

# **Common Good vs Individual Freedom**

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## **1. HISTORY OF THE ISSUE IN PNG**

The Executive Council of the PNG Council of Churches, in announcing this seminar, explained that, for some time, Christians have expressed concern about “new religious movements” in PNG, whose presence has “created confusion” among believers. Since 99 percent of the PNG population calls itself “Christian”, do we need other religions, or even other Christian denominations? Calls have been made to the government to “monitor” prospective missionaries seeking to introduce “new religions” into PNG.

As background, in 1948, the UN published a “Universal Declaration of Human Rights”, which proclaimed that “everyone has the right to freedom of thought, conscience, and religion; . . . to change his religion or belief; and . . . in public or private, to manifest his religion in teaching, practice, and worship” (art 18).

In 1975, the PNG Constitution drew upon the UN declaration, and stated that “every person has the right to freedom of conscience, thought, and religion, and the practice of his religion and beliefs, including freedom to manifest and propagate them in such as way as not to interfere with the freedom of others” (section 45(1)). Limitations on this freedom were recognised: “no person is entitled to intervene, unsolicited, into the religious affairs of a person of a different belief, or to attempt to force his, or any religion (or irreligion), on another” (section 45(3)).

The state can restrict someone’s religious freedom, if necessary to maintain public order, safety, health, or welfare, or to protect the rights of others. Restrictions should be imposed by a law, which is “reasonably justifiable in a democratic society” (section 38(1b)). What exactly it means to be “reasonably justified” should be settled by a court, making use of the UN Declaration on Universal Rights, and other similar documents (section 39).

In 1980 Mr Anthony Bais, then chairman of the General Constitutional Commission, suggested that a Provincial Council of Churches be established. Other MPs complained that some “radical sects” were destroying PNG cultures. There was concern about “religious unrest”, resulting from new missions arriving, existing churches dividing, and local religions emerging. Some new groups were making derogatory comments about older churches. Some churches were blamed for promoting “cargo cults”; others were accused of endorsing political candidates, or evading land taxes.

Also, in 1980, the Honourable Jacob Lemeki proposed an Employment of Non-Citizens Act, which would require work permits to be issued to all mission personnel. In 1981, the Honourable Steven Tago initiated a Religious Movement Bill, which would allow the government to monitor the activities of small sects, as well as larger, established churches. In 1983, this proposed Bill was again discussed, and seven “considerations” were released to church leaders for reaction.

In 1984, the Church and Government Policy and Program Integration Plan Workshop was convened in Goroka. Three resolutions were proposed:

- that the churches, themselves, need to resolve the scandal of a divided Christianity;
- that new groups should be allowed a “probationary period”, to show their willingness to avoid downgrading other churches, while proclaiming their own creed; and
- that the Religious Affairs Division of government could register religious groups, which claimed privileges.

In 1985, the Honourable Kindi Lawi, then minister of the Home Affairs Department, which included the Religious Services Division, proposed registering existing church groups, and putting a ban on any new ones entering. He argued that the country was almost totally Christian already, and some religious groups were creating confusion by preaching “against” other groups.<sup>1</sup>

In 1986, another Church/Government National Workshop was held in Goroka. The conclusion reached was that the “churches and state must cooperate and dialogue, but should not amalgamate into one infrastructure”.

One result of this workshop was a detailed criticism of the seven considerations, proposed in 1983, as elements in a Religious Movement Bill.

In general:

- (1) no mention was made of “non-Christian religious” (Buddhism, Islam, Baha’i); it seemed that the government was proposing to only restrict the activity of the Christian religion, in its various forms;
- (2) the terms “church”, “religious movement”, and “cult” were left unclarified; and, finally,
- (3) while all “individual freedoms” need to be subjected to regulatory norms in a society – the justification for such a limitation on freedom is to maintain “public order”. BUT “public order” is not the same as the “common good” of people in society. “Public order” may, on occasion, require government to limit freedom; but the “common good” requires government to PROTECT it – unless there is clear evidence that someone, or a group, has violated “social justice, communal peace, or public morality”.

In particular:

- (1) The first “consideration” proposed that new missionaries be required to present credentials, showing affiliation with a church recognised, by the Melanesian Council of Churches.

