



A Hundred Years of Religious Freedom in Finland

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Abstract

This article examines how religious freedom has been implemented and interpreted in Finland over the last hundred years. Moving chronologically, I explore the most crucial developmental phases in religious freedom legislation and public discussion. The Act on the Freedom of Religion was only introduced after Finland's independence in 1917 and entered into force at the beginning of 1923. The article shows themes that provoked much discussion in the 1920s and were interestingly repeated in the debate in the 1960s. The question of the relationship between the church and state was at the core of the Finnish public debate on freedom of religion from the outset. A similar discussion again became visible at the turn of the twenty-first century in connection with the basic rights reform and processing of the new Act on the Freedom of Religion. The strength of the Finnish state church system in society is still illustrated by the fact that the Act on the Freedom of Religion of 2003 did not really change the basic premise regarding the Lutheran and Orthodox churches, which hold a special position. Opinion remains divided on whether such a system is problematic for the realization of religious freedom.

Keywords: freedom of religion; state church; history; basic rights; religious education

Most historians agree that the recognition of religious freedom as a basic right has been closely linked to the emergence of the modern nation state and the process of democratization. However, freedom of religion itself can be seen as an older phenomenon. In Europe the requirement of a unified religion began to unravel as early as the seventeenth century. Relaxations of the state church system, which is part of the history of the nation state, had already occurred in the sixteenth and seventeenth centuries in Poland, the Netherlands, and England, for example. Yet it was the Enlightenment that began to break the close relations of state and church (Huhta 2021).

However, the core change was not the state church system as such, but a changed perception of the state. If the state was no longer regarded as divine but as an organ of an essentially secular nature serving the common good and based on negotiation, it was clear that the requirement of religious unanimity as the basis for the state also gradually ceased to be sustainable (Pulkkinen 2003, 220f.).

In nineteenth-century Europe the rise of liberalism increased demands for the abolition of religious coercion and the dismantling of close state–church relations. The requirement for religious uniformity was increasingly questioned because the liberalism agenda included demands for individual religious freedom. This demand also resonated with religiousness influenced by Pietism and Methodism, which emphasize the individual’s personal faith. Developments in many European countries therefore led to a coherent process – the re-evaluation of the state–church relationship – while extending religious freedom (Seppo 1998, 847–51).

The general philosophy described was also implemented in Finland, but the country’s position on the border between Eastern and Western Christian traditions created its own characteristics for the development. The history of religious freedom legislation and its interpretation in Finland have two roots: the basic solutions of church–state relations had already been created during Swedish rule; but more than a hundred years of history as an autonomous Grand Duchy of Russia (1809–1917) defined the country’s religious policy solutions. Finland’s centuries-old connection with Sweden first tied Finland to the Western Christian cultural environment and finally to the Lutheran state church. However, the period of autonomy contributed to the special treatment accorded to the Russian Emperor’s Orthodox religion alongside Lutheranism. Both had an impact on religious freedom solutions in independent Finland and the construction of relations between the churches and the state (Huhta 2014, 135–52).

The implementation and interpretation of religious freedom are always linked to historical and cultural contexts. The aim of this article is to analyse how religious freedom has been implemented and interpreted in Finland over the last century. The analysis is based on printed material illustrating the implementation and interpretation of religious freedom during the last hundred years. Material focusing on this research is the work and expert contributions on religious freedom and church–state relations in Finland. The source material includes public debate during three historical transitions. These transitions were the early 1920s, the late 1960s, and the turn of the millennium. How the results are presented is chronological in structure

and sociohistorical in perspective. By this I mean that the legislative solutions for religious freedom in Finnish history structure the order of the story, and explanations for the different interpretations have been sought in the political and social public debate of each era. I argue that such historical contextualization best explains interpretations of religious freedom at different times.

In the public debate I especially focus on how the question of religious freedom became constantly intertwined with questions regarding church–state relations. I have used the concept of *state church* when referring to the Lutheran and Orthodox Churches' unique position in Finland. However, I am also aware of the term's conceptual ambiguities: the *state church* concept does not recognize the Orthodox Church's role as a Finnish minority church compared to the dominant Evangelical Lutheran church, for example.¹ In practice, the *state church* concept has usually been used to refer to the Lutheran Church. That said, I still see the concept as a better translation of the Finnish word *valtiokirkko*, compared to the concept of a *national church* (Huhta 2021, 96–116). This is because *national church* is often and easily translated as *kansankirkko* (folk church), which is used in the discussion even more exclusively when discussing the Lutheran Church's crucial social and dominant role (Hjelm 2019, 294–315).

