The State and Religion
Dennis C. Mueller
University of Vienna

I. Introduction

The proposition that the State should be separated from the Church is well accepted by students of democracy in the West. Huntington (1996) went so far as to claim that the separation of Church and State was a salient feature of Western Civilization, which explains why Western countries tend to be democracies, while democracy in other cultures is rare. Huntington’s claim obviously presumes that the State is separated from the Church in Western democracies. A closer look at the relationships between State and Church in these countries, however, reveals considerable financial and institutional linkages between the two institutions. Democratic states in the West subsidize religious organizations and religious schools, allow or even sometimes compel religious instruction in public, supposedly secular schools, and enact laws, which advance religious agendas. This article documents and discusses these state-church relationships. It goes on to recommend the implementation of a complete separation of Church and State.

The article proceeds as follows. In the next section, the history of church/state linkages is sketched. This is followed by discussions of state financial support for religion (Section III), and state enacted laws, which restrict individual freedoms in ways demanded by religious groups (Section IV). Section V examines state support for and provision of religious education. Religious freedom is thought to be a central value in liberal democracies. It can, however, be interpreted in different ways. Section VI takes up the concept of religious freedom, and explores its implications for state support for religions and religious education. Conclusions are drawn in
the final section. Although the focus is upon Western democracies, some statistics and discussion of church/state relations in other countries is included to illustrate the similarities and differences between the approach to state/church relationships in the West and those in other parts of the world.

II. State and Religion in Historical Perspective

The Sumerians invented writing and so theirs is the first state of which there is an historical record. In it state and religion were entwined. The state was an absolute monarchy with religion for an ideology. The king was god’s representative on earth, and immediately beneath him were the priests. The capability to read and write was confined to the priests and some scribes, and they ran the state with the help of a fairly large bureaucracy. The role of the masses was to serve god, which in effect meant serving the king. The power of the king was absolute.

Sumer was remarkable for the number and importance of its inventions – an elaborate writing system, advances in agriculture (irrigation, the plow, wheeled carts, draft animals), metallurgy (brass and copper smelting), pottery manufacturing (the potter’s wheel), transportation (the sail boat), astronomy and, perhaps most important, the state. Remarkable also, in contrast with the many states that followed it, was Sumer’s longevity – anywhere from 800 to 1500 years depending upon one’s choice of starting and ending points. Finer (1997, p. 29) attributes longevity in a state to a congruence between a society’s belief system and its social and political structure. In the Sumerarian city-state this congruence was as close as it could possibly come. “In no other antique society did religion occupy such a prominent position ... the religious ideas promoted by the Sumerians played an extraordinary part in the public and private life of the Mesopotamians, modeling their institutions, colouring their works of art and literature, pervading every form of activity.” Thus, when the state first appeared, religion and state were intimately joined. The same was true of Ancient Egypt, and in varying degrees of the other ancient states.

The first major break with this pattern occurred in Ancient Athens, and a dramatic break it was. Athens was, of course, the first democratic state, and during its existence as a democracy (with a couple of short interruptions from 519 to 322 BCE) all decisions of the state were made by the assembly of citizens. In special cases, like times of war, individuals were elected to lead the army or navy on the basis of their abilities, but their religious beliefs were not a factor in
their rise to leadership. The unimportance of religion in Greek political life is symbolized by Pericles’ famous funeral oration, delivered to commemorate those fallen in battle. Thucydides (1943, pp. 109-117) devotes some eight pages to Pericles’ oration. In them there is not one reference to any god or an afterlife. Instead, Pericles chooses the occasion to describe Athenian society, and explains to those gathered to mourn the dead what it was they died for. On such an occasion today, what American politician or even European politician would refrain from references to God or an afterlife?

Thus, with legitimacy, Ancient Athens can be said to be the first, secular state, the first state in which state and religion (one cannot really speak of a “church” in Athens) became separated. This separation arose not because the Athenians had made a conscious decision to separate the two sets of institutions, but rather because of their reverence for reason. The Greeks were simply too rational to let superstition influence their choices in the public domain.

