RELIGIOUS FREEDOM IN THE POST-WAR WORLD

I HAVE chosen this subject partly because I have had a good deal to do with it in practice, and because it has become a very live issue in many countries. The next few years are likely to see some very determined struggles over it. A group in America has been working on the matter for some years and a corresponding British group was set up early this year by the British Council of Churches. For the preparation of this paper I have had access to a typescript draft of the book prepared by the American group,[1] and to several papers prepared for the use of the British group.

I

There is a considerable temptation to elaborate the historical side of the question. I have heard Scottish Church history described as being largely the story of a struggle for the attainment of religious freedom. In any study of religious freedom, Presbyterianism will be found to have a sadly mixed record. I am not enough of a historian to be able to dispute a statement quoted in the American book referred to, that on the Protestant side England and Scotland were the worst cases in the record. On the other side, there is good reason for the fact that when, a few years ago, the question became acute for Japanese Christians, the Presbyterians seemed to be the only ones who realised the issue.

The fact is that it was not until the nineteenth century that there was any widespread achievement of religious liberty. The reasons for its denial are fairly obvious and not only still hold but in the next few years two of them are likely to be determinative in several countries of Europe and the East. The three main motives for refusing religious liberty are political, cultural and religious.

It was for long held that it was a prerequisite to the political strength of any country that its people should be of one religion. Queen Elizabeth's Cecil, for instance, put the point quite clearly

[1] M. Searle Bates, *Religious Liberty*. (International Missionary Council, 2 Eaton Gate, London, S.W.1; 10*s*. 6*d*.; cloth, 17*s*. 6*d*.)

when he maintained that " there could be no government where there was division and consequently that that State could never be in safety where there was toleration of two religions. For there was no enmity so great as that for religion, and therefore they that differed in the service of their God could never agree in the service of their country". The belief was that heresy was revolt against public authority and the integrity of the community. When, in recent years, the Japanese Government insisted on all Japanese sharing in State Shinto worship, the dominating motive was this political one of promoting national unity. The fierceness of religious division in present-day India has a potent political element in it, because political representation goes by religion and the numerically larger religious group has correspondingly greater political power.

Allied to the political motive is the cultural one. Cultural solidarity is frequently considered one of the marks of a true nation. Historically, religion and culture, intellectual, aesthetic and social, have been closely intertwined. It is still true in more primitive societies that religion and culture are so vitally connected that they cannot exist apart, and that is true also of the by-no-means primitive Hinduism. Of no country can it be said that a change in religion will not sooner or later effect a change in its culture. There are to-day countries so afraid of cultural divisions within their boundaries or so proud of their cultural heritage that they resent the persistence of religious differences or the intrusion of new religions. The countries of eastern Europe are examples of the urge for cultural solidarity, and fear of the effects of Christianity on her culture has been one of the reasons for China's hesitation about allowing the spread of Christian ideas.

The third reason is more definitely religious, although the religious motive has frequently been mixed up with political and cultural ones and also with economic considerations. What is commonly called the religious motive for the denial of religious freedom involves both the idea of dishonouring the worshipped deity and the conviction that the prevailing religion is the only true one. Obviously, purely religious intolerance is most likely to be found in monotheistic religions, and that is generally but not always true. Judaism, Christianity and Islam are not the only intolerant religions. Tibet professes a depraved form of Buddhism and is one of the lands closed to other religions than its own. Of the greater countries of Asia, the partly

polytheistic, partly agnostic China has been much the most hospitable to new religions. It is not, of course, to be wondered at that the conviction that one has been given the sole religious truth should breed the determination to force others to accept it for their own good. Augustine made violent use of the text " compel them to come in ", which became a standard base for medieval compulsion.

The Roman Catholic record in the matter of religious intolerance is much worse than the Protestant one, but the Protestant one is bad enough. It is doubtful if any denomination that has had the power to inflict persecution has a clean record of refusing to use it. It was the descendants of the Independents of the *Mayflower* who were guilty of the only American religious killing, the burning of four Quakers on Boston Common. Spurgeon himself pointed out to the Baptists that while they had a clean record, it was also the case that they had never been in a position to indulge in persecution. If we remember that Spain burned a Jew and hanged a Quaker as late as 1826, we must also remember that in Protestant Britain civil disabilities based on religious differences did not disappear till well through the nineteenth century.

These three motives were, of course, seldom operative singly. The religious motive was frequently mixed up with political and cultural motives, and was also sometimes negatived by them. The State of Maryland was founded by Roman Catholics before toleration was usual, but they, against all Roman tradition, put religious toleration into their constitution as the only way of securing enough settlers to ensure the prosperity of the State. The economic motive got the better of the religious one.

