

WHEN CHURCH AND STATE GO ABROAD

by James A. Scherer

A number of church activities in the United States and in various Third World nations bring issues involving the separation of Church and State once again to the fore. Certainly any serious inquiry into the relationship of the U.S. Government and American missionary groups abroad—particularly with regard to the First Amendment to the U.S. Constitution—must first consider the historical record. Only after a thorough examination of the inconsistencies and contradictions between theory and practice over the nation's more than two hundred-year history can one hope to assess present policies. This, then, is just such an historical overview.

THE COLONIAL PERIOD TO 1791

Most of the American colonies had their own type of Old World religious establishments. In varying degrees of severity they maintained religious uniformity by law, enforced attendance at public worship, levied taxes for the support of the state religion, and imposed penalties on dissenters. Puritanism Congregationalism was the state religion in the New England colonies except for Rhode Island; some form of Reformed faith or Presbyterianism in New York (which later became Anglican) and New Jersey; and Anglicanism in Virginia, the Carolinas, and Georgia. Rhode Island, Pennsylvania, and Maryland were organized on the basis of religious liberty and toleration for various groups, but even here some faith in God was presupposed, and Maryland later became Anglican. The Virginia colony issued a declaration of religious liberty in 1776, followed by the disestablishment of Anglicanism in 1779. Thomas Jefferson's "Virginia Statute of Religion" (1786) put the lingering controversy to rest by a resolution that made religious taxes illegal in that state and provided for complete freedom of religion or no religion.

Despite the violent objections of revolutionary dissenters—mainly Baptists—Connecticut did not terminate its state establishment of Congregationalism un-

til 1819, and Massachusetts not until 1833. This means that the Massachusetts and Connecticut Missionary societies, both organized around 1798 to follow settlers to the western frontier, had the implicit sanction and approval of law in the local commonwealths.

We now can be more precise about state support or quasi-governmental assistance by European religious establishments or establishment-related agencies for mission to and in the American colonies. Around 1623 the government-chartered Dutch West Indies Company established a colony in New Amsterdam and directed the Reformed faith. In 1638, King Gustavus Adolphus established a Swedish crown colony at New Sweden on the lower Delaware River with Lutheranism as the official faith. In 1689 the Anglican bishop of London appointed James Blair as bishop's commissary for Virginia, inaugurating a long period of controlling from Britain the development of Anglican missions in the New World.

During the colonial period New England was also the site of a semiestablished Puritan-type mission enterprise directed toward Native Americans living in the colonies of New England. It was known as the New England Company and was commissioned officially by Lord Oliver Cromwell's Long Parliament in 1649. A special training institute for Indians was established at Harvard and inspired the later founding of Dartmouth College. The considerably mixed motives of the society included the conversion and pacification of the Indians; efforts to forestall the political and territorial ambitions of the French and the conversion of Indian tribes by French Jesuits; and in general the aim of extending the sway of Protestantism in the New World and placing obstacles before the advance of "popery."

DISESTABLISHMENT TO 1898

The beginning of this period coincided with the outbreak of the Second Great Awakening among the American churches and was especially prolific in giving rise to voluntary societies. Simultaneously the postrevolutionary churches sought to stem the tide of deism and atheism, to create new instruments for home mission (especially on the western frontier) and foreign mission, and to develop the practices of revivalism that were to become the hallmark of

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American evangelicalism. As missionaries went overseas they encountered varying degrees of receptivity from colonial regimes (mostly British in the case of U.S. missionaries) and local governments, ranging from cautious welcome to outright hostility.

During the last five decades of this period, especially from 1846 to 1898, the climate of religious voluntarism gave way to a new spirit associated with the slogan "Manifest Destiny." This contained elements of incipient nationalism and of Anglo-Saxon racial and cultural superiority vis-à-vis the "colored" races. It led to political pressures for the annexation of new territories in Texas, the Caribbean, the Hawaiian Islands, and eventually the Far East. Insofar as these pressures were fed by religious zeal and missionary motivation, there occurred a subtle intertwining of religious and political motifs and an unofficial collaboration between Church and State. These had as their common goal the political and spiritual aggrandizement of the United States. Yet in this period the separate interests of Church and State were not distinguished or sharply defined.

Some points of special interest in this period might well yield dividends through a more detailed investigation of Church-State ties:

1. *U.S. missionary relationships with Liberia*, founded in 1822 as a colony for freed American slaves under the impetus of the American Colonization Society (1817). The Society was greatly assisted by the actions of state legislatures and churches that raised funds for the emancipation of slaves and their eventual "repatriation" to the African colony. No Federal funding or authorization was involved.