BUT, while intending missionaries might be asked to promise in writing not to downgrade the convictions of others, while proclaiming their own, it would violate human dignity, and self-determination, to pre-judge who could, or could not, enter, because of a religious affiliation.

- (2) The second “consideration” proposed that every church be required, by law, to give notice to another church if it intended to seek converts in the other’s jurisdiction.

BUT, while churches need to display mutual understanding and respect, this proposal would go against the inherent freedom (expressed in the PNG Constitution) of each person to choose his or her own religion – and not be unduly pressured to accept the religion permitted in one’s geographical area. Government legislation, however, could seek to distinguish “personal witness to one’s religious convictions” from “unfair proselytism”. Proselytism infringes on an individual’s “right to choose a religion in freedom”, and, therefore, offends against “public order”. The state could create legal measures to check this abuse.

- (3) The third “consideration” proposed that anyone in PNG, who wanted to invite a mission to come, must, by law, seek written permission from the established “mother church”.

BUT this proposal seems to involve inappropriate interference by a government in the internal affairs of a church. However, it would not be inappropriate to require that churches be “incorporated in law”, so that the relevant authorities would be recognised, and held responsible for the management of church properties.

- (4) The fourth “consideration” proposed that any church, which preached against the “good customs of PNG”, would be legally restricted from spreading.

BUT it would be difficult, in law, to identify exactly what “traditional customs” are, or are not, “good”. Where it is clear that something is being preached, or practised, which is against the “public order”, or which violates “justice, peace, and public morality”– then the state is justified in acting to restrict such behaviour.

- (5) The fifth “consideration” proposed that any church, which does not contribute to the “spiritual and material” development of the people, but chooses to “preach and pray only” would be restricted from spreading.

BUT this proposal presumes, wrongly, that the state’s jurisdiction is the “holistic development of human persons”. In fact, a political society’s competence is not so all-inclusive. The role of government is “to protect and promote the human search for religious truth, not to judge it”. In addition, the human development of persons includes more than economic benefits. One religious group might emphasise “law and order”, while another emphasises “international peace”, or “personal moral uprightness”, or “prayerful praise of God”. There is a legitimate richness in such diversity.

- (6) The sixth “consideration” proposed that, if church leaders could not resolve their quarrels, the government should intervene.

BUT no government has the right to “solve ecumenical problems”. The churches, themselves, must take responsibility to dialogue about their “public order”, the matter should be dealt with under existing laws, invoking police action if required.

- (7) The seventh “consideration” proposed that church representatives be appointed as members of government, and be involved in the political affairs of the country.

BUT the roles of “church” and “state” ought not to be confused. The government ought not to interfere in the formation and appointment of religious ministers by a religious group. By way of exception, and at the discretion of church authorities, an “ordained minister”, or otherwise “official religious leader”, might become directly involved in politics. But, ordinarily, it is the proper role of lay members of

a church to directly bring their moral and religious convictions to bear on the ordering of the political society.<sup>2</sup>

Many of these criticisms and comments remain relevant today. In particular, it is important to emphasize that “religious freedom” is a freedom, rooted in the dignity of human persons, who are obliged to seek religious truth, and to embrace it, when found. To fulfil this obligation, they need to be “free” of all forms of coercion. The role of the state is to protect and promote an environment, in which its citizens can seek religious truth, in mutual respect, and open dialogue.

In 1993, the “Pacific Religious Liberty Congress” met in Fiji, with Christian and non-Christian representatives. This congress, among other things, raised the issue of religious liberty, in the context of “imported individualism” versus the “common good and public order”. Some groups strongly insist on their “religious freedom”, but in a way that can seem “individualistic”, or “self-centred”, without regard for the “common good” of everyone in the society.

## **2. INTRODUCTION TO THE QUESTIONS**

Philosophers are known for “raising questions”, more than “giving answers”. BUT it is important to clarify the cluster of questions involved here, before attempting to find solutions.

There are questions about TRUTH, which has its own innate “appeal”. You can argue to show someone that something is “true”, but you cannot “force” someone to agree with you – in any area, and, surely, in the area of “religious truth”. It’s not only “morally wrong”, it’s “logically impossible” (in a sense) to “force” someone, against his or her will to “really assent” to a belief (religious or otherwise.) No one can be “forced”, either to convert, or not to convert. Does “toleration” and “respect” of religious differences imply that no one set of religious beliefs is “better”, or “less free of errors”, than any other one?

