

Colombian high court issues rulings on religious expression

By Kenneth D. MacHarg

Quito, Ecuador--The Colombian Constitutional Court has issued rulings on religious expression within the country.

The decisions follow a 1993 accord between Colombia and the Vatican which dealt with church-state relations.

The accord addressed freedom of religion, the freedom of education from religious influence, the recognition of non-Catholic groups within the country, and laws regarding the legal treatment of priests.

In its rulings, the Constitutional Court set rules regarding what it termed extreme religious practices, and ruled on what could not be taught in religious classes or included in liturgical rituals.

Those acts banned include human sacrifice, or those acts which degrade or violate the integrity of people, including sexual violations, human abuses, torture and other forms of physical violence.

Furthermore, the court said, police and courts are obliged to take what ever means, including the development of lists of local religious customs, religious sites or judicial decisions which might be used to stop such practices by "sects, charismatic spiritual leaders or extremist congregations."

"If the police, for example, discover a situation where there is a service involving human sacrifice, or a mass suicide is planned, they are able to take necessary measures to protect the life and integrity of those who attend the service," one judge told the Bogota newspaper "El Tiempo."

Government authorities said that while no statistics were available, officials believe that more than twenty satanic sects are operating in Colombia. Normally they meet in upper-middle class neighborhoods, officials said.

The law goes even further, the judge told the newspaper. "If a church operates a hospital, and refuses to treat an ill patient but only offers a sacrament or tries to evangelize him, they would be breaking the law. They cannot offer him spiritual services without giving him medical attention," the magistrate said.

"On the one had, we respect the autonomy of the churches or confessing groups to teach and practice their spiritual beliefs, but on the other hand, they cannot cause a threat to public order, to healthy community life or damage to people," another judge said.

In 1994, the court ruled that sound equipment, loud singing, large movie screens, and musical instruments must be used with a "reasonable sound."

In religious material and publications, the court said that neither the Catholic church nor other churches may interfere in the matters of the state, nor try to usurp the powers of the government. Nor can the state interfere in the affairs of the church.

Regarding the Roman Catholic church, the court affirmed two articles of the agreement with the Vatican giving the church clear spiritual authority in church affairs, but making clear the separation between church law and civil law.

Colombia adopted a reformed constitution in 1991 that accepted freedom of religion and legalized divorce. The 1993 accord cleared up numerous problems related to an old accord which were in violation of the new constitution.

The court decision came from a case brought by a single parent and three others involved in common-law marriages whose children were refused baptism by the Roman Catholic archdiocese of Manizales. The church had required that the women marry the father of their children before offering the sacrament of baptism.

The court ruled that it could not force the church to offer baptism against its teachings.

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