Christianity and Religious Freedom: A Sourcebook of Scriptural, Theological, and Legal Texts

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Religious freedom, as currently understood, is the condition in which individuals or groups are permitted without restriction to assent to and, within limits, to express and act upon religious conviction and identity in civil and political life, free of coercive interference or penalties imposed by outsiders, including the state. Over the centuries, the attitudes and behaviors of Christians aimed at promoting this understanding have been, in a word, deeply ambivalent. This pervasive ambivalence over the desirability of religious freedom is amply, if variously, evident in the sources included in this sourcebook. These sources, whether ancient, medieval, early modern, or modern, should help correct two conflicting and equally inaccurate convictions. One is the strong skepticism that Christianity contributed anything constructive to the rise of religious freedom. The other is the assumption that Christian beliefs and communities invariably favor religious freedom.

In reality, Christians have always struggled to reconcile two competing ideals: individual religious freedom, and the religious uniformity thought necessary in order to advance the common good. On the one hand, Christians have long considered themselves “called” or “born anew” into a community separate from government and from ethnic and national ties—a community bound together afresh as “new beings” by the “gifts of the spirit.” Subject to a “kingship not of this world,” members are free to join this new community of their own accord and therein to believe and act, individually and collectively, independent of conventional forms of political and social control.

Introduction

The understanding of religious freedom adopted by the Religious Freedom Project is robust and has two parts. First is the right to believe or not (freedom of belief or of conscience), to worship, alone or with others, and to exit religious groups because of belief or conscience. These components of religious freedom are essentially interior (belief and conscience) or private (worship). As such, they are, or ought to be, virtually absolute. There is no legitimate rationale for their restriction by any human agent, including governments. The second element entails both individuals and groups, and has distinctive public dimensions. It includes the rights of individuals and groups to act in civil and political society on the basis of religious conscience or belief, within very broad limits equally applied to all—religious or not. This two-part understanding of religious freedom, with its robust public components, is not present within any religious tradition or nation until the modern era. Even then, the degree of religious freedom present in any given nation was, and continues to be, contingent on historical and contemporary forces that may or may not be related to the dominant religious tradition. Restrictions on religious freedom, especially in its public forms, result from a variety of conditions, including communism, religious nationalism, violent religious extremism, and aggressive modern secularism.
At the same time, Christians have often favored the idea that civic order, the common good, and salvation itself depend on religious uniformity, something usually requiring coercive enforcement by the temporal government. Consequently, they are called upon to clarify the relations between what Jesus called the “things that are God’s” and the “things that are Caesar’s.” If, according to St. Paul the Apostle, Christians are required to submit to earthly governments “for the sake of conscience,” how is obedience to government to be made consistent with obedience to God, especially where the two forms of obedience diverge? How, and under what conditions, is the authority of Caesar to be employed in the service of God? The history of Christianity, still continuing, consists of a wide variety of quite different and often conflicting answers to these basic questions.

The origins of this ambivalence lie deep in the source materials Christians take to be sacred, particularly the Hebrew Scriptures, or what Christians call the Old Testament. On the one hand, deviation from authorized belief and practice was a civil crime in ancient Israel, punishable by death. The Ten Commandments were the foundation of the original “covenant” between God and his people. All of them, whether they pertained to relations with the divine or to relations with fellow human beings, were to be enforced by the civil authority. Strict religious uniformity around a “national religion” was indispensable to the temporal survival and prosperity of ancient Israel. Various Christians in all four periods have enthusiastically reaffirmed one version or another of this central conviction.

On the other hand, many Christians over the centuries have also embraced certain Old Testament “prophetic” teachings, which moved in a quite different direction. The book of Jeremiah speaks of a “new covenant” between God and his people, one not like the first covenant, which consists of externally enforceable laws, but something radically different, now placed “within them” and written “upon their hearts” (Romans 2:15).² For Christians, this anticipated event is inaugurated in the life, death, and resurrection of Jesus Christ, instituting, as Paul says, “a new covenant, not in a written code, but in the Spirit; for the written code kills but the Spirit gives life” (2 Corinthians 3:6). Herein lies the basis for the novel community mentioned above—one that is set apart from the institutions of coercive enforcement and is ideally directed by the inward consent and commitment of the members newly bound together by “the spirit” in the “body of Christ.”

It is, of course, this second emphasis that in general establishes the importance of religious freedom in Christian thinking. It typically sits uneasily with a belief in religious uniformity that is coerced. There are at least four important themes, often applied in combination, that Christians have invoked as a basis for ground-
ing and developing a doctrine of religious freedom.

The first is a belief in the differentiation of religious and political authority, sometimes referred to as the “separation of church and state.” A distinction between what is called the “law of the spirit” and the “law of the sword” is anticipated by certain Fathers, or leading theologians of the early Church, and is expressed in the legendary conflicts between the papacy and throne in the medieval period, as well as in the jurisdictional disputes between the church and state before, during, and after the Protestant Reformation. Among other things, this distinction had the effect of limiting the powers of the secular state, thereby creating the possibility of social and civic pluralism, that is, a society that includes substantial non-governmental enterprises and institutions, both secular and religious. But the belief did not come to approximate its modern form until the seventeenth century at the hands of radical Protestant reformers in Holland, England, and colonial America.

A second and related appeal is to the idea of conscience and its eventual connection to a belief in natural rights. Paul’s declaration, “Let every one be fully convinced in his own mind” (Romans 14:5), and his rhetorical question, “Why should my liberty be determined by someone else’s conscience?” (I Corinthians 10:29, English Standard Version), along with his elaborations in several of his letters on the place of conscience in the Christian life, became the basis for the repeated defense of religious freedom as the freedom of conscience. Thomas Aquinas taught that everyone has a duty to believe and act in accord with one’s own conscience. By the same token, medieval canonists taught that “no one ought to act against his own conscience.” On the other hand, Aquinas and the canonists held that an erring conscience, even when sincere, could lead one into grave sin when not fully formed and ordered to the truth. That teaching led Aquinas and most canonists to conclude that apostates and heretics ought to be civilly punished. Protestant Reformers like Luther and Calvin came to hold a similarly narrow and restrictive view. It was up to sixteenth-century Anabaptists and other radical Christians to defend a more expansive and inclusive interpretation of the right to freedom of conscience.

Whatever its classical and medieval antecedents, however, the conviction that freedom of conscience is a “natural right”—namely, a civilly enforceable subjective entitlement belonging equally to everyone, regardless of creed—does not find expanded and codified expression until the seventeenth century in the statements of liberal Puritans like the Levellers in England and Roger Williams in Rhode Island. Nevertheless, the ingredients of such a conviction go back at least to 212 CE and the ringing words of Tertullian: “It is a fundamental hu-
man right, a privilege of nature, that every man should worship according to his own convictions: one man's religion neither harms nor helps another man. It is assuredly no part of religion to compel religion—to which free-will and not force should lead us.”

A third appeal is to the “dignity of the human person.” This appeal derives from both the idea that humans are created in the “image of God,” which is understood to be imprinted upon human beings at creation (based on the first chapter of Genesis), as well as from the idea that humans are inherently truth-seeking creatures. References to the “image of God” appear throughout the Christian tradition, though they are particularly prominent among Catholic theologians and philosophers, and in the official pronouncements of the Roman Catholic Church. Both emphasize this understanding of dignity as a basis for freedom and the human capacities of reason and will to seek and discover the truth and knowledge of God. Indeed, Pope Benedict XVI pointedly connects human dignity and religious freedom in a 2011 address, declaring that “[r]espect for essential elements of human dignity, such as the right to life and the right to religious freedom, is a condition for the moral legitimacy of every social and legal norm.”

The example and teachings of Jesus constitute a final appeal in favor of religious freedom. Jesus’ use of persuasion rather than coercion, his renunciation of armed protection, and his acceptance of death over retaliation established an enduring ideal of charitable communication and interaction between Christians and non-Christians. For example, some followers of Jesus emphasized the noncoercive character of Christian communication as against contrary interpretations. They believed that certain New Testament texts—such as the parable recommending that “wheat and weeds” (believers and non-believers) be allowed to “both grow together until the harvest” (Matthew 13:30)—authorized religious tolerance. The eternal judgment of Christ and the separation of believers from non-believers would occur during “the harvest,” meaning in the next world. In the meantime, religious tolerance secures worldly interests by preventing civil disorder and also advances spiritual goods by ensuring that the church can freely preach its message and individuals can freely come to authentic faith. Eventually, some Christians came to believe that such teachings required equal freedom in the civil sphere, regardless of creed.
The time span covered here ranges roughly from the fifth century BCE, with the compilation of the Pentateuch, or the first five books of what Christians call the Old Testament, to the end of the fifth century CE and the collapse of the Roman Empire. The sources include the remaining books of the Old Testament, whose exact number is disputed among Catholics, Orthodox, and Protestants, and the books of the New Testament, composed largely in the first century CE.

Beyond the biblical sources, there are relevant selections from the writings of the Church Fathers and early church councils on the treatment of unbelievers, as well as legal and political texts from the late ancient period. The writings of the Church Fathers, who lived from the second to the fifth centuries CE, represent both Western and Eastern Christianity.

The Old Testament selections express what various Christians came to interpret as competing commitments to the liberation of belief from coercion, on the one hand, and to the need for orthodoxy of belief, on the other. Something similar can be said of the New Testament selections, though as related to the distinctive Christian emphasis on evangelization and conversion. For example, in the Matthean account of the Parable of the Great Banquet, the host, disappointed by the failure of his guests to appear, simply “invites” others to attend, while in the Lucan account he “compels” them to do so.

Over the course of his career, Augustine (354-430 CE) illustrated the ambivalence in the New Testament. Having declared as a young man that compelled belief is no belief at all, he changed this view in his later years. Citing the Lucan version of the Parable of the Great Banquet, and the need to avoid confusion and scandal among the faithful, Augustine supported the civil punishment of a heretical group known as the Donatists.

In that spirit, some Church Fathers, like Augustine’s contemporary Ambrose, rebuffed pagan appeals for tolerance, and fifth-century figures, such as Pope Leo the Great and Emperor Theodosius II, actively persecuted the “heathen and schismatics.” By contrast, other Church Fathers, such as Tertullian and Lucius Lactantius, shared the sentiments of the young Augustine that true religion cannot be coerced, thereby anticipating the Edict of Milan of 313 CE, which was issued by Emperor Constantine after his Christian conversion. That edict established religious freedom throughout the Roman Empire, while simultaneously bringing Christianity and civil authority into an intimate relationship.
The Ancient Period: Sources

Scriptural Texts

Document Title: The Bible
Translation: Revised Standard Version
Source: quod.lib.umich.edu/r/rsv/browse.html

Genesis 1:26-28
Then God said, “Let us make man in our image, after our likeness; and let them have dominion over the fish of the sea, and over the birds of the air, and over the cattle, and over all the earth, and over every creeping thing that creeps upon the earth.” So God created man in his own image, in the image of God he created him; male and female he created them.

Genesis 2:16-17
And the LORD God commanded the man, saying, “You may freely eat of every tree of the garden; but of the tree of the knowledge of good and evil you shall not eat, for in the day that you eat of it you shall die.”

Exodus 5:1-2
Afterward Moses and Aaron went to Pharaoh and said, “Thus says the LORD, the God of Israel, ‘Let my people go, that they may hold a feast to me in the wilderness.” But Pharaoh said, “Who is the LORD, that I should heed his voice and let Israel go? I do not know the LORD, and moreover I will not let Israel go.”

Exodus 10:1-3
Then the LORD said to Moses, “Go in to Pharaoh; for I have hardened his heart and the heart of his servants, that I may show these signs of mine among them, and that you may tell in the hearing of your son and of your son’s son how I have made sport of the Egyptians and what signs I have done among them; that you may know that I am the LORD.”

So Moses and Aaron went in to Pharaoh, and said to him, “Thus says the LORD, the God of the Hebrews, ‘How long will you refuse to humble yourself before me? Let my people go, that they may serve me.”
Exodus 20:1-18
And God spoke all these words, saying, “I am the LORD your God, who brought you out of the land of Egypt, out of the house of bondage.
“ You shall have no other gods before me.
“ You shall not make for yourself a graven image, or any likeness of anything that is in heaven above, or that is in the earth beneath, or that is in the water under the earth; you shall not bow down to them or serve them; for I the LORD your God am a jealous God, visiting the iniquity of the fathers upon the children to the third and the fourth generation of those who hate me, but showing steadfast love to thousands of those who love me and keep my commandments.
“ You shall not take the name of the LORD your God in vain; for the LORD will not hold him guiltless who takes his name in vain.
“ Remember the sabbath day, to keep it holy. Six days you shall labor, and do all your work; but the seventh day is a sabbath to the LORD your God; in it you shall not do any work, you, or your son, or your daughter, your manservant, or your maidservant, or your cattle, or the sojourner who is within your gates; for in six days the LORD made heaven and earth, the sea, and all that is in them, and rested the seventh day; therefore the LORD blessed the sabbath day and hallowed it.
“ Honor your father and your mother, that your days may be long in the land which the LORD your God gives you.
“ You shall not kill.
“ You shall not commit adultery.
“ You shall not steal.
“ You shall not bear false witness against your neighbor.
“ You shall not covet your neighbor’s house; you shall not covet your neighbor’s wife, or his manservant, or his maidservant, or his ox, or his ass, or anything that is your neighbor’s.”

Deuteronomy 13
If a prophet arises among you, or a dreamer of dreams, and gives you a sign or a wonder, and the sign or wonder which he tells you comes to pass, and if he says, “Let us go after other gods,” which you have not known, “and let us serve them,” you shall not listen to the words of that prophet or to that dreamer of dreams; for the LORD your God is testing you, to know whether you love the LORD your God with all your heart and with all your soul. You shall walk after the LORD your God and fear him, and keep his commandments and obey his voice, and you shall serve him and cleave to him.

But that prophet or that dreamer of dreams shall be put to death, because he has taught rebellion against the LORD your God, who brought you out of the land of
Egypt and redeemed you out of the house of bondage, to make you leave the way in which the LORD your God commanded you to walk. So you shall purge the evil from the midst of you.

If your brother, the son of your mother, or your son, or your daughter, or the wife of your bosom, or your friend who is as your own soul, entices you secretly, saying, “Let us go and serve other gods,” which neither you nor your fathers have known, some of the gods of the peoples that are round about you, whether near you or far off from you, from the one end of the earth to the other, you shall not yield to him or listen to him, nor shall your eye pity him, nor shall you spare him, nor shall you conceal him; but you shall kill him; your hand shall be first against him to put him to death, and afterwards the hand of all the people. You shall stone him to death with stones, because he sought to draw you away from the LORD your God, who brought you out of the land of Egypt, out of the house of bondage. And all Israel shall hear, and fear, and never again do any such wickedness as this among you.

If you hear in one of your cities, which the LORD your God gives you to dwell there, that certain base fellows have gone out among you and have drawn away the inhabitants of the city, saying, “Let us go and serve other gods,” which you have not known, then you shall inquire and make search and ask diligently; and behold, if it be true and certain that such an abominable thing has been done among you, you shall surely put the inhabitants of that city to the sword, destroying it utterly, all who are in it and its cattle, with the edge of the sword. You shall gather all its spoil into the midst of its open square, and burn the city and all its spoil with fire, as a whole burnt offering to the LORD your God; it shall be a heap for ever, it shall not be built again. None of the devoted things shall cleave to your hand; that the LORD may turn from the fierceness of his anger, and show you mercy, and have compassion on you, and multiply you, as he swore to your fathers, if you obey the voice of the LORD your God, keeping all his commandments which I command you this day, and doing what is right in the sight of the LORD your God.

Deuteronomy 31:19-20
I call heaven and earth to witness against you this day, that I have set before you life and death, blessing and curse; therefore choose life, that you and your descendants may live, loving the LORD your God, obeying his voice, and cleaving to him; for that means life to you and length of days, that you may dwell in the land which the LORD swore to your fathers, to Abraham, to Isaac, and to Jacob, to give them.

Joshua 24:1-2, 14-15
Then Joshua gathered all the tribes of Israel to Shechem, and summoned the elders,
the heads, the judges, and the officers of Israel; and they presented themselves before God. And Joshua said to all the people... “Now therefore fear the LORD, and serve him in sincerity and in faithfulness; put away the gods which your fathers served beyond the River, and in Egypt, and serve the LORD. And if you be unwilling to serve the LORD, choose this day whom you will serve, whether the gods your fathers served in the region beyond the River, or the gods of the Amorites in whose land you dwell; but as for me and my house, we will serve the LORD.”

Psalm 2:10-12
Now therefore, O kings, be wise; be warned, O rulers of the earth. Serve the LORD with fear, with trembling kiss his feet, lest he be angry, and you perish in the way; for his wrath is quickly kindled. Blessed are all who take refuge in him.

Isaiah 49:22-23
Thus says the Lord GOD: “Behold, I will lift up my hand to the nations, and raise my signal to the peoples; and they shall bring your sons in their bosom, and your daughters shall be carried on their shoulders. Kings shall be your foster fathers, and their queens your nursing mothers. With their faces to the ground they shall bow down to you, and lick the dust of your feet. Then you will know that I am the LORD; those who wait for me shall not be put to shame.”

Jeremiah 31:31-34
Behold, the days are coming, says the LORD, when I will make a new covenant with the house of Israel and the house of Judah, not like the covenant which I made with their fathers when I took them by the hand to bring them out of the land of Egypt, my covenant which they broke, though I was their husband, says the LORD.

But this is the covenant which I will make with the house of Israel after those days, says the LORD: I will put my law within them, and I will write it upon their hearts; and I will be their God, and they shall be my people. And no longer shall each man teach his neighbor and each his brother, saying, “Know the LORD,” for they shall all know me, from the least of them to the greatest, says the LORD; for I will forgive their iniquity, and I will remember their sin no more.

Matthew 5:43-45
You have heard that it was said, “You shall love your neighbor and hate your enemy.” But I say to you, Love your enemies and pray for those who persecute you, so that you may be sons of your Father who is in heaven; for he makes his sun rise on the evil and on the good, and sends rain on the just and on the unjust.
Matthew 13:24-30, 36-43
The kingdom of heaven may be compared to a man who sowed good seed in his field; but while men were sleeping, his enemy came and sowed weeds among the wheat, and went away.

So when the plants came up and bore grain, then the weeds appeared also. And the servants of the householder came and said to him, “Sir, did you not sow good seed in your field? How then has it weeds?” He said to them, “An enemy has done this.” The servants said to him, “Then do you want us to go and gather them?”

But he said, “No; lest in gathering the weeds you root up the wheat along with them. Let both grow together until the harvest; and at harvest time I will tell the reapers, Gather the weeds first and bind them in bundles to be burned, but gather the wheat into my barn.” […] Then he left the crowds and went into the house. And his disciples came to him, saying, “Explain to us the parable of the weeds of the field.”

He answered, “He who sows the good seed is the Son of Man; the field is the world, and the good seed means the sons of the kingdom; the weeds are the sons of the evil one, and the enemy who sowed them is the devil; the harvest is the close of the age, and the reapers are angels. Just as the weeds are gathered and burned with fire, so will it be at the close of the age. The Son of Man will send his angels, and they will gather out of his kingdom all causes of sin and all evildoers, and throw them into the furnace of fire; there men will weep and gnash their teeth. Then the righteous will shine like the sun in the kingdom of their Father. He who has ears, let him hear.”

Matthew 16:15-19
He said to them [his disciples], “But who do you say that I am?” Simon Peter said in reply, “You are the Messiah, the Son of the living God.” Jesus said to him in reply, “Blessed are you, Simon son of Jonah. For flesh and blood has not revealed this to you, but my heavenly Father. And so I say to you, you are Peter, and upon this rock I will build my church, and the gates of the netherworld shall not prevail against it. I will give you the keys to the kingdom of heaven. Whatever you bind on earth shall be bound in heaven; and whatever you loose on earth shall be loosed in heaven.”

Matthew 22:16-22
And they sent their disciples to him, along with the Herodians, saying, “Teacher, we know that you are true, and teach the way of God truthfully, and care for no man; for you do not regard the position of men. Tell us, then, what you think. Is it lawful to pay taxes to Caesar, or not?”
But Jesus, aware of their malice, said, “Why put me to the test, you hypocrites? Show me the money for the tax.” And they brought him a coin.

And Jesus said to them, “Whose likeness and inscription is this?” They said, “Caesar’s.” Then he said to them, “Render therefore to Caesar the things that are Caesar’s, and to God the things that are God’s.” When they heard it, they marveled; and they left him and went away.

Matthew 22:36-40
“Teacher, which commandment in the law is the greatest?” He said to him, “You shall love the Lord, your God, with all your heart, with all your soul, and with all your mind. This is the greatest and the first commandment. The second is like it: You shall love your neighbor as yourself. The whole law and the prophets depend on these two commandments.”

Matthew 28:18-20
And Jesus came and said to them, “All authority in heaven and on earth has been given to me. Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, teaching them to observe all that I have commanded you; and lo, I am with you always, to the close of the age.”

Luke 1:67-75
And his father Zechari’ah was filled with the Holy Spirit, and prophesied, saying, “Blessed be the Lord God of Israel, for he has visited and redeemed his people, and has raised up a horn of salvation for us in the house of his servant David, as he spoke by the mouth of his holy prophets from of old, that we should be saved from our enemies, and from the hand of all who hate us; to perform the mercy promised to our fathers, and to remember his holy covenant, the oath which he swore to our father Abraham, to grant us that we, being delivered from the hand of our enemies, might serve him without fear, in holiness and righteousness before him all the days of our life.”

Luke 9:52-56
And he sent messengers ahead of him, who went and entered a village of the Samaritans, to make ready for him; but the people would not receive him, because his face was set toward Jerusalem. And when his disciples James and John saw it, they said, “Lord, do you want us to bid fire come down from heaven and consume them?”