Historical research on the freedom of religion in Finland has focused mainly on the different stages of the legislative implementation of religious freedom. I have especially used Juha Seppo's article 'The Freedom of Religion and Conscience in Finland' (Seppo 1998) and his study of the implementation of the 2003 Act on the Freedom of Religion (Seppo 2003). Leena Sorsa's dissertation on the interpretation of religious freedom in the Finnish Evangelical Lutheran Church between 1963 and 2003 (Sorsa 2010) and her research on the church's relationship with the state (Sorsa 2015) have also been useful.

Apart from the studies mentioned above, there is no up-to-date historical research that considers the long-term historical developments of religious freedom in Finland. The overall picture from the first enactment of the Finnish Act on the Freedom of Religion to modern times is incomplete, and only a few studies analyse interpretations of religious freedom in their historical contexts. This article aims to plug these gaps in the historiography of religious freedom in Finland.

1 Hereafter I use the term Lutheran Church.

A secular state and the birth of the Act on the Freedom of Religion

The republican form of government Finland adopted in 1919 entailed the abandonment of the principle of a confessional state. Throughout the period of autonomy the constitution of 1772 had been in force, which had preserved the centuries-old confessionalism formulated during Lutheran orthodoxy.² The constitution of an independent Finland now took as its principle total religious freedom. The state no longer had an ideology anchored in religion, so the state church system was in this sense abandoned. Religious neutrality replaced Lutheranism in maintaining social cohesion (Constitution Act 1919, sections 8–9).

Recognition of religious freedom and the neutrality of the state meant the state no longer required its citizens to belong to any religion. However, opinions were soon divided concerning the interpretation of whether the freedom of religion clauses in the Constitution Act were a demand to break the ties between the Lutheran Church and the state. This disagreement arose especially because the Lutheran Church was now one religious community among others, while the new Constitution Act confirmed the order of enactment of Lutheran church law (Constitution Act 1919, section 83). The special status of the Orthodox Church was in turn secured by a decree on the Greek Orthodox Church of Finland issued the previous year. The special status of both churches was also recalled by section 90 of the Constitution, which stated that the provisions on the posts of churches must remain in force (Constitution Act 1919, section 90). In the Constitution Act religious freedom therefore did not entail the dissolution of the special legal status of state churches; indeed, the Constitution confirmed it. The old right of appointment of bishops, which belonged to the ruler's powers, was now transferred to the president, so the state church system was also preserved here (Constitution Act 1919, section 87).

The Constitution Act stipulated that 'a Finnish citizen has the right to practise religion publicly and privately, provided that the law and good practices are not violated, as well as, as separately provided thereon, the freedom to renounce the religious community to which he belongs and the freedom to join another religious community' (Constitution Act 1919, section 8). At the same time the Constitution guaranteed equal civil rights and obligations, which were no longer bound by membership of the Lutheran Church (Constitution Act 1919, section 9). For the Constitution Act's provisions on religious freedom to have practical significance, the country still

2 The first constitution linking Sweden to the Lutheran confession was issued on 29 July 1634.

needed an act on religious freedom that would regulate the area of freedom of religion in detail. The government's proposal for the Act on the Freedom of Religion was presented to parliament in 1920 (Government proposal 2/1920).

However, there were differences of interpretation in the political debate on the articles on religious freedom in the Constitution Act. The interpretation of the Coalition Party, which had been branded the 'church party', was that the status of the Lutheran Church remained unchanged despite the neutrality recorded in the Constitution Act. The Social Democrats for their part argued that the secular state and total freedom of religion meant the church and state must also now be separated. This view was also supported by some Agrarian (Maalaisliitto) and Progressive (Edistyspuolue) politicians. The political debate, which was largely a cause of concern for the church, resulted in the formation of a political pressure group called the 'Rise of the Churchgoers' (Kirkkokansan nousu) in the run-up to the parliamentary elections of the summer of 1922. It made the implementation of the Act on the Freedom of Religion the target of an election campaign (Reijonen 1980, 276–91).

The question of the relationship between church and state was at the core of the public debate on freedom of religion from the outset. Similarly, on the eve of the enactment of the Act on the Freedom of Religion, the question of denominational religious education in schools and compulsory moral philosophy education for all sparked considerable discussion, for and against. In June 1920, just before the parliamentary elections, the ecclesiastical *Kotimaa* newspaper published a strong appeal to the 'Christian folk of Finland' on its frontpage, urging them to vote only for Christian-minded candidates to ensure, in connection with the implementation of the Act on the Freedom of Religion, that denominational religious education in schools would be preserved, and that compulsory moral philosophy for everyone would not replace religious education. The statement in *Kotimaa* finally ended with an intimidating warning of what would happen if they voted incorrectly: 'For negligence and harmful exercise of the right to vote, we all bear responsibility to future generations' (*Kotimaa* 9 June 1920).

Although *Kotimaa* did not say it directly, by 'harmful voting behaviour' the newspaper meant voting for the socialists. In the run-up to the election campaign the Social Democratic Party of Finland's electoral programme included the promotion of religious tolerance, the expansion of religious freedom, and the separation of church and state (*Suomen Sosiaalidemokraatti* magazine 19 May 1922).