The cause of religious freedom has, however, progressed in spite of the strength of the motives which hindered it. It is a Christian achievement, mainly but not entirely Protestant. It has appeared most slowly in Orthodox countries. Roman Catholic countries have generally occupied a middle position, and have often accepted toleration by way of making the best of a bad business for the Church. There are always exceptions, of course. Many of the noblest utterances in favour of religious freedom have come from Roman Catholics, not all of them in predominantly Protestant countries. To-day the Protestant in Eire has more freedom than the Roman Catholic in Ulster.

It is worth noting, however, that, generally speaking, the Roman Catholic and Protestant conceptions of religious freedom vary considerably. Roman Catholics are inclined to identify religious liberty with the untrammelled power of their Church, while Protestants judge it by the freedom of the individual conscience, assuring to every person the free expression of his convictions.

The last point I want to mention on the historical aspect of the subject is one that is not always remembered. It is, that religious liberty is secure only when other liberties also are achieved. " One liberty never stands alone; it must form part of a system or it is not liberty " (Sturzo). Without the common liberties of speech, publication, assembly, property, freedom from arbitrary domination and interference, religious liberty can with difficulty exist and certainly cannot be full or secure. Christianity has done much to secure the common liberties, but religious liberty has been the most difficult achievement of all. Luzzatti, the Jewish former Premier of Italy, in his book on *God in Freedom* writes:

> The organic evolution of England, a country in which all constitutional guarantees were developed before religious guarantees, proves, in fact, that religious liberty is the most difficult and slowest of liberties to root itself in private life and in the life of the State, and while it ought to be the very basis of a civic community, generally succeeds in being only its crowning feature.

I should like to finish this section by one more quotation, from L. T. Hobhouse, who finds that modern history in the West is a graded movement from freedom of conscience (in a restricted sense) to full religious equality. He says in his *Evolution of Morals*:

> This change is sometimes represented as merely a consequence of religious scepticism, the implication being that if the world held itself as certain of fundamental truths as it did in the twelfth century, it would not hesitate to impose them on all its members by force as it did then on the rare occasions which arose. But there is a deeper principle involved, illustrating the many-sided meaning of the idea of Personality. Far from implying any indifference to religion, the principle of religious equality is a recognition of the profound importance of intellectual sincerity, particularly in relation to the deepest problems of life. From the moment that honesty is recognised as a duty, it becomes increasingly repugnant to penalise the beliefs to which it may lead.

II

I do not intend to take up time discussing definitions of religious freedom. I have read a considerable number of them,

and the one produced by the American group seems the most comprehensive for the practical purposes of this paper. It reads:

> Religious liberty shall be interpreted to include freedom to worship according to conscience and to bring up children in the faith of their parents; freedom for the individual to change his religion; freedom to preach, educate, publish, and carry on missionary activities; and freedom to organise with others, and to acquire and hold property for these purposes.

Presumably freedom to believe is taken for granted, for it is not mentioned. One omission, however, seems to me serious, namely, freedom from compulsion to act against one's conscience in religious matters. I know that this is a very difficult question and that very careful definition is needed. Later parts of the paper will show the relevance of it.

We can now look at some parts of the post-war world where religious liberty in the wideness of the quoted definition is not likely to be readily achieved, especially if we accept the substance of my last two quotations, that religious liberty is the last of the liberties to be secured, and that it is based not on indifference to religion but on respect for personality.

There is one threat to religious liberty that is very old but keeps reappearing—the desire of governments to use religion and religious institutions for their own purposes. It is not entirely absent in our own country, although I should not care to suggest that it is becoming a menace. It is always present in countries with well-established religions, notably in Moslem lands and in countries with authoritarian governments. I believe it to be present in a subtle but dangerous form in China, where Chiang Kai-Shek's Government has, by favours shown, attached the Church of Christ in China to itself in a way that may well compromise the future freedom of that Church. The same may conceivably happen in Japan if the Government continues its present policy of trying to make a good impression and showing what really good boys Japanese are when not misled by wicked militarists.

In eastern Europe it is difficult to believe that Stalin will allow real religious freedom either in Russia or in the countries he seems determined to keep under his control. A journalist writing in a New York paper said:

> Stalin cannot reverse the fixed policy of more than twenty years and allow not merely freedom of worship, which exists in the sense that churches

> are still open, but freedom to teach religion, without opening the way to other revolutionary changes. For liberty, like peace and war, is indivisible. It is impossible to grant freedom of worship without granting freedom of speech, freedom of the press, freedom of assembly. Religious liberty cannot exist without civil liberty and vice versa.