But he turned and rebuked them. And they went on to another village.
Luke 14:15-24
When one of those who sat at table with him heard this, he said to him, “Blessed is he who shall eat bread in the kingdom of God!” But he said to him, “A man once gave a great banquet, and invited many; and at the time for the banquet he sent his servant to say to those who had been invited, ‘Come; for all is now ready.’ But they all alike began to make excuses. The first said to him, ‘I have bought a field, and I must go out and see it; I pray you, have me excused.’ And another said, ‘I have bought five yoke of oxen, and I go to examine them; I pray you, have me excused.’ And another said, ‘I have married a wife, and therefore I cannot come.’ So the servant came and reported this to his master. Then the householder in anger said to his servant, ‘Go out quickly to the streets and lanes of the city, and bring in the poor and maimed and blind and lame.’ And the servant said, ‘Sir, what you commanded has been done, and still there is room.’ And the master said to the servant, ‘Go out to the highways and hedges, and compel people to come in, that my house may be filled. For I tell you, none of those men who were invited shall taste my banquet.’”

John 18:36
Jesus answered, “My kingship is not of this world; if my kingship were of this world, my servants would fight, that I might not be handed over to the Jews; but my kingship is not from the world.”

Acts 5:27-32
And when [the soldiers] had brought [the disciples], they set them before the council. And the high priest questioned them, saying, “We strictly charged you not to teach in this name, yet here you have filled Jerusalem with your teaching and you intend to bring this man’s [Jesus’s] blood upon us.”

But Peter and the apostles answered, “We must obey God rather than men. The God of our fathers raised Jesus whom you killed by hanging him on a tree. God exalted him at his right hand as Leader and Savior, to give repentance to Israel and forgiveness of sins. And we are witnesses to these things, and so is the Holy Spirit whom God has given to those who obey him.”

Romans 13:1-10
Let every person be subject to the governing authorities. For there is no authority except from God, and those that exist have been instituted by God. Therefore he who resists the authorities resists what God has appointed, and those who resist will incur judgment.

For rulers are not a terror to good conduct, but to bad. Would you have no fear of him who is in authority? Then do what is good, and you will receive his approval, for he is
God's servant for your good. But if you do wrong, be afraid, for he does not bear the sword in vain; he is the servant of God to execute his wrath on the wrongdoer.

Therefore one must be subject, not only to avoid God's wrath but also for the sake of conscience. For the same reason you also pay taxes, for the authorities are ministers of God, attending to this very thing. Pay all of them their dues, taxes to whom taxes are due, revenue to whom revenue is due, respect to whom respect is due, honor to whom honor is due.

Owe no one anything, except to love one another; for he who loves his neighbor has fulfilled the law. The commandments, “You shall not commit adultery, You shall not kill, You shall not steal, You shall not covet,” and any other commandment, are summed up in this sentence, “You shall love your neighbor as yourself.”

Love does no wrong to a neighbor; therefore love is the fulfilling of the law.

Romans 14
As for the man who is weak in faith, welcome him, but not for disputes over opinions. One believes he may eat anything, while the weak man eats only vegetables. Let not him who eats despise him who abstains, and let not him who abstains pass judgment on him who eats; for God has welcomed him. Who are you to pass judgment on the servant of another? It is before his own master that he stands or falls. And he will be upheld, for the Master is able to make him stand. One man esteems one day as better than another, while another man esteems all days alike.

Let every one be fully convinced in his own mind. He who observes the day, observes it in honor of the Lord. He also who eats, eats in honor of the Lord, since he gives thanks to God; while he who abstains, abstains in honor of the Lord and gives thanks to God. None of us lives to himself, and none of us dies to himself. If we live, we live to the Lord, and if we die, we die to the Lord; so then, whether we live or whether we die, we are the Lord's. For to this end Christ died and lived again, that he might be Lord both of the dead and of the living.

Why do you pass judgment on your brother? Or you, why do you despise your brother? For we shall all stand before the judgment seat of God; for it is written, “As I live, says the Lord, every knee shall bow to me, and every tongue shall give praise to God.” So each of us shall give account of himself to God. Then let us no more pass judgment on one another, but rather decide never to put a stumbling block or hindrance in the way of a brother. I know and am persuaded in the Lord Jesus that nothing is unclean in itself; but it is unclean for any one who thinks it unclean. If
your brother is being injured by what you eat, you are no longer walking in love. Do not let what you eat cause the ruin of one for whom Christ died.

So do not let your good be spoken of as evil. For the kingdom of God is not food and drink but righteousness and peace and joy in the Holy Spirit; he who thus serves Christ is acceptable to God and approved by men. Let us then pursue what makes for peace and for mutual upbuilding. Do not, for the sake of food, destroy the work of God. Everything is indeed clean, but it is wrong for any one to make others fall by what he eats; it is right not to eat meat or drink wine or do anything that makes your brother stumble. The faith that you have, keep between yourself and God; happy is he who has no reason to judge himself for what he approves. But he who has doubts is condemned, if he eats, because he does not act from faith; for whatever does not proceed from faith is sin.

I Corinthians 5:9-13
I wrote to you in my letter not to associate with immoral men; not at all meaning the immoral of this world, or the greedy and robbers, or idolaters, since then you would need to go out of the world. But rather I wrote to you not to associate with any one who bears the name of brother if he is guilty of immorality or greed, or is an idolater, reviler, drunkard, or robber—not even to eat with such a one. For what have I to do with judging outsiders? Is it not those inside the church whom you are to judge? God judges those outside. “Drive out the wicked person from among you.”

I Corinthians 8:7-13
However, not all possess this knowledge. But some, through being hitherto accustomed to idols, eat food as really offered to an idol; and their conscience, being weak, is defiled. Food will not commend us to God. We are no worse off if we do not eat, and no better off if we do. Only take care lest this liberty of yours somehow become a stumbling block to the weak. For if any one sees you, a man of knowledge, at table in an idol's temple, might he not be encouraged, if his conscience is weak, to eat food offered to idols? And so by your knowledge this weak man is destroyed, the brother for whom Christ died. Thus, sinning against your brethren and wounding their conscience when it is weak, you sin against Christ. Therefore, if food is a cause of my brother’s falling, I will never eat meat, lest I cause my brother to fall.

I Corinthians 10:23-33
“All things are lawful,” but not all things are helpful. “All things are lawful,” but not all things build up. Let no one seek his own good, but the good of his neighbor. Eat whatever is sold in the meat market without raising any question on the
ground of conscience. For “the earth is the Lord’s, and everything in it.” If one
of the unbelievers invites you to dinner and you are disposed to go, eat whatever
is set before you without raising any question on the ground of conscience. (But
if some one says to you, “This has been offered in sacrifice,” then out of consid-
eration for the man who informed you, and for conscience’ sake—I mean his
conscience, not yours—do not eat it.) For why should my liberty be determined
by another man’s scruples? If I partake with thankfulness, why am I denounced
because of that for which I give thanks? So, whether you eat or drink, or whatever
you do, do all to the glory of God.

Give no offense to Jews or to Greeks or to the church of God, just as I try to please
all men in everything I do, not seeking my own advantage, but that of many, that
they may be saved.

II Corinthians 3:4-6
Such is the confidence that we have through Christ toward God. Not that we are
competent of ourselves to claim anything as coming from us; our competence is
from God, who has made us competent to be ministers of a new covenant, not in
a written code but in the Spirit; for the written code kills, but the Spirit gives life.

II Corinthians 10:3-6
For though we live in the world we are not carrying on a worldly war, for the weap-
one of our warfare are not worldly but have divine power to destroy strongholds.
We destroy arguments and every proud obstacle to the knowledge of God, and take
every thought captive to obey Christ, being ready to punish every disobedience,
when your obedience is complete.

Galatians 1:6-9
I am astonished that you are so quickly deserting him who called you in the grace of
Christ and turning to a different gospel—not that there is another gospel, but there
are some who trouble you and want to pervert the gospel of Christ. But even if we,
or an angel from heaven, should preach to you a gospel contrary to that which we
preached to you, let him be accursed. As we have said before, so now I say again, if
anyone is preaching to you a gospel contrary to that which you received, let him be
accursed.

Galatians 3:24-29
So that the law was our custodian until Christ came, that we might be justified by
faith. But now that faith has come, we are no longer under a custodian; for in Christ
Jesus you are all sons of God, through faith. For as many of you as were baptized
into Christ have put on Christ. There is neither Jew nor Greek, there is neither slave
nor free, there is neither male nor female; for you are all one in Christ Jesus. And if
you are Christ’s, then you are Abraham’s offspring, heirs according to promise.

Galatians 5:13-14
For you were called to freedom, brethren; only do not use your freedom as an oppor-
tunity for the flesh, but through love be servants of one another. For the whole
law is fulfilled in one word, “You shall love your neighbor as yourself.”

I Timothy 2:1-8
First of all, then, I urge that supplications, prayers, intercessions, and thanksgivings
be made for all men, for kings and all who are in high positions, that we may lead
a quiet and peaceable life, godly and respectful in every way. This is good, and it is
acceptable in the sight of God our Savior, who desires all men to be saved and to
come to the knowledge of the truth.

I Peter 2:9-17
Be subject for the Lord’s sake to every human institution, whether it be to the em-
peror as supreme, or to governors as sent by him to punish those who do wrong and
to praise those who do right. For it is God’s will that by doing right you should put
to silence the ignorance of foolish men. Live as free men, yet without using your
freedom as a pretext for evil; but live as servants of God. Honor all men. Love the
brotherhood. Fear God. Honor the emperor.

OFFICIAL RELIGIOUS TEXTS

Document Title: Canons of the One Hundred and Fifty Fathers who assembled at
Constantinople during the Consulate of those Illustrious Men, Flavius Eucherius
and Flavius Evagrius on the VII of the Ides of July
Author: The Bishops at the Council in Constantinople
Date: 381
Source: www.papalencyclicals.net/Councils/ecum02.htm

[…] If the charge brought against the bishop is of an ecclesiastical kind, then the
characters of those making it should be examined, in the first place to stop heretics
bringing charges against orthodox bishops in matters of an ecclesiastical kind. (We
define “heretics” as those who have been previously banned from the church and
also those later anathematized by ourselves: and in addition those who claim to
confess a faith that is sound, but who have seceded and hold assemblies in rivalry
with the bishops who are in communion with us.)
Those who embrace orthodoxy and join the number of those who are being saved from the heretics, we receive in the following regular and customary manner...these we receive when they hand in statements and anathematize every heresy which is not of the same mind as the holy, catholic and apostolic church of God. They are first sealed or anointed with holy chrism on the forehead, eyes, nostrils, mouth and ears. As we seal them we say: “Seal of the gift of the holy Spirit.” …We receive all who wish to leave them and embrace orthodoxy as we do Greeks.

Document Title: Letter 7 (to all bishops in Italian provinces)
Author: Leo the Great
Date: 444
Source: www.newadvent.org/fathers/3604007.htm

[...] We have sent this letter to you [...] that your holiness, dear brothers, may be informed of this, and see fit to act with diligence and caution, lest the men of the Manichaean error be able to find opportunity of hurting your people and of teaching their impious doctrines. For we cannot otherwise rule those entrusted to us unless we pursue with the zeal of faith in the Lord those who are destroyers and destroyed: and with what severity we can bring to bear, cut them off from intercourse with sound minds, lest this pestilence spread much wider.

For as he will have a due recompense of reward from God, who carries out what conduces to the health of the people committed to him; so before the Lord’s judgment seat no one will be able to excuse himself from a charge of carelessness who has not been willing to guard his people against the propagators of an impious misbelief.

THEOLOGICAL AND PHILOSOPHICAL TEXTS

Document Title: Apologeticus pro Christianis (Apology for the Christians)
Author: Tertullian
Date: ca. 197
Source: www.newadvent.org/fathers/0301.htm

Chapter 24
[...] Let one man worship God, another Jupiter; let one lift suppliant hands to the heavens, another to the altar of Fides; let one—if you choose to take this view of it—count in prayer the clouds, and another the ceiling panels; let one consecrate his own life to his God, and another that of a goat. For see that you do not give a further ground for the charge of irreligion, by taking away religious liberty, and forbidding free choice of deity, so that I may no longer worship according to my inclination,
but am compelled to worship against it. Not even a human being would care to have unwilling homage rendered him […]. We give offence to the Romans, we are excluded from the rights and privileges of Romans, because we do not worship the gods of Rome. It is well that there is a God of all, whose we all are, whether we will or no. But with you liberty is given to worship any god but the true God, as though He were not rather the God all should worship, to whom all belong.

**Document Title:** Ad Scapulam 2, 1-2  
**Author:** Tertullian  
**Date:** ca. 212  

It is a fundamental human right [*humani iuris*], a privilege of nature [*naturalis potestatis*], that every man should worship according to his own convictions: one man’s religion neither harms nor helps another man. It is assuredly no part of religion to compel religion—to which free-will and not force should lead us [*nec religionis est cogere religionem, quae sponte suscipe debeat, non vi*]…

**Document Title:** Commentary on the Epistle to the Romans  
**Author:** Origen  
**Date:** ca. 246  

What does Paul mean when he says that “there is no authority except from God?” Is an authority which persecutes the children of God, which attacks the faith and which undermines our religion, from God? [...] God’s judgment against the authorities will be just, if they have used the powers they have received according to their own ungodliness and not according to the laws of God.

**Document Title:** Concerning the Baptism of Heretics  
**Author:** Cyprian of Carthage  
**Date:** ca. 251  
**Source:** Alexander Schmemann, *The Historical Road of Eastern Orthodoxy* (New York: Holt, Rinehard & Winston, 1963), 84.

None of us claims to be a bishop of bishops or resorts to tyranny to obtain the consent of his brethren. Each bishop in the fullness of his freedom and his authority
retains the right to think for himself, he is not subject to any other and he does not judge others. [...] There are many distinctions within the Church, but what is important is spiritual unity, unity of faith and tradition. What boldness to claim to be the judge of all! Stephen by this claim excludes himself from universal unity of the episcopate.

Document Title: Divine Institutes  
Author: Lucius Lactantius  
Date: ca. 308-309  

[...] No one is restrained by us unwillingly (nemo a nobis retinetur invitus), for what use is it to God if someone lacks commitment and faith (inutilis est enim deo qui devotione ac fide); no one separates himself from us, because it is truth that holds him (nemo discedit ipsa veritate retinente).

[...] Torture and piety are quite different things; truth cannot be joined to force or justice to cruelty.

[...] Religion is to be defended not by putting to death, but by dying, not by cruelty but by patience, not by an impious act but by faith [...]. For if you wish to defend religion by bloodshed, and by tortures, and by doing evil, it will not be defended but polluted and profaned. For nothing is so much a matter of free will as religion, for if the mind of the worshipper turns away it is carried off and nothing remains (Nihil est enim tam voluntarium quam religion, in qua si animus sacrificantis aversus est, iam sublata, iam nulla est). The aim is for faith to be preserved. For “faith is pleasing to God and lends authority to religion.”

The worship (cultus) of God [...] requires full commitment (maximam devotionem) and faith. For how will God love the worshipper if He Himself is not loved by him, or grant to the petitioner whatever he asks when he draws near and offers his prayer without sincerity (ex animo) or revereence (observanter). But they [the pagans], when they come to offer sacrifice, offer to their gods nothing from within (intimum), nothing of themselves (proprium), no innocence of mind, no reverence, no awe.
Is this a new faith? Restrain your threats a little while that I may speak. We will not insult you, but we will convict you; we will not threaten, but we will reproach you; we will not strike, but we will heal.

Now if it was altogether unseemly in any of the Bishops to change their opinions merely from fear of these things, yet it was much more so, and not the part of men who have confidence in what they believe, to force and compel the unwilling. In this manner it is that the Devil, when he has no truth on his side, attacks and breaks down the doors of them that admit him with axes and hammers. But our Saviour is so gentle that He teaches thus, “If any man wills to come after Me,” and, “Whoever wills to be My disciple” (Matthew 16:24); and coming to each He does not force them, but knocks at the door and says, “Open unto Me, My sister, My spouse” (Song of Songs 5:2); and if they open to Him, He enters in, but if they delay and will not, He departs from them. For the truth is not preached with swords or with darts, nor by means of soldiers; but by persuasion and counsel. But what persuasion is there where fear of the Emperor prevails? Or what counsel is there, when he who withstands them receives at last banishment and death? Even David, although he was a king, and had his enemy in his power, prevented not the soldiers by an exercise of authority when they wished to kill his enemy, but, as the Scripture says, David persuaded his men by arguments, and suffered them not to rise up and put Saul to death.

[...] Man was created in the image of God. He could not therefore be without the gifts of freedom, independence, self-determination; and his participation in
the Divine gifts was consequently made dependent on his virtue. Owing to this freedom he could decide in favour of evil, which cannot have its origin in the Divine will, but only in our inner selves, where it arises in the form of a deviation from good, and so a privation of it.

**Document Title:** Commentary on Paul's Epistles  
**Author:** Ambrosiaster  
**Date:** ca. 366-384  

If someone acts against his better judgment in a matter of conscience, then Paul says that it is a sin.

**Document Title:** Homilies on Romans 25  
**Author:** John Chrysostom  
**Date:** ca. 370-404  

Nothing is unclean by nature, but it becomes so by the spirit in which a person uses it.

**Document Title:** Adversus Judaeous (Homily 1, Section 1V, Paragraphs 9 & 10)  
**Author:** John Chrysostom  
**Date:** ca. 386-387  
**Source:** www.fordham.edu/halsall/source/chrysostom-jews6.html

Since you are the army of Christ, be overly careful in searching to see if anyone favoring an alien faith has mingled among you, and make his presence known—not so that we may put him to death as those generals did, nor that we may punish him or take our vengeance upon him, but that we may free him from his error and ungodliness and make him entirely our own.

If you are unwilling to do this, if you know of such a person but conceal him, be sure that both you and he will be subject to the same penalty. For Paul subjects to chastisement and punishment not only those who commit acts of wickedness but also those who approve what they have done. The prophet, too, brings to
the same judgment not only thieves but also who run with the thieves. And this is quite reasonable. For if a man is aware of a criminal’s actions but covers them up and conceals them, he is providing a stronger basis for the criminal to be careless of the law and making him less afraid in his career of crime.

**Document Title:** De Fide (On the Christian Faith)

**Author:** Ambrose of Milan

**Date:** ca. 380

**Source:** Philip Schaff, ed. and trans., *Ambrose: Selected Works and Letters* (Christian Literature Company, 1896); www.ccel.org/ccel/schaff/npnf210

**Book I, Chapter VI, Sections 46-47**

Seeing, therefore, that men who agree not amongst themselves have all alike conspired against the Church of God, I shall call those whom I have to answer by the common name of heretics. For heresy, like some hydra of fable, hath waxed great from its wounds, and, being oftentimes lopped short, hath grown afresh, being appointed to find meet destruction in flames of fire. Or, like some dread and monstrous Scylla, divided into many shapes of unbelief, she displays, as a mask to her guile, the pretence of being a Christian sect, but those wretched men whom she finds tossed to and fro in the waves of her unhallowed strait, amid the wreckage of their faith, she, girt with beastly monsters, rends with the cruel fang of her blasphemous doctrine. This monster’s cavern, your sacred Majesty, thick laid, as seafaring men do say it is, with hidden lairs, and all the neighbourhood thereof, where the rocks of unbelief echo to the howling of her black dogs, we must pass by with ears in a manner stopped.

**Book II, Chapter XI, Section 89**

Let us likewise deal kindly, let us persuade our adversaries of that which is to their profit, “let us worship and lament before the Lord our Maker.” For we would not overthrow, but rather heal; we lay no ambush for them, but warn them as in duty bound. Kindliness often bends those whom neither force nor argument will avail to overcome. Again, our Lord cured with oil and wine the man who, going down from Jerusalem to Jericho, fell among thieves; having forborne to treat him with the harsh remedies of the Law or the sternness of Prophecy.

**Book II, Chapter XV, Section 134**

Such men who sow disputes—that is to say, heretics—the Apostle bids us leave alone. Of them he says in yet another place, that “certain shall depart from the faith, giving heed to deceitful spirits, and the doctrines of devils.”
This is an argument against those who thought that they were obliged to use their Christian freedom in such a way that they gave honor or paid taxes to nobody. Paul wants to humble such people [...].

It seems that Paul is speaking of secular authorities, not all of whom will be just, even if they received their authority from God [...]. The ruler is set up by God to judge with righteousness, so that sinners might have reason to be afraid should they sin.

We are not to be subject in those good things which remain forever but only in the needs of this age.

But when he says “one must be subject,” lest anyone submit to the authorities halfheartedly and not from pure love, Paul adds: “not only to avoid [...] wrath but also for the sake of conscience.” That is to say, you should not submit simply to avoid the authority’s anger, which can be done by pretense, but so that you might be assured in your conscience that you are doing this out of love for him. For you submit at your Lord’s command.

The words the Lord spoke—“Lest gathering the weeds you root up the wheat along with them”—leave room for repentance. We are advised not to be quick in cutting off
a fellow believer, for it may happen that one who has been corrupted today by evil may recover his sense tomorrow by sound teaching and abide by the truth. And that which follows, “Let both grow together until the harvest,” seems to be contrary to the other precept: “Put away evil from your midst,” whereby there must be no fellowship with those who are called believers but who are adulterers and fornicators. If uprooting is forbidden and patience must be kept until harvest time, how are some people to be removed from our midst? Between wheat and weeds there is something called darnel, when the plant is in its early growth and there is no stalk yet. It looks like an ear of corn, and the difference between them is hardly noticeable. The Lord therefore advises us that we should not be quick to judge what is doubtful but should leave judgment up to God.

**Document Title:** De Vera Religione  
**Author:** Augustine of Hippo  
**Date:** ca. 390  

**Paragraph 27**  
God judged that men would serve Him better if they served Him freely. That could not be so if they served him by necessity and not by free will.

**Paragraph 30**  
He [Christ] did nothing by violence, but everything by persuasion and warning. The old servitude had passed and the day of free will had dawned, and man was fitly and helpfully taught how he had been created with free will.