2. *U.S. missionary relationships with the Hawaiian (Sandwich) Islands*, first reached by American missionaries in 1819. Some missionaries and their offspring left the mission and became ministers of state under Kamehameha I. Annexation talk began as early as the 1850s. In 1894 a coup against the monarchy, engineered by Yankee intrigue, brought a republican form of government. Annexation followed in 1898 under pressure from American sugar and pineapple interests, reinforced by the need for U.S. naval bases in the Pacific.

3. *U.S. missionary relationships with Japan*, especially from the time of the landing of Commodore Perry's "Black Ships," the diplomatic mission of Lafcadio Hearn, and the facilitation of missionary entry into Japan in 1859. The legal and diplomatic basis of this entry ought to be investigated. Missionaries originally entered as teachers and experts; freedom to propagate the Christian faith was not granted until 1873. Since that time, the success of Christianity in the empire has fluctuated greatly, influenced alternately by waves of antireligionism and pro-Americanism.

4. *U.S. missionary relationships with China* in the period of the Opium War (1839) and the signing of the "Unequal Treaties" (1842-44, 1855-60). The United States was involved only marginally in the Opium War, during which the British, with assistance from the French, forcefully opened China to foreign trade and occupation. However, at the Treaty of Nanking (1842), U.S. emissaries laid claim to the same conces-

sions granted the French and the British. The second group of treaties, drafted between 1855 and 1860, opened the entire Chinese empire to mission work and granted foreigners the right to travel in the interior. This group of treaties contained explicit guarantees of toleration for Christianity and promised to protect both missionaries and Chinese Christians. It also provided for the payment of indemnities to foreign powers for violations on foreign life or property. Two former American missionaries were instrumental in having sections inserted into the Sino-American agreements protecting both American missionaries and their Chinese converts. In ensuing years, culminating in the Boxer Rebellion of 1900, these treaties led to repeated armed intervention by foreign powers and to exacting indemnities for missionary deaths and property damage.

5. *Missionary involvement in obtaining statehood for Texas* and other former Mexican territories of the Southwest. The role of religious agencies in the U.S.-Mexico conflict should be investigated.

The most flagrant violation of the First Amendment in this period occurred in connection with United States relations with American Indian tribes. Over the years various tribes entered into more than seven hundred separate treaties and agreements with the U.S. Government, only to see them violated and nullified. From 1789 to 1849 the U.S. Congress entrusted the management of Indian affairs to the War Department, which did not create a specific office and commissioner for Indian affairs until 1832. This came two years after President Andrew Jackson began enforcing the policy of "Indian removal" that resulted in the relocation of eastern tribes to designated Indian territories west of the Mississippi. Protestant foreign mission agencies assumed responsibility for evangelizing Native Americans as early as 1810, but later handed Indian mission work over to home mission boards.

In 1818 the Federal government established an "Education Fund" and turned to mission boards to conduct schools connected with missions on or near Indian reservations. In 1834, under the Indian Intercourse Act, provision was made for authorized agencies such as missions to be active on Indian reservations, but unauthorized entry was forbidden to non-Indians. Following the American Civil War, President Ulysses S. Grant adopted a "peace policy" that assigned certain Indian reservations to particular mission boards, which would nominate local agents and conduct mission and school work. Some churches became virtual surrogates for the government in the areas of Indian education and welfare. Serious constitutional questions apparently were bypassed for many years in an arrangement of mutual convenience.

The partnership between churches and the Federal government lapsed about 1890. In 1908 a judicial decision handed down in the *Quick Bear* case denied the illegality of the churches' collaboration with the Federal government on Indian reservations, arguing that it was a special case and did not violate the First Amendment.

AMERICAN COLONIALISM TO 1946

Pressures for a greater American imperial role in the world mounted during the post-Civil War decades under the stimulation of the mystical doctrine of "Manifest Destiny" as well as the requirements of growing foreign trade and commerce. Yielding to appeals from the religious press as well as from commercial and diplomatic interests, President William McKinley in April, 1898, ordered the U.S. Caribbean fleet to blockade Cuban ports and sent a Pacific task force under Commodore Dewey to destroy the Spanish fleet in Manila Bay. The sudden expansion of U.S. military and naval power into the Caribbean and Pacific regions led to the establishment of a U.S. protectorate over Cuba, the annexation of Puerto Rico, and the colonization of the Philippine Islands.