Such recent books as I have read describing conditions in Russia during the war suggest that freedom in any sense resembling ours is still far off in Russia. And the history of the Church in Russia is one of the worst on record as a Church that was itself an agent of persecution. It is worth remembering, too, that Stalin himself knew that Church from the inside. At the same time it is doubtful if even Stalin is prepared to flout world opinion to the extent of denying even the appearance of religious freedom. Adolf Keller has written:

> Religious liberty, a discovery of the nineteenth century, has since become one of the great claims of modern culture; and no State, not even Bolshevist Russia, dares to refuse it officially, at least in principle.

One fears, too, for what will happen in the countries now under Russian control. Romania, for example, has about the worst history of religious intolerance of any country in Europe.

At the other end of the Continent lies Spain, where religious intolerance still holds and Protestants suffer severe disabilities and even persecution. In certain Belgian and Portuguese colonies also Protestants suffer from oppressive differentiation.

We may hope that an enlightened public opinion and a greater sense of national security may gradually bring about improvement in the backward countries of Europe. In Moslem lands, however, the prospects for religious freedom are becoming worse instead of better. Egypt supplies an example. The Christian minorities there had been persecuted for many centuries, but relief appeared early in the nineteenth century. The British occupation from 1882 onwards confirmed this freedom. After the first world war things improved still further. The new Egyptian Constitution guaranteed absolute freedom of conscience, equality before the law, liberty of opinion, and of education, and the free exercise of every religion and belief, subject to the requirements of law and order. At the same time it opened the door for discrimination against non-Moslems by its declaration (in Art. 149) that " Islam is the religion of the State ". There is a long list of discriminations against the Christian, but the relevant one is this. The Government has

established a regular procedure for registering the conversion of a person from Christianity to Islam, but there is no similar process for those changing from Islam to Christianity. Freedom of religion in Egypt does not admit the right of conversion, except to Islam.

What is true of Egypt is true of most Moslem countries of the Near East. It is difficult, however, to make an appeal for recognition of the right of conversion to well-informed governments which know of the difficulties, e.g. in Spain, for a Roman Catholic who wishes to become a Protestant. The appeal would be greatly strengthened if a joint approach could be made by the Roman Catholic and Protestant Churches together.

I should like next to give a few paragraphs to India, where the prospects for religious freedom seem to become darker as political controversy drags on. In some Native States laws have been passed under which anyone who changes his religion must register the change with the civil magistrate and hand over his children to be brought up by relatives who have remained members of the ancestral religious community. Again, in Native States missionaries can be, and, in fact, sometimes are, excluded. Even in British India the Government can refuse entrance to non-British missionaries, and of all missionary agencies they require a pledge " that all due obedience and respect should be given by its members to the lawfully constituted Government ". This is not required in any other country and some feel that it lays on missionaries the stigma of being anti-national at a time when national aspirations have been officially recognised. The proportion of people with a higher education is greater among Christians than among followers of other religions, but admission to certain Government colleges goes in proportion to the size of the religious community, so that Christians secure relatively fewer places than they could use to good purpose.

The reason for the fierce objection to freedom of conversion is more political than religious, because representation in British India goes by religions, not by residential constituencies. There is, therefore, a desire on the part of the numerically preponderant Hindu community that the minority religions should not add to their numbers.

Meantime the British Government in India is so scared of

religious brawls that it tries to lean " neither to partiality on the one hand nor to impartiality on the other ".

The remaining part of the world to which I wish to refer is the Far East, and particularly Manchuria and Japan.

About ten years ago, Japan, in her anxiety to strengthen cultural and spiritual solidarity in Manchuria, decided to propagate certain elements in Confucianism which suited her purpose, and to make Confucius himself an object of worship. Representatives of public institutions, including schools, were ordered to attend twice a year ceremonies at Confucian temples at which offerings of certain animals and of vegetable foods were made to the spirit of the old agnostic, who had advised that spirits should be venerated but left alone. (Incidentally it was a curious blunder to choose one as Chinese as Confucius to develop the national spirit of a country that it was intended to separate completely from everything Chinese and link with Japanese culture.) We refused to have our Christian schools represented at these ceremonies. To begin with, we were tacitly allowed to stay away, but later were told that we must either conform or close the schools. We decided to close the schools, partly because we believed that Confucius would soon disappear in favour of some more definitely religious object of worship imported from Japan. It might have been possible, as some Christians did, to maintain that the services were not religiously objectionable. Many Chinese looked on the observances as simply another comic performance by the people who arranged annual services to the spirits of the pigs slain and eaten during the previous twelve months.

