Pay to Pray, or, the Dangers of Church-State Entanglement
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When you are sitting in church and the offering plate is passed, do you feel uncomfortable? Does the social pressure of your neighbors watching impel you to put in more than you planned? How do you handle the stares of those near you when you put in nothing?

More than a century ago, churches in Germany solved this problem. They don’t pass the plate anymore. Instead, the federal government deducts a payment for your church on your tax bill. It happens automatically, so you don’t have to think about it. It is invisible, so your neighbors do not see it. And, it is probably less than you would put in the offering, no more than 9 percent of your tax bill -- compared to the tithing expectation of 10 percent of your total income.

The “church tax” as it is called, goes not just to church operating budgets, but also to social services provided by the churches for all citizens, such as kindergartens, old-people’s homes, hospitals and so on.

But how should the church react when individuals stop paying the tax (it is voluntary), yet still want services the church provides, such as communion, baptism, weddings, burials and funerals and other services?

The bishops of Germany’s Catholic Church decided this would be allowing freeloaders to mooch off the payments of paid-up members. So they recently issued instructions requiring parishes to refuse to permit those who do not pay the church tax to participate in church activities.

The morality of this move has caused a great deal of debate. On the one hand, many faithful parishioners feel relieved of carrying the financial burdens of other people. On the other hand, many believers feel uneasy about restricting access to “spiritual services” (e.g., divine forgiveness and even entry to heaven) to people who pay a tax.

The right of the Catholic Church to issue such a ban was challenged in court by a retired law professor on the basis that Canon Law determined church membership according to an individual’s belief, not by their financial link to the church. The court ruled against him.

The implication of this ruling is potentially significant, for it establishes a new standard for church membership in Germany. More importantly, from the viewpoint of church-state relations, the decision about membership was made by a secular court, not by a church body.

Not only did the court’s actions establish jurisdiction over matters of church membership (i.e., indicating it had the authority to decided membership questions for the Catholic Church), but its very decision ruled that belief was not the primary factor in determining membership. The secular act of tax payment trumped all.

Of course, the bishops made this decision in light of the financial strains on the church following the sexual abuse scandals rocking the church and years of economic downturn. Combined, the two causes have increased the rates of people withdrawing from the church.

But the implications go beyond this. They reshape the church to be like a private club rather than a universal institution. Rather than worrying about the salvation of all humanity, the church has made it clear that it is focusing on serving its members. Its “pay for pray” approach makes it more like the Rotary Club, or the Elks Lodge, or even Sam’s Club, where paying membership dues gives you rights and services unavailable to non-members.

While this column has featured Germany’s Catholic Church because it is in the news, the Protestant churches are just as closely tied to the government. Although they have not forbidden non-payers access to communion, Protestants have restricted employment in church-based services, such as hospitals and kindergartens, to church members only. So now one has to pay the church for the privilege of working for it. America’s separation of church and state avoids this set of problems. Good for us.