In 1903 the United States acquired control of the Panama Canal Zone. The extension of diplomatic, military, and commercial ties opened the door to a rapid expansion of American mission work, immediately by Protestants and somewhat belatedly by Roman Catholics. A conference of U.S. Protestant denominational mission representatives held in New York in 1898 led to an informal agreement to undertake the Protestant missionary occupation of the Philippines on the basis of a comity arrangement providing for exclusive denominational spheres of interest. Under similar terms Protestants began mission work in Cuba and Puerto Rico, while American Catholics began to replace Spanish clerics, especially in the Philippines. Despite close consultation and collaboration between representatives of Church and State in these new initiatives, no violations of the separation of Church and State are hinted at.

The American missionary role in China, believed to be the key to the evangelization of the Orient, deepened in this period through the swelling ranks of student missionary volunteers and through the disclosure of the circumstances of missionary martyrdoms, both Protestant and Roman Catholic, in the aftermath of the Boxer Rebellion. U.S. diplomacy, under Secretary of State John Hay, endeavored to prevent a general colonial dismemberment of China by the ranking European colonial powers and Japan. Partly as a result of representations by U.S. mission interests, which organized in 1893 a Foreign Missions Conference of North America, the United States supported the "Open Door Policy," which recognized the territorial integrity of China but provided equal access to trade, commerce, and other interests—including mission work—to all foreign powers. Indemnities were imposed on China by the Great Powers for damages to foreign life and property during the Boxer Uprising, but the U.S. Government, responding to pressures by American mission interests, commuted most of its share of the indemnity fund into a scholarship grant for the education of Chinese students.

The phenomenon known as "orphaned missions" posed a major challenge to Church-State relations during World Wars I and II. Hostilities between Allied and Axis forces affected mission activities at the European home base as well as in foreign fields. The international effort to "save" German and Finnish

orphaned missions and keep alive the work of indigenous churches is one of the brighter aspects of this story. Mission agencies in the U.S., Canada, Sweden, and Australia supplied resources and personnel to orphaned missions in East and West Africa, India, and Papua New Guinea. In China a great multilateral effort was launched to assist stranded missionaries of all confessions. Ninety per cent of the assistance came from North America.

Out of the experience of orphaned missions cooperation there developed growing recognition of the *supranational* character of the mission enterprise. There was a test case at the Versailles Peace Conference in 1919. Under the treaty as first proposed, German mission properties in colonies mandated to victorious Allied powers were subject to confiscation by the Allies as wartime reparations. The intervention of J. H. Oldham of the International Missionary Council (IMC) and the powerful advocacy at Versailles of the principle of the religious neutrality of mission work succeeded in overturning the vindictive provision. Article 483 of the Versailles Treaty specified that mission properties were exempt from confiscation and eligible to be placed under the trusteeship of another mission group of the same faith. During World War II this principle of the supranationality of mission work was generally recognized and adhered to by the Allied authorities.

At the Whitby meeting of the IMC in 1947 the principle of the supranationality of mission work was again underscored as a fundamental principle of ecumenical cooperation. Closely related was advocacy of the right to profess, practice, and propagate one's own faith anywhere, to be enshrined in the U.S. Universal Declaration of Human Rights (1948).

This period as a whole demonstrates that, while Church and State are still separate, they have overlapping spheres of interest. In the practice of missions, especially outside the territorial boundaries of the U.S., it is not possible for mission groups to fulfill their objectives without coordinating their own interests and objectives and occasionally making united representations before governmental authorities.

INDEPENDENCE MOVEMENTS TO TODAY

Radically new situations now face churches as they seek to be faithful to the gospel, to defend Christian community, and to maintain their own independence over against the power of the strong modern state. In this period too we witness the collapse and withdrawal of the Western colonial umbrella that provided a protective environment for mission work through nearly five centuries.

More significantly, the collapse of colonialism heralds the coming of national independence to the nations of Asia and Africa and, in Latin America, a struggle against vestiges of neocolonialism and "Yankee imperialism." Mission work now encounters trends to national self-determination that stimulate the revival of indigenous cultures and long-quiescent religious faiths. Christianity is quickly identified as an alien minority faith introduced and supported by the West. Young churches, sensitive to these trends, ac-

celerate steps toward independence and practice of the three autonomies—self-government, self-support, and self-propagation.

