FREEDOM OF CONSCIENCE, OF THOUGHT, OF RELIGION AND EQUALITY OF ALL PERSONS
INSURANCE: BETWEEN PROTECTION AND LIMITED

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Abstract

Individual conscience is an indispensable element that justifies its actions. Religious cults are autonomous and separated from state with equal rights before the law and public authorities. The state intervenes in religion through legal regulation of administrative reports. One or another religious discrimination is punishable under the law. The sacrament of Confession is protected by law. The financial and economical activities of religious are under state control. The religious component parts, as well as institutions and enterprises are set up by the tax law.

What is the state intervention? Are the religions and their components abstain from publicly expressing and public manifestation of their political preferences or the support of a political party, or socio-political organizations? The State recognizes the importance and the primary role of the Christian Orthodox religion, namely, the Moldovan Orthodox Church in the life, history and culture of Moldova. The state must protect the Orthodox Christian religion in Moldova with other religions risk containment.

Keywords: ensuring equality, religion, anti-discrimination, the expansion of religious activity, a victim of discrimination

Individual conscience is the exercise and the indispensable element that justifies its actions. As constitutional freedoms, freedom of conscience and freedom of thought include in the law, and freedom of religion. Legal norms in Moldova protects the religious values and thus is an attractive area for religion.

According to art. 31 and 32 of the Constitution [1], freedom of religion is guaranteed. It must be manifested in a spirit of tolerance and mutual respect. All citizens are guaranteed freedom of thought, opinion and freedom of expression in public through words, pictures or any other means possible.

All religions are free and are organized according to their own statutes under the law. In the relations between religious denominations are prohibited any manifestations of discord. What is the state intervention? Religions and their parts fail it from publicly expressing their political preferences or support of any political party or socio-political organizations? Religious cults are autonomous and separated from the state and enjoys its support. Including facilitation of religious assistance in the army, in hospitals, prisons, asylums and orphanages. Forbidden and punishable by law denying and slandering the state and people, calls to war and aggression, ethnic, racial or religious hatred, incitement to discrimination, including separatism, public violence and other actions threatening constitutional order.
The state intervenes in the religious cults work through legal regulation of administrative reports. One or another religious discrimination is punishable under the law. The sacrament of confession is protected by law.

Moldova's criminal law sanctions criminal actions against freedom of religion and assigns them to the crime of genocide, as art. 135 of the Criminal Code of the Republic of Moldova [2] provides that the commission, in order to destroy in whole or in part a national, ethnic, racial or religious group of any of the following acts: a) Killing members of the group, b) achieve serious bodily or mental group members c) take measures to lower birth within the group, d) child trafficking related to group e) Deliberately infliction on the group conditions of life calculated to lead to the extermination of total physical or part, shall be punished with imprisonment from 16 to 20 years including life imprisonment. Another component of the offense which concerns religious values is included in the category of offenses against public authorities and state security. Thus, in accordance with art. 346 of the Penal Code [2] deliberate actions, public exhortations, including through the media, written and electronic aimed at incitement of hatred or discord national, racial or religious humiliation to honor and national dignity and the limitation direct or indirect to the rights or the establishment of advantages, direct or indirect, citizens according to their nationality, race or religion, shall be punished by a fine of up to 250 conventional units or by unpaid community work 180 to 240 hours, or with imprisonment of up to three years.

In the context of the idea that while stating that religion is independent of the state, we find in fact, from the above, that this is a protected value by the state. In terms of legal, Moldova is a secular state and religious denominations most people are Christian orthodox church represented. This is stated in art. 15 of the Law on freedom of conscience, thought and religion [3] which provides that the State recognizes the importance and the primary role of the Christian Orthodox religion, namely, the Moldovan Orthodox Church in the life, history and culture of Moldova. The same law provides that the state encourages and supports social, moral, cultural and religious charity and their component parts. On one hand, the state recognizes the primacy of the Christian Orthodox religion of its citizens and, on the other hand supports all religious denominations, the provision advantage Muslim organizations in Moldova, namely Spiritual Organization of Muslims in Moldova. In 2005, the Moldovan authorities refused accepting the Muslim community. Therefore addressed the members of the OSCE mission in Moldova that monitored Muslim community attempts to obtain official recognition and registration of the Islamic faith communities and recommended that the Moldovan authorities to register the Muslim community. Conservatism shown by the Moldovan authorities refused official registration of Muslim religion is fully justified because the law does not forbid the religion, or the interests of applicants have for expansion y limiting and restricting other religions. We believe that religious registration should depend on the one hand that the compact how people live confesses that religion, on the other hand, the restrictions and obstacles faced by the manifestation of religious law. Under this legal regulation we see that all priorities for the right to religion and there were no grounds and opportunities to record in 2011
religious Islamic League of Moldova (the League) that brings together Muslim associations in Moldova and represents their interests in country and abroad.

