. The First Amendment to the United States Constitution, guaranteeing religious freedom, is made applicable to the states by the Fourteenth Amendment."

9. Any type of statutory exemption that discriminates between types of religious belief on the basis of the content of such belief would offend both federal and state constitutional provisions guaranteeing religious freedom.

"10. Under Constitution, article XIII, section 1.5, exempting from taxation property used 'solely and exclusively for religious worship,' the state has no power to decide the validity of the beliefs held by a humanist group.

"11. The only valid test a state may apply in determining whether property is exempt from taxation because used 'solely and exclusively for religious worship' is purely objective; once the validity or content of the belief is considered, the test becomes subjective and invalid.

"13. The proper interpretation of 'religion' or 'religious' in tax exemption laws should not include any reference to whether the beliefs involved are theistic or nontheistic; religion simply includes (1) a belief, not necessarily referring to supernatural powers; (2) a cult involving a gregarious association openly expressing the belief; (3) a system of moral practice directly resulting from adherence to the belief; and (4) an organization within the cult designed to observe the tenets of the belief.

"18. Constitution, article XIII, section 1.5, exempting from taxation property used 'solely and exclusively for religious worship,' should be interpreted, if possible, so as not to offend the federal Constitution; if the words 'religious worship' are given a narrow, limited meaning, so as to require a belief in and adoration of a Supreme Being, then grave doubts would exist as to the constitutionality of the section, but a definition which emphasized the 'nonreligious' facets of the conduct of a humanist fellowship will serve to sustain the constitutionality of the section."

For more information on this, or the complete ruling contact Arthur Jackson.

(Thanks to Mildred McCallister, now deceased for a copy of the above ruling and Douglass McKinney for providing it to her.)