In the history of the West, the Greek city states were followed by the Roman Empire. From 509 to 82 BCE, Rome was organized as a republic with magistrates formulating proposals, a Senate offering advice, and a popular assembly of citizens charged with voting proposals up or down. The Magistrates along with the Senate were the agenda setters, and generally used their positions to their great advantage. Both the magistrates and members of the Senate were drawn from the leading aristocratic families, which made the Roman Republic a de facto aristocracy.

The Romans were a very superstitious people. In the Republic’s early years, Romans believed in supernatural forces embodied in stones, rivers, trees and plants. As the Etruscan and Greeks gods were assimilated, these spirits lodged in natural objects were replaced by human ones. As in many tribal societies, Romans believed that the future could be predicted and altered by performing certain rituals and paying heed to various omens. “Developed Roman religion became, above all else, a network of elaborate spells, incantations, rituals, and sacrifices, each performed with exactitude ...”

These incantations and rituals had to be performed by priests. Since virtually every public act required the performance of a certain ritual, priests exercised considerable power over the state. Priests were also drawn from the aristocracy, thereby cementing its control over the people. Thus, we can identify two important differences between the Roman Republic and the Athenian city-state – the first was an aristocracy while the second was a democracy, and in the Roman Republic religious beliefs again played an important role in public decision making.
The link between religion and state became even stronger with Emperor Constantine’s conversion to Christianity in 313 CE. Constantine essentially made Christianity the Empire’s state religion. Ekelund and Tollison (2011) claim that this conversion was, perhaps, an opportunistic move by Constantine to obtain the benefits for the Roman state of lower policing costs and outlays for the poor, which accompanied the spread of Christian ethics.

During the following centuries when Christianity reigned in Europe, the church provided legitimacy for the state by blessing its royalty and reinforcing the myth that they ruled by a right granted directly by God. States repaid the favor by protecting church property, and the church’s rights to collect its own forms of taxes. Thus, although church and state in Christian Europe were not fused as in Sumer or Ancient Egypt, they jointly reigned in what might be described as a mutually beneficial partnership.

This relationship came under fire during the Enlightenment. Building on the work of Locke, Montesquieu, and other earlier scholars, Enlightenment thinkers challenged both the absolute power of monarchs, and the privileged place of the church in society. Out of the Enlightenment came, therefore, a movement for a separation of Church and State, and a weakened role for the Church.

III. State Financing of Religions

Enlightenment thinkers had proposed a series of political reforms from women’s suffrage to universal education. Over the course of the 19th and early 20th centuries most of these reforms would be implemented in Western Europe. Central among the proposed reforms was the separation of Church and State. A funny thing happened on the way to the separation of Church and State, however – it didn’t happen. The excesses of the French Revolution with respect to the Church and the ensuing reign of Napoleon, which was coupled with the Revolution in the eyes of the rest of Europe, meant that Europeans fighting Napoleon believed that they were not only fighting for their country against a tyrant, but also for their religion against atheistic France. This linking of Napoleon with atheism strengthened the hand of the Church (or better Churches) in Western Europe, and resulted in significant compromises during the 19th century in the implementation of a separation of Church and State.

Important among these was continued funding by states of religious activities. Table 1 summarizes figures for state funding of religious institutions in a broad cross-section of countries.
in 2002. For comparison purposes, the first row of Table 1 presents figures for 20 Middle East and North African countries. Most of these are Muslim countries and many are or were in 2002 dictatorships. Democratic, non-Muslim Israel is among the countries, however, as is Turkey where a strict separation of Church and State, now waning, has existed since the time of Ataturk. One expects and finds strong financial support for religious institutions in the Middle East and North Africa. In a full three quarters of the countries, the state directly subsidizes religious charities or other religious organizations, and in 70 percent of them clergy are on the state’s payroll.