**Document Title:** Letter 35: To Eusebius  
**Author:** Augustine of Hippo  
**Date:** 396  
**Source:** www.newadvent.org/fathers/1102035.htm

The daughter of one of the cultivators of the property of the Church here, who had been one of our catechumens, had been, against the will of her parents, drawn away by the other party, and after being baptized among them, had assumed the profession of a nun. Now her father wished to compel her by severe treatment to return to the Catholic Church; but I was unwilling that this woman, whose mind was so perverted, should be received by us unless with her own will, and choosing, in the free exercise of judgment, that which is better: and when the countryman began to attempt to compel his daughter by blows to submit to his authority, I immediately forbade his using any such means.
As for [...] those who [...] were pressed down by a kind of inveterate sluggishness of mind, and would say to us: What you affirm is true, nothing can be said against it; but it is hard for us to leave off what we have received, by tradition from our fathers—why should not such persons be shaken up in a beneficial way by a law bringing upon them inconvenience in worldly things, in order that they might rise from their lethargic sleep, and awake to the salvation which is to be found in the unity of the Church? How many of them, now rejoicing with us, speak bitterly of the weight with which their ruinous course formerly oppressed them, and confess that it was our duty to inflict annoyance upon them, in order to prevent them from perishing under the disease of lethargic habit, as under a fatal sleep!

What shall I say as to the infliction or remission of punishment, in cases in which we have no other desire than to forward the spiritual welfare of those in regard to whom we judge that they ought or ought not to be punished? Also, if we consider not only the nature and magnitude of faults, but also what each may be able or unable to bear according to his strength of mind, how deep and dark a question it is to adjust the amount of punishment so as to prevent the person who receives it not only from getting no good, but also from suffering loss thereby! Besides, I know not whether a greater number have been improved or made worse when alarmed under threats of such punishment at the hands of men as is an object of fear. What, then, is the path of duty, seeing that it often happens that if you inflict punishment on one he goes to destruction; whereas, if you leave him unpunished, another is destroyed? I confess that I make mistakes daily in regard to this, and that I know not when and how to observe the rule of Scripture [...].

[...] You think, however [...] that God has given us free will, and that therefore no
A man can come to Church unwillingly, approach the altar unwillingly, partake of the sacrament unwillingly; but he cannot believe unless he is willing. If we believed with the
body, men might be made to believe against their will. But believing is not a thing done with the body. Listen to what the apostle says: “With the heart man believes to righteousness.” And what follows? “And with the mouth confession is made to salvation.”

[...][Romans 10:10] That kind of confession springs from the root of the heart. Sometimes you hear a man confessing, and do not know whether he believes. But in that case you should not say that he is confessing if you think that he does not believe. For to confess is to speak what is in your heart; if you have one thing in your heart and another on your tongue, you are speaking not confessing.

Document: Anathemas of Cyril against Nestorius
Author: Cyril of Alexandria
Date: 433

If anyone will not confess that the Emmanuel is very God, and that therefore the Holy Virgin is the Mother of God, inasmuch as in the flesh she bore the Word of God made flesh [as it is written, “The Word was made flesh”]: let him be anathema.

[...] If anyone shall dare to say that the Christ is a Theophorus [that is, God-bearing] man and not rather that he is very God, as an only Son through nature, because “the Word was made flesh,” and “hath a share in flesh and blood as we do”: let him be anathema.

[...] If any man shall say that the one Lord Jesus Christ was glorified by the Holy Ghost, so that he used through him a power not his own and from him received power against unclean spirits and power to work miracles before men and shall not rather confess that it was his own Spirit through which he worked these divine signs: let him be anathema.

[...] These things then being thus confessed, we exhort you not hastily to condemn those who so confess, and so explain the phrases they use, nor to reject them, but rather to accept them as they desire peace and defend themselves, while you check and rebuke, as of suspicious views, those who refuse so to confess and to explain their language [...]. But do ye, as good men and faithful servants and stewards of the Lord, stop and check what gives offence and is strange, and value above all things peace of that kind, faith being sound. Perhaps God will have pity on us, and unite what is divided, and, there being once more one flock, we shall all have one leader, even our Lord Jesus Christ.


**Document Title:** Edict of Milan  
**Author:** Emperors Constantine and Licinius  
**Date:** 313  
**Source:** www.fordham.edu/halsall/source/edict-milan.asp

When I, Constantine Augustus, as well as I, Licinius Augustus, fortunately met near Mediolanum (Milan), and were considering everything that pertained to the public welfare and security, we thought […] that we might grant to the Christians and others full authority to observe that religion which each preferred; whence any Divinity whatsoever in the seat of the heavens may be propitious and kindly disposed to us and all who are placed under our rule […]. Therefore, your Worship should know that it has pleased us to remove all conditions whatsoever, which were in the rescripts formerly given to you officially, concerning the Christians and now any one of these who wishes to observe Christian religion may do so freely and openly, without molestation. We […] have also conceded to other religions the right of open and free observance of their worship for the sake of the peace of our times, that each one may have the free opportunity to worship as he pleases; this regulation is made we that we may not seem to detract from any dignity or any religion.

[…] And since these Christians are known to have possessed not only those places in which they were accustomed to assemble, but also other property, namely the churches, belonging to them as a corporation and not as individuals, all these things which we have included under the above law, you will order to be restored, without any hesitation or controversy at all, to these Christians […]. Let this be done so that, as we have said above, Divine favor towards us, which, under the most important circumstances we have already experienced, may, for all time, preserve and prosper our successes together with the good of the state. Moreover, in order that the statement of this decree of our good will may come to the notice of all, this rescript, published by your decree, shall be announced everywhere and brought to the knowledge of all, so that the decree of this, our benevolence, cannot be concealed.

**Document Title:** Codex Theodosianus  
**Author:** Commission of Theodosius II  
**Date:** 429-438  
**Source:** J.C. Ayer, *A Source Book for Ancient Church History* (New York: Charles Scribner’s Sons, 1913); www.earlychurchtexts.com/public/codex_theodosianus.htm

XVI, 5, 1: Privileges which have been bestowed in consideration of religion ought to be of advantage only to those who observe the Catholic law. It is our will that heathen
and schismatics be not only without the privileges but bound by, and subject to, various political burdens.

XVI, 10, 4: It is our pleasure that in all places and in all cities the temples be henceforth closed, and access having been forbidden to all, freedom to sin be denied the wicked [...].

XVI, 1, 2: It is our will that all the peoples whom the government of our clemency rules shall follow that religion which a pious belief from Peter to the present declares the holy Peter delivered to the Romans, and which it is evident the pontiff Damasus and Peter, bishop of Alexandria, a man of apostolic sanctity, follow; that is, that according to the apostolic discipline and evangelical doctrine we believe in the deity of the Father and the Son and the Holy Ghost of equal majesty, in a holy trinity. Those who follow this law we command shall be comprised under the name of Catholic Christians; but others, indeed, we require, as insane and raving, to bear the infamy of heretical teaching; their gatherings shall not receive the name of churches; they are to be smitten first with the divine punishment and after that by the vengeance of our indignation, which has the divine approval.
The medieval period commenced with the decline of the Roman Empire as the result of the barbarian invasions. In the aftermath and over several centuries, the Christian Church played a decisive role in constituting what became known as the *res publica christiana*. It included, in ever shifting configurations, the western and eastern sectors of the former Roman Empire, namely, portions of Western Europe and Byzantium, which consisted of Asia Minor and most of the territories around the Mediterranean rim. Rome and Constantinople would eventually become, respectively, the seats of the two parts of the new empire.

Under this arrangement, differently interpreted in the two sectors, civil and religious authorities were not sharply differentiated along modern lines, but were understood as two interdependent “departments” of a common, encompassing enterprise. Accordingly, the distinction between “sword” and “spirit”—between coercion and belief, so central to the early Christian experience—was retained, if only in a highly disguised form. While the relationship between spiritual and political authority was consistently intimate, it was also antagonistic, exhibiting, at various times, an intense struggle for religious authority and political power.

In the West, Charlemagne succeeded, by the ninth century, in consolidating the diverse barbarian kingdoms of Western Europe into a centralized Christian empire, with himself as effective head of the Church. Political power was taken to be an appropriate means for spreading, regulating, and protecting Christian belief and practice. This pattern reached its highest expression by the eleventh through the thirteenth centuries, when popes, having replaced kings as the ultimate authority in the Western Empire, came to possess the final say regarding the use of force. The result was the Christian Crusades, which were armed incursions against lands under both Eastern Christian and Muslim control. The purpose of these Crusades was the conversion of non-Christians, as well as the recovery of the lands where Christianity was born but lost over the years to Islamic conquerors. This period of papal ascendancy also saw policies of severe religious repression known as “inquisitions,” which were initiated in the thirteenth century and culminated in Spain in the fifteenth century.

These policies did not go unchallenged. In the thirteenth century, Thomas Aquinas propounded a powerful but limited doctrine of freedom of conscience.
Based upon the incompatibility of belief and coercion affirmed by the young Augustine, Aquinas contended that all human beings, Christian or not, had a moral obligation to follow even an erroneous conscience. This principle applied to everyone, including those never previously exposed to the Christian message, such as Muslims and pagans.

However, this principle had limitations. It did not apply, Aquinas thought, to Christian defectors—heretics and apostates—who, like anyone defaulting on a solemn oath, should be punished. Nor did it create a political or civil “right” to error, because, Aquinas argued, an ill-formed conscience could lead to sinful acts, and, by example, could lead others into grave sin. Aquinas even compared heretical beliefs to counterfeit money, suggesting that they were damaging the “public good” of shared orthodox beliefs within the Church. He also hoped that in the process of being confronted, heretics and apostates would return to the true faith. As such, Aquinas enjoined the Church to first admonish the heretic before subjecting him to excommunication and secular authorities.

By the fourteenth century, the concept of papal supremacy—the pope as successor to Peter—was being challenged in the West by the Conciliar movement. Representative councils were represented as having the final authority in church affairs. The existence of councils implied a constitutional system, including a set of rights that were attributed to ordinary members and lower church officials. Conciliarists also emphasized a greater distinction between ecclesiastical and civil government, and elevated the importance of territorial churches. The movement never had more than minority status in Western Christianity, though it would come to exert a disproportionate impact on the Protestant Reformation, and, as a result, on the shape of religious freedom. (This will be discussed further in the next section.)

Conciliarism caught hold more successfully in Eastern Christianity, though in a form very different from the West. This was one reason, among others, why the two wings of medieval Christianity split in the eleventh century. Eastern Orthodoxy shared the Conciliarist preference for representative and consultative government over papal authority, but embraced a system of territorial churches well before and well beyond anything that would develop in the West. Moreover, there was less emphasis on differentiating ecclesiastical and civil authority. On the contrary, the enduring image was of a set of unified Orthodox territorial states wherein the church, while exercising distinctive spiritual functions, was decidedly subservient to the temporal government. Religious freedom for the unorthodox would not thrive in such an environment.
There are two powers, august Emperor, by which this world is chiefly ruled, namely, the sacred authority of the priests and the royal power. Of these that of the priests is the more weighty, since they have to render an account for even the kings of men in the divine judgment. You are also aware, dear son, that while you are permitted honorably to rule over human kind, yet in things divine you bow your head humbly before the leaders of the clergy and await from their hands the means of your salvation. […]

If the ministers of religion, recognizing the supremacy granted you from heaven in matters affecting the public order, obey your laws […], with what readiness should you not yield them obedience to whom is assigned the dispensing of the sacred mysteries of religion.

[ […] Before Christ’s Advent, it may be, there were those who combined the role of kings with that of priests—as a prophetic sign, to be sure, yet in actual practice; the sacred history tells us that holy Melchizedek was such a one (Gen. 14:18). (This was the pattern which the devil imitated, usurping tyrannously, as always, what belongs to the worship of God, when pagan emperors used to bear the title pontifex maximus.) But once the true priest-king entered on the stage of history, there was no ruler who assumed the name of priest, nor any priest who laid claim to the royal scepter. For though the members of Christ, the true priest-king, partake of his nature, and so are said all-encompassingly to have assumed the two aspects of it—generically within the
holy people, the “royal priesthood” (1 Pet. 2:9)—he has mediated this privilege by an all-encompassing manner of distributing it. Mindful of human weakness, as befits his care for his own, he has made a distinction between the two roles, assigning each its sphere of operation and its due respect. In this way he planned that the medicine of humility should keep his people free from further infection by human pride. Christian emperors were to depend on priests for their eternal life, priests were to profit from imperial government for their historical existence [...]. Spiritual activity must have a distance from routine interruptions; so God’s soldier does not involve himself in secular affairs (2 Tim. 2:4), while those involved in secular affairs are seen to have no charge of divine affairs. That way is safeguarded, on the other hand, the modesty of each order, avoiding the pride to which the double responsibility might give rise; on the other, each sphere has a specially qualified and trained profession. Put all that together, and it is clear that the secular power cannot “bind and loose” a pontiff.

**Document Title:** Sentence against the “Three Chapters”  
**Author:** The Bishops at the Second Council of Constantinople  
**Date:** 553  
**Source:** www.papalencyclicals.net/Councils/ecum05.htm

It is clear to all believers that when a problem about the faith comes up it is not only the heretical person who is condemned but also the person who is in a position to correct the heresy of others and fails to do so. To those of us to whom the task has been given of governing the church of the Lord, there comes a fear of the condemnation which threatens those who neglect to do the Lord’s work. We hurry to take care of the good seed of faith protecting it from the weeds of heresy which have been planted by the enemy.

**Document Title:** Letter to Virgilius, Bishop of Arles and Theodore  
**Author:** Gregory the Great  
**Date:** ca. 591  

Many of the Jewish religion who live in this province (Arles), and who travel from time to time on matters of business to the region of Marseilles, have told us, that many of the Jews residing in these parts have been brought to the font more by coercion than by preaching. Now in these cases I consider the intention worthy of praise and grant that it comes from the love of our Lord. But I fear that such intention, unless supported by the evidence of the Holy Scriptures, will not lead to a good outcome, and may (God forbid) result in the loss of souls we would want to save. For when anyone is brought to the font of Baptism, not by the sweetness or preaching, but by compulsion,
he will return to his former superstition and die in a worse state because he had been reborn. So, my brother, may you stir up such men by frequent preaching so that they may desire to change their life more by the sweetness of their teacher.

**Document Title:** Canon 8  
**Author:** The Bishops at the Second Council of Nicaea  
**Date:** 787  
**Source:** www.papalencyclicals.net/Councils/ecum07.htm

Since some of those who come from the religion of the Hebrews mistakenly think to make a mockery of Christ who is God, pretending to become Christians, but denying Christ in private by both secretly continuing to observe the Sabbath and maintaining other Jewish practices, we decree that they shall not be received to communion or at prayer or into the church, but rather let them openly be Hebrews according to their own religion; they should not baptize their children or buy, or enter into possession of, a slave. But if one of them makes his conversion with a sincere faith and heart, and pronounces his confession wholeheartedly, disclosing their practices and objects in the hope that others may be refuted and corrected, such a person should be welcomed and baptized along with his children, and care should be taken that they abandon Hebrew practices. However if they are not of this sort, they should certainly not be welcomed.

**Document Title:** Libertas Ecclesiae  
**Author:** Pope Gregory VII  
**Date:** 1079  
**Source:** Ephraim Emerton, trans., The Correspondence of Pope Gregory VII (New York: Columbia University Press, 1932).

We hold it to be far nobler to fight for a long time for freedom of the Holy Church than to sink into a miserable and devilish servitude. For the wretched fight as limbs of the devil, and are crushed down into miserable slavery to him. The members of Christ, on the other hand, fight to bring back those same wretches into Christian freedom.

**Document Title:** Canons  
**Author:** The Bishops at the Third Lateran Council  
**Date:** 1179  
**Source:** www.intratext.com/ixt/eng0064/_p2.htm

Jews and Saracens are not to be allowed to have Christian servants in their houses, either under pretense of nourishing their children or for service or any
other reason. Let those be excommunicated who presume to live with them. We declare that the evidence of Christians is to be accepted against Jews in every case, since Jews employ their own witnesses against Christians, and that those who prefer Jews to Christians in this matter are to lie under anathema, since Jews ought to be subject to Christians and to be supported by them on grounds of humanity alone. If any by the inspiration of God are converted to the Christian faith, they are no way to be excluded from their possessions since the condition of converts ought to be better than before their conversion. If this is not done, we enjoin on the princes and rulers of these places, under penalty of excommunication, the duty to restore fully to these converts the share of their inheritance and goods.

Document Title: On the Jews: Decree of 1199
Author: Pope Innocent III
Date: 1199
Source: www.fordham.edu/halsall/source/inn3-jews.asp

We decree that no Christian shall use violence to compel the Jews to accept baptism. But if a Jew, of his own accord, because of a change in his faith, shall have taken refuge with Christians, after his wish has been made known, he may be made a Christian without any opposition. For anyone who has not of his own will sought Christian baptism cannot have the true Christian faith. No Christian shall do the Jews any personal injury, except in executing the judgments of a judge, or deprive them of their possessions, or change the rights and privileges which they have been accustomed to have. During the celebration of their festivals, no one shall disturb them by beating them with clubs or by throwing stones at them. No one shall compel them to render any services except those which they have been accustomed to render. And to prevent the baseness and avarice of wicked men we forbid anyone to deface or damage their cemeteries or to extort money from them by threatening to exhume the bodies of their dead ...

Document Title: Jews Appearing in Public
Authors: The Bishops at the Fourth Lateran Council
Date: 1215
Source: www.papacyencyclicals.net/Councils/ecum12-2.htm#Jews%20appearing%20in%20public

A difference of dress distinguishes Jews or Saracens from Christians in some provinces, but in others a certain confusion has developed so that they are
indistinguishable. Whence it sometimes happens that by mistake Christians join with Jewish or Saracen women, and Jews or Saracens with Christian women. In order that the offence of such a damnable mixing may not spread further, under the excuse of a mistake of this kind, we decree that such persons of either sex, in every Christian province and at all times, are to be distinguished in public from other people by the character of their dress—seeing moreover that this was enjoined upon them by Moses himself, as we read.

**Document Title:** Jews Not to Hold Public Offices  
**Authors:** The Bishops at the Fourth Lateran Council  
**Date:** 1215  
**Source:** www.papalencyclicals.net/Councils/ecum12-2.htm#Jews%20not%20to%20hold%20public%20offices

It would be too absurd for a blasphemer of Christ to exercise power over Christians. We therefore renew in this canon, on account of the boldness of the offenders, what the council of Toledo providently decreed in this matter: we forbid Jews to be appointed to public offices, since under cover of them they are very hostile to Christians. If, however, anyone does commit such an office to them let him, after an admonition, be curbed by the provincial council, which we order to be held annually, by means of an appropriate sanction. Any official so appointed shall be denied commerce with Christians in business and in other matters until he has converted to the use of poor Christians, in accordance with the directions of the diocesan bishop, whatever he has obtained from Christians by reason of his office so acquired, and he shall surrender with shame the office which he irreverently assumed. We extend the same thing to pagans.

**Document Title:** On Heretics  
**Author:** The Bishops at the Fourth Lateran Council  
**Date:** 1215  
**Source:** www.papalencyclicals.net/Councils/ecum12-2.htm#On%20Heretics

We excommunicate and anathematize every heresy raising itself up against this holy, orthodox and catholic faith which we have expounded above. We condemn all heretics, whatever names they may go under. They have different faces indeed but their tails are tied together inasmuch as they are alike in their pride. Let those condemned be handed over to the secular authorities present, or to their bailiffs, for due punishment.
[...] We command both diocesan bishops and secular powers to prohibit in every way Jews and other infidels from having Christians, male or female, in their households and service, or as nurses of their children; and Christians from joining with them in festivities, marriages, banquets or baths, or in much conversation, and from taking them as doctors or agents of marriages or officially appointed mediators of other contracts. They should not be given other public offices, or admitted to any academic degrees, or allowed to have on lease lands or other ecclesiastical rents. They are to be forbidden to buy ecclesiastical books, chalices, crosses and other ornaments of churches under pain of the loss of the object, or to accept them in pledge under pain of the loss of the money that they lent. They are to be compelled, under severe penalties, to wear some garment whereby they can be clearly distinguished from Christians. In order to prevent too much intercourse, they should be made to dwell in areas, in the cities and towns, which are apart from the dwellings of Christians and as far distant as possible from churches. On Sundays and other solemn festivals they should not dare to have their shops open or to work in public.

THEOLOGICAL AND PHILOSOPHICAL TEXTS

Document Title: Epistles: 110, 113
Author: Alcuin
Date: ca. 765

[Alcuin, in response to Charlemagne’s conquest and forced conversion of the Saxons]: Faith arises from the will, not from compulsion. You can persuade a man to believe, but you cannot force him. You may even be able to force him to be baptized, but this will not help to instill the faith within him.

Document Title: De Regno (On Kingship)
Author: Thomas Aquinas
Date: ca. 1260-1265
Book I, Chapter 2

[...] The idea of king implies that he be one man who is chief and that he be a shepherd, seeking the common good of the multitude and not his own.

Book I, Chapter 15

[...] The Christian man [...] needs another and spiritual care to direct him to the harbour of eternal salvation, and this care is provided for the faithful by the ministers of the Church of Christ.

[...] In order that spiritual things might be distinguished from earthly things, the ministry of this kingdom has been entrusted not to earthly kings but to priests, and most of all to the chief priest, the successor of St. Peter, the Vicar of Christ, the Roman Pontiff. To him all the kings of the Christian People are to be subject as to our Lord Jesus Christ Himself. For those to whom pertains the care of intermediate ends should be subject to him to whom pertains the care of the ultimate end, and be directed by his rule.

Document Title: Summa Theologica
Author: Thomas Aquinas
Date: 1265-1274
Source: www.newadvent.org/summa

First Part of the Second Part, Question 19, Article 5: The goodness and malice of the interior act of the will: Does erring reason bind?

I answer that, Since conscience is a kind of dictate of the reason [...] to inquire whether the will is evil when it is at variance with erring reason, is the same as to inquire “whether an erring conscience binds.”

