

RELIGIOUS LIBERTY:

An Inquiry

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Foreword

A NEW PROBLEM has been created for statesmen and churchmen and the mass of common people. Recent events reveal that over large areas of the globe and among powerful human groups a profound change has taken place in thought and attitude with respect to religious freedom. In some instances freedom of religious expression has totally disappeared. The trend that marked the era of political liberalism, when religious freedom was regarded as an inalienable right possessed by all men, has come to a sudden and dramatic end in large and representative areas of the world. Outside those parts of the world where democracy continues to be taken seriously, no individual can claim religious freedom as an inalienable right. The public implications of his personal faith are determined for him in the name, and in accordance with the interests, of some particular group—religious or political—which claims the right and has the power to control his destiny.

Concern over the situation thus created, which is an important part of the basic question of human rights, secular as well as religious, inspired the study the fruitage of which is presented in this book. The Joint Committee on Religious Liberty appointed by the Federal Council of the Churches of Christ in America and the Foreign Missions Conference of North America approached Dr. M. Searle Bates, former Rhodes scholar and professor of history at Nanking University, and invited him to undertake the onerous task of preparing a basic study of the subject of religious liberty. While this volume may be regarded as a corporate production in its initial inspiration, and by the fact that many people participated in the provision of data and the criticism of viewpoints, it is essentially a monument to the indefatigable research, tenacious zeal, well-balanced judgment, and loving devotion of the author. In the name of the committee which sponsored this study I take the opportunity to express our gratitude to Dr. Bates and, at the same time, to bespeak for the significant book which has come from his pen the sympathetic attention and diligent perusal of all friends of human freedom in our time.

JOHN A. MACKAY

Princeton, N. J.
January, 1945

Preface

IN MANY PARTS of the earth issues of religious liberty are sharply raised by persecution and oppression, by controversy, by aspiration. In other parts the issues are latent, but hardly less perilous because so few are awake to them. For twenty-five centuries and more some men have been aware of the struggle between the high striving of free spirits and the will to conformity in the social group, often enforced by state power or by priestly control. That struggle will not conclude on one decisive day. Indeed, in some form it will continue so long as men have life to contend for control, for liberty, and for social or religious values which they prize. Liberty has here and there been won; it has never been held fast. "What you have inherited, that earn in order to possess," urged Goethe's Faust, who further reflected: "Yea, I am full devoted to this thought, wisdom's last fruit. He alone deserves freedom, life as well, who must daily conquer them anew."

Struggle there must be. But its conditions affect deeply the quality, the achievement of mankind. Our century has known considerable advance in the liberation of hundreds of millions for higher levels of life. It has also experienced grim oppression, revived with modern techniques able to order from a central switchboard not merely the deeds but the very minds and wills of large sections of mankind.

Faith, humane desire to cooperate for well-being, the slower, longer methods of freedom now fight for the allegiance of whole nations—arrayed against fear, lust for power, the false short-cuts to security. Institutions, national and international, are being re-formed in unique degree. Will they broaden liberty for the noblest reaches of human potentiality? Or will they thwart and distort the spirit for the sake of partisans and passing power?

Some of the older discussions of religious liberty are of high quality but are specialized in topic or in treatment. Others are inadequate as often because of inherent national, cultural, or sectarian limitations as because modern society has moved away from them. The present inquiry is a continuation of a long series of studies by the Federal Council of the Churches of Christ in America and the International Missionary Council acting singly. On this occasion the effort is conducted jointly by the Foreign Missions Conference of North America and the Federal Council with the unofficial cooperation of the International Missionary Council. Wartime conditions and events have lim-

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ited the possibilities of international collaboration which would normally have been arranged in Geneva and elsewhere. They have also enhanced the concern of North American church bodies for religious liberty in Europe and in all parts of the American continent. Both the general church interest and the missionary interest are deeply anxious for the nature of the peace and the re-ordering of life that will follow the war.

The Joint Committee on Religious Liberty during the period of its work in the field of this study (1942-44) consisted of six members. The Federal Council of Churches appointed Emil E. Fischer, Lutheran Theological Seminary, Philadelphia; John A. Mackay, Princeton Theological Seminary; Henry P. Van Dusen, Union Theological Seminary. The Foreign Missions Conference appointed John S. Badeau, The American University, Cairo (succeeded by A. L. Warnshuis, International Missionary Council, retired); Norman J. Padelford, then of the Fletcher School of Law and Diplomacy; A. W. Wasson, Board of Foreign Missions of the Methodist Church. The Joint Committee chose President Mackay as its chairman. The following staff personnel assisted in the work of the committee: on behalf of the Federal Council of Churches, Roswell P. Barnes, Inez M. Cavert, F. Ernest Johnson; on behalf of the Foreign Missions Conference, Leland S. Albright, M. Searle Bates, A. L. Warnshuis (succeeded by J. W. Decker).

It should be made clear that from the summer of 1944 the Joint Committee was gradually reorganized to continue study on current problems of religious liberty as they emerge and develop and to assist the parent bodies in such processes of education and such measures of action as may from time to time be needful, all in suitable contact with related Christian bodies at home and abroad. The committee may be addressed through either of the parent bodies, New York City.