The 'Rise of the Churchgoers' programme, which campaigned strongly for the role of religious education and the church's social significance as

the elections approached, succeeded both in its church policy and political objectives (Kena 1979, 301). In the July 1922 elections the Coalition Party increased its seats by seven (36), and the Swedish Party and the Agrarian Party each gained three additional seats. The left maintained its total (80), but its internal unity had been weakened by the new Socialist Workers Party (*Suomen Sosialistinen Työväenpuolue*), which now managed to secure 27 seats. The number of Social Democratic Party seats decreased correspondingly. Kirsti Kena (1979, 300) concluded that the Churchgoers' election campaign also contributed to a decline in church-critical support for the Progressive Party, and especially to the fact that the number of clergy among members of parliament more than doubled from the previous elections. Fifteen priests were elected as MPs in the new parliament (Koskiaho 1965, 203–213; Kyrölahti 2011, 73).

When the new parliament met in the autumn of 1922, the Act on the Freedom of Religion arrived at its final reading. Ultimately, opinions did not follow party divisions in the parliamentary debate. The majority of the Swedish Party and the Coalition Party formed a more conservative wing that would have liked to have further postponed the Act's entry into force. They also called for considerable restrictions that would have safeguarded the state churches' status as it stood. However, some of the Coalition Party represented a more liberal line with 'Young Church' clergy MPs, as did the majority of the Agrarian Party. Yet some of the Agrarian Party represented an even more radical line with both left-wing parties. Among the clergy MPs the most conservative Coalition Party MPs opposed the substantial extension of religious freedom, some supported it with some restrictions, and many Young Church priests supported the law's reform, considering it successful (Kena 1979, 347). At the beginning of October the Act on the Freedom of Religion passed by a very large majority: 137 MPs voted in favour, and only 25 against. On 10 November 1922 the President of the Republic adopted the Act on the Freedom of Religion (Kaila 1923, 10f.).

Time of the first Act on the Freedom of Religion

The adoption of the Act on the Freedom of Religion was the end of decades of debate on religious freedom. The Act on the Freedom of Religion and the act on the right of citizens to hold public office regardless of religion finally meant that citizens' rights and duties no longer depended on their religious affiliation. Of course, the most anticipated amendment was the right it defined to resign from the Lutheran Church without the obligation to join

another religious community. A resignee had to register on a civil register, which had already been established after independence in 1917. Anyone aged 18 or over could now decide independently whether to belong to or resign from a religious community (Act on the Freedom of Religion 1922).

The consequences of the Act on the Freedom of Religion were less dramatic than expected: with a few local exceptions the number of resignations from the Lutheran Church was not huge. Immediately after the act's entry into force, 22,600 members left the Lutheran Church, which was 0.6 per cent of the total membership. Ten years later members of the Lutheran Church of Finland still accounted for more than 96 per cent of Finnish citizens, and the Orthodox Church of Finland accounted for approximately 2 per cent. At the beginning of the 1930s the number of non-affiliated people in the country was still less than 2 per cent (Church and State 1977, 22). More than a decade after the act's entry into force the Revd Dr Paavo Virkkunen summed up ecclesiastical circles' relief concerning the effects of the Act on the Freedom of Religion: 'If you only paid attention to the numbers presented, you might say that the Evangelical Lutheran Church has been somehow untouched in the face of the effects of the Act on the Freedom of Religion. Under no circumstances has the Act on the Freedom of Religion undermined the status of our Church as a People's Church' (*Uusi Suomi* newspaper 17 October 1936, Effects of the Act on the Freedom of Religion). Although the general picture was like that described, the satisfaction expressed in the Lutheran Church was not in all respects justified. On the contrary, local criticism in the parishes of Rääkkylä, for example, may have been fuelled by the complacency within the majority church (Muilu, 1976; Seppo 1990, 437–44).

The Act on the Freedom of Religion also laid down the grounds for exemption from religious education. The act said nothing about how religious education was to be organized in schools; it stated only the criteria for exemption from religious education if it was provided in accordance with the confession of a specific religion (Act on the Freedom of Religion 1922, section 8). Subsequent school legislation only specified that religious education in schools would be organized in accordance with the majority confession. It was also required to provide Orthodox religious education if the school had at least 20 Orthodox students (Saine 2000, 107). Non-adherents belonged to the civil register and after 1924, with those belonging to minority religions, received teaching in the History of Religion³ and Moral Philosophy. This was only replaced with the reform of school legislation

3 In 1957 History of Religion became the History of Religions.

in 1985, when a new subject, Ethics, was introduced to schools alongside Religion (Seppo 2003, 42).