The fears of the missionary body were soon confirmed when the worship of the Sun Goddess was set up in Manchuria. The puppet Emperor was graciously pleased to grant an imperial edict in which he stated that he had adopted the Sun Goddess as the divine patroness of Manchukuo and hoped his loyal people would do the same. Representatives of public institutions, including churches, were ordered to attend services at the State Shinto shrines which had been erected in the larger cities as a beginning. An interesting effort at an extension of this was revealed when a police official in a small country town called on the local Presbyterian minister, Roman priest, and Moslem Imam (all Chinese) and asked how they would look on an official request to have pictures of the Emperor in their churches. All

three gave the same answer, tactfully expressed no doubt, " We are sorry that we cannot do that ".

A short account of what happens in Japan will show what is involved and the relevance of the matter to our subject.

A religions law passed in Japan in 1940 declared that there were three permitted religions in Japan: Sect Shinto, Buddhism and Christianity. Islam was added later. Any Japanese subject was free to hold the beliefs and share in the worship of any one or more of these recognised religions. Over against them stood State Shinto, established in 1871, whose ceremonies were officially declared to be not religious. All loyal subjects had to share in these ceremonies either personally or through representatives. Particular care was taken to see to it that Christian schools and churches had their representatives present at the State Shinto shrines on the required occasions.

What happened at these services was normally this. Shinto priests in priestly vestments first purified the place and the participants. Then, with the ringing of a bell or the clapping of hands, the enshrined spirits were invited to be present and to accept the offerings about to be given to them. These spirits would include those of the Sun Goddess, a varying selection of other nature deities, some of them phallic, and the spirits of thirteen selected Emperors. The whole 124 Emperors are, of course, divine as direct descendants of the Sun Goddess, but worship is generally confined to these thirteen representatives. Three of them were outstanding patrons of war; seven were deposed or drowned or killed; and, lastly, three were outstanding makers of Japan: Jimmu, the first Emperor; Kwammu, founder of a new regime in the eighth century; and Meiji, the grandfather of the present Emperor and the founder of modern Japan.

Offerings of flowers and of certain fruits of the earth were then made and ritual prayers were read. In some cases individual worshippers might then come forward and offer personal worship. In the case of some of the shrines, there was a sale of relics, e.g. pieces of the wood of the shrine laid by when it was periodically rebuilt, or tiny pieces of silk from the scrolls which had hung inside the shrine. These were often bought by Japanese soldiers as amulets that would keep them safe in battle. The most significant form of this concomitant of the ceremonies, however, was the distribution of pieces of rice cake.

These were placed inside the shrine and remained there until they had become " saturated with divine power ". Then they were taken out and broken into tiny morsels which were distributed to the heads of families, to be reverently carried home and there eaten as a kind of sacramental meal.

It would be difficult for a student of comparative religion to maintain that these services were outwith the sphere of his studies. But the Japanese Government stoutly maintained that these ceremonies were not religious and that any objection to them was based on political, not on religious grounds.

The relevance of all this to our subject lies here. There is an article in the Japanese Constitution (No. XXVIII) promising freedom of religion, which in the official translation reads: " Japanese subjects shall, within limits of law, not prejudicial to peace and order and not antagonistic to their duties as subjects, enjoy freedom of religious belief." That at first sight looks not too bad, but note the two safeguards for the Government: *not prejudicial to law and order*, and *not antagonistic to their duties as subjects*. These are capable of very wide interpretation, and the Japanese police interpreted them as covering a refusal to share in State Shinto ceremonies. Such a refusal might without much stretching be claimed to be prejudicial to peace and order; and without any difficulty at all refusal was declared to be antagonistic to duties as a subject. Which brings me back to the point I mentioned in the middle of this paper—the necessity for constitutional protection against compulsion to share in ceremonies or actions that one may, for reasons of conscience, abhor.