Table 1
State Financial Support for Religious Charities and Institutions Around the World
Percentages of Countries, 2002

<table>
<thead>
<tr>
<th>Area</th>
<th>Religious Charities and other Institutions</th>
<th>Clergy</th>
<th>Tax Collection for Religious Institutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Middle East &amp; N. A.</td>
<td>75</td>
<td>70</td>
<td>10</td>
</tr>
<tr>
<td>Western Democracies</td>
<td>44</td>
<td>33</td>
<td>41</td>
</tr>
<tr>
<td>Latin America</td>
<td>33</td>
<td>19</td>
<td></td>
</tr>
<tr>
<td>Asia</td>
<td>21</td>
<td>18</td>
<td>7</td>
</tr>
</tbody>
</table>

Source: Fox (2008)

Notes:
M.E.&N.A., 20 countries; Algeria, Bahrain, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Syria, Tunisia, Turkey, UAE, W. Sahara, Yemen
W. D., 27 countries; Andorra, Australia, Austria, Belgium, Canada, Cyprus (G.), Cyprus (T.), Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Netherlands, New Zealand, Spain, Sweden, Switzerland, UK, USA
L.A., 27 countries; Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Chile, Columbia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Guyana, Hairi, Honduras, Jamaica, Mexico, Nicaragua, Panama, Peru, Suriname, Trinidad & Tobago, Uruguay, Venezuela
Asia, 28 countries; Afghanistan, Bangladesh, Bhutan, Brunei, Cambodia, China, Fiji, India, Indonesia, Japan, Laos, Malaysia, Maldives, Nepal, N. Korea, Pakistan, P.N. Guinea, Phillippines, Singapore, Solomon Isl., S. Korea, Sri Lanka, Taiwan, Thailand, Vanuatu, Vietnam

Row 2 of Table 1 presents the corresponding figures for 27 Western democracies. The
27 include all of the usual suspects, but also quite small democracies like Andorra. State support for religious organizations is much less common in the 27 Western democracies than in the Middle East and North Africa. Nevertheless, in nearly half of the Western democracies the state provides direct subsidies to religious charities and other religious organizations, and in a full one third clergy in state-recognized religions are on the state’s payroll. In two-fifths of the countries the state acts as a dues collector for churches. This typically takes the form as in Germany of an individual declaring his or her religion to the tax authorities. A deduction similar to a payroll tax is then made from the person’s income with the state passing the money on to the designated religious institution.

The last two rows in Table 1 present the figures for 27 Latin American and 28 Asian countries. The Latin American countries are mostly Catholic with increasing percentages of Protestants. The Asian countries are a mix of Eastern religions (Hinduism, Buddhism, Shintoism) with a few countries having Islamic majorities (e.g., Indonesia, Malaysia and Pakistan). Historically, there has been a close relationship between the State and the Catholic Church in Latin America with the State leveling taxes on behalf of the Church, subsidizing Catholic institutions, and requiring Catholic instruction in schools. Today, however, despite having weaker democratic institutions and being less-developed on average, and thus more traditional than the 27 democracies in row 2, in the Latin American countries state financial support for religious organizations is much less frequent than in the Western Democracies group. It is the Asian countries, however, that come closest to separating Church and State financially with only about one in five Asian states providing direct subsidies to religious charities and other religious institutions and/or paying the salaries of clergy. On the other hand, roughly a third of the 28 Asian countries have a single, official religion (Fox, 2008, p. 182).

The figures in Table 1 for the Western democracies seem quite large, when one considers that in most of them there is nominally supposed to be a separation of Church and State. Moreover, they understate state financial support for religion in Western democracies. In many countries, donations to religious charities and organizations can be deducted from an individual’s personal income or a corporation’s profits before calculating taxable income or profits. This deduction lowers the individual’s or corporation’s tax obligation and constitutes an indirect subsidy to religious institutions. In 2008, religious congregations and other religious organizations in the United States received $106.89 billion in contributions, 35 percent of all
charitable contributions. These contributions constituted one half of all individual giving. If we assume that the largest contributions come from individuals in the highest tax brackets, then anywhere from a fourth to a third of all contributions to religious organizations came from the U.S. federal government. Add to these the deductions in state tax obligations, and subsidies from the state in the United States via the tax deductibility or charitable contributions could well exceed $40 billion a year.