There are questions about the limits of legislating any PUBLIC MORALITY. If no one can be “forced” to assent to something, which is true, likewise, no one can be “forced” to do something, which is GOOD. There are further questions in a “pluralistic society”, where there is major

disagreement over principles. Yet, it would seem unreasonable to say that a government cannot promote, or prohibit, any activity, until there is universal agreement about its “goodness” or “badness”.

There are questions about the relationship between CHURCH AND STATE, and when, or, if ever, a political society could consider one “religion” as, in some way, “established”, with special privileges. Is it right for a government official to talk about Christ (or Mohammed) in a public address? Or, for symbols of one religion (a Christmas crib) to be officially erected on public property? Should such actions be avoided, out of respect for even a minority of citizens of another religious persuasion? Or are they justified, when the vast majority share the same religious convictions?

There are questions about the meaning of FREEDOM or LIBERTY, in general, and in the form under discussion here, as well as questions about the meaning of common good, or public order, especially in relation to personal goods, and private rights.

I want to look more closely at two questions: does religious freedom mean religious indifference (heading 3)?, and: does the common good demand the denial of individual rights (heading 4)?

### **3. RELIGIOUS FREEDOM AND RELIGIOUS INDIFFERENCE**

In the late 17th century, “scepticism” was used to defend “religious freedom” (as well as “toleration” of alternative political viewpoints). Pierre Bayle argued, in 1686, that, since no certain truth is possible about the existence or nature of God, and, since there is no way to know which “opinion” is better than any other one, there is no good reason to persecute people for their beliefs. John Locke, in his 1689 *Letter Concerning Toleration*, argued in a similar way: no one has a right to impose religious beliefs on another person, because all religious beliefs are uncertain anyway.<sup>3</sup>

These arguments assume that, if I’m strong in my convictions, or think I know something, I will be intolerant, and will be inclined to persecute people with other convictions; but, if I’m not strong in my convictions, and admit that I may be wrong, then I will be tolerant, and will refrain from persecuting those who do not share my beliefs.

BUT these assumptions are false. When people persecute others, they usually do so, because they feel convinced, for example, that God will punish us if we do not persecute the heretics, or that the unity, needed for effective government, will be destroyed by a plurality of religions in the society, or that persecution will actually save those who are persecuted from the greater evil of immortal damnation.

- Someone, who has very strong religious convictions, could believe that persecuting others will NOT bring any of these benefits; and, therefore, could be quite tolerant.
- On the other hand, the religious sceptic, or fallibilist, could be quite intolerant. He might reason: there's no way to tell who's right in these religious (or political) matters; so I might as well impose MY views by force if I can. Why? Because a single religion (or political philosophy) would provide unity to the state, or it would benefit my own group.<sup>4</sup>

In fact, it would seem that conviction and knowledge, not scepticism, of certain truths about human nature, and even about God, and what He has revealed – are the only effective basis on which to build a defence of “religious freedom”, and a rejection of all forms of “religious persecution”. Ultimately, the reason why alternative religious belief systems OUGHT to be respected, is not because there is no way to know which, IF ANY, of them is true – but because all people have a duty to seek and embrace the truth, especially religious truth – and, therefore, have a right to be free of coercion in the search.

Instead of confusing “religious freedom” with “religious indifferentism” (fallibilism or scepticism), we need to clarify differences among situations, which call for different responses. Religious practices, which, though based on false belief, are compatible with the rights of others, with public peace, and orderly coexistence, in true justice, and with public morality, must be permitted by the state; religious practices, which do not meet those preconditions should not be permitted.<sup>5</sup>



#### 4. COMMON GOOD AND INDIVIDUAL RIGHTS

Here, in a different way, conceptual confusion clouds moral judgments. Things are set against each other: the “community” and the “individual”, or the “common good” and “private good”.

Briefly, I think these ideas must be taken off of a “see-saw”, as if promoting one of them requires restricting the other one; as if lifting one side up implies pulling the other side down. It’s a mistake to say: we must restrict (pull down) “individual freedom”, in order to promote (lift up) the “common good;” or we must pull down the “common good”, to lift up “individual freedom”.