[...] For not only indifferent matters can receive the character of goodness or malice accidentally; but also that which is good, can receive the character of evil, or that which is evil, can receive the character of goodness, on account of the reason apprehending it as such. For instance, to refrain from fornication is good: yet the will does not tend to this good except in so far as it is proposed by the reason. If, therefore, the erring reason propose it as an evil, the will tends to it as to something evil. Consequently the will is evil, because it wills evil, not indeed that which is evil in itself, but that which is evil accidentally, through being apprehended as such by the reason. In like manner, to believe in Christ is good in itself, and necessary for salvation: but the will does not tend thereto, except inasmuch as it is proposed by the reason. Consequently, if it be proposed
by the reason as something evil, the will tends to it as to something evil: not as if it were evil in itself, but because it is evil accidentally, through the apprehension of the reason. Hence the Philosopher says (Ethic. vii, 9) that “properly speaking the incontinent man is one who does not follow right reason; but accidentally, he is also one who does not follow false reason.” We must therefore conclude that, absolutely speaking, every will at variance with reason, whether right or erring, is always evil. […] But when erring reason proposes something as being commanded by God, then to scorn the dictate of reason is to scorn the commandment of God.

Second Part of the Second Part, Question 10, Article 8: Unbelief in general: Should they be compelled to Faith?

I answer that, Among unbelievers there are some who have never received the faith, such as the heathens and the Jews: and these are by no means to be compelled to the faith, in order that they may believe, because to believe depends on the will: nevertheless they should be compelled by the faithful, if it be possible to do so, so that they do not hinder the faith, by their blasphemies, or by their evil persuasions, or even by their open persecutions. It is for this reason that Christ’s faithful often wage war with unbelievers, not indeed for the purpose of forcing them to believe, because even if they were to conquer them, and take them prisoners, they should still leave them free to believe, if they will, but in order to prevent them from hindering the faith of Christ.

On the other hand, there are unbelievers who at some time have accepted the faith, and professed it, such as heretics and all apostates: such should be submitted even to bodily compulsion, that they may fulfill what they have promised, and hold what they, at one time, received.

Question 11, Article 3: Heresy: Should heretics be tolerated?

I answer that, With regard to heretics two points must be observed: one, on their own side; the other, on the side of the Church. On their own side there is the sin, whereby they deserve not only to be separated from the Church by excommunication, but also to be severed from the world by death. For it is a much graver matter to corrupt the faith which quickens the soul, than to forge money, which supports temporal life. Wherefore if forgers of money and other evil-doers are forthwith condemned to death by the secular authority, much more reason is there for heretics, as soon as they are convicted of heresy, to be not only excommunicated but even put to death.
On the part of the Church, however, there is mercy which looks to the conversion of the wanderer, wherefore she condemns not at once, but “after the first and second admonition,” as the Apostle directs: after that, if he is yet stubborn, the Church no longer hoping for his conversion, looks to the salvation of others, by excommunicating him and separating him from the Church, and furthermore delivers him to the secular tribunal to be exterminated thereby from the world by death. For Jerome commenting on Galatians 5:9, “A little leaven,” says: “Cut off the decayed flesh, expel the mangy sheep from the fold, lest the whole house, the whole paste, the whole body, the whole flock, burn, perish, rot, die. Arius was but one spark in Alexandria, but as that spark was not at once put out, the whole earth was laid waste by its flame.”

**Document Title:** De Pace Fidei (On the Peace of Faith)  
**Author:** Nicholas of Cusa  
**Date:** 1453  
**Source:** trans. H. Lawrence Bond, 2000; www.appstate.edu/~bondhl/bond-peac.htm

Therefore, in the way it has been set forth, a concord of religions was concluded in the heaven of reason. And it was commanded by the King of Kings that the wise return and lead the nations to the unity of true worship, that ministering spirits lead them and assist them and, finally, that with the full power of all they come together in Jerusalem as to a common center and accept one faith in the name of all and thereupon establish an everlasting peace so that in peace the Creator of all, blessed forever, will be praised. Amen.
Though gradual and subject to numerous influences, the undoing of the idea of papal authority in Western Christianity marked the end of the medieval era and the beginning of the early modern period. At this point, West and East completely parted company, and the West, under the impact of the Protestant Reformation, pursued a radically distinctive path with portentous implications for the development of religious freedom.

Renaissance humanism, a force to contend with in the fourteenth and fifteenth centuries, was an important part of the background. Its emphasis on both new and ancient languages, as well as the recovery of classical and early Christian sources, produced a serious challenge to the Roman Catholic concept of Christendom and introduced a spirit of fresh inquiry and independent thought. At the same time, humanists were not reformers. Some were indifferent to social affairs, while others favored existing patterns of status or supported the growing trend toward political absolutism.

The Protestant reformers, especially Anabaptists and Calvinists, would make a significant contribution to the growth of religious freedom. Anabaptists, like the Swiss Brethren and the Mennonites, opposed all coercion in matters of religion, implying a radical separation of church and state. They were mercilessly persecuted but their views had influence, particularly in seventeenth-century Holland and England. Neither Luther nor Calvin went nearly as far as the Anabaptists. The two reformers believed that uniform religion helped secure civic order, and therefore they supported severe limits on the freedom of conscience. Still, Luther’s was a message of spiritual liberation: ordinary people should throw off old beliefs and take up new ones. Once familiar religious beliefs were successfully challenged, it was not difficult for others to emerge.

That was even truer of Calvin. Legally educated, he embraced and enlarged upon Conciliarist themes, particularly constitutional reform of church and state, with a special place for natural rights, including the freedom of conscience. Christian liberty was not just the right to believe without interference, as with Luther, but also the right to organize. Christians must be permitted to restructure churches—and in some cases states—in accord with the separation of powers, the importance of popular participation, and the independence of church from state control.
As it spread throughout northern Europe, Great Britain, and colonial New England, Calvinism modeled the ambivalence toward religious freedom characteristic of Christianity from its origins. All Calvinists, in different degrees, shared Calvin’s enthusiasm for constitutional government, but they divided sharply over the extent of rights of conscience. In seventeenth-century colonial New England, Roger Williams, invoking one side of Calvin’s legacy, helped create a radically new civil order in Rhode Island, based on the natural right of all to freedom of conscience, and the disestablishment of “national religion” in any form. However, he was ardently opposed by a majority of fellow colonists who, equally convinced of their Calvinist pedigree, favored stringent limitations on religious belief and practice.

In the late seventeenth century, John Locke influentially, if more narrowly, elaborated on Williams’ arguments that “liberty of conscience is everyone’s natural right.” This new spirit of religious freedom, gaining strength—and in some places codified for the first time—had earlier been encouraged by international agreements like the Peace of Augsburg in 1555 and the Peace of Westphalia of 1648, which brought an end to 30 years of religious wars. The results did not guarantee equal freedom of conscience in a modern sense, for dissenting individuals and religious communities within each country were still subject to heavy restrictions by the state. Still, these agreements assured that newly emerging nation-states, having each adopted an official faith—Catholicism, Lutheranism, or later Calvinism—would be under great pressure to tolerate the others both internationally and domestically.

Sixteenth-century Catholics like Francisco di Vittoria, Francisco Suarez, and Bartholomé de las Casas also made important contributions to emerging concepts of religious freedom. Basing their views on the universal protection of political, territorial, and religious freedom—dictated, as they saw it, by the natural law—they condemned the European invasions of Central and Latin America, and the coercive policies of European monarchs, for violating these basic freedoms of the native populations. The many sermons, debates, and other writings of these men reverberated through later centuries’ debates on religious freedom and are very much a part of the conversation today.
Edict and mandate of Charles, Fifth of this name, Emperor Elect of the Romans, ordered and written on the imperial day celebrated in the city of Worms. Against Brother Martin Luther of the order of the Saint Augustinian Eremites, reviver of the old and condemned heresies and inventor of new ones.

Against each and every one of the books and writings under the name of the said Luther already published or to be published, and also against those who henceforth will print, buy, or sell those books and writings.

[...] It is our duty to help subdue the enemies of our faith and bring them to the obedience of the divine majesty, magnifying the glory of the cross and the passion of our Lord (insofar as we are able), and to keep the Christian religion pure from all heresy or suspicion of heresy, according to and following the ordinance and custom observed by the Holy Roman Church.

For...if we do not put an end to this contagious confusion, it could lead to the corrupting of all faithful nations and to their falling into abominable schisms.

[...] He [Pope Leo X] declared that those books, in whatever language they are written, would have to be burned and taken out of the people's memory forever... As such, he [Luther] would have to be arrested, and, consistent with the ordinance and the rights, he would have to be punished according to the contents of the apostolic bulls.

[Luther] destroys all civil police and hierarchical and ecclesiastical order, so that people are led to rebel against their superiors, spiritual and temporal, and to start killing, stealing, and burning, to the great loss and ruin of public and Christian good. Furthermore, he institutes a way of life by which people do
whatever they please, like beasts. They behave like men living without any law, condemning and despising all civil and canon laws to the extent that Luther, by excessive presumption, has publicly burned the decretals and (as we might expect) would have burned the imperial civil law had he not had more fear of the imperial and royal swords than he had of apostolic excommunication.

[...] For this reason, and to kill this mortal pestilence, we ask and require that no one dare to compose, write, print, paint, sell, buy, or have printed, written, sold, or painted, from now on in whatever manner such pernicious articles so much against the holy orthodox faith and against that which the Catholic Apostolic Church has kept and observed to this day. We likewise condemn anything that speaks against the Holy Father, against the prelates of the church, and against the secular princes, the general schools and their faculties, and all other honest people, whether in positions of authority or not. And in the same manner we condemn everything that is contrary to the good moral character of the people, to the Holy Roman Church, and to the Christian public good.

Document Title: Safe-Conduct Granted to Protestants
Author: The Bishops at the Council of Trent
Date: 1551
Source: history.hanover.edu/texts/trent/ct13.html

The sacred and holy, general Synod of Trent, lawfully assembled in the Holy Ghost, the same Legate and Nuncios of the holy Apostolic See presiding therein, grants, as far as regards the holy Synod itself, to all and each one throughout the whole of Germany, [...] which they call a safe-conduct [...] so as that they may and shall have it in their power in all liberty to confer, make proposals, and treat on those things which are to be treated of in the said Synod; to come freely and safely to the said ecumenical Council, and there remain and abide, and propose therein, as well in writing as by word of mouth, as many articles as to them shall seem good, and to confer and dispute, without any abuse or contumely, with the Fathers, or with those who may have been selected by the said holy Synod; as also to withdraw whenever they shall think fit. It hath furthermore seemed good to the holy Synod, that if, for their greater liberty and security, they desire that certain judges be deputed on their behalf, in regard of crimes whether committed, or that may be committed, by them, they shall themselves nominate those who are favorable towards them, even though the said crimes should be ever so enormous and should savor of heresy.
The same sacred and holy Synod, lawfully assembled in the Holy Ghost, the same Legates a latere of the Apostolic See presiding therein, grants the public faith, or a safe-conduct, under the same form, and in the same terms, wherein it is granted to the Germans, to all and each of those others, who hold not communion with us in matters of faith, of whatsoever kingdoms, nations, provinces, Cities, and places they may be, wherein the contrary, to that which the holy Roman Church holds, is publicly and with impunity preached, taught, or believed.

Article XX: Of the Authority of the Church
The Church hath power to decree Rites or Ceremonies, and authority in Controversies of Faith: And yet it is not lawful for the Church to ordain anything contrary to God’s Word written, neither may it so expound one place of Scripture, that it be repugnant to another. Wherefore, although the Church be a witness and a keeper of holy Writ, yet, as it ought not to decree any thing against the same, so besides the same ought it not to enforce any thing to be believed for necessity of Salvation.

Article XXXVII: Of the Civil Magistrates
The Queen’s Majesty hath the chief power in this Realm of England, and other her Dominions, unto whom the chief Government of all Estates of this Realm, whether they be Ecclesiastical or Civil, in all causes doth appertain, and is not, nor ought to be, subject to any foreign Jurisdiction.

[...] The Bishop of Rome hath no jurisdiction in this Realm of England.
Injustice [...] regardless [of] whomever [it is] acted upon or performed against, is still injustice. The unjust person is never relieved of the responsibility of these acts under the pretext that the injustice is done against a heterodox and not to a believer. As our Lord Jesus Christ in the Gospels said do not oppress or accuse anyone falsely; do not make any distinction or give room to the believers to injure those of another belief.

Document Title: Canons of Dort
Author: Representatives of Reformed Churches assembled for the Synod of Dort
Date: 1618-1619
Source: www.crcna.org/pages/dort_canons_main.cfm

First Main Point of Doctrine: Article 3: The Preaching of the Gospel
In order that people may be brought to faith, God mercifully sends proclaimers of this very joyful message to the people he wishes and at the time he wishes. By this ministry people are called to repentance and faith in Christ crucified. For “how shall they believe in him of whom they have not heard? And how shall they hear without someone preaching? And how shall they preach unless they have been sent?” (Rom. 10:14-15)

Conclusion
[…] The Synod earnestly warns the false accusers themselves to consider how heavy a judgment of God awaits those who give false testimony against so many churches and their confessions, trouble the conscience of the weak, and seek to prejudice the minds of many against the fellowship of true believers.”

Document Title: The Westminster Confession of Faith
Author: Westminster Assembly
Date: 1646

Chapter XX: Of Christian Liberty, and the Liberty of Conscience
God alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men which are in any thing contrary to his Word, or beside it in matters of faith or worship. So that to believe such doctrines, or to obey such commandments out of conscience, is to betray true liberty
of conscience; and the requiring an implicit faith, and an absolute and blind obedience, is to destroy liberty of conscience, and reason also.

Chapter XIII: Of the Civil Magistrate
The civil magistrate may not assume to himself the administration of the Word and sacraments, or the power of the keys of the kingdom of heaven: yet he hath authority, and it is his duty, to take order, that unity and peace be preserved in the Church, that the truth of God be kept pure and entire; that all blasphemies and heresies be suppressed; all corruptions and abuses in worship and discipline prevented or reformed; and all the ordinances of God duly settled, administered, and observed.

Chapter XXXI: Of Synods and Councils
Synods and councils are to handle or conclude nothing but that which is ecclesiastical: and are not to intermeddle with civil affairs which concern the commonwealth, unless by way of humble petition in cases extraordinary; or by way of advice for satisfaction of conscience, if they be thereunto required by the civil magistrate.

THEOLOGICAL AND PHILOSOPHICAL TEXTS

Document Title: Christmas Eve Sermon of 1511
Author: Antonio de Montesinos
Date: 1511
Source: www.digitalhistory.uh.edu/active_learning/explorations/spain/spain_montesinos.cfm

Tell me, by what right or justice do you hold these Indians in such cruel and horrible slavery? By what right do you wage such detestable wars on these people who lived mildly and peacefully in their own lands, where you have consumed infinite numbers of them with unheard of murders and desolations? Why do you so greatly oppress and fatigue them, not giving them enough to eat or caring for them when they fall ill from excessive labors, so that they die or rather are slain by you, so that you may extract and acquire gold every day? And what care do you take that they receive religious instruction and come to know their God and creator, or that they be baptized, hear mass, or observe holidays and Sundays? Are they not men? Do they not have rational souls? Are you not bound to love them as you love yourselves? How can you lie in such profound and lethargic slumber? Be sure that in your present state you can no more be saved than the Moors or Turks who do not have and do not want the faith of Jesus Christ.
Document Title: On Secular Authority: How Far Does the Obedience Owed to it Extend?
Author: Martin Luther
Date: 1523

So, if a prince or a secular lord commands you to adhere to the papacy, to believe this or that, or to surrender books, then your answer should be: it is not fitting for Lucifer to sit next to God. My good Lord, I owe you obedience with my life and goods. Command me what lie within the limits of your authority, and I will obey. But if you command me to believe, or to surrender my books, I will not obey. For then you [will have] become a tyrant and overreach[ed] yourself, commanding where you have neither right or power. If he then takes away your goods and punishes you for your disobedience, then blessed are you, and you should thank God for counting you worthy to suffer for the sake of his Word. […] But I say to you: if you do not resist him and let him take away your faith or your books, then you will truly have denied God.

[…] The use of force can never prevent heresy. […] This is where God’s Word must fight. And if that does not win, then secular power can certainly not succeed either, even if it were to fill the world with blood. Heresy is a spiritual thing; it cannot be struck down with steel, burnt with fire, or drowned in water.

Document Title: On War against the Turk
Author: Martin Luther
Date: 1529

Let the Turk believe and live as he will, just as one lets the papacy and other false Christians live. The emperor’s sword has nothing to do with the faith; it belongs to physical, worldly things, if God is not to become angry with us. If we pervert His order and throw it into confusion, He, too, becomes perverse and throws us into confusion and all misfortune, as it is written, “With the perverse thou art perverse.” We can perceive and grasp this by means of the fortune we have heretofore had against the Turk. Think of all the heartbreak and misery that have been caused by the cruciata, by the indulgences and crusading-taxes, with which Christians have been stirred up to take the sword and fight the Turk, when they ought to have been fighting the devil and unbelief with the Word and with prayer.
Those who are such one should overcome with holy knowledge, not angrily but softly, although the Holy Scriptures contain wrath.

[…] This is the will of Christ who said, “Let both grow together till the harvest, lest while ye gather up the tares ye root up also the wheat with them” (Matt. 13:29). “For there must also be heresies among you, that they that are approved may be made manifest among you” (1 Cor. 11:19).

[…] This word does not teach us idleness but strife; for we should unceasingly contend, not with men but with their godless doctrine.

[…] For each Christian has a sword against the wicked, which is the Word of God (Ephesians 6:17), but not a sword against the malignant.

[…] The secular power rightly and properly puts to death the criminals who injure the bodies of the defenseless (Rom. 13:3-4). But he who is God’s cannot injure anyone, unless he first deserts the gospel.

[…] The [secular] power judges criminals, but not the godless who cannot injure body or soul, but rather are a benefit; therefore God can in wisdom draw good from evil.

Document Title: Apologética historia
Author: Bartolomé de las Casas
Date: ca. 1530

Man, who was created in the image and likeness of God […] at the moment of creation was given a natural light of knowledge and understanding, albeit in a confused manner, and an appetite or natural inclination to know there is a God and creator and that he should seek to serve and worship as God and Lord as the principle of being for all creation. That is because all creatures have a natural inclination and desire to unite, as to their end, with the cause of their existence.
Christ conceded to the apostles the license and authority to only preach the Gospel to those who were willing to listen, not to force or inflict any trouble or pain on those who did not want to hear. He did not concede any power to the apostles or preachers of the faith to force those who refused to listen, nor did the apostles have the authority to punish those who expelled them from their cities. He did not inflict any temporal punishment, but eternal.

[...] [The Amerindians] are bound, without doubt, to defend the worship of their gods and their religion by going forth with their armies against all who attempt to take those things from them or injure them or prevent their sacrifices—to fight, kill, capture, and exercise all the rights consequent on a just war according to the law of nations.

[...] Jews and Moors who live within the kingdoms of Christian rulers...are obliged to use and be subject to the same civil laws as the other inhabitants of the kingdom. When they violate these laws, they are punished by means of them, according to the doctors. However, as regards religion and spiritual matters, no matter whether they be Jews, Mohammedans, or idolaters they are in no way subject to the Church nor to her members, that is, Christian rulers. And therefore when they celebrate and observe their rites they cannot be punished by Christian rulers, for [the latter] lack jurisdiction in this area; although those crimes in themselves are most serious and detestable, yet they cannot be punished by men, as is noted by doctors in canon law.

[...] Because nature itself teaches that every race of man must worship God and because divine worship is made up of ceremonies, it follows that, just as men cannot live without the true God or a false one believed to be true, they cannot live without exercise of some ceremonies, especially since the common opinion
among the gentiles has been that the whole status of a country is preserved in happiness by means of ceremonies and sacrifices. Therefore, if against their wills we should completely abolish their ceremonies, they would have, in addition to the great number of other resulting abuses, only an apparent adherence to the Catholic faith and the Christian religion, and we would appear to be openly compelling them to embrace that faith—and this is forbidden.

[...] Do not force those who do not want to listen. You will not find any statement, either in the Sacred Scriptures or in the writings of the holy doctors, and you will not produce any argument on the basis of which we could, without blame, compel unbelievers who do not want to hear the teaching of Christ to do so. Consequently, in doing so we would offend Christ. The fruit of his precious death is made useless. For those unbelievers especially, who have never had the teaching of the truth, would be led by any good reason to the veneration, the love, and more, the defense of their gods and the rites of their ancient religion.

**Document Title:** Entre los Remedios (in *Tratados II*)  
**Author:** Bartolomé de las Casas  
**Date:** 1552  
**Source:** *Tratados de Fray Bartolomé de las Casas, I & II* (Mexico: Fondo de Cultura Económica, 1965).

In order to receive our holy faith the freedom of the will is required among those who accept it. God left in the hand of each person the choice to accept it or not. And since this is the end that God has assigned to the entire affair of the Indies, it remains established in the voluntary will of these peoples, and not in any force or violence perpetrated. Undoubtedly [...] nothing should be done against their will, but rather, in accordance and in conformity with it, by approving and agreeing with it.

**Document Title:** The Institutes of the Christian Religion  
**Author:** John Calvin  
**Date:** 1536  

*Chapter II, B*  
But it is not for us to determine for certain whether others are of the church, nor to distinguish the elect from the reprobate. For this is God’s prerogative alone, to know who are his own, as Paul attests [II Tim 2:19]. And to keep
men’s rashness from getting out of hand, we are warned by daily events how far
the Lord’s judgments surpass our perception… Only God’s eyes see who per-
severes to the very end [Matt. 24:13] because he alone is the head of salvation
[Heb. 2:10].

[…] And not only those are to be so treated, but also Turks and Saracens, and
other enemies of religion. Far be it from us to approve those methods by which
many until now have tried to force them to our faith, when they forbid them
the use of fire and water and the common elements, when they deny to them all
offices of humanity, when they pursue them with sword and arms.

Document Title: The Institutes of the Christian Religion
Author: John Calvin
Date: 1559
Source: www.reformed.org/books/index.html

Book IV, Chapter 10
If they [human laws] are imposed for the purpose of forming a religious obliga-
tion, as if the observance of them was in itself necessary, we say that the restraint
thus laid on the conscience is unlawful. Our consciences have not to do with
men but with God only. […] Human laws, whether enacted by magistrates
or by the Church, are necessary to be observed, (I speak of such as are just
and good) but do not therefore in themselves bind the conscience, because the
whole necessity of observing them respects the general end, and consists not
in the things commanded. Very different, however, is the case of those which
prescribe a new form of worshipping God, and introduce necessity into things
that are free.

