



**Senad Dizdarević**

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**[Full Name of Recipient]**

[Title / Position]

[Parliament / Senate / Assembly / Ministry — as appropriate]

[Address]

[City, Country]

[Date]

**Re: Legislative Proposal — The Age of Religious Consent Act (ARCA): Protecting Children's Right to Cognitive Autonomy**

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Dear [Title] [Last Name],

I write to bring to your attention a legislative proposal that addresses a gap in existing child-protection law — one that I politely ask you to consider for review, consultation, or referral to the appropriate legislative committee.

The proposal is the Age of Religious Consent Act (ARCA). It is grounded in the United Nations Convention on the Rights of the Child, supported by peer-reviewed academic research, and modelled structurally on consent thresholds already enacted in child-protection law across most democratic jurisdictions. It has been submitted for peer review to the International Journal of Children's Rights (Brill), manuscript reference CHIL-1750.

## The Core Argument

Child-protection law already sets minimum-age thresholds for every irreversible, identity-defining decision available to a minor: marriage, military enlistment, voting, and permanent body modification. No comparable threshold governs the formal binding religious enrolment of children. ARCA treats that asymmetry as a gap in existing rights doctrine rather than as a settled policy choice.

The primary justification is procedural parity. ARCA does not restrict adult belief, family religious practice, comparative religious education, or community participation.

It restricts two things only:

- **Formal binding enrolment:** the legal or institutional act that assigns a child a permanent religious status with civil, registry, or institutional consequences — before the child has the cognitive capacity to consent to that status.
- **Fear-based conditioning:** the repeated, systematic use of threats of eternal punishment, family separation, or supernatural harm, of such frequency and intensity that a reasonable observer would expect significant and enduring psychological distress.

## The Tiered Structure

ARCA proposes a three-tier model, applied identically across all religious and non-religious traditions:

Tier	Age	Provision
<b>One</b>	0–12	No formal binding religious enrolment on behalf of a minor. Family religious life, worship, and cultural participation are permitted.
<b>Two</b>	13–17	Provisional affiliation with the minor's own assent. No binding lifelong status. Fully revocable at any time without penalty.
<b>Three</b>	18+	Binding formal enrolment with the individual's own informed, documented, and freely given consent.

Article 6 of ARCA — the Religious Neutrality Principle — requires identical application across Christianity, Islam, Judaism, Hinduism, Buddhism, new religious movements, and organised non-religious or secular humanist associations alike. No tradition receives preferential or discriminatory treatment.

## Legal Grounding

ARCA draws on established international and European human-rights frameworks:

- **UNCRC Articles 3 and 14:** the child's best interests as a primary consideration, and the child's own right to freedom of thought, conscience, and belief.
- **Feinberg's right to an open future:** a child's entitlement to reach adulthood with the widest range of options available, not foreclosed by decisions made before cognitive capacity was established.
- **Cognitive liberty (Ienca and Andorno, 2017):** the emerging human-rights framework for mental self-determination, directly applicable to belief formation.

- **ECtHR jurisprudence:** Hoffmann v. Austria and Vojnity v. Hungary confirm that restrictions on religious upbringing require 'very weighty reasons' and documented harm — thresholds ARCA is specifically drafted to meet through its proportionality review and triage provisions (Article 7(b)).
- **Comparative precedent:** Japan's 2022 guidelines on religiously coercive practices demonstrate that administrative frameworks for this domain are legally and practically feasible, with lessons incorporated into ARCA's definitional and enforcement architecture.

### What I Ask of You

The proposal is offered as a basis for debate, refinement, legislative engagement, and enactment. Specifically, I request one or more of the following:

- **Review:** that you or your office read the legislative proposal and the supporting academic paper.
- **Referral:** that you refer the proposal to the relevant parliamentary committee on children's rights, family law, or constitutional affairs.
- **Consultation:** that you initiate or support expert consultation on the merits of introducing a comparable threshold in your jurisdiction.
- **Response:** that you share your assessment of ARCA's feasibility and any concerns your office may have, so that the proposal can be refined accordingly.

No jurisdiction has yet enacted a statute of this kind. The first to do so will establish a reference point for children's rights law globally. Every child is born with the capacity to think freely. ARCA proposes that this capacity be protected by law — as all comparable capacities already are.

Politely,

### Senad Dizdarević

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### Supporting Materials

#### Legislative Proposal (PDF)

The Age of Religious Consent Act (ARCA): Legislative Proposal

#### Journal Submission

International Journal of Children's Rights (Brill) — manuscript CHIL-1750

#### Academic Paper (Figshare preprint)

DOI: 10.6084/m9.figshare.32755842

#### Author credentials

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**All resources:** <https://god-doesntexist.com/the-age-of-religious-consent-act-arca-protect->

**THANK YOU!**