Instead, when, for example, Vatican II, in *Dignitatis Humanae*, spoke of the “due limits” of an individual’s religious liberty, set by the “just requirements of public order,” or “regulatory norms to protect against abuses of freedom”, which the community can impose on individuals,<sup>6</sup> the intention was not to put down (restrict) something, which is really good, in order to lift up something else, which is good. Rather the intention was to put down (prohibit) something, which is not good: a false “individual-liberty”, that’s different from the real thing. For the authentic “human good”, intended by the expression “individual-liberty”, is a freedom to pursue, and embrace, religious truth, in common with others.

Similarly, when, for example, Vatican II spoke of the “limits” of civil authority, or the abuse of political power, when used to “control or restrict the religious activity” of individuals,<sup>7</sup> the intention, again, was not to put down one good thing, in order to lift up some other good thing. The intention was to again prohibit something, which is not good: this time, a false “common-good” that’s different from the real thing. For the authentic meaning of the “common good” of a human society is a set of “benefits, which are enjoyed together by human individuals”.

In other words, rightly understood, COMMON GOOD means basic human goods, or possible purposes for choosing, which are rooted in human nature, precisely, as social. The expression “common good”, then, includes, not just “life”, but life, together with others; not just knowledge, but learning together, and communicating the truth to others; not just creative production, but working and playing together, not just “religious

harmony with God”, but, together with others, in a community of faith. These “human goods” are fulfilling for ME, individually, ONLY when they’re enjoyed together: with others in common.<sup>8</sup>

Another way to approach this is to talk about RIGHTS. Human rights, precisely, as the rights of human persons, if described in an overly individualistic way, reveals a distorted understanding of what it means to be “human”, in the first place. To be “human” means to be, by nature, “social”, and yet “unique” – to be unique individuals, and yet to be individuals together. As a result, “my individual good”, or my right to seek what benefits me (and, therefore, the duty others have to let me seek it), includes good things that benefit me ONLY, when they’re sought, and enjoyed, together with others in common.

Human society is not a “collection of individuals” (like a beehive, or a group of parts), but a “community of persons” (like a family, or a circle of friends.) And so, the COMMON good of a “human society” is not just a “collection of individual benefits” (PRIVATE goods), or even the benefit of the “entire collection”, in which its parts, as parts, of course, share (the PUBLIC good). Rather, the “common good” refers to the good of human persons, as persons together in common.<sup>9</sup> A little more should be said to clarify the meaning of common good and individual rights.

## **5. INSTRUMENTAL GOODS AND BASIC HUMAN RIGHTS**

First of all, I’m using the expression “basic human goods” to refer to intelligible possibilities for choice that fulfil human persons, or simply “aspects of human fulfilment”: for example, self-integration (harmony within oneself), justice and friendship (harmony with others), religion (harmony with God); also life, and health, and knowledge of truth, and appreciation of beauty, and skilful performance. These things “fulfil” persons, and are “good in themselves”, as ends of human endeavour.

Other things are “fulfilling”, but only in an “instrumental or useful” way: things that someone might “have” and “use”, as a means to find fulfilment; things like property, or money, or a formal education. “Having” these things doesn’t guarantee fulfilment. I might add that “liberty”, understood as “being free to do whatever I want”, is also only an “instrumental good”, something, which is certainly good, and even essential to find fulfilment,

BUT, in itself, not something that guarantees fulfilment. Good and bad people can both “have” this kind of liberty.<sup>10</sup>

The expression “common good” is sometimes used to refer to “instrumental goods” that a society “has” or “uses” in common: things like shared natural resources, public facilities, roads and parks. But the “common good”, which is a moral principle, should not be identified with these things. Rather, it refers to “basic human goods”, sought for their own sake by people in common. The “common good”, then, of a particular human society (a family, club, church, or state), is the set of “basic human goods”, which its members are committed to seek and enjoy together.