Recently, in order to harmonize Moldovan legislation with European standards and European directives namely [5 and 6], the Law on Ensuring equality [4] which aims to prevent and combat discrimination and ensure equality of all persons the Republic of Moldova in the political, economic, social, cultural and other spheres of life, regardless of race, color, nationality, ethnic origin, language, religion or belief, sex, age, disability, opinion, political affiliation or any other similar criteria. Moreover, the law [4] requires the establishment of a body vested with powers to prevent and eliminate discrimination and ensure equality, namely the Council to prevent and eliminate discrimination and ensure equality is a collegial body with legal entity status public.

Analyzing the goals and objectives of the League they detach that are: providing beneficial conditions for believers to manifest religious canons in accordance with the Quran, the Muslim associations to strengthen relations between different nationalities based on religious knowledge, dissemination of accurate knowledge regarding Islam and opposition to extremist ideological currents, giving the Islamic law. From the above we conclude that the league goals can be achieved without state registration in the Republic of Moldova.

Historical retrospective shows that during the reign of Stefan cel Mare there were not built mosque or Muslim places of worship. In this context we left but to believe that the purpose unregistered is the insistence infiltration in various fields by religion. We ask what administrative track records as an Orthodox Christian League in Egypt, Saudi Arabia or any other country where Islam predominates and has rigid unwritten rules in this regard?

The Russian Federation is rigid on the possibilities of expansion of Muslims at the expense of Orthodox Christian population, although it claims to be a secular state. It is noted that Russian law stipulates the right person not belonging to any religion. Despite the fact that Islam was recognized in the Russian Federation since 14th century, is now proving dominance that religion only in places where people live Muslim compact and compact in places where people live the Christian religion is not infiltrating other religions, not to intimidate.

The formal objective that Muslim people want is spreading its beliefs excuse to change world public opinion and create the impression that there are radical Islamists who commit various terrorist acts against mankind and other illegalities, but religious Islamic community are peaceful and tolerant. This aimed to propagate religion without distortion, based on unique beliefs, away from extremes and extremists. We believe that these values can be promoted by culture not necessarily by the League record.

More so that the law [3] provides a range of facilities such as: everyone has the right to freedom of thought, conscience and religion.

This right shall be exercised in a spirit of tolerance and mutual respect and shall include freedom that belongs to a particular religion, to have or belief, to change his religion or belief, to practice one's religion or beliefs individually or jointly, in public or in private, in teaching, practice, worship and observance. Each person can join a religious community free from any religious denomination. Exercise of the freedom to
manifest religious beliefs or belief may be restricted, under the law, only if the restriction pursues a legitimate aim and is, in a democratic society, measures necessary for public security, public order, health and morals or for the protection of the rights and freedoms of individuals. State excludes any discretion on the part of the legitimacy of religious beliefs. Abusive proselytizing is prohibited. Officiating at religious services in places of worship and the territory belonging to them in cemeteries, the home faithful or religious worship and other public places agreed with local authorities. All religions have the right to celebrate religious services in homes, child care centers, boarding schools, homes for the elderly and disabled, prisons, military establishments, health care, education, police and other persons to request they are in general agreement with those institutions. All religions have the exclusive right to found Press for believers to convert, to purchase, import, export and spread religious literature.

Moldovan legislation sets out a number too small to record founding religious cults and religious community. Thus, for the record, the Ministry of Justice denominates a list of at least 100 of founding individuals, citizens of Moldova having residing in Moldova. Religious communities are, on a voluntary basis by individuals under the jurisdiction of the Republic of Moldova, with full legal capacity, to profess together the faith, and for the record, the list of at least 10 founding individuals, citizens of Republic of Moldova having residing in Moldova.

We believe that the number should be higher of the founders namely, to be calculated by the formula related to population density.

In this context we note that the registration resulted from the League is another stage of integration and propagation of Islamic religion. Currently in Moldova is observed clearly insistence Muslim leaders to introduce in schools in Moldova religious history as a school subject and not "religion" as it is called the present. The League is required to coordinate the evolution and development of Islam in Moldova. We wonder if it is so appropriate for Moldova, or a strategy League. It also enhances the appearance of the media in various forms and pretexts Muslim people. Submit ideas and requests the involvement of representatives of various confessions matters. We do not exclude a possible involvement of victimization positions, which under the law as is any action or inaction resulting in adverse consequences as a result of filing a complaint or submission of an action in court in order to ensure that the law or the provision of information, including some testimonies relating to the complaint or action made by another person.

Religious registration is attractive fiscally. The financial and economical activities of religious cults are under state control. The religious component parts, as well as institutions and enterprises set up by them extends by the tax law. The state promotes religious cults from preferential tax policy. Components of the religious places of worship to which they belong, and the land on which they are built, are exempt from taxes on real estate and land according to tax legislation.

We will feel the islam subtleties further, the reflections above are found in slightly more than one year from the date of registration of Islamic League of Moldova.
Freedom Islamic religious communities must end where religious freedom Christian community begins. We believe that the legally invasion of other religions is a shock to Christian religious freedom in Moldova.

The state must protect preferential Orthodox Christian religion in Moldova with other religions risk containment.

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