This volume is offered not merely to the constituencies that called for it but to men of other faiths and of other lands, to men not formally religious, who study the urgent problems of mankind. The religious outlook of the inquiry is not concealed, and the charge of prejudice must be expected from some quarters. It will be countered by the complaint of eclecticism. In fact information and insight have been honestly sought from men of every nation and belief and culture. The author is a missionary, a layman, who holds that a religious minority of the world's population must—as a religious majority in any community should—meet the issues of adjustment in the world's various societies upon a basis and in a language that all or nearly all can recognize. Religious faith and purpose are taken for granted. But liberty is possible only where men are able to get along with those who differ. It is hoped that publicists and men of affairs, as well as churchmen and mission workers, may find here some new understanding of liberty and religion, some aid to decision and action.

PREFACE

The present study was undertaken without preconceived program or categories, in a certain illusion of simplicity and in the hope that a body of working principles could be assembled in a few brief papers and discussions. It was not long before the varied minds in the Joint Committee agreed that religious liberty is involved in the entire position and activity of religion in society. Many fragments of data and thought, some of them very valuable, were contributed within and to the committee. But in order to develop a comprehensive inquiry it was found necessary to select the one person participating in the work of the committee who could give to the task a year and a half of continuous effort.

The program as thus determined sought breadth and perspective. Its extent precluded elaborate research and mature reflection. Secondary works have been searched for the selected results of previous studies in a number of countries, supplemented by primary materials under the controlling considerations of need, availability, and time. Members of the Joint Committee and related staffs have continued liberally to contribute materials and counsel. They have left the author free, and they are not to be held responsible for specific positions taken or statements appearing in these pages. A draft edition has secured criticism and suggestion from more than fifty persons selected for their ability to make useful contributions—including men in five countries of Europe, Asia, and Africa. Varied and generous services from my wife, from Miss Cavert of the Federal Council's Research Department, from Mr. Albright and Miss Thielz of the International Missionary Council, have been uniquely helpful over long periods of time.

This effort would not approach infallibility—even if there were fifty years to meet the kindly demands of the fifty critic-readers. The book is rather the effort of diligent, widely-based cooperation to complete a useful service within the time limits set. Let the scholar impatient of haste battle with the many practical men who wanted simpler and quicker work done long before the end of the war in Europe, and let the specialist aggrieved at the trivial treatment of important interests confront the general readers who find the book too elaborate for easy perusal. In view of the expected uses of the study plentiful quotations of value to writers and speakers are presented. References, kept down by requirements of economy, are intended to substantiate the presentation and to assist the reader who wants to check up or to follow up an item mentioned here. Where possible, favor is shown to books in the English language available in general libraries. Necessary bibliographic data are supplied in the "List of Works Cited." No complete or adequate bibliography of religious liberty is in print; the works cited contain references to thousands of items.

It has seemed best that the reader share in the essentially inductive method of the inquiry, undertaken roughly in the order of the chapters to follow:

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an examination of the concrete problems of religious liberty today ; a sketch of the long societal experience in which the problems have developed ; an analysis of their elements, looking to measures of improvement. Moreover, in accord with the true variety and complexity of the whole subject the reader will be left largely free to judge for himself the facts and the differing views presented. Interpretations and proposals will be made as guides or challenges to thought and will. But it would be wrong to offer them without fair representation of the data from which they are derived, and equally wrong to suggest a simplicity and a definiteness which do not exist. The topics dealt with, in their vast extent and difficulty, cannot be reduced to simple formulas and cannot be removed from controversy by fiat. Where significant judgments vary, the least common denominator would be an uninformative zero. Let us have the varying judgments. It is anticipated that details in many portions of the first chapter will quickly pass out of date. But they illustrate problems that unfortunately will continue to recur in some form, and they are needed for immediate pointing of the study to current issues and opportunities. Other portions of the study will, it is hoped, by reason of their comprehensiveness remain of considerable value until much more thorough work, preferably by international collaboration, replaces them.

The elaborate involvement of religious liberty in many of the situations and problems of society requires several different approaches. To the concrete approach through relevant facts and forces in present societies—the Russian, the Italian, and the Peruvian—and to the historical approach concerned with development and experience must be added the functional or analytical approach which deals with particular areas of difficulty, like church-state relationships, religion in education, the mutual relations of religious bodies. Each of these approaches has its values, its necessity ; yet each is dealing with many of the same facts, forces, attitudes. Thus complete logical separation is impossible and some overlapping is required, even with the use of cross references and index. Material dealing with problems of religious liberty in England, for example, must be viewed in some distribution among the chapters or sections on the contemporary scene, on historical experience, on church-state relationships, on education. Such distribution is imperative if each of the topics is to be considered on a world scale—at the sacrifice of unity and convenience for the subject of religious liberty in one geographical area. This awkwardness is the price of comprehensive treatment by topics, in which provincialism and sectarianism sink to tolerable proportions.