The State must rightly have regard to considerations of public order, which it is its first duty to preserve. We accept the principle when a State has to deal with polygamous Mormons, or processions of naked Doukhobours, or even intransigent Jehovah's Witnesses. But when we come to dealing with Conscientious Objectors it is not so easy. I am not raising the issue of the rightness or wrongness of pacifism, but the question of how far religious freedom must include freedom from being compelled to do anything to which one objects on sincerely held religious convictions. The usual type of Western Government says: " It is necessary for the safety of the State that all able-bodied men should serve in the armed forces, and those who refuse must incur certain penalties." Presumably the

really *conscientious* objector will accept these penalties as the cost of keeping his conscience clean, and the more enlightened type of State will respect his conscience and, where possible, provide alternatives which he can accept. The Japanese State says: "It is necessary for maintaining the solidarity of the State that all Japanese subjects should share in the State Shinto ceremonies, and as these ceremonies are not religious, no objection on religious grounds is valid." We may regret the fact that Japanese Christians did not risk the alternative, but we have to remember (1) that, so far as I know, the alternative was not stated and it might well have involved torture and death; and (2) that Japanese Christians did not see the issue so clearly as to convince them that it was a matter where conscience called for the acceptance of martyrdom. After all, we must allow other people to decide for themselves when they are called on to accept martyrdom. Our problem is, What can legitimately be claimed in the name of religious liberty by way of freedom not only to worship as conscience directs, but to be excused action that conscience declares to be wrong? We may claim the inviolability of the inner personal life from the authority of the State, even in Japan, but although the roots of the matter are inner, deep in conscience and conviction, the problems arise in the community.

One other claim in the definition I quoted needs a little attention—freedom to educate. This is differently interpreted in countries where there is most religious freedom. In Britain we recognise it and give State help to denominational schools. This has been confirmed and extended in the recent English Act, and presumably in Scotland the present amount of assistance will be continued. In America, on the other hand, no Government assistance is given to any kind of "private" school, and that includes denominational schools. The Roman Catholic Church insists on its right to educate its own children, and it is allowed to do so, provided it finds all the needed money itself. It manages this, by very great effort, and succeeds in maintaining its schools only because most of the teaching is done by members of religious orders who receive merely nominal salaries.

I take it that most of us would agree that those who wish to have their children educated in schools where religion is taken seriously should be free to do so, at any rate if they are prepared to pay for it. This is probably best done nowadays

in certain boarding schools, but the future of these seems rather doubtful at present for a variety of reasons. I am not suggesting that the right to give a Christian education will be denied, but it looks as if it might be increasingly difficult.

The prospect for Christian education in several non-Christian countries is not good. It is not unlikely that in parts of India it may be restricted to the children of Christians and that even they may find it increasingly difficult to maintain. China is at the moment strongly nationalist, not unnaturally. There has been a tendency for some years to make elementary education entirely a matter for the State and to forbid all primary education in private schools, which include the Christian Schools. The present policy is that education in secondary and high schools and colleges and universities may remain in other than Government hands, and that is a very valuable right which gives hope of maintaining a supply of well-prepared young men and women for Church service. But it will be a serious deprivation for Christian parents that they are not allowed to provide a religious education for their children, only a small proportion of whom continue into the secondary stages. I incline to think that we are justified in claiming that full religious freedom involves the right to give younger children a religious education if their parents desire it. The objection to it in China and most other nationalist countries is the old one of the need for maintaining cultural solidarity.

My final paragraphs are on the always interesting subject of how others see us. The American group, of whose work I have made wide use, have tried grouping countries according to the amount of religious liberty achieved in them. The criterion seems to be largely legal and constitutional. They have put countries into one or other of five groups, with some sub-divisions. The first group contains some thirty countries with a high degree of freedom from preferences and discriminations. It includes Belgium, China, various South American countries and the U.S.A., but not England or Scotland. We appear in the top class of Group II, countries in which preferences and discriminations are relatively minor. The reason, of course, is the existence of the national Churches in England and Scotland.

To put us in a group lower than some thirty other countries, some of them rather backward, is ridiculous, and it is admitted

that in practice religious liberty flourishes more freely in both England and Scotland than in several of the countries in the higher grouping. It may, however, do us no harm to remember that there are risks attaching to the position of the Church of Scotland as a national Church, risks to our own integrity of conscience and risks to the real freedom of opportunity of the smaller denominational groups in our own country. The existence of other religious denominations is always good for majority Churches. An appreciation of this led a Spaniard to suggest for the benefit of the Roman Catholic Church: " If a few free-thinkers and Protestants could be hired to live in Spain, matters might be improved."

With two warning quotations I shall close. The first comes from a New England Baptist writing to President Washington: " Religious ministers, when supported by force, are the most dangerous men on earth." The other is from Dean Swift: " I never saw, heard nor read that the clergy were beloved in any country where Christianity was the religion of the country. Nothing can render them popular but some degree of persecution."

JOHN STEWART.

Mukden,
Manchuria.