The act's general provisions also included provisions on oaths and cemeteries, a provision on the exemption from church tax, and the prohibition of the establishment of new monasteries. The freedom of a religious community was reflected in the fact that the individual's decision regarding the oath was tied to the view of their religion. Meanwhile, the cemetery provisions of the act essentially protected the interests of the owners of cemeteries – especially Lutheran parishes – because parishes could determine the price of the place of burial for members of the civil register and those other than members. Although the act allowed the establishment of private cemeteries, it was only feasible in rural conditions, and the right was barely exercised there either (Seppo 2003, 43).

The exemption of non-members from church tax was self-evident, but at the same time the act allowed the collection of substantial fees for the burial places of non-members. A burial plot's price depended on the parish's goodwill. However, if there was no goodwill, the relatives of the deceased ex-member had to pay quite high sums. This may in turn have exacerbated dissatisfaction with the Lutheran Church's majority and special status. Rääkkylä parish in North Karelia was an example of this. In January 1923 the parish decided family graves would be free for parishioners, but ex-members would have to pay FIM 50 for them. Individuals' graves would be FIM 10 for parishioners, but the price would be seven times higher for ex-members. According to a contemporary estimate this corresponded to a year's church tax for a working family (*Iltalehti* 5 October 1923, Current state and duties of the Church of Finland). However, Rääkkylä parish's solutions were to prove expensive for the parish, as a tenth of its members resigned in 1923: eight hundred of the parish's 7,000 members left the church (*Karjalainen* 5 April 1923, Frenzy of religious resignations in Rääkkylä).

Apart from Rääkkylä there were only a few similar strong local resignation drives. The adoption of the Act on the Freedom of Religion generally calmed the public debate on religious policy, but it did not completely silence it. The sharpest criticism was still directed at the special position of the Lutheran Church, as well as of the Orthodox Church. Although the act itself contained no provisions directly relevant to the relationship between the state and these two churches, 'the act nevertheless established a different status for both the Lutheran Church and the Orthodox Church from that of other religious communities' (Church and State 1977, 21). This happened so that neither of the churches was affected by the provisions

governing the registration of religious communities and their legal status (Act on the Freedom of Religion 1922, chapter 1(2) and 2(12–31)). The special status of these churches remained valid to the extent that their position was still based on separate legislation, while other religious communities had to register separately. The sections of the Act on the Freedom of Religion on the establishment of cemeteries (Act on the Freedom of Religion 1922, chapter 1(10)) and on church tax (Act on the Freedom of Religion 1922, section 12) also recalled the state church status. Here too the two churches retained their special status.

The most explicit restriction of religious practice in the new act concerned monasteries. According to the Act on the Freedom of Religion, 'no monastic order or order of nuns or new monastery shall be established, nor shall any non-Finnish citizen be admitted as a member or candidate (novice) to any monastery existing in the country' (Act on the Freedom of Religion 1922, chapter 1(11)). The issue was first and foremost interpreted as political. In connection with the drafting of the act, strong views were expressed in favour of banning the establishment of monasteries and restricting the membership of those already operating in the country. In particular, Erkki Kaila, Professor of Practical Theology and Coalition Party MP, called for the restoration of the monastery provision, which had already been removed once by the Constitutional Law Committee, to the final Act on the Freedom of Religion. According to Kaila the monasteries and their residents were politically unreliable. On the one hand he thought that in the future Russia might use the Greek Orthodox monasteries it had established in Finland as a propaganda tool. On the other Kaila felt that the aspirations of Roman Catholics, especially Jesuits, represented a national danger. On the monastery issue there was ultimately consensus between the right and left of the political spectrum. The only difference was the grounds on which they opposed monasteries. While the clergy politicians on the political right wanted to include a ban on monasteries in the act to deny Roman Catholics the possibility of establishing monasteries in the country, on the socialist side it was a question of antipathy towards Orthodox monasteries (Nokelainen 2010, 234–7).

The monastery rule has been considered problematic in research from the perspective of the exercise of individual religious freedom (Kastari 1963, 298; Nokelainen 2010, 241f.). The politicians who called for the monastery provision to be included in the act viewed the issue primarily from an economic and political perspective. Moreover, many public addresses considered that monasteries required individuals to renounce basic rights

to an extent that could be interpreted as immoral from a secular perspective. These included societal exclusion and the commitment to celibacy. As the freedom of religion provision of the Constitution Act indicated that the practice of religion was restricted by 'law and good practice', the prohibition of monasteries could also thus be justified (Nokelainen 2010, 241f.).

Few criticisms of the monastery provision of the Act on the Freedom of Religion were made in public debate in the 1920s and 1930s. It was not until 1941 that the first review of the monastery provision was undertaken after the act's adoption, when the transfer of a monastery remaining in the territory lost as a result of the Winter War (1939–1940) necessitated the act's amendment. However, the practical necessity did not lead to a wider debate on principle. This did not happen until the late 1960s (Church and State 1977, 230–40).