Book IV, Chapter 11
[…] For the Church has not the right of the sword to punish or restrain, has no
power to coerce, no prison or other punishments which the magistrate is wont
to inflict. Then the object in view is not to punish the sinner against his will, but
to obtain a profession of penitence by voluntary chastisement.

Book IV, Chapter 20
Its object is not merely […] to enable men to breathe, eat, drink, and be warmed,
(though it certainly includes all these, while it enables them to live together;) this, I say, is not its only object, but it is that no idolatry, no blasphemy against
the name of God, no calumnies against his truth, nor other offences to religion,
break out and be disseminated among the people; that the public quiet be not
disturbed, that every man’s property be kept secure, that men may carry on innocent commerce with each other, that honesty and modesty be cultivated; in short, that a public form of religion may exist among Christians, and humanity among men. […]

With regard to the function of magistrates, the Lord has not only declared that he approves and is pleased with it, but, moreover has strongly recommended it to us by the very honourable titles which he has conferred upon it. […] They have a commission from God, that they are invested with divine authority and, in fact, represent the person of God, as whose substitutes they in a manner act. […]

The duty of magistrates, its nature, as described by the word of God, and the things in which it consists, I will here indicate in passing. That it extends to both tables of the law, did Scripture not teach, we might learn from profane writers, for no man has discoursed of the duty of magistrates, the enacting of laws, and the common weal, without beginning with religion and divine worship. Thus all have confessed that no polity can be successfully established unless piety be its first care, and that those laws are absurd which disregard the rights of God, and consult only for men. Seeing then that among philosophers religion holds the first place, and that the same thing has always been observed with the universal consent of nations, Christian princes and magistrates may be ashamed of their heartlessness if they make it not their care. We have already shown that this office is specially assigned them by God, and indeed it is right that they exert themselves in asserting and defending the honour of Him whose vicegerents they are, and by whose favour they rule.

Document: On the Power of the Church
Author: Francisco de Vitoria
Date: 1532-1533

Civil power and ecclesiastical power are not concerned with the same end […]. The whole civil administration is not sufficient to ensure man’s eternal salvation; nor does civil or moral virtue and goodness alone suffice to gain life eternal… From all the preceding we are left with the certain conclusion that there is in the Church some spiritual or ecclesiastical power, distinct by divine and natural law from civil and temporal power. And if anyone wants a definition of this ecclesiastical power, it is this: the authority to rule the faithful in matters which concern religion, and to direct them towards the life eternal.
[...] Be pleased, in godly fear, to ponder what it is that God requires of your Highnesses. It is that without any respect of persons you judge between a man and his neighbor, protect the wronged from him who does him wrong, even as the Lord declares, Execute judgment and justice, Assist, against the violent, him that is robbed, Abuse not the stranger, the widow, the orphan, Do violence to no man, and shed no innocent blood, so that your despised servants and unhappy subjects, having escaped the mouth of the lion, may in your domain and under your paternal care and gracious protection, serve the Lord in quietness and peace, and piously earn their bread, as the Scripture requires.

[...] God’s Word knows of no other Christians other than such as have had the pure doctrine of Christ preached to them in the Spirit’s power, who have accepted it in true faith by the operation of the Spirit, have by the living seed of God been born anew in Christ Jesus, and who in the power of that birth have buried in true penitence that erstwhile sinful life, and have been raised again with Christ.

[...] Dear sirs, seek God; fear God; serve God with all your might; do justice to widows, orphans, strangers, the sad, and the oppressed; wash your hands of blood; rule your lands with wisdom and peace.

Chapter 7: That the power of ruling the Church in spiritual or ecclesiastical matters does not exist in temporal kings or princes is proved by authority.

[...] But the Catholic truth is that temporal kings, as they are such or by reason of their supreme jurisdiction in the political principality, have no spiritual power over the Church. This assertion can be proved by the authority of Scripture in two ways. First, because in the New Testament this power is
promised and given by Christ to those persons who were not temporal kings. Second, because it is not found given to temporal kings; and from both heads, taken both singly and together, the conclusion is rightly drawn that it does not exist in temporal kings, because it cannot exist except in those to whom it was given by Christ and in their legitimate successors.

Chapter 8: The same truth is confirmed by reasons.
Because much less is there found a just title for spiritual power in a temporal prince than of temporal power in a spiritual pastor. Now the assumed principle is in brief proved, because either the title is of natural right or of positive divine or human right; but all these are easily excluded [...for] this spiritual power is not in the human community as flowing from it naturally; nor insofar as it is in a particular person can it be proximately founded in the will of the same community, as conferring or transferring such power to another, because it is of by far a higher order; therefore it cannot be in a king of natural right.

Document Title: The Authority of the Supreme Powers in Matters of Religion
Author: Hugo Grotius
Date: 1617

Chapter 2: The authority over sacred things and the sacred function are distinct. Secular power and the pastoral office [...] may be distinct, but they correspond in this respect: that that which is the only concern of pastors is the chief concern of the supreme powers, namely that divine matters are well arranged; and, as Isidore of Pelusium said, Priesthood and kingship set themselves the same objective, the salvation of their subjects. [...] Therefore the king’s authority is also spiritual, insofar as it concerns religion, which is a spiritual matter.

Chapter 3: In what respects sacred and profane matters agree as far as the right to exercise authority over them is concerned.
But if the supreme power exceeds these limits [...] then again the sacred and the profane converge because man cannot be obliged to obey man rather than God; on the other hand, if force is exerted for that reason, then only the glory of endurance remains: it is unlawful to oppose force.
[...] Though we willingly acknowledge a power in the civil Magistrate, to establish and reform Religion, according to the word of God; yet we would not be so understood, as if we judged it to belong to the civil power, to compel all men to come and sit down at the Lord’s table, or to enter into the communion of the Church, before they be in some measure prepared of God for such fellowship. For this is not a Reformation, but a Deformation of the Church, and is not according to the word of God, but against it.

[...] The Church is not to refuse subjection to the civil Magistrate...in patient suffering their unjust persecutions without hostile or rebellious resistance. For though persecution of the Churches and servants of Christ, will not advance the civil peace, but overthrow it; yet for the Church to take up the Sword in her own defence, is not a lawful means of preserving the Church-peace, but a disturbance of it rather. In this case, when Peter drew his Sword in defence of his Master, (the Lord Jesus) [...] our Saviour bade him put up his sword into his sheath again [...].

Document Title: The Bloudy Tenent of Persecution for the Cause of Conscience (or “A Plea for Religious Liberty”) 
Author: Roger Williams
Date: 1644
Source: www.reformedreader.org/rbb/williams/btp.htm

First, that the blood of so many hundred thousand souls of Protestants and Papists, spilt in the wars of present and former ages, for their respective consciences, is not required nor accepted by Jesus Christ the Prince of Peace.

Secondly, pregnant scriptures and arguments are throughout the work proposed against the doctrine of persecution for cause of conscience. [...] 

Fourthly, the doctrine of persecution for cause of conscience is proved guilty of all the blood of the souls crying for vengeance under the altar.

Fifthly, all civil states with their officers of justice in their respective constitutions and administrations are proved essentially civil, and therefore not
judges, governors, or defenders of the spiritual or Christian state and worship. […]

Eighthly, God requireth not a uniformity of religion to be enacted and enforced in any civil state; which enforced uniformity (sooner or later) is the greatest occasion of civil war, ravishing of conscience, persecution of Christ Jesus in his servants, and of the hypocrisy and destruction of millions of souls.

Ninthly, in holding an enforced uniformity of religion in a civil state, we must necessarily disclaim our desires and hopes of the Jew’s conversion to Christ.

Tenthly, an enforced uniformity of religion throughout a nation or civil state, confounds the civil and religious, denies the principles of Christianity and civility, and that Jesus Christ is come in the flesh.

Eleventhly, the permission of other consciences and worships than a state professeth only can (according to God) procure a firm and lasting peace (good assurance being taken according to the wisdom of the civil state for uniformity of civil obedience from all forts).

Document Title: A Philosophical Commentary on These Words of the Gospel: Luke 14:3, “Compel Them to Come In, that My House May Be Full”

Author: Pierre Bayle
Date: ca. 1686-88

The Nature of Religion is, its being a certain Persuasion in the Soul with regard to God, which in the Will produces that Love, and Fear, and Reverence, which this supreme Being justly deserves, and in the Members of the Body Signs suitable to this Persuasion and this Disposition of the Will: insomuch that if these outward Signs exist without that interior State of the Soul which answers to ‘em, or with such an inward State as is contrary to ‘em; they are Acts of Hypocrisy and Falsehood, or Impiety and Revolt against Conscience.

[…] Now so it is, that Violence is incapable on one hand of convincing the Judgment, or of imprinting in the Heart the Fear or the Love of God; and most capable, on the other, of producing in our Members some outward Signs void of all inward Sincerity, or Signs perhaps of an interior Disposition most oppo-
site to that which we really are in: that’s to say, external Acts which are Hypocrisy and Imposture, or a downright Revolt against Conscience.

Document Title: Letter Concerning Toleration  
Author: John Locke  
Date: 1689  
Source: Mark Goldie, ed., *A Letter concerning Toleration and Other Writings* (Indianapolis: Liberty Fund, 2010); oll.libertyfund.org/titles/2375

[…]. The whole Jurisdiction of the Magistrate reaches only to these civil Concernments; and…all Civil Power, Right, and Dominion, is bounded and […] neither can nor ought in any manner to be extended to the Salvation of Souls […].

First, Because the Care of Souls is not committed to the Civil Magistrate any more than to other Men. It is not committed unto him, I say, by God; because it appears not that God has ever given any such Authority to one Man over another, as to compel any one to his Religion. Nor can any such Power be vested in the Magistrate by the Consent of the People; because no man can so far abandon the care of his own Salvation, as blindly to leave it to the choice of any other, whether Prince or Subject, to prescribe to him what Faith or Worship he shall embrace. For no Man can, if he would, conform his Faith to the Dictates, of another. […]

In the second place. The care of Souls cannot belong to the Civil Magistrate, because his Power consists only in outward force: But true and saving Religion consists in the inward persuasian of the Mind; without which nothing can be acceptable to God.

In the third place. The care of the Salvation of Mens Souls cannot belong to the Magistrate; because, though the rigour of Laws and the force of Penalties were capable to convince and change Mens minds, yet would not that help at all to the Salvation of their Souls. For there being but one Truth, one way to heaven; what hopes is there that more Men would be led into it, if they had no other Rule to follow but the Religion of the Court; and were put under a necessity to quit the Light of their own Reason; to oppose the Dictates of their own Consciences; and blindly to resign up themselves to the Will of their Governors, and to the Religion, which either Ignorance, Ambition, or Superstition had chanced to establish in the Countries where they were born?
[...] So I think it cannot be denied but the salvation of all men’s souls is better provided for if, besides the obligation which every man has to take care of his own soul (and that which every man’s neighbor has likewise to do it), the magistrate also be entrusted and obliged to see that no man neglect his soul, than it would be if every man were left to himself in this matter [...]. Which is enough to show that it is every man’s true interest that the care of his soul should not be left to himself alone, but that the magistrate should be so far entrusted with it as I contend he is…

LEGAL AND POLITICAL TEXTS

Document Title: The Alhambra Decree
Author: Isabella I of Castile and Ferdinand II of Aragon
Date: 1492
Source: www.sephardicstudies.org/decree.html

[…] We are informed by the Inquisition and others that the great harm done to the Christians persists, and it continues because of the conversations and communications that they have with the Jews, such Jews trying by whatever manner to subvert our holy Catholic faith and trying to draw faithful Christians away from their beliefs.

[…] Therefore, with the council and advice of the eminent men and cavaliers of our reign, and of other persons of knowledge and conscience of our Supreme Council, after much deliberation, it is agreed and resolved that all Jews and Jewesses be ordered to leave our kingdoms, and that they never be allowed to return.

Document Title: Act of Supremacy
Date: 1534
Author: The English Parliament under the direction of King Henry VIII
Source: www.tudorhistory.org/primary/supremacy.html

[…] Be it enacted by authority of this present Parliament that the King our sovereign lord, his heirs and successors kings of this realm, shall be taken, accepted
and reputed the only supreme head in earth of the Church of England called Anglicana Ecclesia, and shall have and enjoy annexed and united to the imperial crown of this realm as well the title and style thereof, as all honours, dignities, preeminences, jurisdictions, privileges, authorities, immunities, profits and commodities, to the said dignity of supreme head of the same Church belonging and appertaining. And that our said sovereign lord, his heirs and successors kings of this realm, shall have full power and authority from time to time to visit, repress, redress, reform, order, correct, restrain and amend all such errors, heresies, abuses, offences, contempts and enormities, whatsoever they be.

Document Title: A Short Account of the Destruction of the Indies
Author: Bartolomé de las Casas
Date: 1552

[...] From the very beginning, Spanish policy towards the New World has been characterized by blindness of the most pernicious kind: even while the various ordinances and decrees governing the treatment of the native peoples have continued to maintain that conversion and the saving of souls has first priority, this is belied by what has actually been happening on the ground… It is as though the Son of God, who gave His life for every living soul, when He instructed His followers with the words: ‘Go ye therefore, and teach all nations’, intended heathens, living in peace and tranquillity in their own lands, to be confronted with a demand that they convert on the spot, without their ever hearing the Word or having Christian doctrine explained to them; and that, should they show any reluctance to do so and to swear allegiance to a king they have never heard of nor clapped eyes on, and whose subjects and ambassadors prove to be cruel, pitiless and bloodthirsty tyrants, they should immediately surrender all their worldly goods, and lose all rights to their land, their freedom, their womenfolk, their children and their lives. Such a notion is absurd as it is stupid and should be treated with the disrespect, scorn and contempt it so amply deserves.

The Kingdom of New Granada
[...] The Spanish have taken no more trouble to preach the Christian faith to these peoples than if they had been dealing with dogs or other animals. Indeed, they have done their level best to prevent missionaries from preaching, presumably because they felt that the spread of the Gospel would in some way stand between them and the gold and wealth they craved.
Document Title: The Peace of Augsburg
Author: Charles V and the Schmalkaldic League
Date: 1555

In order to bring peace to the Holy Roman Empire of the Germanic Nation between the Roman Imperial Majesty and the Electors, Princes and Estates, let neither his Imperial Majesty nor the Electors, Princes, etc., do any violence or harm to any estate of the empire on the account of the Augsburg Confession, but let them enjoy their religious belief, liturgy and ceremonies as well as their estates and other rights and privileges in peace; and complete religious peace shall be obtained only by Christian means of amity, or under threat of punishment of the Imperial ban.

Likewise the Estates espousing the Augsburg Confession shall let all the Estates and Princes who cling to the old religion live in absolute peace and in the enjoyment of all their estates, rights, and privileges.

However, all such as do not belong to the two above named religions shall not be included in the present peace but be totally excluded from it.

[...] The ecclesiastical jurisdiction over the Augsburg Confession, dogma, appointment of ministers, church ordinances, and ministries hitherto practiced (but apart from all the rights of Electors, Princes and Estates colleges and monasteries to taxes in money or tithes) shall from now cease and the Augsburg Confession shall be left to the free and untrammeled enjoyment of their religion, ceremonies, appointment of ministers, as is stated in a subsequent separate article, until the final transaction of religion will take place.

No Estate shall try to persuade the subjects of other Estates to abandon their religion nor protect them against their own magistrates. Such as had from olden times the rights of patronage are not included in the present article.

Document Title: The Act of Uniformity
Date: 1559
Author: The English Parliament under the direction of Queen Elizabeth
Source: history.hanover.edu/texts/engref/er80.html

And further be it enacted [...] that all and singular ministers in any cathedral or parish church, or other place within this realm of England, Wales, and the
marches of the same, or other the queen’s dominions, shall from and after the feast of the Nativity of St. John Baptist next coming be bounden to say and use the Matins, Evensong, celebration of the Lord’s Supper and administration of each of the sacraments, and all their common and open prayer, in such order and form as is mentioned in the said book.

[...] And that [...] all and every person and persons inhabiting within this realm, or any other the queen’s majesty’s dominions, shall diligently and faithfully, having no lawful or reasonable excuse to be absent, endeavour themselves to resort to their parish church or chapel accustomed, or upon reasonable let thereof, to some usual place where common prayer and such service of God shall be used in such time of let, upon every Sunday and other days ordained and used to be kept as holy days, and then and there to abide orderly and soberly during the time of the common prayer, preachings, or other service of God there to be used and ministered; upon pain of punishment by the censures of the Church, and also upon pain that every person so offending shall forfeit for every such offence twelve pence, to be levied by the churchwardens of the parish where such offence shall be done, to the use of the poor of the same parish, of the goods, lands, and tenements of such offender, by way of distress.

Document Title: The Edict of Nantes
Author: Henry IV of France
Date: 1598
Source: www2.stetson.edu/~psteeves/classes/edictnantes.html

[...] And not to leave any occasion of trouble and difference among our Subjects, we have permitted and do permit to those of the Reformed Religion, to live and dwell in all the Cities and places of this our Kingdom and Countreys under our obedience, without being inquired after, vexed, molested, or compelled to do anything in Religion, contrary to their Conscience, nor by reason of the same be searched after in houses or places where they live, they comporting themselves in other things as is contained in this our present Edict or Statute.

[...] In the Houses that are Fiefs, where those of the said Religion have not high Justice, there the said Exercise of the Reformed Religion shall not be permitted, save only to their own Families, yet nevertheless, if other persons, to the number of thirty, besides their Families, shall be there upon the occasion of Christenings, Visits of their Friends, or otherwise, our meaning is, that in such case they shall not be molested: provided also, that the said Houses
be not within Cities, Burroughs, or Villages belonging to any Catholic Lord (save to Us) having high Justice, in which the said Catholic Lords have their Houses. For in such cases, those of the said Religion shall not hold the said Exercise in the said Cities, Burroughs, or Villages, except by permission of the said Lords high Justices.

[...] Following the second Article of the Conference of Nerat, we grant to those of the said Religion power to build Places for the Exercise of the same, in Cities and Places where it is granted them.

[...] To the end to reunite so much the better the minds and good will of our Subjects, as is our intention, and to take away all complaints for the future; We declare all those who make or shall make profession of the said Reformed Religion, to be capable of holding and exercising all Estates, Dignities, Offices, and publick charges whatsoever [...] and our Court of Parliament and other Judges shall content themselves with informing and inquiring after the lives, manners, Religion and honest Conversation of those that were or shall be preferred to such offices, as well of the one Religion as the other, without taking other Oath of them than for the good and faithful service of the King in the exercise of their Office.

**Document Title:** Oath of Allegiance (“An Act for the better discovering and repressing of Popish recusants”)

**Date:** 1606

**Author:** The English Parliament under the direction of King James I

**Source:** faculty.history.wisc.edu/sommerville/361/oath%20allegiance.htm

I, A.B. do truly and sincerely acknowledge, profess, testify, and declare in my conscience before God and the world, that our Sovereign Lord King James, is lawful and rightful King of this realm, and of all other in his Majesties Dominions and Countries; And that the Pope neither of himself, nor by any authorities of the Church or See of Rome, or by any means with any other hath any power or authority to depose the King, or to dispose any of his Majesty’s kingdoms, or dominions, or to authorize any foreign prince to invade or annoy him, or his countries, or to discharge any of his Subjects of their allegiance and obedience to his Majesty.

[...] Also, I do swear from my heart that, notwithstanding any declaration or sentence of excommunication or deposition made or granted, or to be made or granted by the Pope or his successors, or by any authority derived, or pretended to be derived from him, or his See against the King, his heirs or successors, or any absolution of the said
subjects from their obedience: I will bear faith and true allegiance to his Majesty, his heirs and successors, and him or them will defend to the uttermost of my power, against all conspiracies and attempts whatsoever.

[…] And I do believe and in conscience am resolved, that neither the Pope nor any person whatsoever, hath power to absolve me of this oath, or any part thereof, which I acknowledge by good and full authority to bee lawfully ministered unto me, and do renounce all pardons and dispensations to the contrary […]. And I doe make this recognition and acknowledgement heartily, willingly, and truly, upon the true faith of a Christian: So help me God.

**Document Title:** The Peace of Westphalia  
**Author:** The Holy Roman Emperor and the Leaders of Several Nations  
**Date:** 1648  

I. That there shall be a Christian and Universal Peace, and a perpetual, true, and sincere Amity, between his Sacred Imperial Majesty, and his most Christian Majesty […].

XXVIII. That those of the Confession of Augsburg, and particularly the Inhabitants of Oppenheim, shall be put in possession again of their Churches, and Ecclesiastical Estates, as they were in the Year 1624. As also that all others of the said Confession of Augsburg, who shall demand it, shall have the free Exercise of their Religion, as well in publick Churches at the appointed Hours, as in private in their own Houses, or in others chosen for this purpose by their Ministers, or by those of their Neighbours, preaching the Word of God. […]

LXXVII. The most Christian King shall, nevertheless, be oblig’d to preserve in all and every one of these Countrys the Catholick Religion, as maintain’d under the Princes of Austria, and to abolish all Innovations crept in during the War.

**Document Title:** An Act Concerning Religion (Maryland Toleration Act)  
**Author:** Assembly of the Maryland Colony  
**Date:** 1649  
**Source:** avalon.law.yale.edu/18th_century/maryland_toleration.asp

And be it also further Enacted by the same authority advise and assent that whatsoever person or persons shall from henceforth upon any occasion of Offence
or otherwise in a reproachful manner or Way declare call or denominate any person or persons whatsoever inhabiting, residing, traffiqueing, trading or commerceing within this Province or within any the Ports, Harbors, Creeks or Havens to the same belonging an heritick, Scismatick, Idolator, puritan, Independant, Prespi-terian, popish priest, Jesuite, Jesuited papist, Lutheran, Calvenist, Anabaptist, Brown-ist, Antinomian, Barrowist, Roundhead, Separatist, or any other name or terme in a reproachfull manner relating to matter of Religion shall for every such Offence forfeit and loose the somme of tenne shillings sterling or the value thereof to bee levyed on the goods and chattells of every such Offender and Offenders […]. Noe person or persons whatsoever within this Province, or the Islands, Ports, Harbors, Creekes, or havens thereunto belonging professing to beleive in Jesus Christ, shall from henceforth bee any waies troubled, Molested or discountenanced for or in respect of his or her religion nor in the free exercise thereof within this Province or the Islands thereunto belonging nor any way compelled to the beleife or exercise of any other Religion against his or her consent […].

