

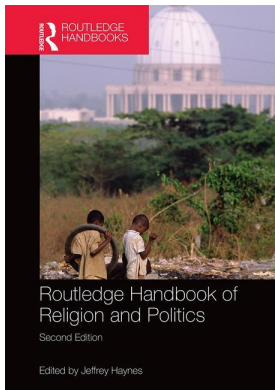
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10

RELIGION AND THE STATE

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At the turn of the third millennium of the Common Era the national state appeared to have established itself as the almost universal model of political organization. Over the previous half-century since the end of the Second World War formally independent and sovereign nation-states had quadrupled in number from approximately 50 to 200, so that by 2000 they covered the entire land surface of the planet with the sole exception of Antarctica. In spite of its virtual ubiquity in 2000, however, the European model of the nation-state was not without serious ongoing challenges – from the evolution of supra-national forms of governance, the continuing role and influence of transnational business corporations, the growth of sub-national movements struggling for greater local independence, the increasingly widespread phenomenon of state failure and even – not unconnected with the latter – the dramatic emergence of cross-national networks of religious (and especially Islamist *jihadi*) militancy. The last-named of these developments, which has since become associated with dramatic terrorist attacks in the developed world as well as with an increasingly widespread undermining of the inherited political order in North Africa and the Middle East, is only the most eye-catching of a number of developments which have placed in question the secularity of all levels of governance. State secularity had long been seen as a key – even, a defining – feature of the nation-state model as it had first developed in Europe after the end of the religious wars of the sixteenth and seventeenth centuries but the resurgence of the religious factor in domestic and international politics across the world since the 1970s has led to a re-examination of its empirical status and of the normative claims made on its behalf.

Any survey of the actual patterns of relations between religion and the state across the world has to take account of the enormous variety of traditions, institutional forms and ethical drives to be found in each of the two spheres or fields. Even operating with mainstream Western conceptualizations of the principal terms the range of combinations identifiable over different periods is as vast as it is in detail complex. Traditionally in the West most treatments have reduced the scope and range of these complexities to manageable proportions by addressing them through the lens of ‘church–state relations’ where the term ‘church’ can be expanded to encompass all religious bodies and organizations and the term ‘state’ can be assumed to represent instances of the modern state conceived in Weberian terms as based on successfully achieved claims to territorial sovereignty. This foreshortening of focus with its distinctly ethnocentric underlying assumptions as to what counts as ‘religion’ and ‘state’ systematically

underestimates the actual range of variation to be found in the other parts of the world and at other times, however. It can further be argued that focusing on sets of institutional arrangements has led in certain quarters to the 'fetishization' of particular models, so undercutting a more appropriate concern for the values, such as, for example, the French trinity of liberty, equality and fraternity (or solidarity) which they might or might not subserve.¹

Within political science, attention to the contemporary political significance of religious traditions and how they relate to different forms of the state has been a relatively recent phenomenon. When in the 1950s the field of comparative politics was extended from a concentration on Western political systems to address the major changes occurring in the then newly independent states of the developing world, the subject remained peripheral. This peripherality was reinforced by the fact that one of the principal organizing concepts which came to dominate comparative politics at the time was modernization, understood crudely as the process whereby 'traditional' societies became 'modern' and, *inter alia*, religious institutions, behaviour and beliefs became progressively weaker and marginalized in largely secular environments. By the 1980s the modernization theory which underlay these expectations was being progressively abandoned. Attention tended to switch to the role of episodic change occurring around critical discontinuities in the history of particular societies, cultures and traditions. Weber's analogy comparing decisive historical junctures with the points on railway tracks which send trains off in one direction or another (with unavoidable 'path-dependent' consequences) provided a useful metaphor for these discontinuities which appeared to explain contrasting patterns of institutional and cultural change, not least in the area of relations between religion and the state. Taking the case of Christianity, the variety of state forms which it had confronted over its two millennia of existence as a distinct tradition had spanned the range from Roman colonial administration in first-century Palestine, to pagan empire, to Christian empire(s) of contrasting types, to feudal lordships, city-states, principalities (both civil and ecclesiastical), papal states, republics, kingdoms, authoritarian dictatorships (both sympathetic and antagonistic) and latterly a variety of forms of (liberal) democracy. In some of these contexts, particular Christian institutions and traditions had been minor, marginal and even actively persecuted, and in others overwhelmingly dominant, oppressive and intolerant of all forms of opposition; while in most they had been located somewhere in between. Certainly, with regard to Christianity as a whole, it became difficult to argue that there had been some uniform trend of development from an undifferentiated pristine community cult towards its current condition in most of the West, as a more or less vibrant enclave of religiosity in an otherwise largely secular environment. In 1978 David Martin presented a dense analysis of the different principal patterns of development in modern Europe which systematically stressed the role of critical historical junctures in bringing about, deflecting and occasionally reversing secularizing trends in the territories of particular states.²