People talk about the “common good”, to emphasise that, in a community, relationships should be ordered in a “fair or impartial” way, that all members should work to realise these goods in such a way that everyone can share in their realisation. After all, in large societies, like a political community, some “citizens” may not cooperate, or may try to enjoy the benefits, without contributing to the community. At least, in one sense, then, it’s right to say “the common good is superior to the goods of individuals” – in the sense that the fulfilment of the group, through cooperative action, has priority over any unfair individual satisfaction. To look at common life selfishly, or to think of public life, only in terms of your little group’s “partisan interests”, is to seek unfair satisfaction, and violate the primacy of the “common good”.<sup>11</sup>

Of course, not every “organised group” is a real community. People can “organise” their efforts to benefit each other for “selfish reasons”, in a way that does not make them a “community”. A politician could donate to charity, only to win votes, and NOT really “form community” with the people assisted by the charity. And people can “form community” in different ways:

- minimally, by recognising the others, whom you are with, as persons, and wanting to treat them fairly (like people in a crowded bus);
- by making MUTUAL choices to seek specific goals together in fairness (like people choosing to play tennis together), or to

simply enjoy some interpersonal good, which is “open-ended”, and not limited to any one specific goal (like people together in friendship, or marriage, or in a religious community);

- by making UNILATERAL choices to accept responsibility for others, who are then drawn into community (like parents choosing to have children, and forming a “family”); or
- by simply recognising relationships, which involve responsibilities, and accepting them (like brothers or sisters, who accept responsibility to treat each other fairly).

When people talk about “social justice”, or the responsibilities of members of a community, they often talk about the “common good”, to emphasise that “human fulfilment together” involves more than “being fair in private dealings, and keeping promises to others” – that human persons are “communal” by nature, and yet, their distinct personalities cannot be subordinated to any community, as if they were only “parts” of a larger “whole”. Often, communities are not entirely “authentic” human communities, but are, partly, “arrangements, by which some people exploit other people”. Talk about the “common good” is a way to speak against the injustice involved in such arrangements.<sup>12</sup>

In fact, the “common good” (as I’ve explained it), and each “individual’s good”, include each other. In communities, formed by choices to seek definite goals together, each individual benefits in attaining the common goal, and sharing the fruits of his or her effort. In addition, each one, as well as the community, benefits from efforts to treat each other fairly. In communities, formed by “open-ended” commitments to enjoy human goods for their own sake (such as marriage, family, or friendship), even more clearly the “common good” of the community, and the “individual good” of its members, coincide.<sup>13</sup>

BUT having said that, it’s also true that the “individual’s good”, as a whole, always comes first. No mere “human community’s good” includes the entire fulfilment of any of its members. Attaining collective goals can never justify sacrificing what’s essential to the whole fulfilment of any person. In particular, a political society’s “common good” consists of goods, which are INSTRUMENTAL to the fulfilment of persons. Such a

society is not organised to provide the ultimate and all-inclusive “good” of its citizens. It often happens that a political society does not contribute, in any positive way, to the explicitly “religious” part of a person’s fulfilment. In this sense, its “common good” is limited, and the individual freedom of persons is supreme. Yet, since individuals cannot realise their “good”, apart from the “common good”, their private interests are always subordinate to society’s “common good” of justice and fairness in relationships.

Again, a political society’s “common good” includes INSTRUMENTAL GOODS (public lands, roads, buildings). But it also includes certain “common interests” of those who live in the same region, which call for the formation of a political society: avoiding conflicts and promoting internal peace; preventing some people from offending the rights of others; restoring justice, by punishing wrongdoers; defending the community against hostile outside interference; fairly distributing resources; setting up arrangements to help families meet their responsibilities in education and health care; promoting and regulating economic activities; and so on. These interests constitute the distinctive “common good” of a distinctive “political” society or state. They include aspects of the basic human good of “fairness, justice, and interpersonal harmony”.

BUT the “political society” is only one community among others, and should be limited, so that it doesn’t displace the others. Individuals, families, and other groups promote various goods, such as marriage and parenthood, cultural pursuits, the understanding and enjoyment of nature, and friendship with God. A political society’s “common good” is not all-inclusive, but is “instrumental” to integral human fulfilment.

This doesn’t mean that a political society’s “common good” includes nothing “intrinsically good”. The political society’s purpose is to protect justice, in various relationships. And “justice in harmonious relationships” is an important basic human good, which is inherently fulfilling for persons. Still, this basic good should be realised in EVERY interpersonal relationship, not only in the political society – for example, in friendships, in marriage, and in churches, schools, business, and clubs of every kind. Ordinarily, this is done without any intervention by any government, although, at times, the political society can intervene to prevent injustice,

and to help smaller groups fulfil their responsibilities. For the most part, aspects of the “interpersonal harmony”, found in families and non-political groups, don’t pertain to the state’s “common good” – because they have limited impact, only on part of the country’s population, and because a lot of government interference would hurt more than help.