Further indirect subsidies for religion arise when religious property is exempted from property taxes. In the United States, some 35 states exempt religious property from property taxes. One study estimates the total revenue loss to states from tax-exemptions of property to be $16.5 billion with religious property constituting 5-10 percent of tax-exempt property depending on state. Thus, another subsidy to religious organizations of from one to two billion dollars occurs. Religious organizations receive preferential tax treatment in many countries, but data are not available for similar calculations.

The extent of state support for religions in Western democracies was, to me, surprising. According to a Eurobarometer Poll in 2005, only 34 percent of Danes believe there is a god. Yet, clergy in Denmark are paid by the state, as they are in Finland where only 41 percent of the population believes there is a god. Although France does not pay salaries of members of the clergy, remarkably, given its strident approach to the separation of Church and State, the state does offer direct support to religious charities (34% of the French report believing in a god). With even fewer believers than France, Sweden nevertheless subsidizes some religious organizations (Fox, 2008, p.128).

If one assumes that the state exists to advance the welfare of all of its citizens, then state subsidies to religious organizations can be justified, if they provide some sort of public good or engage in activities with positive externalities. Such a justification is easy in a state in which everyone is a member of the same religion. All members of the community benefit from a state-financed temple for worship, just as all benefit from a public park. Subsidies to religious organizations become problematic, however, when members of the community belong to different religions, or some espouse no religious beliefs. The main function of a church, mosque, synagogue or other place of worship is to provide members of a particular religion a place to worship and engage in other religious activities. People pray for many different things – entry into heaven, entry for their mother or children, the return to health of a sick child, and so on.
Jane’s entry into heaven, however, provides no benefits for Jack, a stranger to her, just as a trip to Japan by Jane does not benefit Jack. The benefits sought through prayer are generally private goods and as such do not warrant state subsidies.

Some people claim that religion strengthens people’s moral convictions and thereby makes them better citizens, and there is some evidence to substantiate this claim. Against any such moral behavior benefitting the community, which religion brings about, must be weighed the immoral behavior that religions cause some individuals to engage in, which harms the community. The bombings of trains in Madrid (2003) and public transportation in London (2005) along with the 9/11 attacks in the U.S. are only extreme examples of damage to communities by individuals acting in the name of religion. Religious fundamentalists were behind the Prohibition movement in the United States at the start of the 20th century. Not only did Prohibition infringe on the rights of those with less strong religious convictions, it resulted in a great increase in crime in the United States. More recently, religious fundamentalists in the United States have turned their attention to preventing abortions. Extremists in this movement have broken U.S. laws by blocking access to public buildings, damaging property, harassing young pregnant women, and workers in abortion clinics, and, on occasion murdering doctors who perform abortions. Religious extremists in Israel have harassed, injured and sometimes killed Palestinians, while religious extremists on the Palestinian side have returned the favor by murdering Jews. Interestingly, the antisocial behavior that religion brings about is often from members of one religious group against another – vandalism against synagogues and Jewish cemeteries in Europe by Muslims, destruction of mosques in India by Hindus, the sectarian violence in Northern Ireland between Catholics and Protestants – or even with religious groups as the more devout punish the less devout for deviating from God’s commands.

Most major religions, like Christianity and Islam, emphasize giving to the poor. Yet, state transfers to the poor in the United States, where roughly 85 percent of the population professes a belief in god and 45 percent attend church regularly, is much lower than in Sweden, where only 23 percent of the population believes in god, and regular church attendance is a rarity. The United States is not only an outlier among the rich democracies of the world in the fraction of people which believes in God and attends church, it is an outlier in the fraction of the population which commits homicides and sits in jail. The large number of pastors finding employment in U.S. prisons indicates that it is not only non-believers who commit crimes in the
United States. Many of those in jail in the U.S. are guilty of drug-related crimes, and so this latter statistic can be attributed to the draconian nature of U.S. policies with respect to drugs in comparison to other rich democracies. But these draconian policies can also be traced to the much stronger religious beliefs in the U.S. Evangelical Americans, a significant fraction of the population, see the world in terms of good and evil. Evil must be punished. Drugs are evil. Send the users and sellers to jail.