In some new states the heavy burden of supporting former mission schools, hospitals, and welfare institutions is relieved by the socialistic emphasis on government as the sole purveyor of education and health care. In many cases independent nations continue the earlier colonial practice of Church-State partnership by giving grants-in-aid to church schools and hospitals or, after nationalization, by continuing to employ church and mission staff on government payrolls to work in former mission institutions when indigenous qualified workers are not available. These missionaries sent by American churches or foreign missions then become government contract workers, occasionally deriving support from both sending church and foreign state.

In the early period of transition from colonialism to independence, newly independent states frequently retained Western-style parliamentary governments of national unity dedicated to serving the welfare of the people and committed in some degree to constitutional process and preservation of basic human rights. In the period of troubles that followed, these earlier constitutional experiments increasingly were replaced by unstable regimes marked by coups and counter-coups, factional rivalries and civil war, assassinations, martial law and the suspension of civil liberties, often resulting in dictatorships of the Left or the Right.

For local Christian groups who risk defiance via protest or nonconformity, there are direct and immediate penalties, up to and including trial, imprisonment, and the execution of key leaders. For foreign mission groups that support local churches in their struggles, there are generally secondary penalties such as deportation of missionaries, denial of visas, or refusal of the right to return. Only rarely are missionaries subjected to martyrdom as in El Salvador.

In the colonial missionary period Christian missions through the proclamation of the gospel and a multitude of service activities bore witness to the revolutionary hopes and aspirations of many people. But today revolutionary and counterrevolutionary situations pose the greatest test to the leadership of local churches, and indirectly to U.S. mission personnel. Responses vary country by country and church by church. Some churches, to win public favor or out of theological conviction, may be tempted to identify closely with the revolutionary goals of party or local government. By endorsing national policy or aligning Christian faith with a particular ideology, they run the risk of being co-opted, of losing freedom and independence, and degenerating into a religious mouthpiece for official policy. Alternately, churches may so dissociate themselves from revolution or counterrevolution as to become irrelevant, detached, and wholly spiritualized. The wisest course may be the middle ground of positive engagement with revolutionary (or counterrevolutionary) issues, dialogue with political leaders, discreet independence from political programs, and abstention from the endorsement of a given party or programs (i.e., the policy of "critical

distance" advocated by East German Protestants and by the Roman Catholic hierarchy in Chile). Such advice may appear sheer luxury to Third World churches, lacking the strength to maintain such a stance and intimidated by the risks and penalties.

Local churches have demonstrated considerable differences in responding to political oppression, economic exploitation, or policies like apartheid. For example, churches in Namibia (South-West Africa) that for decades espoused political neutrality and took refuge in a dualistic doctrine of the "two kingdoms" in recent years have taken the lead in supporting human rights and calling for an end to South Africa's illegal domination of the area. On the other hand, churches in the Southern Cone of Latin America that earlier were leaders in the struggle against militarism and authoritarianism seemingly have become "burnt out" and have retreated to the safer ground of political neutrality. Churches that remain directly vulnerable to repressive measures by security organs of the state cannot be faulted for calculating the risk of confrontation and exercising the greatest caution in their dealings with authorities. United States churches, missions, and ecumenical agencies, from their privileged sanctuary in the North, may play a stabilizing role by giving encouragement to Third World churches, offering material assistance, and making use of diplomatic pressures and media channels to seek redress of wrongs. The possibility of violating the First Amendment may arise at some point, but it seems more hypothetical than real.

On the other hand, as U.S. churches accept responsibility for "conscientizing" their own members as to the facts and realities of the United States global impact and begin to challenge the policies and practices of the U.S. Government and U.S.-based TNCs, it is likely that the area for direct conflict will widen.

THE TERRAIN

During the nineteenth century and continuing through the period of American colonialism, the U.S. Government met the American churches overseas as a friendly collaborator and benevolent protector. U.S. foreign policy in this period was influenced and shaped by the idealism of the churches and their mission agents; it was seldom interventionist except in times of war. There were selected colonial interests, but no urge to dominate the world or to maintain a global U.S. presence. In the last three decades, however, the U.S. Government meets the church overseas not as a mere diplomatic presence but as a major actor and independent shaper of the destinies of various regions of the globe. Depending on the fraternal links between U.S. churches and their partners overseas, and the value orientations, ethical idealism, and theological commitment they reflect, conflicts of interest will arise between American churches and the U.S. Government and between American churches and foreign states that align themselves with U.S. Government policy. In short, the churches will have to make some painful decisions about whether to give their loyalties to the secular kingdom or to the Kingdom of God. [WV]