Most Finns were quite satisfied with the situation of religious freedom in Finland until long after the world wars. It was now possible to practise or not to practise and to belong to a religion or not to belong. Neither religion nor its lack restricted civil rights. The low rate of religious resignations also led to no changes being made to the Act on the Freedom of Religion in the 1920s and 1930s. It was not until the 1940s that the pressure for changes in religious policy began to mount. The main new factor in this was the increase in communist political activity and the establishment of the Finnish People's Democratic League (SKDL) after the lost Continuation War (1941–44). The new party political agenda included the abolition of religious education, the implementation of compulsory civil marriage, the socialization of cemeteries, and the creation of a single state-managed population register. Yet the party sought to reduce the public role of religion by proposing that Yleisradio, the public broadcasting company, should stop broadcasting religious programmes (Seppo 2003, 47).

The SKDL aimed to promote an interpretation of religious freedom in which freedom from religion was most important. However, in the Finnish context, in the 1940s and 1950s, the interpretation was not widely supported. At the end of the 1940s the SKDL's term of office was also short, so the party's religious policy goals did not even reach the level of measures. The opposite interpretation of the bourgeois parties was clearly that religion, which generally meant Christianity, should be visible and public, be it in schools or in broadcasting policy. The opinion of quite broad sections of the public was also that the church was still – and should remain – one of the main maintainers of social cohesion, and there should therefore be no interference with its position. This social view dominated the Finnish interpretation of religious freedom until the 1960s (Seppo 2003, 48).

However, the Finnish interpretation of religious freedom steadily strengthened the individualistic emphasis on individual liberties, which was an increasingly common trend in the countries of the Western cultural environment in the decades after the Second World War. Amid this historic transformation of religion exceptionally rapid changes to public, cultural and social significance of Christianity took place. At an individual level the change was mainly reflected in a decline in religious practice and the number of church members. Many history of religion researchers have correctly highlighted the importance of the 1960s as a turning point in the era. Although the secularisation theories presented during the same decade, which anticipated the disappearance of religion, have certainly been controversial, the position of traditional churches has now radically changed. This change has led some researchers to compare modern secularization in the 1960s with the Reformation in Western Europe (McLeod and Ustorf 2003; McLeod 2007; Kenis et al. 2010).

However, the 1960s were yet to bring much change to the Lutheran Church's social status in Finland, and the high support measured by church membership scarcely shifted. The decade's second half especially marked an exceptionally strong rise in criticism of the church in Finland (Huhta 2013). It also saw new demands for the extension of religious freedom (Seppo 2003, 49). They emerged in both the political debate in parliament and in daily newspaper publicity.

Public debate challenges the state church system

The Lutheran Church of Finland's relationship with the state and its general social status were subject to strong public criticism in the 1960s. The scope of the public debate could only be compared to that at the beginning of the 1920s. In 1965, Mikko Juva, Professor of Church History, analysed the change in the social climate, which was now reflected in exceptionally strong criticism of the church and religion. Juva wrote that 'the church and the statements made by its representatives have been the subject of public attention in many ways. If in years past there was cause to complain that the church was not very visible in the Finnish landscape, at least in the winter of 1964–5 this complaint is unfounded. The breaking of the relaxed and peaceful atmosphere around the church was questioned, and there was talk of the surprisingly rapid growth of anti-church forces' (Juva and Simojoki 1965, 7).

Juva's analysis was based on two public debates that broke out independently in 1964. The first concerned the Lutheran Church's social status; the

second the limits of freedom of expression. The former controversy began in the autumn of 1964 when the General Synod passed the new Church Law for approval by parliament. The essence of the controversy in parliament and in the newspaper was less the content of the Church Act than its order of enactment. Only MPs belonging to the Lutheran Church were allowed to participate in deliberations about the act, and their power was limited to its adoption or rejection. This provoked dissatisfaction, particularly among left-wing MPs and the left-wing press. However, Archbishop Martti Simojoki's speech at the Bishops' Conference abruptly silenced the criticism (Huhta 2013, 70f.).

Simojoki clearly had a keen eye for politics, as he succeeded in winning the left's sympathy by urging his own 'church troops' to understand left-wing voices as well. Simojoki declared: 'Nothing would be more misleading than to say that addresses by the political left in parliament and in the press are hostile to the church. I prefer to see in them the workers' friendly gesture to the church' (Minutes of the Bishops' Conference 1964). The left-wing press now rushed to thank the archbishop, whose speech was intended to be heard not only by the participants in the Bishop's Conference but especially by the left. The Church Act was passed by a large majority. The dampening of the criticism showed that the supreme ecclesiastical authority retained its old voice, including among the left (Juva 1994, 116–22).