This is not the place to carry out a study of the social costs and benefits or religion, or even a survey of the literature. A casual visitor to religious America and secular Europe would, I believe, find it difficult to identify the social benefits America reaps from its greater religiosity compared with Europe.

One place where the effects of religion on social life can be easily identified is in the laws and regulations, which cover individual behavior. Those with strong religious beliefs are often able to pass laws, which limit the freedoms of individuals in the community thereby harming those who would undertake the forbidden actions. We turn now to some statistics on such laws.

IV. Religion and Restrictions on Individual Liberties

In a liberal democracy people should be free to do as they please unless their actions cause undo harm to others (Mill, 1859). Harmful actions can be regarded as causing negative externalities. Traditionally in economics negative externalities have been thought of as causing physical damage – the smokey factory soils the laundry’s wash, the upstream rancher denies the downstream rancher water. In recent years, however, political actions and judicial decisions have often dealt with what I call psychological externalities. An action does no measurable physical damage to an individual, but it makes her angry or sad causing her to seek redress.

Religious beliefs are a great source of psychological externalities. The religious person sees someone dressed in a “wanton” manner and becomes offended. Even contemplating an action by others, say two homosexuals having a sexual relationship, can distress a person with strong religious convictions. Thus, religious beliefs have led those holding them to demand, and often obtain, legislation restricting the freedom to act of other individuals, even when the prohibited actions cause no physical harm.

If I call someone a jerk, I may hurt his feelings, but I will do him no physical or financial damage, and my right to do so will be protected in most liberal democracies as an exercise of
free speech. If I call God a jerk, I will in many countries be accused of blasphemy. Laws against blasphemy are perhaps the best example of legislation, which significantly restricts individual freedoms, arising because of demands from organized religions. The penalties can be quite stiff. A recent case in Pakistan, which caught the headlines, involved a Christian mother of five working in the fields, who was first accused by her Islamic co-workers of being “unclean,” and later of blasphemy, for which she was sentenced to death (Crilly, 2010). Two leading, Pakistan politicians who subsequently spoke out against the harshness of the blasphemy law were assassinated. Due to the strength of religious beliefs free speech, as we know it in the West, does not exist in Pakistan.

All of the 20 countries in the Middle East and North Africa – even Israel and Turkey – have laws against blasphemy. Seventeen of the 20 exercise censorship in religious matters, and the dictates of religion also restrict how people can dress (typically how women can dress), and the production and sale of certain foods (e.g., pork) and alcohol (see Table 2). Organized religion is also heavily involved in personal matters like recognizing marriages, and arbitrating inheritance proceedings according to religious doctrines.

Table 2
Restrictions on Individual Liberties Due to Religion
Percentages of Countries, 2002

<table>
<thead>
<tr>
<th>Area</th>
<th>Blasphemy</th>
<th>Censorship</th>
<th>Dress</th>
<th>Dietary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Middle East &amp; N. A.</td>
<td>100</td>
<td>85</td>
<td>75</td>
<td>80</td>
</tr>
<tr>
<td>Western Democracies</td>
<td>11</td>
<td>4</td>
<td>22</td>
<td></td>
</tr>
<tr>
<td>Latin America</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asia</td>
<td>36</td>
<td>25</td>
<td>14</td>
<td>11</td>
</tr>
<tr>
<td>Alcohol</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personal Status</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inheritance &amp; Marriage</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Abortion</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Middle East &amp; N. A.</td>
<td>60</td>
<td>95</td>
<td>90</td>
<td></td>
</tr>
</tbody>
</table>
Blasphemy laws were common in Europe during much of the previous millennium, and in the 15th and 16th centuries not only non-believers but also those professing beliefs in minority religious sects were sentenced to death for blasphemy. Most blasphemy laws have been repealed in the Western democracies, but as of 2002 Ireland and Great Britain still had them on the books.21 (The British Parliament repealed its law in 2008, however.) The Greek constitution authorizes the seizure of newspapers that perpetrate “an offense against the Christian or any other known religion” (Fox, 2008, p.116). The figures in Table 2 reveal dramatically less interference with individual freedoms for religious reasons in Western democracies than in the Middle East and North Africa. Nevertheless, some interference is found in each of the seven categories for which figures are reported, and a quarter of the Western democracies put prohibitive restrictions on women’s freedom to have an abortion (Table 2).