Document Title: An Act For the Uniformity of Publick Prayers; and Administration of Sacraments, and other Rites and Ceremonies: And for the establishing the Form of Making, Ordaining, and Consecrating Bishops, Priests, and Deacons in the Church of England.

Author: The English Parliament

Date: 1662

Source: www.eskimo.com/~lhowell/bcp1662/intro/uniformity_1662.html

Be it Enacted by the Kings most Excellent Majesty […], That all and singular Ministers […] shall be bound to say and use the Morning Prayer, Evening Prayer, Celebration and Administration of both the Sacraments, and all other the Publick, and Common Prayer, in such order and form as is mentioned in […] The Book of Common Prayer.

[…] Be it further Enacted by the Authority aforesaid, that every Parson, Vicar, or other Minister whatsoever, who now hath, and enjoyeth any Ecclesiastical Benefice, or Promotion, within this Realm of England, or places aforesaid, shall in the Church, Chappel, or place of Publick Worship belonging to his said Benefice or Promotion […] declare […], I do here declare my unfeigned assent, and consent to all, and every thing contained, and prescribed in, and by the Book intituled, The Book of Common Prayer and Administration of the Sacraments, and other Rites, and Ceremonies of the Church, according to the use of the Church of England; together with the Psalter, or Psalms of David, Pointed as they are to be sung, or said in Churches, and the form, or manner of Making, Ordaining, and Consecrating of Bishops, Priests, and Deacons.
[...] And now we perceive, with thankful acknowledgment of God’s aid, that our endeavors have attained their proposed end, inasmuch as the better and the greater part of our subjects of the said R.P.R. [Reformed Church] have embraced the Catholic faith. And [...] we can do nothing better, in order wholly to obliterate the memory of the troubles, the confusion, and the evils which the progress of this false religion has caused in this kingdom...than entirely to revoke the said Edict of Nantes, with the special articles granted as a sequel to it, as well as all that has since been done in favor of the said religion. [...] 

I. We declare them [Edict of Nantes and Edict of Nimes] null and void, together with all concessions, of whatever nature they may be [...].

II. We forbid our subjects of the R.P.R. to meet any more for the exercise of the said religion in any place or private house [...].

IV. We enjoin all ministers of the said R.P.R., who do not choose to become converts and to embrace the Catholic, apostolic, and Roman religion, to leave our kingdom and the territories subject to us within a fortnight of the publication of our present edict [...].

VII. We forbid private schools for the instruction of children of the said R.P.R., and in general all things whatever which can be regarded as a concession of any kind in favor of the said religion.

VIII. As for children who may be born of persons of the said R.P.R., we desire that from henceforth they be baptized by the parish priests [...].

XII. As for the rest, liberty is granted to the said persons of the R.P.R., pending the time when it shall please God to enlighten them as well as others, to remain in the cities and places of our kingdom, lands, and territories subject to us, and there to continue their commerce, and to enjoy their possessions, without being subjected to molestation or hindrance on account of the said R.P.R., on condition of not engaging in the exercise of the said religion, or of meeting under pretext of prayers or religious services, of whatever nature these may be, under the penalties above mentioned of imprisonment and confiscation. This do we give in charge to our trusty and well-beloved counselors, etc.
Against this background of growing official religious support, church bodies began to speak out with renewed resolution in favor of a universal right to freedom of conscience and religion, in some cases going so far as to denounce altogether the resort to force in resolving international conflicts. Such were the declarations, for example, of the Orthodox Church in the late twentieth and early twenty-first centuries, calling for “tolerance towards other religious faiths as a corollary of absolute respect towards human freedom,” for “safeguard[ing] the possibility for the members of every religious and cultural minority to maintain their distinctiveness and particularity,” and for the “utter condemnation” of “war and armed conflict.”

The second half of the eighteenth century was a pivotal period for the emergence of modern conceptions of religious freedom. Conflicting developments reflected the very different experiences of the American and French Revolutions (1776 and 1789, respectively). Building on the ideas of Williams and Locke, figures like Isaac Backus of New England, and George Mason, James Madison, and Thomas Jefferson of Virginia, all contributed significantly to ensuring that the rights of free conscience were included in the founding document of the American Republic. Backus’s “Appeal to the Public for Religious Liberty” (1773), Mason’s “Virginia Declaration of Rights” (1776), Madison’s “Memo- rial and Remonstrance against Religious Assessments” (1785), and Jefferson’s “Statute for Religious Freedom” (1786) all lay behind the provision against establishing a national religion and in favor of protecting the “free exercise” of religious belief and practice that was enshrined in the Bill of Rights of United States Constitution, adopted in 1791.

Madison’s affirmation of the existence of “natural rights” assuring “equal title to the free exercise of religion according to the dictates of conscience,” and Jefferson’s claim that the rights of conscience could never be submitted to the state on pain of self-betrayal, captured eloquently the basis for the expansive protection of religious freedom earlier codified in two state constitutions, those of Virginia and New York. The American founders often spoke of a substantial role for religion in civil and political life, both as a school of virtue and as a limitation on government, but they occasionally had different views of the matter. Washington asserted in his farewell address that religion produces “dispositions and habits which lead to political prosperity.” Jefferson sometimes agreed, but
at other times could write: “Some have made the love of God the foundation of morality. […] [But if so,] whence arises the morality of the Atheists? […] Their virtue must have some other foundation.”

To a limited degree, the French experience encouraged notions of free conscience. But the French concept of religious freedom developed in a radically different way from that of the United States. On the one hand, French Enlightenment representatives such as Jean-Jacque Rousseau, Denis Diderot, and Voltaire all favored equal freedom of conscience, guaranteed in Article 10 the French Declaration of the Rights of Man and Citizen of 1789. On the other hand, the French Revolution, driven by a strong anticlerical impulse, led to the suppression and punishment of unpopular religious beliefs on the part of individuals. Catholic priests and nuns were executed and exiled. The 1790 Civil Constitution of the Clergy forcibly placed the Catholic Church under popular rule and required the election of bishops. Rousseau’s collectivist predispositions influenced Articles 3 and 6 of the declaration, which gave priority to the “general will” and the “sovereignty of the nation” over individual conscience. Partly as a consequence, the French are to this day deeply suspicious of any public expression of religion or any suggestion that religion might contribute to civic virtue, the common good, or to limiting the power of government.

During the nineteenth and early twentieth centuries, the United States, Europe, and many other parts of the world experienced challenges to their respective emerging concepts of religious freedom. Despite the guarantees of the First Amendment, America tolerated an informal establishment of Protestant Christianity. In state after state, Jews, Catholics, Mormons, and non-mainline Protestants were excluded from public office or subject to hostile legislation such as the Blaine Amendments and the Edmunds-Tucker Act. Protestant symbols and beliefs were favored in public schools and elsewhere. And yet, notwithstanding these developments, the promise of the First Amendment led the American Catholic Bishops in the late nineteenth century to praise the American system of religious freedom.

European countries in this period, like Great Britain, France, Belgium, and Germany, were consumed with imperialist campaigns that, more often than not, rewarded religions offering blessings and encouragement to those campaigns, while disadvantaging religious groups that dared to challenge or resist them. It is true that the agents of imperialism, frequently promoted and accompanied by Christian missionaries, inadvertently carried with them a self-incriminating message, which in part proved to be their undoing by the middle of the twenti-
In general, the Catholic Church displayed a deep suspicion of religious freedom throughout the nineteenth and much of the twentieth centuries, with encyclicals such as Mirari Vos, issued in 1832, and The Syllabus of Errors, issued in 1864. These and other official statements were in part a reaction to the religious indifferentism believed to be the inevitable result of institutionalized religious freedom, and in part a reaction to the severe anti-Catholicism of French, Italian, and German political reforms. However, with the adoption of Dignitatis Humanae, a major declaration of the Second Vatican Council promulgated by Pope Paul VI on December 7, 1965, the Church articulated its official endorsement of a universal right to religious freedom, grounding it in both reason and revelation.

While some nations showed signs in the first half of the twentieth century of opening the door to greater religious freedom, the experience of religious people and institutions during World War II decidedly hastened the process. The relentless campaign by fascists in Germany and elsewhere to control, suppress, and—in the case of the Jews and Jehovah's Witnesses—exterminate whole religious groups aroused among Christians a new sense of urgency on behalf of the cause of religious freedom. Protestant theologians like Karl Barth and Reinhold Niebuhr staunchly defended the freedom of Christians and others against Hitler's “totalitarian” onslaught. Likewise, Catholic theologians such as John Courtney Murray, Karl Rahner, and Jacques Maritain persistently endeavored to protect religious freedom against the threat of state domination. States, for their part, saw a reduction from past anti-clericalist posturing, with the overall result of a friendlier climate for religious freedom following World War II.

Agitation of this kind by Christian and other religious leaders contributed significantly to the drafting and acceptance of the Universal Declaration of Human Rights by the UN General Assembly in 1948. Without such influence, it is unlikely that human rights would have found favor among the drafters of the UN Charter. Furthermore, religious actors played a critical role in formulating the wording of Article 18 of the declaration, which guarantees the right of everyone to “freedom of thought, conscience and religion.”

From 1948 to the present, the declaration and the subsequent international human rights instruments that it fostered created the universal context in which
questions of the justification, interpretation, and application of the right to religious freedom are considered and debated. Of course, there remain deep differences of opinion among members of the Christian tradition over these matters, not to mention similar differences between and among members of other religious and philosophical points of view. That atheism cannot be tolerated, as John Courtney Murray advocates, or that, as Karl Rahner states, “the freedom and dignity of man” is only possible on the basis of an explicitly Christian ethos, are examples of abiding points of intense controversy within and outside the Christian community. Still, there seems widespread agreement among Christians and others that, whatever the differences on detail, all people of conscience have a profound stake in resisting the threat of collective domination, indelibly vivified during the twentieth century by the fascist and communist experiments.
The discipline sanctioned by the Church must never be rejected or be branded as contrary to certain principles of natural law. It must never be crippled, or imperfect or subject to civil authority. In this discipline the administration of sacred rites, standards of morality, and the reckoning of the rights of the Church and her ministers are embraced. […]

This shameful font of indifferentism gives rise to that absurd and erroneous proposition which claims that liberty of conscience must be maintained for everyone. […]

Here we must include that harmful and never sufficiently denounced freedom to publish any writings whatever and disseminate them to the people. […]

We have learned that certain teachings are being spread among the common people in writings which attack the trust and submission due to princes; the torches of treason are being lit everywhere. Care must be taken lest the people, being deceived, are led away from the straight path. […]

Nor can we predict happier times for religion and government from the plans of those who desire vehemently to separate the Church from the state, and to break the mutual concord between temporal authority and the priesthood. It is certain that concord which always was favorable and beneficial for the sacred and the civil order is feared by the shameless lovers of liberty.

**Document Title:** The Syllabus of Errors Condemned  
**Author:** Pope Pius IX  
**Date:** 1864  
**Source:** www.papalencyclicals.net/Pius09/p9syl.htm
The following propositions have been condemned:

The Church not only ought never to pass judgment on philosophy, but ought to tolerate the errors of philosophy, leaving it to correct itself. […]

Every man is free to embrace and profess that religion which, guided by the light of reason, he shall consider true. –Allocution “Maxima quidem,” June 9, 1862; Damnatio “Multiplices inter,” June 10, 1851. […]

The ecclesiastical power ought not to exercise its authority without the permission and assent of the civil government. –Allocution “Meminit unusquique,” Sept. 30, 1861. […]

The sacred ministers of the Church and the Roman pontiff are to be absolutely excluded from every charge and dominion over temporal affairs. –Allocution “Maxima quidem,” June 9, 1862. […]

National churches, withdrawn from the authority of the Roman pontiff and altogether separated, can be established. –Allocution “Multis gravibusque,” Dec. 17, 1860. […]

The State, as being the origin and source of all rights, is endowed with a certain right not circumscribed by any limits. –Allocution “Maxima quidem,” June 9, 1862. […]

The entire government of public schools in which the youth of a Christian state is educated, except (to a certain extent) in the case of episcopal seminaries, may and ought to appertain to the civil power […]. –Allocutions “Quibus luctuosissimis,” Sept. 5, 1851, and “In consistoriali,” Nov. 1, 1850. […]

The Church ought to be separated from the State, and the State from the Church. –Allocution “Acerbissimum,” Sept. 27, 1852. […]

In the present day it is no longer expedient that the Catholic religion should be held as the only religion of the State, to the exclusion of all other forms of worship. –Allocution “Nemo vestrum,” July 26, 1855.

Hence it has been wisely decided by law, in some Catholic countries, that persons coming to reside therein shall enjoy the public exercise of their own peculiar worship. –Allocution “Acerbissimium,” Sept. 27, 1852. […]
Things being thus, Venerable Brothers, make every effort to defend the faithful which are entrusted to you against the insidious contagion of these sects and to save from perdition those who unfortunately have inscribed themselves in such sects. […]

**Document Title:** Immortale Dei (On the Christian Constitution of States)

**Author:** Pope Leo XIII

**Date:** 1885

**Source:** [www.vatican.va/holy_father/leo_xiii/encyclicals/documents/hf_l-xiii_enc_01111885_immortale-dei_en.html](http://www.vatican.va/holy_father/leo_xiii/encyclicals/documents/hf_l-xiii_enc_01111885_immortale-dei_en.html)

[…] The State, constituted as it is, is clearly bound to act up to the manifold and weighty duties linking it to God, by the public profession of religion […]. All who rule, therefore, would hold in honor the holy name of God, and one of their chief duties must be to favor religion, to protect it, to shield it under the credit and sanction of the laws, and neither to organize nor enact any measure that may compromise its safety. This is the bounden duty of rulers to the people over whom they rule. […]

Hence, civil society, established for the common welfare, should not only safeguard the well-being of the community, but have also at heart the interests of its individual members, in such mode as not in any way to hinder, but in every manner to render as easy as may be, the possession of that highest and unchangeable good for which all should seek. Wherefore, for this purpose, care must especially be taken to preserve unharmed and unimpeded the religion whereof the practice is the link connecting man with God. […]

Moreover, [the State] believes that it is not obliged to make public profession of any religion; or to inquire which of the very many religions is the only one true; or to prefer one religion to all the rest; or to show to any form of religion special favor; but, on the contrary, is bound to grant equal rights to every creed, so that public order may not be disturbed by any particular form of religious belief. […]

And it is a part of this theory that all questions that concern religion are to be referred to private judgment; that every one is to be free to follow whatever religion he prefers, or none at all if he disapprove of all. […]

Accordingly, it has become the practice and determination under this condition of public polity (now so much admired by many) either to forbid the action of the Church altogether, or to keep her in check and bondage to the State. Public enact-
ments are in great measure framed to this one end-to paralyze the action of Christian institutions, to cramp to the utmost the freedom of the Catholic Church, and to curtail her ever single prerogative. […]

For the opinion prevails that princes are nothing more than delegates chosen to carry out the will of the people; whence it necessarily follows that all things are as changeable as the will of the people, so that risk of public disturbance is ever hanging over our heads. To hold, therefore, that there is no difference in matters of religion between forms that are unlike each other, and even contrary to each other, most clearly leads in the end to the rejection of all religion in both theory and practice. And this is the same thing as atheism, however it may differ from it in name. Men who really believe in the existence of God must, in order to be consistent with themselves and to avoid absurd conclusions, understand that differing modes of divine worship involving dissimilarity and conflict even on most important points cannot all be equally probable, equally good, and equally acceptable to God. […]

A State from which religion is banished can never be well regulated […]; and already perhaps more than is desirable is known of the nature and tendency of the so-called civil philosophy of life and morals. The Church of Christ is the true and sole teacher of virtue and guardian of morals. She it is who preserves in their purity the principles from which duties flow, and, by setting forth most urgent reasons for virtuous life, bids us not only to turn away from wicked deeds, but even to curb all movements of the mind that are opposed to reason, even though they be not carried out in action. […]

From these pronouncements of the Popes it is evident that the origin of public power is to be sought for in God Himself, and not in the multitude, and that it is repugnant to reason to allow free scope for sedition. Again, that it is not lawful for the State, any more than for the individual, either to disregard all religious duties or to hold in equal favor different kinds of religion; that the unrestrained freedom of thinking and of openly making known one’s thoughts is not inherent in the rights of citizens, and is by no means to be reckoned worthy of favor and support. […]

The Church, indeed, deems it unlawful to place the various forms of divine worship on the same footing as the true religion, but does not, on that account, condemn those rulers who, for the sake of securing some great good or of hindering some great evil, allow patiently custom or usage to be a kind of sanction for each kind of religion having its place in the State. And, in fact, the Church is wont to take earnest heed that no one shall be forced to embrace the Catholic faith against
his will, for, as St. Augustine wisely reminds us, “Man cannot believe otherwise than of his own will.”

**Document Title:** Longinqua (Encyclical on Catholicism in the United States)  
**Author:** Pope Leo XIII  
**Date:** 1895  
**Source:** www.vatican.va/holy_father/leo_xiii/encyclicals/documents/hf_l-xiii_enc_06011895_longinqua_en.html

Our thoughts now turn to those who dissent from us in matters of Christian faith; and who shall deny that, with not a few of them, dissent is a matter rather of inheritance than of will? How solicitous We are of their salvation, with what ardor of soul We wish that they should be at length restored to the embrace of the Church, the common mother of all, Our Apostolic Epistle, “Praeclara,” has in very recent times declared. Nor are we destitute of all hope; for He is present and bath a care whom all things obey and who laid down His life that He might “gather in one the children of God who were dispersed.” (John xi. 52)

Surely we ought not to desert them nor leave them to their fancies; but with mildness and charity draw them to us, using every means of persuasion to induce them to examine closely every part of the Catholic doctrine, and to free themselves from preconceived notions. In this matter, if the first place belongs to the bishops and clergy, the second belongs to the laity, who have it in their power to aid the apostolic efforts of the clergy by the probity of their morals and the integrity of their lives. Great is the force of example; particularly with those who are earnestly seeking the truth, and who, from a certain inborn virtuous disposition, are striving to live an honorable and upright life, to which class very many of your fellow-citizens belong. If the spectacle of Christian virtues exerted the powerful influence over the heathens blinded, as they were, by inveterate superstition, which the records of history attest, shall we think it powerless to eradicate error in the case of those who have been initiated into the Christian religion?

**Document Title:** Theological Declaration at Barmen  
**Author:** Written by Karl Barth, signed by members of the German “Confessing” Church  
**Date:** 1934  
**Source:** www.sacred-texts.com/chr/barmen.htm

As members of Lutheran, Reformed, and United Churches we may and must speak with one voice in this matter today. Precisely because we want to be and
to remain faithful to our various Confessions, we may not keep silent, since we believe that we have been given a common message to utter in a time of common need and temptation. We commend to God what this may mean for the interrelations of the Confessional Churches.

[...] We reject the false doctrine, as though the State, over and beyond its special commission, should and could become the single and totalitarian order of human life, thus fulfilling the Church’s vocation as well.

[...] We reject the false doctrine, as though the Church, over and beyond its special commission, should and could appropriate the characteristics, the tasks, and the dignity of the State, thus itself becoming an organ of the State.

[...] The Church’s commission, upon which its freedom is founded, consists in delivering the message of the free grace of God to all people in Christ’s stead, and therefore in the ministry of his own Word and work through sermon and sacrament.

**Document Title:** Declaration on Religious Liberty  
**Author:** World Council of Churches, adopted at First Assembly (Amsterdam, 1948)  
**Date:** 1948  
**Source:** www.religlaw.org/content/religlaw/documents/wccdecreliglib1948.htm

1. Every person has the right to determine his own faith and creed.

The right to determine faith and creed involves both the process whereby a person adheres to a belief and the process whereby he changes his belief. It includes the right to receive instruction and education.

This right becomes meaningful when man has the opportunity of access to information. Religious, social and political institutions have the obligation to permit the mature individual to relate himself to sources of information in such a way as to allow personal religious decision and belief.

The right to determine one’s belief is limited by the right of parents to decide sources of information to which their children shall have access. In the process of reaching decisions, everyone ought to take into account his higher self-interests and the implications of his beliefs for the well-being of his fellowmen.
2. Every person has the right to express his religious beliefs in worship, teaching and practice, and to proclaim the implications of his beliefs for relationships in a social or political community.

The right of religious expression includes freedom of worship both public and private; freedom to place information at the disposal of others by processes of teaching, preaching and persuasion; and freedom to pursue such activities as are dictated by conscience. It also includes freedom to express implications of belief for society and its government.

This right requires freedom from arbitrary limitation of religious expression in all means of communication, including speech, press, radio, motion pictures and art. Social and political institutions should grant immunity from discrimination and from legal disability on grounds of expressed religious conviction, at least to the point where recognized community interests are adversely affected.

Freedom of religious expression is limited by the rights of parents to determine the religious point of view to which their children shall be exposed. It is further subject to such limitations, prescribed by law as are necessary to protect order and welfare, morals and the rights and freedoms of others. Each person must recognize the rights of others to express their beliefs and must have respect for authority at all times, even when conscience forces him to take issue with the people who are in authority or with the position they advocate.

3. Every person has a right to associate with others and to organize with them for religious purposes.

This right includes freedom to form religious organizations, to seek membership in religious organizations, and to sever relationships with religious organizations.

It requires that the rights of association and organization guaranteed by a community to its members include the right of forming associations for religious purposes.

It is subject to the same limits imposed on all associations by non-discriminatory laws.