Finally, though the first responsibility of this study is to Protestant churches and missionary organizations, the inquiry has been made in the conviction that the true interests of the members of all bodies of Christianity (that is, their *religious* rather than their institutional interests) are essentially one, and that the higher religious aspirations as well as the plain humanity,

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of the non-Christian majority, are closer to those of the Christian minority than is commonly appreciated by either group. Truth has been sought in humility, and the results have been stated in honesty—not sparing Christendom or its Protestant elements. If portions of these results are selected for attacks upon religion and damage to liberty in partisan or sectarian warfare, let the disputer be anathema! If the effort serves painful thinking and difficult decisions in Protestant and other circles, content! Broad and wholesome liberty, in which religious liberty is a constituent element, is the social good in view.

M. SEARLE BATES

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The Problems of Religious Liberty Today

RELIGIOUS LIBERTY is today denied, deformed, or restricted for all or for part of the people in most of the countries of the world. Nowhere is there absence of all difficulty, since liberty is involved in the living strains even of the freest societies. The interests of the state, the general community, the voluntary group, the individual are never completely at one.

Despite the extensive gains for religious liberty during the past century, recent intensifications of nationalism have fused with the increasing power and functions of the State to imperil and even to crush, in some lands, a liberty of religion formerly achieved. Insecurity and war sharpen the issues of ultimate loyalty and stimulate the will of each national state to command the full devotion of its members. These developments reach an abnormal pitch in the states called totalitarian.

Experience of totalitarian oppression and persecution, on the other hand, is driving important elements of mankind to prize more highly the values of liberty and to struggle to establish and protect them. The significance of religion to the individual life, to the local or national community, and to international and interracial relations is more widely recognized. Statesmen and educators reckon anew with the objects and processes of devotion, with faith that nerves to steadfast action, with deep forces of solidarity that bind together diverse men—men of diverse groups.

Hence there is not merely a concern of believers but a *public concern* for religious liberty, for the rightful, wholesome growth of free religion, for the protection of the life of the spirit from oppression and authoritarian abuse.

This chapter reports present problems and current trends from Russia to Peru, from the United States to Arabia. In some instances the trends can be seen only in long decades, not in short years. Usually the trend will be shown here as from near the close of the First World War, about 1920. Where a sharp change in regime has recently broken with the past, the condition before the break will be described in later sections, notably in Chapter II on "The Problems of Religious Liberty in History."

Eleven case studies cover rapidly a wide range of significant situations. They are followed by five surveys of other areas, rounding out the world picture in a total of sixteen sketches.

THE PROBLEMS OF RELIGIOUS LIBERTY TODAY

CASE STUDIES OF MOST ACUTE DIFFICULTY

1. SOVIET RUSSIA

At no time and in no land has the world known so dramatic a denial of religious liberty as in Russia since 1918.¹ To the old religion, forcibly backed and employed by the Empire,² succeeded violent and organized counter-force. The major attack throughout has been directed upon religion organized as a powerful institution of the old and evil order, though it is also true that communism opposed religion on ideological grounds. In certain senses the Communist movement constituted itself a religion without the name, providing for men a conviction of destiny, a bond of emotion and action, prophets and saints of authority if not actual saviours, an ethic systematically inculcated, a message and program of salvation for the multitude. But the Communists themselves, and most of their opponents, would not designate communism as a religion, and here we must be concerned with the experience and the present position of accepted religion in Soviet Russia.

The Provisional Government (1917) had freed all recognized churches from state control and interference. In December and January, 1917-1918, Soviet decrees nationalized church property and the schools, instituted civil marriage, and separated the Orthodox Church from state and school alike. Freedom of conscience was granted, and all restrictions of rights based on belief or nonbelief were annulled. Freedom of public worship was guaranteed and protected, so long as there was no infringement of public order or of the rights of other citizens. Religious instruction in private was authorized, but no governmental or common school, and no private institution where general subjects were taught, could give instruction in religion. Religious associations were to have the use, without rent, of buildings and articles properly designated for purposes of worship. Battle was joined on issues of property and power. The Patriarch's pastoral letter, dated January 19, 1918, contained stern commands:

Come to yourselves, ye idiots, cease your bloody deeds. Your deeds are not only cruel—these acts are in reality the work of Satan, for which you are subject to everlasting fire in the life to come after death and the terrible curse of posterity in the present life on earth. By authority given us by God, we forbid you to approach the holiness of Christ; we excommunicate you if you still bear the name Christian and, in accordance with your birth, belong to the Orthodox Church. We exhort you, all true believers in the Christian Orthodox Church, not to enter into communication with such outcasts of the human race. (I Corinthians 5:13)³

The shock of these basic changes to the old church system of Russia brought confusion and helpless bewilderment. The revolution and civil and

¹ The ablest recent studies are those of Paul B. Anderson, *People, Church and State in Modern Russia*, and Nicholas S. Timasheff, *Religion in Soviet Russia 1917-1942*.

² See below, pp. 239-50.

³ Anderson, *op. cit.*, p. 66.