



10 aspects of Freedom of Religion

developed in Britain over the last 500 years

- 1. Freedom of the church from state interference, including freedom to interpret scripture without government interference.**
- 2. Freedom to translate and own scripture in the vernacular and read it publicly.**
- 3. Freedom of worship.**
- 4. Freedom from being required to act against one's beliefs.**
- 5. Freedom to establish places of worship.**
- 6. Freedom to preach and try to convince others of the truth of one's beliefs.**
- 7. Freedom to choose or change one's faith.**
- 8. Freedom from being required to affirm a particular worldview i.e. religious or philosophical beliefs, in order to hold public office, enter various professions or study at university.**
- 9. Freedom of parents to educate children according to their own beliefs.**
- 10. Freedom to criticise the religious or philosophical beliefs of others.**

The development of Freedom of Religion over the last 500 years

Most aspects of freedom of religion developed gradually, experiencing reversals as well as advances. They also sometimes developed at different rates in England and Wales, Ireland and Scotland, while some religious freedoms developed earlier in countries outside Britain, including the United States, Canada, Australia and New Zealand.

1. Freedom of the church from state interference, including freedom to interpret scripture without government interference

The 1559 Elizabethan Church State settlement defined separate spheres for church and state. These are still set out in the 39 articles of the Church of England (article 37 "*We give not to our princes the ministering of God's word or the sacraments*"). In Scotland the 1592 General Assembly Act stated that the Church "*has power and jurisdiction in their own congregations in matters ecclesiastical*". This is a defining feature of free democratic countries.

2. Freedom to translate and own scripture in the vernacular and read it publicly

Although a few translations of the Bible took place in medieval times in 1408 the church sought to ban the English Bible translation made in the time of John Wycliffe and decreed anyone who even read aloud from it should be burnt at the stake. However, shortly after William Tyndale had been burnt at the stake on the continent in 1536, for secretly translating the New Testament into English, Thomas Cromwell and Archbishop Thomas Cranmer persuaded Henry VIII to legally approve the publication of the Bible in English. This freedom is seriously restricted in some Islamic countries, such as the Maldives, where it is a criminal offence to even own a copy of the Bible.

3. Freedom of worship

This developed in several stages. The Elizabethan Church was a deliberately broad church which allowed both catholic and reformed worship within it, but persecuted both anyone who worshipped outside it, which included both Protestant Separatists and Catholics. The 1689 Toleration Act allowed Protestant dissenters to have their own places of worship for the first time. This freedom was extended to Catholics in 1791 and later to those holding other beliefs. More extreme Islamic countries such as Saudi Arabia either ban Christian worship completely or, as in the case of Iran, only allow ethnic minorities who have historically been Christian to attend church.

4. Freedom from being required to act against one's beliefs

From Elizabethan times everyone was required to attend worship in their parish church and could be fined for not attending. The 1689 Toleration Act gave people greater freedom where they worshipped and in the nineteenth century the legal requirement for compulsory worship was repealed.

5. Freedom to establish places of worship

In Scotland the period before 1689 had seen what was probably the bloodiest time of persecution anywhere in British history. The attempt of the Stuart kings to impose an episcopal church on Scotland had been followed by laws making it a capital offence to preach or meet for worship other than in an episcopal church. In England, anyone worshipping anywhere other than a place of worship faced fines, imprisonment or in some instances execution. The accession of William and Mary brought in a new era of toleration. In England, the 1689 Toleration Act allowed Protestant dissenters to have their own places of worship, a freedom which was later extended to others. Christian minorities in many Islamic countries struggle to get permission for church buildings because the Islamic concept of *dhimmitude*, which is part of *shari'a* (Islamic law), prohibits the building of new churches or even the repair of existing ones.

6. Freedom to preach and try to convince others of the truth of one's beliefs

This was one of the most significant freedoms to develop. In the fifteenth and sixteenth centuries many Lollards i.e. those following similar beliefs to John Wycliffe, were executed for seeking to persuade others about the teaching of the Bible. While in the following century both Protestants and Catholics were at different times executed. In 1660 John Bunyan, author of *Pilgrims Progress*, was arrested for open air preaching. Refusing to stop, he spent the next 12 years in prison where he spoke of living in fear of execution. However, the 1689 Toleration Act which allowed non-Anglican chapels created the space for this freedom to develop. By the twentieth century this was of such importance that when the text of Universal Declaration of Human Rights was being negotiated, the UK submitted a draft text which included the freedom to seek to persuade other persons of the truth of one's beliefs. Although this was not finally included due to objections from a number of Islamic and Communist countries.

7. Freedom to choose or change one's faith

The freedom to choose or change one's faith originally developed alongside the freedom to seek to persuade others, and was initially the freedom to convert to another form of Christianity. When the Universal Declaration of Human Rights (UDHR) was negotiated in 1948, it was finally agreed to include this in the text of what became UDHR article 18. Although even then, a number of Islamic countries refused to endorse it, as they saw it as conflicting with *shari'a*.

8. Freedom from being required to affirm a particular worldview i.e. religious or philosophical beliefs, in order to hold public office, enter various professions or study at university (repeal of 'Test Acts').

Although the 1689 Toleration Act allowed people to worship outside the established church, there were still 'Test Acts' which excluded people from holding public office, such as being MPs or mayors, various professions such as school teachers and lawyers or attending English universities, unless they publicly affirmed the beliefs of the established church. Between 1719 and 1871 these laws were repealed and in 1888 the Oaths Act allowed even Atheists to become MPs. The abolition of the Test Acts was so significant that countries which became self-governing at this time such as the USA and Australia included clauses in their constitutions prohibiting any future governments from introducing a test of belief. Today, Islamic countries are almost the only countries to still have 'Test Acts'.

9. Freedom of parents to educate children according to their own beliefs

Until 1719, only the established church was allowed to run schools in England and only Anglicans were allowed to be school teachers. When this 'Test Act' was repealed the Solicitor-General told parliament that parents had a "natural right" to educate their children according to their own beliefs.

10. Freedom to criticise the religious or philosophical beliefs of others (absence of blasphemy law)

Although in medieval times both blasphemy and heresy carried the death penalty, the penalties were gradually reduced, so that by the early twentieth century, case law had reduced the offence of blasphemy to things that were deliberately intended to be so insulting that they could provoke a breach of the peace. In practice it ceased to exist in Ireland and Wales when the church was disestablished there, and was formally abolished in England in 2008 and Scotland in 2021. Blasphemy laws have been extended in Islamic countries such as Pakistan and are increasingly used particularly, though by no means exclusively, against non-Muslim minorities, who can face the death penalty for alleged Islamic blasphemy.