In the discussion of the Church Act Archbishop Simojoki succeeded in his goals. However, when a second controversy soon followed, it was Simojoki himself who helped start it. This controversy, which tested the boundaries of freedom of expression, is remembered as the 'lightning war' by the writer Hannu Salama (whose surname is Finnish for 'lightning'), who was convicted based on the blasphemy provision of the Criminal Code for his work, which tested traditional boundaries. A speech given by Archbishop Simojoki at a folk high school's celebration set in motion an avalanche that he could hardly have anticipated, let alone wanted. Salama's blasphemy trial represents the most famous Finnish religious debate since the Second World War. The three-month suspended sentence for blasphemy Salama received in the Court of Appeal was generally considered unjust, and President Urho Kekkonen decided to pardon the author (Jalovaara 2011, 46–51).

Despite strong social pressure to amend the act, the motion to amend the blasphemy provisions of the Criminal Code failed in parliament. A decade later the church and state committee's report proposed the removal of the words blasphemy and God from the Criminal Code. Instead, what should be made punishable was more generally contempt for what was considered sacred in a religious community operating legally in Finland.

The Lutheran Church supported the amendment. However, was not until 1999 that the violation of the sanctity of religion, instead of blasphemy, became a crime defined by the Criminal Code (Criminal Code of Finland, chapter 17(10)).

Both the above controversies, which took place in the mid-1960s, were above all triggered by longstanding dissatisfaction beneath the surface. In the ensuing years, due to its state church status, the Lutheran Church of Finland attracted public attention and itself took a stand on the daily debate much more often than people were used to. The public church debate was the most visible dimension of this transformation, but it was driven by many other social and sociocultural changes that were common to other countries in the Western cultural environment (McLeod 2007, 1–5).

The criticism of the church's special status constantly highlighted the aspect of religious freedom, as the prevailing situation was considered to violate the religious freedom of minority religious communities (Huhta 2013). The public debate in turn inspired political decision makers to take numerous religious policy initiatives in parliament. They consisted of the separation of the church and state, church taxation, the lifting of the ban on entertainment on holy days, the possibility of religious resignation in writing, a change in the order of enactment of the Church Act, and a fair distribution of corporation tax income between the Lutheran and Orthodox Churches (Church and State 1977, 24f.).

The public debate led to the Lutheran Church establishing its own committee in the late 1960s to examine the extension of religious freedom and the relationship between church and state. The survey of religious freedom was prioritized, as the Lutheran Church had repeatedly been accused of obstructing others' freedom of religion through its special and majority status. The Lutheran Church itself considered freedom of religion a prerequisite for its own activities, so it began to examine how freedom of religion was exercised in Finland from the church's perspective. The Lutheran Church's interpretation of religious freedom continued to emphasize the freedom to practise religion. According to the committee, freedom of religion was freedom of conscience, freedom to practise religion, and the freedom and equality of religious communities. However, the exercise of the individual's freedom of religion required the state's protection against religious or anti-religious pressure injurious to the individual. The exercise of religious freedom required that joining and leaving religious communities and religious non-affiliation in no way affect the exercise of citizens' rights (Sorsa 2010, 102).

In these respects there was little new in the Lutheran Church's interpretation. From that perspective some of the changes required by religious legislation had already been made in the second half of the 1960s, and it was of course not in the church's interest to promote an interpretation of religious freedom that would highlight a negative interpretation of religious freedom (freedom from religion). Yet the majority church ultimately accepted smaller extensions of religious freedom. Among other things the ban on entertainment on holy days was reduced, and religious resignations became more flexible (Church and State 1977, 25).

The committee set up by the Lutheran Church of Finland also commented on the ban on the establishment of monasteries. In a 1968 preliminary report on the exercise of religious freedom the committee stated that the provision on monasteries should be abolished. The church's argumentation now both emphasized an ecumenical view and understood that the ban on new monasteries infringed religious freedom (Church and State 1977, 240). The majority church's position again carried social weight. The ban on the establishment of monasteries was lifted in 1969, although a restriction on foreigners remained, stating 'no non-Finnish citizens shall be admitted to a monastery as members or novices' (Act on the Freedom of Religion 767/1969). This was abolished at the beginning of 1984, when the inconsistency of the ban on foreigners was finally understood. Foreigners living in Finland had the same rights as Finnish citizens under the Act on the Freedom of Religion (Government proposal 48/1983).

The Lutheran Church therefore reacted relatively quickly to criticism of its special status. The topicality of religious freedom and relations between the churches and the state was reflected in the revisiting by many political parties of their religious and church policy programmes from the late 1960s and early 1970s. Almost every party now wished to define its position on burning religious policy issues. There was therefore an increased political need to clarify the problems in relations between the churches and the state and to carry out possible reforms. This eventually led to the establishment of a parliamentary church and state committee in the spring of 1972. Its main task was to examine the state relations of the Lutheran and Orthodox churches, which had a special status (Church and State 1977, 9). However, the question of extending the Act on the Freedom of Religion and the exercise of religious freedom was excluded from the committee's work. The re-evaluation of religious freedom did not really become topical until the late 1980s, when the government established a committee to reform basic rights. As a result of the committee's work, a basic rights reform was carried out in Finland in 1995 (Slotte 2022, 385–418).