Prohibitive restrictions on abortions are found in almost all of the 27 Latin American countries. Fox’s data for the other categories are spotty, so one cannot say much about restrictions on individual liberties in Latin America due to religion. More of the 28 Asian countries have religious-based restrictions on individual freedoms than among the Western democracies, but far fewer than the numbers for the Middle East and North Africa. All in all, the figures in Table 2 reveal widespread constraints on individual freedoms across the world, as a result of religious influence on legislation.

V. The State and Religious Education

Just as temples and other religious institutions can be regarded as public goods in a community in which everyone is of the same religion, religious education can be thought of as a “public good,” if everyone is of the same religion. Everyone will want their children to receive instruction in the common religion, and it becomes part of the public school system’s curriculum. Once again, however, the case for state-funding for this form of public good fades

<table>
<thead>
<tr>
<th>Western Democracies</th>
<th>4</th>
<th>4</th>
<th>26</th>
</tr>
</thead>
<tbody>
<tr>
<td>Latin America</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asia</td>
<td>14</td>
<td>34</td>
<td>68</td>
</tr>
</tbody>
</table>

Source: Fox (2008)
Notes: Definitions of column headings in appendix. See, also, notes to Table 1.
away, if members of the community follow different religions, or have no religious beliefs.

In a rich country with a well-educated citizenry, everyone appreciates the value of an education and can afford to pay for their children’s education. Since the main beneficiary of an education is the person receiving it, a case can be made for treating education as a private good in rich countries. To justify state-provision of education, a child’s education must create some positive externality for the wider community that would not be forthcoming without state intervention. Such a condition can only be fulfilled, if state-provided education differs from that parents’ would choose, were the choice entirely up to them.

There are two obvious positive externalities that education might create. I benefit from my neighbor’s education, if it makes her a more productive worker and thus increases the taxes she pays thereby lowering the tax burden on me. I also benefit from my neighbor’s education, if it makes her a better citizen, better in the sense that she makes better informed and more intelligent choices when she votes, and that she is less prone to engage in antisocial behavior. Parents can be expected to want their children to enjoy high incomes as adults (an exception is mentioned below), and thus, if they were to decide on their children’s education would choose curricula, which help their children become productive adults. The first positive externality, therefore, is likely to be inoperative. Thus, the main rational for state provision of education in rich developed countries must be that state-determined curricula differ from those parents would choose on their own, and these differences in curricula produce better citizens.

For the reasons given in Section III, it is difficult to argue that religious education provides positive externalities to the community. Jews in Britain do not benefit when children at state-funded Muslim schools are taught to hate Jews. Homosexuals do not benefit from religious instruction that characterizes homosexual relationships as acts of sodomy prohibited by God. Some religious instruction may turn children into better citizens as adults, other religious instruction makes them worse citizens. To the extent that religious education displaces other subjects like math and history, it produces a negative externality by lowering the future productivity of adult workers, and making future adults less well-informed about issues that are important for good citizenship. Thus, in a multi-cultural, multi-religious liberal democracy, the state should not be engaged in providing or funding religious education.

Yet most countries do. Column 1 of Table 3 reports the percentages of countries in the four geographic areas, which provide direct funding for religious education. With the exception
of the United States all of the Western democracies fund religious schools directly, the highest level of state-support among the four country groups. Western democracies also lead the other geographic areas in providing optional religious instruction in state schools. This typically takes the form of regular classes in religion, as in math or history, but with an opt-out option if the parents wish. On the other hand, Western democracies generally do not compel children to take religious instruction in state schools, the exceptions being, somewhat surprisingly, Norway and Sweden. Mandatory religious instruction is prevalent in state schools in the Middle East and North Africa.