4. Every religious organization, formed or maintained by action in accordance with the rights of individual persons, has the right to determine its policies and practices for the accomplishment of its chosen purposes.
The rights which are claimed for the individual in his exercise of religious liberty become the rights of the religious organization, including the right to determine its faith and creed; to engage in religious worship, both public and private; to teach, educate, preach and persuade; to express implications of belief for society and government. To these will be added certain corporate rights which derive from the rights of individual persons, such as the right: to determine the form of organization, its government and conditions of membership; to select and train its own officers, leaders and workers; to publish and circulate religious literature; to carry on service and missionary activities at home and abroad; to hold property and to collect funds; to co-operate and to unite with other religious bodies at home and in other lands, including freedom to invite or to send personnel beyond national frontiers and to give or to receive financial assistance; to use such facilities, open to all citizens or associations, as will make possible the accomplishment of religious ends.

In order that these rights may be realized in social experience, the state must grant to religious organizations and their members the same rights which it grants to other organizations, including the right of self-government, of public meeting, of speech, of press and publications, of holding property, of collecting funds, of travel, of ingress and egress, and generally of administering their own affairs.

The community has the right to require obedience to non-discriminatory laws passed in the interest of the public order and well-being. In the exercise of its rights, a religious organization must respect the rights of other religious organizations and must safeguard the corporate and individual rights of the entire community.

Document Title: Pacem in Terris (On Establishing Universal Peace in Truth, Justice, Charity, and Liberty)
Author: Pope John XXIII
Date: 1963
Source: www.vatican.va/holy_father/john_xxiii/encyclicals/documents/hf_j-xxiii_enc_11041963_pacem_en.html

The Right to Worship God According to One’s Conscience

[...] Also among man’s rights is that of being able to worship God in accordance with the right dictates of his own conscience, and to profess his religion both in private and in public. According to the clear teaching of Lactantius, “this is the very condition of our birth, that we render to the God who made us that just homage which is His due; that we acknowledge Him alone as God, and follow Him. It is from this ligature of piety, which binds us and joins us to God, that religion derives its name.”
Hence, too, Pope Leo XIII declared that “true freedom, freedom worthy of the sons of God, is that freedom which most truly safeguards the dignity of the human person. It is stronger than any violence or injustice. Such is the freedom which has always been desired by the Church, and which she holds most dear. It is the sort of freedom which the Apostles resolutely claimed for themselves. The apologists defended it in their writings; thousands of martyrs consecrated it with their blood.”

**Document Title:** Lumen Gentium (Light of the Nations: The Dogmatic Constitution of the Church)  
**Author:** Pope Paul VI  
**Date:** 1964  
**Source:** www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19641121_lumen-gentium_en.html

**Chapter II: On the People of God**

[...] Though there are many nations there is but one people of God, which takes its citizens from every race, making them citizens of a kingdom which is of a heavenly rather than of an earthly nature. All the faithful, scattered though they be throughout the world, are in communion with each other in the Holy Spirit, and so, he who dwells in Rome knows that the people of India are his members. Since the kingdom of Christ is not of this world the Church or people of God in establishing that kingdom takes nothing away from the temporal welfare of any people. On the contrary it fosters and takes to itself, insofar as they are good, the ability, riches and customs in which the genius of each people expresses itself. Taking them to itself it purifies, strengthens, elevates and ennobles them. The Church in this is mindful that she must bring together the nations for that king to whom they were given as an inheritance, and to whose city they bring gifts and offerings. This characteristic of universality which adorns the people of God is a gift from the Lord Himself. By reason of it, the Catholic Church strives constantly and with due effect to bring all humanity and all its possessions back to its source In Christ, with Him as its head and united in His Spirit.

**Document Title:** Dignitatis Humanae (On the Dignity of the Human Person: Declaration on Religious Freedom)  
**Author:** Pope Paul VI  
**Date:** 1965  
**Source:** www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decl_19651207_dignitatis-humanae_en.html

1. A sense of the dignity of the human person has been impressing itself more and more deeply on the consciousness of contemporary man, and the demand
is increasingly made that men should act on their own judgment, enjoying and making use of a responsible freedom, not driven by coercion but motivated by a sense of duty. [...] It regards, in the first place, the free exercise of religion in society. This Vatican Council takes careful note of these desires in the minds of men. It proposes to declare them to be greatly in accord with truth and justice.

[...] This Vatican Council professes its belief that it is upon the human conscience that these obligations fall and exert their binding force. The truth cannot impose itself except by virtue of its own truth, as it makes its entrance into the mind at once quietly and with power.

Religious freedom, in turn, which men demand as necessary to fulfill their duty to worship God, has to do with immunity from coercion in civil society. Therefore it leaves untouched traditional Catholic doctrine on the moral duty of men and societies toward the true religion and toward the one Church of Christ.

2. This Vatican Council declares that the human person has a right to religious freedom. This freedom means that all men are to be immune from coercion on the part of individuals or of social groups and of any human power, in such wise that no one is forced to act in a manner contrary to his own beliefs, whether privately or publicly whether alone or in association with others, within due limits.

The council further declares that the right to religious freedom has its foundation in the very dignity of the human person as this dignity is known through the revealed word of God and by reason itself. This right of the human person to religious freedom is to be recognized in the constitutional law whereby society is governed and thus it is to become a civil right.

In all his activity a man is bound to follow his conscience in order that he may come to God, the end and purpose of life. It follows that he is not to be forced to act in a manner contrary to his conscience. Nor, on the other hand, is he to be restrained from acting in accordance with his conscience, especially in matters religious. The reason is that the exercise of religion, of its very nature, consists before all else in those internal, voluntary and free acts whereby man sets the course of his life directly toward God. No merely human power can either command or prohibit acts of this kind. The social nature of man, however, itself requires that he should give external expression to his internal acts of religion: that he should share with others in matters religious; that he should profess his religion in community. Injury therefore is done to the human person and to the very order established by
God for human life, if the free exercise of religion is denied in society, provided just public order is observed.

4. The freedom or immunity from coercion in matters religious which is the endowment of persons as individuals is also to be recognized as their right when they act in community.

Provided the just demands of public order are observed, religious communities rightfully claim freedom in order that they may govern themselves according to their own norms...Religious communities also have the right not to be hindered in their public teaching and witness to their faith, whether by the spoken or by the written word.

5. The family, since it is a society in its own original right, has the right freely to live its own domestic religious life under the guidance of parents. Parents, moreover, have the right to determine, in accordance with their own religious beliefs, the kind of religious education that their children are to receive.

The protection and promotion of the inviolable rights of man ranks among the essential duties of government. Therefore government is to assume the safeguard of the religious freedom of all its citizens, in an effective manner, by just laws and by other appropriate means.

6. [...] It follows that a wrong is done when government imposes upon its people, by force or fear or other means, the profession or repudiation of any religion, or when it hinders men from joining or leaving a religious community. All the more is it a violation of the will of God and of the sacred rights of the person and the family of nations when force is brought to bear in any way in order to destroy or repress religion, either in the whole of mankind or in a particular country or in a definite community.

7. The right to religious freedom is exercised in human society: hence its exercise is subject to certain regulatory norms. In the use of all freedoms the moral principle of personal and social responsibility is to be observed. In the exercise of their rights, individual men and social groups are bound by the moral law to have respect both for the rights of others and for their own duties toward others and for the common welfare of all. Men are to deal with their fellows in justice and civility. [...]
this doctrine of freedom has roots in divine revelation, and for this reason Christians are bound to respect it all the more conscientiously. […]

11. God calls men to serve Him in spirit and in truth, hence they are bound in conscience but they stand under no compulsion. […]

The council exhorts Catholics, and it directs a plea to all men, most carefully to consider how greatly necessary religious freedom is, especially in the present condition of the human family. All nations are coming into even closer unity. Men of different cultures and religions are being brought together in closer relationships. There is a growing consciousness of the personal responsibility that every man has. All this is evident. Consequently, in order that relationships of peace and harmony be established and maintained within the whole of mankind, it is necessary that religious freedom be everywhere provided with an effective constitutional guarantee and that respect be shown for the high duty and right of man freely to lead his religious life in society.

Document Title: Gaudium Et Spes (Joy and Hope: The Pastoral Constitution on the Church in the Modern World)
Author: Pope Paul VI
Date: 1965

Chapter 1: The Dignity of the Human Person
[…] Only in freedom can man direct himself toward goodness. Our contemporaries make much of this freedom and pursue it eagerly; and rightly to be sure. Often however they foster it perversely as a license for doing whatever pleases them, even if it is evil. For its part, authentic freedom is an exceptional sign of the divine image within man. For God has willed that man remain “under the control of his own decisions,” so that he can seek his Creator spontaneously, and come freely to utter and blissful perfection through loyalty to Him. Hence man’s dignity demands that he act according to a knowing and free choice that is personally motivated and prompted from within, not under blind internal impulse nor by mere external pressure.

Document Title: Nostra Aetate (In Our Age: Declaration on the Relation of the Church to Non-Christian Religions)
Author: Pope Paul VI
Date: 1965
1. The Catholic Church rejects nothing that is true and holy in these [other] religions. She regards with sincere reverence those ways of conduct and of life, those precepts and teachings which, though differing in many aspects from the ones she holds and sets forth, nonetheless often reflect a ray of that Truth which enlightens all men. […]

2. The Church regards with esteem also the Muslims. They adore the one God, living and subsisting in Himself; merciful and all-powerful, the Creator of heaven and earth, who has spoken to men. […]

3. Thus the Church of Christ acknowledges that, according to God’s saving design, the beginnings of her faith and her election are found already among the Patriarchs, Moses and the prophets. […] Indeed, the Church believes that by His cross Christ, Our Peace, reconciled Jews and Gentiles, making both one in Himself.

The Church reproves, as foreign to the mind of Christ, any discrimination against men or harassment of them because of their race, color, condition of life, or religion. On the contrary, following in the footsteps of the holy Apostles Peter and Paul, this sacred synod ardently implores the Christian faithful to “maintain good fellowship among the nations” (1 Peter 2:12), and, if possible, to live for their part in peace with all men, so that they may truly be sons of the Father who is in heaven.

**Document Title:** Ad Gentes (To the Nations: The Decree on the Mission Activity of the Church)  
**Author:** The Bishops at the Second Vatican Council  
**Date:** 1965  
**Source:** www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii-decree_19651207_ad-gentes_en.html

**Article 2: Preaching the Gospel and Gathering together the People of God**  
[…] The Church strictly forbids forcing anyone to embrace the Faith, or alluring or enticing people by worrisome wiles. By the same token, she also strongly insists on this right, that no one be frightened away from the Faith by unjust vexations on the part of others.

**Document Title:** Lausanne Covenant  
**Author:** First Lausanne Congress, John Stott (Chair)  
**Date:** 1974  
**Source:** www.lausanne.org/en/documents/lausanne-covenant.html

It is the God-appointed duty of every government to secure conditions of peace, justice and liberty in which the Church may obey God, serve the Lord Jesus Christ,
and preach the gospel without interference. We therefore pray for the leaders of nations and call upon them to guarantee freedom of thought and conscience, and freedom to practise and propagate religion in accordance with the will of God and as set forth in The Universal Declaration of Human Rights. We also express our deep concern for all who have been unjustly imprisoned, and especially for those who are suffering for their testimony to the Lord Jesus. We promise to pray and work for their freedom. At the same time we refuse to be intimidated by their fate. God helping us, we too will seek to stand against injustice and to remain faithful to the gospel, whatever the cost. We do not forget the warnings of Jesus that persecution is inevitable.


**Document Title:** Redemptor hominis (Redeemer of Man)  
**Author:** Pope John Paul II  
**Date:** 1979  
**Source:** [www.vatican.va/holy_father/john_paul_ii/encyclicals/documents/hf_jp-ii_enc_04031979_redemptor-hominis_en.html](http://www.vatican.va/holy_father/john_paul_ii/encyclicals/documents/hf_jp-ii_enc_04031979_redemptor-hominis_en.html)

12. The Church’s mission and human freedom

[...]. The Declaration on Religious Freedom shows us convincingly that, when Christ and, after him, his Apostles proclaimed the truth that comes not from men but from God (“My teaching is not mine, but his who sent me,” that is the Father’s), they preserved, while acting with their full force of spirit, a deep esteem for man, for his intellect, his will, his conscience and his freedom. Thus the human person’s dignity itself becomes part of the content of that proclamation, being included not necessarily in words but by an attitude towards it. This attitude seems to fit the special needs of our times. Since man’s true freedom is not found in everything that the various systems and individuals see and propagate as freedom, the Church, because of her divine mission, becomes all the more the guardian of this freedom, which is the condition and basis for the human person’s true dignity.

17. Human rights: “letter” or “spirit”

[...] The rights of power can only be understood on the basis of respect for the objective and inviolable rights of man. The common good that authority in the State serves is brought to full realization only when all the citizens are sure of their rights. [...] These rights are rightly reckoned to include the right to religious freedom together with the right to freedom of conscience. The Second Vatican Council considered especially necessary the preparation of a fairly long declaration on this subject. This is the document
called *Dignitatis Humanae*, in which is expressed not only the theological concept of the question but also the concept reached from the point of view of natural law, that is to say from the “purely human” position, on the basis of the premises given by man’s own experience, his reason and his sense of human dignity. Certainly the curtailment of the religious freedom of individuals and communities is not only a painful experience but it is above all an attack on man’s very dignity, independently of the religion professed or of the concept of the world which these individuals and communities have. The curtailment and violation of religious freedom are in contrast with man’s dignity and his objective rights. The Council document mentioned above states clearly enough what that curtailment or violation of religious freedom is. In this case we are undoubtedly confronted with a radical injustice with regard to what is particularly deep within man, what is authentically human. Indeed, even the phenomenon of unbelief, a-religiousness and atheism, as a human phenomenon, is understood only in relation to the phenomenon of religion and faith. It is therefore difficult, even from a “purely human” point of view, to accept a position that gives only atheism the right of citizenship in public and social life, while believers are, as though by principle, barely tolerated or are treated as second-class citizens or are even—and this has already happened—entirely deprived of the rights of citizenship.

**Document Title:** The Bosphorus Declaration  
**Author:** Patriarch Bartholomew and others assembled  
**Date:** 1994  
**Source:** www.appealofconscience.org/d-577/declarations/Bosphorus%20Declaration

We stand firmly against those who violate the sanctity of human life and pursue policies in defiance of moral values. We reject the concept that it is possible to justify one’s actions in any armed conflict in the name of God.

[...Participants] unanimously agreed to utterly condemn war and armed conflict [...], to demand the initiation of constructive dialogue to solve outstanding issues between those of different faiths; and to demand the right to practice one’s religion in freedom and with dignity.

**Document Title:** Statement of Conscience  
**Author:** National Association of Evangelicals  
**Date:** 1996  
**Source:** www.pcahistory.org/pca/3-476.pdf

Religious liberty is not a privilege to be granted or denied by an all-powerful State, but a God-given human right. Indeed, religious liberty is the bedrock principle
that animates our republic and defines us as a people. We must share our love of religious liberty with other peoples, who in the eyes of God are our neighbors. Hence, it is our responsibility, and that of the government that represents us, to do everything we can to secure the blessings of religious liberty to all those suffering from religious persecution.

We appeal not only to our own government, but to the governments of every nation that would be free, to treasure religious freedom. A people cannot be truly free where the elemental justice of religious freedom is abridged or denied. If justice is to “roll on like a river,” religious persecution around the world must cease.

Therefore, before God, and because we are our brother’s keeper, we solemnly pledge:

To end our own silence in the face of the suffering of all those persecuted for their religious faith.

To address religious persecution carried out by our Christian brothers and sisters whenever this occurs around the world.

To withhold assistance by our member denominations to those countries that fail to take action to end religious persecution.

To do what is within our power to the end that the government of the United States will take appropriate action to combat the intolerable religious persecution now victimizing fellow believers and those of other faiths.

Document Title: Basic Teaching on Human Dignity, Freedom and Rights
Author: His Holiness Patriarch Kirill I of Moscow and All Russia
Date: 1997

The human rights theory is based on human dignity as its fundamental notion. This is the reason why the need arises to set forth the Church’s view of human dignity.

According to the Biblical revelation, God not only created human nature but also endowed it with qualities in His image and after His likeness (cf. Gen. 1:26). It is the only ground which makes it possible to assert that human nature has an inherent dignity.

[...] In Orthodoxy the dignity and ultimate worth of every human person are derived from the image of God, while dignified life is related to the notion of God’s
likeness achieved through God’s grace by efforts to overcome sin and to seek moral purity and virtue. Therefore, the human being as bearing the image of God should not exult in this lofty dignity, for it is not his own achievement but a gift of God. Nor should he use it to justify his weaknesses or vices, but rather understand his responsibility for the direction and way of his life. Clearly, the idea of responsibility is integral to the very notion of dignity.

Therefore, in the Eastern Christian tradition the notion of “dignity” has first of all a moral meaning, while the ideas of what is dignified and what is not are bound up with the moral or amoral actions of a person and with the inner state of his soul. Considering the state of human nature darkened by sin, it is important that things dignified and undignified should be clearly distinguished in the life of a person.

[...] According to the Orthodox tradition, a human being preserves his God-given dignity and grows in it only if he lives in accordance with moral norms because these norms express the primordial and therefore authentic human nature not darkened by sin. Thus there is a direct link between human dignity and morality. Moreover, the acknowledgement of personal dignity implies the assertion of personal responsibility.

Document Title: Statement by the Ecumenical Patriarch Bartholomew for the 1999 Annual Davos Meeting of the World Economic Forum
Author: Ecumenical Patriarch Bartholomew
Date: 1999

[...] Our desire is to safeguard the possibility for the members of every religious and cultural minority to maintain their distinctiveness and particularity of their culture. [...]
[...] A certain kind of ‘secularism’ has direct Christian and theological roots. By this I do not mean that curious infatuation with the idea of a world devoid of the sacred which preoccupied some theologians of the 1960s, but something almost opposite to this—a culture in which presence and solidarities exist which exceed and escape the conventional boundaries of ‘public life’ but which thus imbue that public life with depth and moral gravity that cannot be generated simply by the negotiation of practical goods and balanced self-interests. To put it more dramatically, I am arguing that the sphere of public and political negotiation flourishes only in the context of larger commitments and visions, and that if this is forgotten or repressed by a supposedly neutral ideology of the public sphere, immense damage is done to the moral energy of a liberal society. For that ideal of liberal society, if it is to be any more than a charter for the carefully brokered competition of individual, requires not a narrowing but a broadening of the moral sources from which the motivation for social action and political self-determination can be drawn.

[...] If a proper secularism requires faith; if it is to guarantee freedom, this is because a civilised politics must be a politics attuned to the real capacities and dignities of the person—not the individual consumer, but the self learning over time to exercise liberty in the framework of intelligible communication and the self-scrutiny that grows from this. Such a concept of the person is, I would maintain, unavoidably religious in character; it assumes that we ‘answer’ not only to circumstance or instinct or even to each other but also to a Creator who addresses us and engages us before ever we embark on social negotiation. That, after all, is why we regard the child—or the mentally challenged adult or the dying man or woman who has passed beyond ordinary human communication—as a person, whose dignities and liberties are inalienable. The struggle for a right balance of secular process and public religious debate is part of a wider struggle for a concept of the personal that is appropriately robust and able to withstand the pressures of a functionalist and reductionist climate. This is a larger matter than we can explore here; but without this dimension, the liberal ideal becomes deeply anti-humanist. And, like it or not, we need a theology to arrest this degeneration.
There is another aspect of modern life that is very closely connected to development: the denial of the right to religious freedom. I am not referring simply to the struggles and conflicts that continue to be fought in the world for religious motives [but also] the deliberate promotion of religious indifference or practical atheism on the part of many countries obstructs the requirements for the development of peoples, depriving them of spiritual and human resources. God is the guarantor of man’s true development, inasmuch as, having created him in his image, he also establishes the transcendent dignity of men and women and feeds their innate yearning to “be more.”

When the State promotes, teaches, or actually imposes forms of practical atheism, it deprives its citizens of the moral and spiritual strength that is indispensable for attaining integral human development and it impedes them from moving forward with renewed dynamism as they strive to offer a more generous human response to divine love. Religious freedom does not mean religious indifferentism, nor does it imply that all religions are equal. Discernment is needed regarding the contribution of cultures and religions, especially on the part of those who wield political power, if the social community is to be built up in a spirit of respect for the common good. […]

The Christian religion and other religions can offer their contribution to development only if God has a place in the public realm, specifically in regard to its cultural, social, economic, and particularly its political dimensions. The Church’s social doctrine came into being in order to claim “citizenship status” for the Christian religion. Denying the right to profess one’s religion in public and the right to bring the truths of faith to bear upon public life has negative consequences for true development. The exclusion of religion from the public square—and, at the other extreme, religious fundamentalism—hinders an encounter between persons and their collaboration for the progress of humanity.
Religious freedom, the path to peace
1. At present, Christians are the religious group which suffers most from persecution on account of its faith. Many Christians experience daily affronts and often live in fear because of their pursuit of truth, their faith in Jesus Christ and their heartfelt plea for respect for religious freedom. This situation is unacceptable, since it represents an insult to God and to human dignity; furthermore, it is a threat to security and peace, and an obstacle to the achievement of authentic and integral human development. […]

A sacred right to life and to a spiritual life
2. The right to religious freedom is rooted in the very dignity of the human person, whose transcendent nature must not be ignored or overlooked. God created man and woman in his own image and likeness (cf. Gen 1:27). For this reason each person is endowed with the sacred right to a full life, also from a spiritual standpoint. Without the acknowledgment of his spiritual being, without openness to the transcendent, the human person withdraws within himself, fails to find answers to the heart’s deepest questions about life’s meaning, fails to appropriate lasting ethical values and principles, and fails even to experience authentic freedom and to build a just society.

The transcendent dignity of the person is an essential value of Judeo-Christian wisdom, yet thanks to the use of reason, it can be recognized by all. This dignity, understood as a capacity to transcend one’s own materiality and to seek truth, must be acknowledged as a universal good indispensable for the building of a society directed to human fulfillment. Respect for essential elements of human dignity, such as the right to life and the right to religious freedom, is a condition for the moral legitimacy of every social and legal norm.

Religious freedom and mutual respect
3. Religious freedom is at the origin of moral freedom. […] Religious freedom should be understood, then, not merely as immunity from coercion, but even more fundamentally as an ability to order one’s own choices in accordance with truth.