Time of the new Act on the Freedom of Religion

The public debate of church–state relations in Finland had taken place in the 1960s under the leadership of the New Left movement. However, the basic status of the state relations of the two churches with special positions remained unchanged by public discussion – or even the work of the Church and State committee. Moreover, in the big picture the small changes in religious legislation that were themselves necessary were very small extensions to what had previously been the case.

The situation changed after the dissolution of the Soviet Union. The Finnish interpretation of religious freedom was increasingly contextualized as part of the international debate on fundamental rights, especially in EU member states. In the context of Finland’s basic rights reform the discussion in the 1990s therefore strongly emphasized the change in Finland’s international status; Finland’s accession to the European Union in 1995 introduced both the European and wider international dimension more strongly to the heart of the Finnish religious debate. The recognition of the fundamental nature of the right to religious freedom and thus the emphasis on international human rights conventions were even more essential (Seppo 2003, 12f., 53).

After the crisis of the Soviet Union and Eastern Europe’s atheist states a positive interpretation of religious freedom became briefly dominant in Europe. Religious freedom was interpreted as a right inherent to the individual, whether that freedom was recognized by an individual state or not. With reference to the United Nations instrument on civil rights the public debate highlighted that after this starting point society had only to negotiate the extent to which ‘restrictions on a person’s freedom to profess his or her religion or belief can only be imposed to the extent required by law to protect public safety, order, health or morality or the fundamental rights and freedoms of others’ (Ferrari 2012, 148–149; Seppo 2003, 15ff.; Sorsa 2015, 23).

The need to reform the Act on the Freedom of Religion became increasingly apparent. It began after the 1990s reform of basic rights. Many believed that neither positive nor negative religious freedom was best realized in the Finnish system of two privileged national churches. The old theme of the special status of state churches was newly actualized. This was reflected in the fact that in the domestic debate the demand to change religious freedom came mainly from two directions. First, the Finnish freethinker movement stressed that the current Act on the Freedom of Religion favoured the Lutheran and Orthodox Church, which freethinkers consistently called state churches, at the expense of others, and the legislation thus trampled on the

fundamental rights of non-believers. Second, Finnish religious minority communities such as the Finnish Adventist Church, the Pentecostal Movement, the Finnish Methodist Church, the Salvation Army, and the Finnish Free Church – which together formed the *Suomen vapaan kristillisyyden neuvosto* (SVNK), or Finnish Free Christian Council – felt the legal implementation of religious freedom in Finland was incomplete (Seppo 2003, 58f.).

The fact that the Act on the Freedom of Religion of 2003 did not really change this basic premise illustrates the strength of the Finnish state church system in society. This was obviously influenced by the churches' strong representation in the composition of the Committee on Religious Freedom (Sakaranaho 2012, 89–124). The act ultimately did improve the position of religious communities, but the law still did not require equality between different religious communities. Although the bonds between the state churches and the state were cut one after another, this has not thus far translated to a desire to unravel the Lutheran or Orthodox Church's special position in public law. The strongest remnants of the state church in Finland are these churches' legislative procedure and power to levy taxes (Huhta 2021). The special position of the Lutheran Church remains evident in the fact that the enactment of the Evangelical Lutheran Church Act is still mentioned in the Constitution (section 76; Slotte 2022, 400).

Although the 2003 Act on the Freedom of Religion currently in force differs in many ways from the 1922 act, its structure is like that of its predecessor. The first chapter deals with the provisions related to freedom of religion and its exercise, the second with registered communities, the third with the application of the Assembly Act to the public practice of religion, and the last with the act's entry into force and transitional provisions (Act on the Freedom of Religion 2003). Chapters one and three address the Lutheran and Orthodox Churches.

In terms of the history of social public debate the two most interesting amendments to the general part of the Act on the Freedom of Religion were an addition related to the purpose of the act and a reference provision on religious education. The act's purpose was 'to safeguard the exercise of the freedom of religion provided for in the Constitution. In addition, the act provides for the establishment and operation of registered religious communities.' Yet even the new act staked out the hundred-year setting in its familiar place as it stated that 'this (first) and chapter 3 apply to the Evangelical Lutheran and Orthodox Church' (Act on the Freedom of Religion 2003, chapter 1(1)). Like its predecessor, the act was thus structured so way that the position of the state churches, which differed from the rest,

remained visible. However, the purpose of the act was now enshrined to clearly state the relationship between the Constitution and the Act on the Freedom of Religion. The previous act merely stated as a condition for the public and private practice of religion that the law and good practice must not be violated (Seppo 2003, 156).