While the autonomy of families and non-political groups is limited, the state should respect the liberty and privacy of the communities within it. Excessive government interference would violate the “common good” of the political society itself, since its “good” is instrumental to the fulfilment of its citizens, not as isolated individuals, but, precisely, as persons, who find fulfilment in friendships, in marriage and family life, in the church, and in other non-political communities. Governments are not competent to directly promote “virtue” among their citizens. Indirectly, governments promote virtue, and oppose vice, by enforcing just laws, which reduce the competitive advantage of wrongdoing, and by assisting families and churches in more directly proclaiming moral values.

To use the criterion of “a political society’s responsibility in promoting its common good”, as a way to evaluate particular actions taken by a government, one would need to ask several questions:

- How would this action contribute to the common good? (Sometimes officials in power pursue private benefits, which do not deserve the cooperation of citizens.)
- Would the burdens and benefits involved by this action be distributed fairly among community members?
- Especially, would this action violate the just liberties of individuals, families, and smaller communities, or absorb functions, which, with suitable public funding or support, they themselves could fulfil? (This is sometimes called the “principle of subsidiarity”.)
- Would this action unfairly harm, or selfishly fail to help, any other nation or group of nations? (Perhaps an international

trade agreement would impoverish a less-developed trading partner.)

- Would this action violate the rights of any outsider? (An immigration policy could selfishly refuse to welcome deserving refugees.)
- In general, is this action morally excluded as always wrong?

In any case, it would be wrong to describe the “common good” of the political society as only a nation’s “power and prestige” in the international community, or as only a prosperous national economy, and high-quality public facilities; or as only equal opportunity for individual citizens to do what they please, and get what they want.<sup>14</sup>

## **6. SOCIAL DUTIES AND BASIC HUMAN GOODS**

Finally, something more needs to be said to clarify talk about “individual rights”. DUTIES are moral responsibilities, which people have toward others. RIGHTS are not separate things. “Right” and “duty” are really the same thing – “right” refers to the person, toward whom someone else has a “duty”. For example, MY “right to life” is nothing but YOUR “duty not to kill me”. While people often begin a discussion of morality by talking of “rights,” in fact, “rights” can only be understood in terms of “duties”, and “duties” can only be understood in terms of “basic human goods”, and ways of responsibly remaining open to participation in them.

The ADVANTAGE of the talk about “rights” is that many claims to “social rights” are widely acknowledged by people, who, otherwise, do not agree about the foundation of rights, or the nature of morality. In fact, talk about rights is unavoidable in discussing social morality, since “rights and duties”, by definition, refer to social responsibilities. It can be helpful, for example, regarding the “right” under consideration here, to begin with the accepted “right to religious commitment and practice, against the infringements of political society”, and then go on to discuss the various “duties or responsibilities” that underlie this right: in this case, the duty of individuals to pursue religious truth, and the duty of political society to provide a setting, in which this can be done.

The TROUBLE is that talk about “rights” can be confusing, since it focuses on “claims”, and can be exploited in individualistic ways. The “right to religious liberty”, for example, is often misunderstood to mean that people are justified in teaching things that are not true, and acting on those mistaken beliefs.<sup>15</sup>

It is necessary to distinguish kinds of duties and rights. Duties that arise from one’s own commitments, or from the decisions of those in authority, can be called POSITIVE DUTIES, because they come from a definite (or “positive”) choice. They involve the moral requirement of “fairness”, yet they don’t come from “human nature”, as such. Other duties exist prior to any choice, and can be called NATURAL DUTIES, because they pertain to “human nature”, itself.

Some NATURAL RIGHTS (corresponding to “natural duties”) are “fundamental” ones, which everyone has (the right not to be killed, the right to be treated with respect, or to use things to meet basic needs.) They correspond to equally-universal “duties”, which everyone has toward others. Other “natural rights” correspond to duties in more specific relationships (for example, the right of children to parental care).

Some “natural rights” are ENTITLEMENTS (rights to receive some help or benefit), and correspond to moral “duties”, which everyone has (like the right to always be treated fairly by others). Other “entitlements” correspond to “duties”, which some have toward others in specific relationship (like the “natural entitlement”, which children have, to be cared for by their parents).