<table>
<thead>
<tr>
<th>Area</th>
<th>Funding of Religious Education</th>
<th>Mandatory Religious Education in State Schools</th>
<th>Optional Religious Education in State Schools</th>
</tr>
</thead>
<tbody>
<tr>
<td>Middle East &amp; N. A.</td>
<td>80</td>
<td>70</td>
<td>10</td>
</tr>
<tr>
<td>Western Democracies</td>
<td>96</td>
<td>7</td>
<td>74</td>
</tr>
<tr>
<td>Latin America</td>
<td>67</td>
<td>4</td>
<td>55</td>
</tr>
<tr>
<td>Asia</td>
<td>61</td>
<td>32</td>
<td>21</td>
</tr>
</tbody>
</table>

Source: Fox (2008)
Notes: See notes to Table 1

The figures in Table 3 belie the notion that a separation of Church and State exists in Western democracies, at least with respect to education. Indeed, once again it is Asia and not the Western democracies, which seems to have a greater degree of separation, although roughly a third of the 28 Asian countries do have compulsory religious education in state schools. We discuss next an important consequence of having such widespread support for religious education.

**VI. The State and Religious Freedom**

Religious freedom is generally assumed to be a basic right that should be protected in a liberal society. Religious freedom can be thought of as having three levels of depth. The
most basic level is simply the freedom to *practice* one’s religion either in private or in a public place in the company of others. A second form of religious freedom would protect a person’s right to *change* her religion. Implicitly, this second right contains a third, the right to *choose* one’s religion – freedom of conscience as it is usually called. Any individual who exercised this last freedom would, presumably, weigh the benefits and costs of each religion, the plausibility of their different teachings, and so forth, and choose that religion, which on balance had the greatest appeal. Different people would be expected to come to different conclusions as to what the “best” religion is, and we would expect to find in any large country a mix of all of the leading religions, just as one typically finds a mix of political ideologies. In the case of religion, however, one generally does not find such mixes. Although Poland’s constitution grants equal rights to all religions, Pols have overwhelmingly opted for Roman Catholicism, just as the vast majority of Indonesians have “chosen” Islam as their religion.

The explanation for these one-sided “choices” is, of course, that most people do not make a conscious choice of a religion. Their parents raise them as members of their religion, and by the time a child becomes old enough to make a meaningful choice, it comes to accept the religion chosen for it by its parents.

It is somewhat ingenuous to indoctrinate a child in a single religion up to, say, the age of 18 and then say, “Oh by the way there are other religions and you are free to choose one of them, if you wish.” If the state wished to give its citizens a meaningful freedom to choose their religions, it would not expose them as children to a single religion. If the state was engaged in any religious instruction at all, it would expose children to the teachings of several religions and equip them with the basis for making an informed choice of religion upon reaching adulthood.

This is not what states do, however, even though their constitutions frequently proclaim religious freedom and neutrality among the different religions. Article 25 of the Polish constitution gives all religions equal rights, and Article 53 protects religious freedom. Article 53 also stipulates, however, that legally recognized religions may be taught in state schools. Article 48 gives parents the right to raise their children in accordance with the parents’ religious convictions. Thus, Articles 48 and 53 of the Polish constitution ensure that the vast majority of Polish children receive instruction – even at state schools – in only Roman Catholicism, and explains why the great majority of Pols “choose” to be Roman Catholics.

The UN Declaration of Universal Human Rights also includes an article granting parents
the right to educate their children in the religion of their choice, while at the same time claiming to protect an individual’s right to choose a religion. The fact that these two rights are fundamentally inconsistent with one another is overlooked. In a famous case, the U.S. Supreme Court even granted Amish parents the right to deny their children any education beyond the 8th grade, so as to protect the children from exposure to ideas that might undermine their faith in the Amish religion. In so doing, the Court not only restricted the children’s freedom to choose other religions, but greatly restricted their freedom to choose lifestyles other than the conservative lifestyle of the Amish.