A freedom which is hostile or indifferent to God becomes self-negating and does not guarantee full respect for others.

The family, the school of freedom and peace
4. If religious freedom is the path to peace, religious education is the highway which leads new generations to see others as their brothers and sisters, with
whom they are called to journey and work together so that all will feel that they are living members of one human family from which no one is to be excluded.

Parents must always be free to transmit to their children, responsibly and without constraints, their heritage of faith, values and culture.

*A common patrimony*

5. Religious freedom is not the exclusive patrimony of believers but of the whole family of the earth’s peoples. It is an essential element of a constitutional state; it cannot be denied without at the same time encroaching on all fundamental rights and freedoms, since it is their synthesis and keystone. It is “the litmus test for the respect of all the other human rights.”

*The public dimension of religion*

6. Religious freedom, like every freedom, proceeds from the personal sphere and is achieved in relationship with others. Freedom without relationship is not full freedom. Religious freedom is not limited to the individual dimension alone, but is attained within one’s community and in society, in a way consistent with the relational being of the person and the public nature of religion. […]

*An issue of justice and civility: Fundamentalism and hostility to believers compromise the positive secularity of states*

8. It should be clear that religious fundamentalism and secularism are alike in that both represent extreme forms of a rejection of legitimate pluralism and the principle of secularity. […] A society that would violently impose or, on the contrary, reject religion is not only unjust to individuals and to God, but also to itself. God beckons humanity with a loving plan that, while engaging the whole person in his or her natural and spiritual dimensions, calls for a free and responsible answer which engages the whole heart and being, individual and communitarian.

Whenever the legal system at any level, national or international, allows or tolerates religious or antireligious fanaticism, it fails in its mission, which is to protect and promote justice and the rights of all. These matters cannot be left to the discretion of the legislator or the majority since, as Cicero once pointed out, justice is something more than a mere act which produces and applies law. It entails acknowledging the dignity of each person, which, unless religious freedom is guaranteed and lived in its essence, ends up being curtailed and of-
fended, exposed to the risk of falling under the sway of idols, of relative goods which then become absolute. All this exposes society to the risk of forms of political and ideological totalitarianism which emphasize public power while demeaning and restricting freedom of conscience, thought and religion as potential competitors.

THEOLOGICAL AND PHILOSOPHICAL TEXTS

Document Title: An Appeal to the Public for Religious Liberty
Author: Isaac Backus
Date: 1773
Source: www.churchstatelaw.com/historicalmaterials/8_2_7.asp

What a dangerous error, yea, what a root of all evil then must it be, for men to imagine that there is any thing in the nature of true government that interferes with true and full liberty! [...] The true liberty of man is, to know, obey and enjoy his Creator, and to do all the good unto, and enjoy all the happiness with and in his fellow-creatures that he is capable of; in order to which the law of love was written in his heart, which carries in its nature union and benevolence to being in general, and to each being in particular, according to its nature and excellency, and to its relation and connexion to and with the supreme Being, and ourselves.

[…] And it appears to us that the true difference and exact limits between ecclesiastical and civil government is this, That the church is armed with light and truth, to pull down the strong holds of iniquity, and to gain souls to Christ, and into his church, to be governed by his rules therein; and again to exclude such from their communion, who will not be so governed; while the state is armed with the sword to guard the peace, and the civil rights of all persons and societies, and to punish those who violate the same. And where these two kinds of government, and the weapons which belong to them, are well distinguished and improved according to the true nature and end of their institution, the effects are happy.

[…] God alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men, which are, in any thing contrary to his word; or not contained in it; so that to believe such doctrines, or to obey such commands, out of conscience, is to betray true liberty of conscience; and the requiring of an implicit faith, and an absolute blind obedience, is to destroy liberty of conscience and reason also.
“Does a man upon entering into social compact surrender his conscience to that society to be controled by the laws thereof, or can he in justice assist in making laws to bind his children’s consciences before they are born?” I judge not, for the following reasons:

1. Every man must give an account of himself to God, and therefore every man ought to be at liberty to serve God in that way that he can best reconcile it to his conscience. If government can answer for individuals at the day of judgment, let men be controled by it in religious matters; otherwise let men be free.

2. It would be sinful for a man to surrender that to man which is to be kept sacred for God. A man’s mind should be always open to conviction, and an honest man will receive that doctrine which appears the best demonstrated; and what is more common than for the best of men to change their minds? Such are the prejudices of the mind, and such the force of tradition, that a man who never alters his mind is either very weak or very stubborn. How painful then must it be to an honest heart to be bound to observe the principles of his former belief after he is convinced of their imbecility? and this ever has and ever will be the case while the rights of conscience are considered alienable.

3. But supposing it was right for a man to bind his own conscience, yet surely it is very iniquitous to bind the consciences of his children; to make fetters for them before they are born is very cruel. And yet such has been the conduct of men in almost all ages that their children have been bound to believe and worship as their fathers did, or suffer shame, loss, and sometimes life; and at best to be called dissenters, because they dissent from that which they never joined voluntarily. Such conduct in parents is worse than that of the father of Hannibal, who imposed an oath upon his son while a child never to be at peace with the Romans.

4. Finally, religion is a matter between God and individuals, religious opinions of men not being the objects of civil government nor any ways under its control.
To say that “religion cannot stand without a state establishment” is not only contrary to fact (as has been proved already) but is a contradiction in phrase. Religion must have stood a time before any law could have been made about it; and if it did stand almost three hundred years without law it can still stand without it.

Document Title: The Nature and Destiny of Man, Volume II: Human Destiny
Author: Reinhold Niebuhr
Date: 1943

We know that the freedom of the human spirit over the flux of nature and history makes it impossible to accept our truth as the truth. The capacity for rational self-transcendence opens up constantly new and higher points of vantage for judging our finite perspectives in the light of a more inclusive truth. On the other hand our involvement in natural and historical flux sets limits upon our quest for the truth and ensures the partial and particular character of even the highest cultural vantage point. Thus human culture is under the tension of finiteness and freedom, of the limited and the unlimited.

Knowledge of the truth is thus invariably tainted with an “ideological” taint of interest, which makes our apprehension of truth something less than knowledge of the truth and reduces it to our truth. The cultural quest is furthermore confused by the premature claims of finality which men invariably make for their finite perspectives. This pretension is the sinful element in culture.

But Catholicism is collectively and officially intolerant. Its intolerance expresses itself not only in blindness towards possible facets of truth contained in other than its own interpretations of the truth; but also in efforts to suppress the profession of other religions, including the profession of other versions of the Christian religion.

In so far as modern tolerance has been achieved by disavowing religion it may rest merely on indifference towards the ultimate problems of life and history, with which religion is concerned. Since religious questions have been a particularly fecund source of fanaticism and conflict, the gain in provisional toleration has therefore been great. But the weakness in the
modern position is also quite apparent. Either it achieves toleration by taking an irresponsible attitude towards ultimate issues; or it insinuates new and false ultimates into views of life which are ostensibly merely provisional and pragmatic. Here are the twin perils of skepticism and a new fanaticism.

**Document Title:** The Commitment of the Self and the Freedom of the Mind  
**Author:** Reinhold Niebuhr  
**Date:** 1954  

[…] We must accept the fact that there is a basic contradiction between religion and the freedom of the mind. […]

We thus arrive at the conclusion that the most effective way of freeing the mind of restraints placed upon it by corruptions in its religious commitments is to have enough political freedom to challenge these corruptions. Political freedom is thus a necessary instrument for the attainment of the inner freedom which the mind needs above and beyond its religious commitments.

**Document Title:** Man and the State  
**Author:** Jacques Maritain  
**Date:** 1951  

[…] The body politic has the right and the duty to promote among its citizens, mainly through education, the human and temporal—and essentially practical—creed on which depend national communion and civil peace. It has no right, as a merely temporal or secular body, enclosed in the sphere where the modern State enjoys its autonomous authority, to impose on the citizens or to demand from them a rule of faith or a conformism of reason, a philosophical or religious creed which would present itself as the only possible justification of the practical charter through which the people's common secular faith expresses itself.

*The Freedom of the Church*  
Not only is the freedom of the Church to be recognized as required by freedom
of association and freedom of religious belief without interference from the State, but that freedom of the Church appears as grounded on the very rights of God and as identical with His own freedom in the face of any human institution. […] As a result, the first general principle to be stated, with respect to the problems we are examining, is the freedom of the Church to teach and preach and worship, the freedom of the Gospel, the freedom of the word of God.

The Church and the Body Politic
The Kingdom of God is essentially spiritual, and by the very fact that its own order is not of this world, it in no way threatens the kingdoms and republics of the earth. […] The second general principle to be stated, with respect to the problems we are examining, is the superiority of the Church—that is, of the spiritual—over the body politic or the State.

On the other hand it is clear that, as sharply distinct as they may be, the Church and the body politic cannot live and develop in sheer isolation from and ignorance of one another. This would be simply anti-natural. From the very fact that the same human person is simultaneously a member of that society which is the Church and a member of that society which is the body politic, an absolute division between these two societies would mean that the human person must be cut in two. The third general principle to be stated with respect to the problems we are examining is the necessary cooperation between the Church and the body politic or the State.

Document Title: Separation of Church and State
Author: John Courtney Murray, SJ
Date: 1946
Source: America 76 (December 1946): 261–63; www.library.georgetown.edu/woodstock/murray/1946e

[The First Amendment] does not define a concept of the Church but a concept of the State. Fundamentally, the First Amendment asserts that political sovereignty is limited by the rights of conscience inherent in man. It has simply an ethical and a political content. Its ethical content is the doctrine that religious conscience is immune from governmental coercion. And its political content is the assertion that the rights of conscience will be most securely protected and the political ends of the American State most effectively furthered by guaranteeing the equality of all religious consciences (and, by implication, of all religious bodies) before the law. […]

Nevertheless, it does not profess itself to be atheist or even agnostic. As a matter of fact, it professes neither knowledge nor ignorance in religious matters; it simply
maintains reverence for knowledge or ignorance as these are present in its citizens. And for this reason it respects whatever religious authority is accepted by any of those whose temporal good it serves. Its single aim is to serve them all impartially, regardless of their religion.

One could possibly say, therefore, that the First Amendment embodies “the principle of separation of Church and State.” But the formula is bad in itself and misleading in its connotations. At least, one should be careful to add that this “principle” is realized in the United States in a peculiarly American form, in consequence of a natively American and entirely valid theory of religious liberty. That is why Catholics support it, not only in practice (as expedient for themselves) but in principle (as sound in itself). When they opposed, and oppose, “separation of Church and State” elsewhere, they opposed and oppose something quite different in principle—a “lay” state predicated on atheistic and agnostic principles, militantly aggressive in its opposition to religion, and deliberately contemptuous of the religious realities of an historic situation.

**Document Title:** On Religious Freedom  
**Author:** John Courtney Murray, SJ  
**Date:** 1949  
**Source:** Theological Studies 10 (September): 409–32; www.library.georgetown.edu/woodstock/murray/1949c

[…] The more metaphysical and social viewpoint characteristic of the Middle Ages, and sustained beyond them, was inclined to regard every deviation from prevailing beliefs as evidence of bad faith, and for that reason intolerable. It is otherwise now that a more personal and psychological viewpoint is established: “In our days more and more account is taken of the fact that the knowledge of truth requires an ensemble of delicate social and psychological conditions; however convinced one may be of the truth of a doctrine, one understands that others may not perceive it.” To say this is not to assent to any relativism of truth. Truth itself is not relative, but the knowledge of truth is relative to a total spiritual milieu.

The traditional desire of the Church has been for conditions within the state and society that would “favor” the truth. This desire is still active; but one may believe that the concept of “conditions favorable to the truth” exhibits an altered content. It was once considered that conditions favorable to the truth were established by guaranteeing to those who possess the truth the exclusive
right of free speech. And there was no great concern lest adhesion to the truth should be a constrained or mechanical act. Now, however, the Catholic principle of the freedom of personal faith receives a new definition in the light of the secular mystique of personal liberty that is characteristic of our times. Admittedly, the historical demand for personal freedom was part of a great struggle against the Church and Christian truth. Nevertheless, the demand is a fact; and what is more important, its erroneous historical origins do not vitiate it in se as a human aspiration.

[...] It is not for the Church here below to seek to be a triumphant Church, whose faith is unchallenged and whose rights are secure. The challenge and the insecurity; are themselves stimuli to a more intensive apostolate. There is hardly room today for St. Thomas’s simplices in fide, kept such by external protection; the order of the day requires each Christian to be diasporafähig. And the contemporary ideal is that of a “spiritual struggle with only spiritual weapons”—a lofty ideal indeed. However, it is made imperative by the very crisis of the times—the threat from outside being now directed against the rights of God and the rights of man.

**Document Title:** The Right to Unbelief  
**Author:** John Courtney Murray, SJ  
**Date:** 1962  

Has the atheist the right of diffusing his atheism within society by propaganda, teaching, and group activity? And does the State find itself in the moral obligation of abstaining from all repressive measures in his regard? Such a position would be intolerable. It would be equivalent to denying that the State has a moral function as well as a material function. To affirm that the State has a need to regard with equal satisfaction the public movements in favor of religion and morality, and the public movements which work to destroy them, is equivalent to saying that religion and morality are in no way relevant to the common good of society. It would follow from this that they are indifferent matters to the State.

Now, there is no one of sense in the world who could accept this conclusion. Ethics has always taught and experience confirmed as evident that the negation of God and of the moral law, the diffusion of anti-religious and anti-moral ideas are the most dangerous enemies of the social order. They tend to
corrupt the virtue of the citizen in [whom] repose[s], in the first place, the common good of society. They tend likewise to undermine the practice of virtue and indispensable to the pursuit of the temporal common good. The freedom of religion is a political problem of immense implications. Unless you regulate the problem and regulate it well, you incite a grave disorder in the temporal order, as is evident in past and present history.

One cannot claim, then, that the State, to which falls the obligation of protecting the good order (even its moral values) of society, would leave the sphere of its mandate, if it would suppress—not certainly with an arbitrary violence but by the application of the law (by due process of law)—the public propaganda and teaching which strives to praise unbelief in God and in the moral law. […] There exists no law which the atheist can invoke and which would confer on him the “rights” contrary to the legitimate rights of the State. In virtue of what would he be able to cry injustice if one restricted his plot of propaganda? Surely he can only plead that his reason and his conscience command him to similar initiatives because his reason and his conscience are clearly in error. And they cannot then be a source of valid juridical rights.

Document Title: Religious Freedom and the Atheist
Author: John Courtney Murray, SJ
Date: 1970

[The Christian and the atheist] should agree that full religious freedom, whether the freedom of the Christian or the freedom of the atheist, cannot subsist except as an integral element and indeed the primatial element, in a larger order of political freedom, and within a total structure of human and civil rights, all of which derive from the dignity of the human person. One of the several weaknesses of the Declaration, Dignitatis humanae, is that it fails to situate the right to religious freedom within this more inclusive structure. In this respect, the Encyclical, Pacem in terris, presents a more complete and satisfying picture. In any event, the mutual interdependence of the right to religious freedom and all other human rights is a truth which has been illuminated by the entire secular experience of the modern world.
LEGAL AND POLITICAL TEXTS

**Document Title:** Virginia Declaration of Rights  
**Author:** George Mason  
**Date:** 1776  
**Source:** www.constitution.org/bcp/virg_dor.htm

A declaration of rights made by the representatives of the good people of Virginia, assembled in full and free convention; which rights do pertain to them and their posterity, as the basis and foundation of government. […]

*Section 16*

That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love, and charity toward each other.

**Document Title:** Memorial and Remonstrance Against Religious Assessments  
**Author:** James Madison  
**Date:** 1785  
**Source:** press-pubs.uchicago.edu/founders/documents/amendI_religions43.html

*Article 1*

[…] The Religion then of every man must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate. This right is in its nature an unalienable right. It is unalienable, because the opinions of men, depending only on the evidence contemplated by their own minds cannot follow the dictates of other men: It is unalienable also, because what is here a right towards men, is a duty towards the Creator. It is the duty of every man to render to the Creator such homage and such only as he believes to be acceptable to him. This duty is precedent, both in order of time and in degree of obligation, to the claims of Civil Society. […]

*Article 4*

[…] Whilst we assert for ourselves a freedom to embrace, to profess and to observe the Religion which we believe to be of divine origin, we cannot deny an equal freedom to those whose minds have not yet yielded to the evidence which has convinced us. If this freedom be abused, it is an offence against
God, not against man: To God, therefore, not to man, must an account of it be rendered. […]

Document Title: Virginia Act for Establishing Religious Freedom
Author: Thomas Jefferson
Date: 1786
Source: www.bc.edu/content/dam/files/centers/boisi/pdf/f10/The_Virginia_Act_For_Establishing_Religious_Freedom.pdf

Well aware that Almighty God hath created the mind free; that all attempts to influence it by temporal punishments or burdens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the Holy Author of our religion […] that to suffer the civil magistrate to intrude his powers into the field of opinion and to restrain the profession or propagation of principles, on the supposition of their ill tendency, is a dangerous fallacy, which at once destroys all religious liberty.

We the General Assembly of Virginia do enact, That no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer, on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinion in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities. […]

Document Title: Declaration of the Rights of Man and of the Citizen
Author: Marquis de Lafayette (with the aid of Thomas Jefferson)
Date: 1789
Source: www.constitution.org/fr/fr_drm.htm

Article 10
No one shall be disquieted on account of his opinions, including his religious views, provided their manifestation does not disturb the public order established by law.

Document Title: Concordat of 16 March 1851
Author: Isabella II of Spain
Date: 1851
Source: www.concordatwatch.eu/showtopic.php?org_id=845&kb_header_id=34511
Article I
The Apostolic Roman Catholic Church, to the exclusion of all other religions, will continue to be the only religion of Spain, always protected in the dominions of His Catholic Majesty and enjoying all rights and prerogatives according to God’s law and regulated by the sacred canon.

Article II
Accordingly, teaching in universities, colleges, seminaries, private and public schools of all types will conform in every respect to Catholic doctrine; and to this end no impediment of any kind will be placed on bishops and other prelates as they carry out their ministry to protect the purity of faith and customs and exercise their responsibility to educate the young, including those in public schools.

Article IV
In all else pertaining to the right and the exercise of ecclesiastical authority and to the ministry of holy orders, the bishops and the clergy dependent on them will enjoy all the liberty established by the sacred canons.

Document Title: Blaine Amendment
Author: James G. Blaine
Date: 1875
Source: www.becketfund.org/blaineamendments/#text_of_federal_blaine_amendment

No State shall make any law respecting an establishment of religion, or prohibiting the free exercise thereof; and no money raised by taxation in any State for the support of public schools, or derived from any public fund therefor, nor any public lands devoted thereto, shall ever be under the control of any religious sect; nor shall any money so raised or lands so devoted be divided between religious sects or denominations.

Document Title: Universal Declaration of Human Rights
Author: United Nations
Date: 1948
Source: www.ohchr.org/EN/UDHR/Pages/Language.aspx?LangID=eng

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.
The Apostolic Holy See and the Spanish State, with the intention of guaranteeing fruitful co-operation for the greater good of the religious and civil life of the Spanish nation, have determined to draw up a Concordat which resumes and completes previous Concordats, and establishes the rules governing the reciprocal relationship between the contracting parties, in agreement with the law of God and the Catholic tradition of Spain.

**Article 1**
The Apostolic Roman Catholic Church will continue to be the sole religion of the Spanish State and will enjoy the rights and prerogatives due to it under Divine and Canon Law.

**Article 2**
The Spanish State recognizes in the Catholic Church the character of the perfect society and guarantees it the free and full exercise of its spiritual power and jurisdiction, as well the free and public exercise of the religion. [...] 

**Article 24**
In general, all sentences, administrative decisions and decrees emanating from Church authorities in all matters within the limits of their competence will have effect on the civil order when they have been communicated to the appropriate State authorities who will, moreover, give the necessary support for their execution. [...] 

**Article 26**
In all centers of education, of whatever type or level, both public and private, teaching will conform to the principles of the dogma and morality of the Catholic Church. 

[...] The Ordinaries can demand that books, publications and educational materials contrary to Catholic dogma and morality are prohibited or withdrawn.
Article 31
The Church may freely exercise the right to establish and govern public schools of all types and grades, including secular ones, according to Canon 1.375 of the Code of Canon Law. […]
1. David Little is a research fellow at Georgetown University’s Berkley Center for Religion, Peace & World Affairs. He served on the steering committee of “Christianity and Freedom: Historical and Contemporary Perspectives,” a research initiative of the Religious Freedom Project. Until 2009, he was professor of the Practice of Religion, Ethnicity and International Conflict at Harvard Divinity School and an associate at the Weatherhead Center for International Affairs at Harvard University.

2. Except where otherwise noted, all Scripture quotations are taken from the Revised Standard Version.


4. See the text from Tertullian, Ad Scapulam, on p. 22 of this book.

5. See, for example, the Catholic Declaration on Religious Liberty, Dignitatis Humanae (1965).


8. Unless otherwise noted, all sources from this point forward are from the Common Era (CE).


The Religious Freedom Project (RFP) at Georgetown University’s Berkley Center for Religion, Peace and World Affairs is the nation’s only university-based program devoted exclusively to the analysis of religious freedom, a basic human right restricted in many parts of the world. Under the leadership of Director Thomas Farr and Associate Director Timothy Shah, the RFP engages a team of international scholars to examine and debate the meaning and value of religious liberty; its importance for democracy; and its role in social and economic development, international diplomacy, and the struggle against violent religious extremism.

The RFP began in 2011 with the generous support of the John Templeton Foundation. In 2014 that support continued, while the project also began a three-year partnership with Baylor University and its Institute for Studies of Religion under Director Byron Johnson.

The Berkley Center for Religion, Peace, and World Affairs at Georgetown University, created within the Office of the President in 2006, is dedicated to the interdisciplinary study of religion, ethics, and public life. Through research, teaching, and service, the center explores global challenges of democracy and human rights; economic and social development; international diplomacy; and interreligious understanding. Two premises guide the center’s work: that a deep examination of faith and values is critical to address these challenges, and that the open engagement of religious and cultural traditions with one another can promote peace.