Other “natural rights” are IMMUNITIES (rights not to be interfered with, or harmed in some way), and correspond to moral “duties”, which everyone has (duties to never interfere with, or harm, someone in some way). But, other “immunities” correspond to moral “duties”, which are not absolute or universal (duties to ordinarily not interfere with someone in some way).

The “right to religious liberty”, then, is a “non-absolute natural immunity” that corresponds to political society’s “duty” to ordinarily not interfere with the free exercise of religion – or, in other words, not to interfere, unless some intervention is required for the sake of social peace or public



morality. The “limits” on the “duty” of non-interference come from the way “fairness”, and other “ways of responsibly respecting fundamental human goods”, set limits to political society’s tolerance of religious activity.<sup>16</sup>

## **7. CONCLUSION – RELIGIOUS LIBERTY AND THE COMMON GOOD**

I would like to refer again to Vatican II’s “Declaration on Religious Liberty” (*Dignitatis Humanae*), promulgated in 1965. An American Jesuit, John Courtney Murray, was the most-important figure in promoting the teaching, which the Catholic bishops endorsed in that declaration. He had argued that the question is a new one in the 20th century, because the relationship of political societies to religion has changed. Now, their chief duty toward religion is “to protect the liberty of citizens in this area”.<sup>17</sup>

An important emphasis of that Vatican declaration was that all people, with intelligence and freedom, have a DUTY to seek the truth, “especially religious truth”, and to “adhere to it once they come to know it”. However, people “cannot satisfy this obligation, unless they enjoy both psychological freedom, and immunity from external coercion”.<sup>18</sup>

This takes on special significance in contemporary pluralistic societies. Most sorts of differences within a nation are desirable, in so far as they enrich the community with their complimentary contributions. In this sense, not only different Christian denominations, but different non-Christian religions, can be understood as contributing something to the fullness of “religious truth”. There are, for example, traditions of mystical prayer in some Eastern religions, from which a Christian could learn, or emphases, which a convert could bring “to” Christian faith, and find enrichment there. But pluralism is desirable, only in so far as it leads to genuine dialogue, which moves toward unity in truth. Considered in itself, ongoing division about ultimate truths does not express complementarity, and is not good for community. It is only tolerable at best. In general, since beliefs have practical consequences, if part of a community is dedicated to a more-or-less false worldview, or way of life, whether religious or not, the error will threaten the well-being, not only of that part, but of the community as a whole. To recognise this, and to strive, through

honest dialogue, to lead others to what is true, does not violate religious liberty. Religious liberty is immunity from coercion in religious matters; its point is to allow people to seek religious truth and freely embrace it. Therefore, instead of being a VIOLATION of religious liberty, a non-coercive effort to share one's faith with others is an appropriate EXERCISE of that right.<sup>19</sup>

In conclusion, then, it seems clear that everyone has a RIGHT to the free exercise of religion, unless this disrupts public order, peace, morality, or orderly coexistence in true justice; and that, therefore, the state has a duty not to intervene. This means (and the PNG Constitution states) that all religious sects, Christian denominations, and non-Christian religions, should be permitted to operate in PNG, and no law should, in principle, interfere.

But the political society has a RIGHT to intervene, when necessary to protect public order, peace, morality, or justice. The state could act against a religious group already in the country, or block entry of members of a radical sect, if there is clear evidence that "public order or morality" is, or would be, threatened.

If this is correct, what next? What "action" is called for? It would seem that we should not call for a change of the PNG Constitution, to make Christianity "official" or "established". We should not urge the state to intervene more frequently, or make laws to facilitate legitimate intervention to maintain public order within or among religious, and, especially, Christian groups. Rather, as churches (especially as Christian churches), we ourselves should look for ways to settle disputes that disrupt, or could lead to disrupting, public order. And we should do this, before it becomes necessary to appeal to the secular authorities to intervene. One is reminded of Jesus' instructions to His disciples to settle disputes "while still on the way to the court"; or Paul's questions to the Corinthians: "Can it be that there is no one among you wise enough to settle a case between one member of the church and another? Must brother drag brother into court? Why, the very fact that you have lawsuits against one another is disastrous for you."<sup>20</sup>

## ENDNOTES

<sup>1</sup> See Alatini Kolofou, *The Rights of Conscience: Developments of Religious Freedom in the Catholic Church*, Bomana PNG: Holy Spirit Seminary, 1988, pp. 69-73/

<sup>2</sup> See “Religious Movements (Control) Bill 1981”; Letter from the National Parliament to the Heads of Churches, September 8, 1983; also Theo Aerts, “The Law and the Sects”, in *Melanesian Journal of Theology* 2-1 (April 1986), pp. 76-105; Kolofou, pp. 76-105.

