

THE AGE OF RELIGIOUS CONSENT ACT

ARCA

PROTECT CHILDREN'S RIGHT  
TO COGNITIVE AUTONOMY

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## **ARCA: Legislative Proposal for Law and Scholarly Discussion**

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### **1. Introduction**

This document presents the Age of Religious Consent Act (ARCA) as a model statute offered for legislative and scholarly discussion. It contains the full text of the proposed Act: Preamble, Articles 1 through 8, and a brief closing statement with a call to action.

Child-protection law already regulates every irreversible, identity-defining decision available to a minor — marriage, military enlistment, voting, body modification — through minimum-age thresholds. No comparable threshold currently governs the formal religious enrolment of children. ARCA treats that asymmetry as a gap in existing rights doctrine.

ARCA does not restrict adult belief, religious practice, or family religious life. It establishes a child-protection threshold modelled on existing consent law, applied identically across all religious and non-religious traditions. Its primary justification is procedural parity.

The general journal academic paper — including theoretical framework, comparative law review, anticipated objections, and research agenda — is available as:

## The Age of Religious Consent Act (ARCA) A Rights-Based Proposal for Protecting Children's Cognitive Autonomy in Religious Upbringing.

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## 2. The Age of Religious Consent Act

### Framing Note

*ARCA does not restrict adult religious practice, belief, or expression in any form, and does not presuppose the truth or falsity of any religious or non-religious worldview. It establishes a child-protection threshold modelled on existing consent law for marriage, enlistment, and voting, applied identically across all traditions, and specifically to formal religious enrolment and fear-based conditioning of minors.*

### Preamble

Recognising that children possess the right to freedom of thought, conscience, and belief under Article 14 of the United Nations Convention on the Rights of the Child, and that their best interests are a primary consideration under Article 3 of the same instrument; recognising that the binding institutional assignment of religious identity prior to the development of critical cognitive capacity raises informed-consent concerns analogous to those addressed elsewhere in child-protection law; and recognising the documented psychological literature on fear-based religious conditioning of minors; this Act, cited as the Age of Religious Consent Act (ARCA), establishes minimum-age and tiered protections for the formal religious enrolment of children, applied identically across all religious and non-religious traditions.

### Article 1 – Definitions

- (a) **'Formal religious enrolment'** means an act that creates a civil, legal, or institutional religious status with attached consequences — including registration in a state or denominational membership registry, the issuance of a membership or congregant number, or any designation that affects a person's standing under family, education, or tax law. A religious rite or ceremony that creates no such civil, legal, or institutional status — including most infant baptisms, naming ceremonies, or blessings as commonly practised — is presumptively outside this definition unless it is combined with a documented coercive element described in subsection (c) or is linked to an institutional registry described above.
- (b) **'Mandatory religious instruction'** means structured religious education, required by a parent, guardian, or institution, that presents religious claims as factual certainties rather than as one perspective among others.
- (c) **'Fear-based religious conditioning'** means the repeated, systematic use of threats of eternal punishment, family separation, or supernatural harm, of such intensity and frequency that a reasonable observer would expect significant and enduring psychological distress, used to suppress a minor's inquiry or compel compliance. Ordinary instruction in

a tradition's eschatology or moral teaching, without targeted, repeated coercion meeting this threshold, is not covered by this definition.

## Article 2 – Tiered Age Structure

Tier	Age	Provision
One	0–12	No formal religious enrolment may be completed on behalf of a minor. Cultural and family participation in religious life is fully permitted.
Two	13–17	Provisional affiliation permitted with the minor's own assent. No binding lifelong membership. Fully revocable at the minor's initiative at any time without penalty.
Three	18+	Binding formal religious enrolment permitted with the individual's own informed, documented, and freely given consent.

## Article 3 – Prohibition of Fear-Based Conditioning

It is unlawful for a parent, guardian, religious institution, member of clergy, or educational institution to subject a minor to fear-based religious conditioning as defined in Article 1(c).

## Article 4 – Religious Education

Academic instruction in the history, sociology, philosophy, and comparative study of world religions remains permitted, provided it is presented in a balanced, critically open framework that does not present the claims of any single tradition as settled fact.

## Article 5 – Parental Rights

Parents and guardians retain the right to practise their own religion, to share their beliefs with their children, to involve their children in religious community and culture consistent with Tier Two of Article 2, and to provide religious education as defined in Article 4. ARCA restricts only formal binding enrolment outside the conditions of Article 2 and conduct meeting the definition in Article 1(c); it does not require neutrality in upbringing and is compatible with a single tradition being the primary one a family practises, provided no exclusive institutional commitment is imposed on the minor before Tier Three.

## Article 6 – Religious Neutrality Principle

This Act applies identically to all religious traditions and to organised non-religious or philosophical associations that engage in comparable formal enrolment of minors, including but not limited to Christian, Islamic, Jewish, Hindu, Buddhist, new religious movement, and atheistic or secular humanist organisational contexts. No enforcement, guidance, or interpretation of this Act may distinguish among traditions by content, size, age, or social status; any such distinction is itself a violation of this Article.

## Article 7 – Enforcement

- (a) Violations of Article 3 are reportable to child-welfare authorities under the same framework applied to other forms of psychological child maltreatment.
- (b) Reports shall be subject to mandatory proportionality review and triage prior to formal investigation, so that isolated or ordinary instances of religious teaching are screened out and enforcement resources are concentrated on documented, threshold-meeting conduct under Article 1(c).

- (c) Complaint review shall include independent oversight beyond local officials alone, periodic monitoring of enforcement data for discriminatory patterns across traditions, and a clear appeal procedure for any party subject to an enforcement action.
- (d) No child, parent, or family member shall be subject to retaliation, penalty, or adverse consequence for making a good-faith report under this Act; any such retaliation is itself a reportable violation.
- (e) A formal religious enrolment completed in violation of Article 2 has no binding legal or institutional effect, subject to ratification as provided in Article 2(c).
- (f) Faith-based educational, residential, and child-care institutions operating within the scope of this Act shall be subject to safeguarding and independent-oversight standards equivalent to those applied to comparable secular institutions, including independent reporting channels not controlled by the religious authority in question.

### **Article 8 – International Coordination**

States adopting ARCA are encouraged to coordinate with the UN Committee on the Rights of the Child on implementation guidance and monitoring, and to structure enforcement consistent with the European Court of Human Rights' requirement of 'very weighty reasons' and documented harm before restricting religious upbringing.

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## **3. A Call to Act**

Every child is born with the capacity to think freely. ARCA proposes that this capacity be protected by law — the same way law already protects a child's right to choose a spouse, a military commitment, or a permanent body modification.

This proposal is offered to lawmakers, child rights advocates, academics, journalists, and the public as a basis for debate, refinement, and action. No jurisdiction has yet enacted a statute of this kind. ARCA can be the first.

### **Sign & Share the ARCA Open Letter**

[Read the full academic paper](#) · [Download the Media Kit](#) · [Write to your representative](#)

Landing page URL: <https://god-doesntexist.com/the-age-of-religious-consent-act-arca-protect-childrens-cognitive-autonomy/> — all resources in one place

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**THANK YOU!**