Thus, all states – even those which claim neutrality with respect to religion – effectively deny their citizens the right to make meaningful and informed choices among religions, including the choice of no religion – by allowing parents to send their children to religious schools instead of state, secular schools, and in many countries by allowing religious instruction in a single religion within state schools. If a state wanted to be truly impartial with respect to religion, it would either offer no religious instruction or instruction in all of the major religions.

VII. Conclusions

Throughout much of the last millennium Europeans were engaged in religious wars. First the Crusades against the Muslims, then battles with the Ottomans, and starting in the 16th century the wars between Catholics and Protestants. A student of European history might well experience a sense of deja vu today, when reading the headlines from around the world. Sunni and Shiite Muslims are killing one another in Iraq and Bahrain; Hindus and Muslims are killing one another in India and Kashmir; Jews and Muslims are killing one another in Palestine; and Catholics and Protestants occasionally find time to kill one another in Northern Ireland.

With the exception of Northern Ireland religious strife has – or at least had – largely come to an end in Europe. With the help of the Enlightenment thinkers, Europeans came to the realization that religious differences were not worth killing and dying for. Europeans came to treat religion with, to use a term coined by Patrick Moynihan, “benign neglect.” Today, the great cathedrals of Europe stand empty except for invasions of bus fulls of tourists.

While its cathedrals are empty, Europe’s mosques are full, and there are demands across Europe for the construction of more mosques. The influx of people from Muslim countries has produced a minority in Europe with strong religious beliefs, and as elsewhere in the world and in the past in Europe these strong religious beliefs sometimes produce violence like the attacks on
trains in Madrid and buses in London.

Violent attacks such as these should remind Europeans of the dangers that spring from religious extremism, and cause them to rethink their State/Church relationships. State-funding for religious schools, funding for clergy, religious instruction within schools and the like, are all policies that date back to a time when most people in a given community were of the same religion. Today such policies merely entrench religious diversity, thereby, laying the seeds for religious strife. Although a liberal state must tolerate religious diversity and even to an extent religious extremism, it does not, in the name of toleration, have to foster religions.

Appendix

Brief descriptions of the headings in Table 2 as they appear in Fox (2008, pp. 53-54).
Blasphemy. Blasphemy laws, or any other restriction on speech about religion or religious figures.
Censorship. Censorship of press or other publications on grounds of being anti-religious.
Dress. Restrictions on public dress.
Dietary. Dietary laws (restrictions on producing, importing, selling, or consuming specific foods).
Alcohol. Restrictions or prohibitions on the sale of alcoholic beverages. Blue laws.
Personal Status. Personal status defined by clergy.
Marriages & Inheritances. Restrictions on interfaith marriages. Laws of inheritance defined by religion.
Abortions. Prohibitive restrictions on abortions.

References

http://www.gwu.edu/~gwipp/lincoln/Bowman_Cordes_Metcalf.pdf


1. This discussion draws on Mueller (2009, Ch. 4).
5. See, Mueller (2009, Ch. 8).
6. Table created from Jonathan Fox (2008).
7. See, Gill (1998, Ch.2).
8. Giving USA
12. In their explanation for the existence of religions, Stark and Bainbridge (1987) stress the exchange relationship between individuals and supernatural entities, which is characteristic of virtually all religions. I include such exchanges in my characterization of religion, but lay place more emphasis on religions’ ability to offer explanations for otherwise inexplicable events. See, Mueller (2009, Ch. 3) and references therein.
13. During a drought some people may pray for rain and – if God responds – these prayers may be thought of as providing public goods. Most prayers are, I believe, more personal.
17. See discussion of violence by Haredim jews against one another in Israel in Sprinzak (1993).
19. See statistics and discussion in Mueller (2009, Ch. 8).


21. Fox reports three Western democracies having blasphemy laws, but identifies only Ireland and the UK (Fox, 2008, Table 5.4, pp. 112-13). The 11% figure in Table 2 assumes three countries.


23. Although states typically provide free education, at least at the lower levels, what is important for the externality argument is that the state determine the curriculum, not that it provide the education. Private provision of education with parents choosing among schools with state-approved options is a possibility.