<sup>3</sup> Pierre Bayle, *Commentaire philosophique sur ces paroles de Jesus-Christ “Contrains-les d’entrer”* (Amsterdam, 1696); John Locke, *A Letter Concerning Toleration* (1689), Indianapolis IN: Bobbs-Merrill, 1955.

<sup>4</sup> See Thomas Russman, *A Prospectus for the Triumph of Realism*, Macon GA: Mercer University Press, 1987, ch. 8: “Toleration”, pp. 93-107, esp. pp. 93-95.

<sup>5</sup> See John Finnis, “*Historical Consciousness*” and *Theological Foundations*, Toronto Ont: Pontifical Institute of Medieval Studies, 1992, p. 28, note 63; also Vatican II, *Dignitatis Humanae* (Declaration on Religious Liberty: 1965) pars. 2 and 7, for example in Austin Flannery, ed., *Vatican Council II: The Conciliar and Post-Conciliar Documents*, Northport NY: Constello Publishing, 1975, pp. 800-805.

<sup>6</sup> Vatican II, *Dignitatis Humanae*, pars. 2, 4, and 7.

<sup>7</sup> *Ibid.*, par. 3.

<sup>8</sup> See Germain Grisez, *The Way of the Lord Jesus*, vol 2: *Living a Christian Life*, Quincy IL: Franciscan Press, 1993, pp. 332-334.

<sup>9</sup> See Jacques Maritain, *The Person and the Common Good*, Notre Dame IN: Notre Dame University Press, 1966, pp. 31-89, esp. pp. 60-61 and 70.

<sup>10</sup> See Grisez, *The Way of the Lord Jesus*, vol 1: *Christian Moral Principles*, Chicago IL: Franciscan Press, 1983, pp. 121-122; vol 2: *Living a Christian Life*, p. 340. Also on “basic human goods”, see Germain Grisez and Russel Shaw, *Fulfilment in Christ*, Notre Dame: IN: Notre Dame University Press, 1991, pp. 49-59, or, by the same authors, *Beyond the New Morality*, 3rd edn, Notre Dame: IN: Notre Dame University Press, 1988, pp. 77-88.

<sup>11</sup> Grisez, *The Way of the Lord Jesus*, vol 1, pp. 270-273.

<sup>12</sup> Grisez, *The Way of the Lord Jesus*, vol 2, pp. 334-339, on kinds of community, and pp. 339-347, on the common good, and the good of each person.

<sup>13</sup> For Christians, God’s self revelation as a Trinity throws light on this issue. God is perfectly one, and yet the three divine persons really are distinct. Human persons and

society are to be like the Trinity, for human persons are created “in God’s image”. See Grisez, *The Way of the Lord Jesus*, vol 2, pp. 340-341.

<sup>14</sup> *Ibid.*, pp. 846-858.

<sup>15</sup> Grisez, *The Way of the Lord Jesus*, vol 1, pp. 263-265 and 269-270; vol 2, p. 506; see also Brian W. Harrison, *Religious Liberty and Contraception*, Melbourne Vic: Melbourne University Press, 1988.

<sup>16</sup> Grisez, *The Way of the Lord Jesus*, vol 2, pp. 329-332.

<sup>17</sup> See John Courtney Murray, “The Problem of Religious Freedom”, in *Theological Studies* 25 (1964), pp. 503-575.

<sup>18</sup> Vatican II, *Dignitatis Humanae*, par. 2.

<sup>19</sup> *Ibid.*, pars. 2-4 and 14; see also Grisez, *The Way of the Lord Jesus*, vol 2, p. 842.

<sup>20</sup> Matt 5:25 (par. Luke 12:58) and 1 Cor 6:5-6.