Regarding the referenced provision on religious education, the act differed significantly from the previous one. The old act only laid down the grounds for exemption from religious education in school; the new act enshrined the right to receive religious education in a manner separately provided for. The act thus led to amendments to the Basic Education Act and the Act on General Upper Secondary Education. Denominational religious education was simultaneously exchanged for the right to receive education in accordance with one's own religion. According to Professor Juha Seppo, vice-chair of the committee preparing the Act on the Freedom of Religion, this change entailed 'a significant strengthening of the role of the position of religious education and clarification of its nature and objectives'. This was what it looked like when the act was implemented, in that both the Constitutional Law Committee and ultimately parliament made it clear that religious education was not the practice of religion (Seppo 2003), which in some respects denominational religious education had been.

However, it soon became clear that the protection the Act on the Freedom of Religion afforded religious education did not merely mean the strengthening of ethics education in schools. Yet religious education according to one's own religion caused practical problems that have resulted in repeated public criticism. The debate has culminated on the one hand in the question of whether it is possible in a multicultural and multireligious society to organize religion teacher training on an equal footing as the act requires without adversely affecting its quality. On the other hand the question arises as to whether a common ethics education for all would solve the problems of teacher training and better respond to the demands of a diverse society (Sakaranaho 2007, 3–16; 2013, 9–35). Proponents of the current model – based on the principle of religious freedom – have considered that a subject common to all would only examine religious traditions from the outside and discuss them in a way that ignores their meaningfulness (*Kotimaa*, 24 January 2013, Two views on religious education). A common Ethics subject has been proposed for everyone almost every decade since 1922. Most recently, it has come from the Greens Parliamentary Group in December 2020. People still argue against such a subject based on religious freedom.

After the new Act on the Freedom of Religion the Lutheran and Orthodox churches of Finland retained not only their state church order of enactment but their power to levy taxes. From the perspective of religious freedom the latter was interpreted as problematic because not all religious communities had access to financial support from the state for their activities.

Other religious communities that have expressed dissatisfaction have highlighted the economic inequalities of religious communities. For the first time a reserve of EUR 200,000 was added for this to the government budget in 2008. An interesting change is that in the twenty-first century the demand for economic equality has been highlighted more than in previous debates. The question of a community's economic capacity is naturally important for religious communities and their members. From the perspective of religious freedom the problem is that this is not happening equally in Finland. The support is linked to registration under the Act on the Freedom of Religion, which directly excludes some religious communities and movements from support. Yet the amount of support varies between churches and religious communities. In this case the state treats and supports members of religious communities unequally when their different economic conditions mean they are in an unequal position when organizing religious services, for example (Sorsa 2015, 26f.).

Conclusion

In this article I have described the history of religious freedom in Finland over a period of a hundred years. The history of independent Finland was shaped throughout the research period both by the striving for complete freedom of religion and a strong tendency to retain the strength of the special status of the two privileged national churches.

The most anticipated change in the first Act on the Freedom of Religion was the right to resign from the Evangelical Lutheran Church without being obliged to join another religious community. Negative religious freedom – the freedom of the individual from religion – only now became a reality. This dimension calmed the public debate for a decade, but as church–state relations were at the heart of the Finnish public debate on the freedom of religion, whether the country's state church model restricted the religious freedom of some remained relevant.

In the 1960s the Finnish Lutheran Church's relationship with the state came under unprecedented public criticism. The left especially called for the separation of church and state, but other political parties from all sides

were also now reviewing their positions on church and religious policy in general. There was a growing consensus in Finland that the relationship between the state and the majority church needed to be further unravelled. Now, unlike before, the attempt was made to separate the question of religious freedom from the church–state debate.

However, the traditional view prevailed, and no changes were made despite the debate. The majority view remained that the special status of two national churches did not prevent the others from enjoying religious freedom.

The third phase in the history of religious freedom in Finland began after the collapse of the Soviet Union. The Finnish interpretation of religious freedom began to be increasingly contextualized in the international debate on fundamental rights. When the new Act on the Freedom of Religion of 2003 was being enacted, society had a very strong ethos that religious freedom as a positive right of freedom (freedom of belief) had to be strengthened.

In the last hundred years in Finland the expansion of religious freedom has progressed a long way in short steps. The history of the public debate on freedom of religion shows that churches with a special status in relation to the state have managed not only to watch over the realization of positive religious freedom, which is important to them, but also to defend their historical special status. Where the majority church itself has advocated the expansion of religious freedom in society, this has been best achieved.

Internationally, the history of religious freedom shows that the widest possible religious freedom is also correlated with other basic rights such as freedom of expression. Where religious freedom has been threatened, other violations of basic rights are also common. This is also reflected in the hundred-year history of religious freedom in Finland.

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