For many normative theorists of liberal democracy, separation of religion and state (reflecting the differentiation between the two spheres) was until recently a matter of widespread consensus: a system that did not institutionalize this basic requirement could scarcely qualify as a liberal democracy at all. For John Rawls and Jürgen Habermas in their trend-setting early works, religious speech and argument had no proper place in political debate or in the justification of publicly applicable laws. The recent resurgence of the religious factor in politics across the world has, however, led to a re-examination of these normative arguments and at the same time the empirical links between church-state separation and liberal democracy has come under close scrutiny.³ In 2001 Alfred Stepan, for example, was able to point out that 'virtually no Western European democracy now has a rigid or hostile separation of church and state', while other authors argued forcefully that separation did not appear to be a requirement for the

protection of religious liberty.⁴ Disagreements about state–religion separation in the consolidated liberal democracies is, however, as a distant echo compared to the din heard elsewhere in the world, especially following the impact of such critical junctures as the 1979 Iranian revolution and September 11, 2001 (‘9/11’). As Fred Halliday put it, the Iranian revolution posed a particular challenge to observers of world affairs, that of explaining how for the first time in modern history (that is, since the great French revolution of 1789) ‘a revolution took place in which the dominant ideology, forms of organization, leading personnel and proclaimed goal were all religious in appearance and inspiration.’⁵ Although that religion did not, as feared by many and hoped by some, spread widely to other countries it did occur at a time when the resurgence of the religious factor in politics was to the fore in many other places around the world as well.⁶

Pippa Norris and Ronald Inglehart have argued that secularization, if understood simply as a progressive decline in levels of belief and observance in the mainstream forms of organized religion, can only be seen to have progressed in the world’s most economically developed countries (with the notable exception of the United States).⁷ Since these societies currently account for a decreasing proportion of the population of the planet and other, less well-favoured, societies generally exhibit a resurgence of religious belief and observance, it can be concluded that the world as a whole is becoming, in an important sense, more rather than less religious. Furthermore, it can be argued that the political mobilization, in particular of fundamentalist variants of many of the world religions including Christianity, has made the issue of state–religion relations increasingly one of urgent political concern as well as of academic interest. Fundamentalist movements, especially those which combine religious revivalism with claims that their religious outlook mandates particular forms of state, stand witness to the continuing possibility that trends of secularization (whether as religious decline, differentiation or marginalization) can evidently under certain circumstances be stopped dead in their tracks and reversed by projects of radical de-differentiation, even on occasion under the literal ‘presidency’ of religious figures and institutions, as in Iran. Nor in this context can Europe be seen as a complete exception: as the cradle of the modern nation-state and in its Western part one of the most secular parts of the globe, it can be seen as marked by sets of state–religion relations across its fifty-odd territories which the American Supreme Court in its separationist heyday would not have tolerated in even one of its own fifty constituent states.

Religion and the state in modern Europe

The record of the relations between religion and the state over time and space in Europe illustrates better perhaps than any other, the decisive role critical junctures have played in marking the shifts between often radically contrasting patterns of state–religion relations. From the time of its birth as a distinctive religious tradition, Christianity famously distinguished between what was due to Caesar and to God, something which it was easier to do for as long as Caesar was both pagan and, occasionally, an agent/perpetrator of persecution. When the Emperor became the supporter and enforcer of the Christian cult, however, the distinction became progressively blurred – only to reassert itself when the papacy in the eleventh century bid for recognition as the fount of all power on earth; this occurred when Pope Gregory VII reiterated the long-standing claim to the precedence of papal over imperial or royal authority at a time when it seemed there was, at least briefly, the possibility of making a reality of the claim. It was arguably at this time that the Latin Christian concept of the proper relationship between secular and religious took a decisive form in which the Roman Catholic Church presented itself as

representing the superordinate religious and spiritual sphere counterposed on earth to the state which represented a subordinate secular and temporal sphere.⁸ A lasting legacy of this conceptual shift in the West has been that with the designation of the state as definitionally secular, it cannot be seen itself as a subject of secularization – state secularization is logically ruled out as much as the possibility of the sacralization of the state. In a wider context, however, the partial or complete secularization of the state, not least in the case of Western Europe, appears as a key feature of the emergence of the modern nation-state. Earlier the instrumentalities of state power and authority could be – and often were – dedicated to and utilized for religious ends in Christian Europe as much as in other parts of the world – in other words states have at times been, and in a number of cases remain, in some non-trivial sense religious.

The emergent pattern of the modern state developed in sixteenth century Europe initially as a confessional institution committed to defending and promoting favoured religious traditions and practices. The birth of the modern state system, which is conventionally dated from the 1648 Peace of Westphalia, did require the signatories henceforth to desist from attempts by diplomacy or war from changing the religious adherence of target populations but this ‘secularizing’ requirement only affected the external relations between states. Internally, by contrast, Westphalia buttressed the prohibition against religious war by insisting on the sovereign right of the state authorities of a given territory to impose a particular confession on their subject populations on the basis of the *cuius regio eius religio* rule (literally, whose the region, to him the religion). In fact, from 1648 onwards, recognition of the exclusive authority of state authorities in matters of religion led to a new and decisive phase in the consolidation of church settlements aimed at enforcing conformity to locally established religion and penalizing or expelling those who refused to conform.⁹ This process of the ‘confessionalization’ of populations continued after 1648 for a long time, as signified by such notorious episodes as the 1685 Revocation of the Edict of Nantes, which ended the toleration of the Huguenots in France, and the expulsion of many thousands of Protestants from the archbishopric of Salzburg in the 1720s.

Keith Ward claims that the birthday of the first secular state, properly so called, can be precisely dated not to the 1789 French Revolution, with its notoriously anticlerical antecedents, but to the political arrangements thrown up by the American Revolution shortly before. ‘In 1789 the American Revolution introduced to the world in a formal way the idea of a secular state. The first amendment to the Constitution of the United States of America, drafted two years later, laid down that there would be “no law respecting an establishment of religion, or prohibiting the free exercise thereof.” The idea of a secular state was born.’¹⁰ Until that point, on the eastern seaboard of the North American continent, the norm had of course been church establishment. The liberal idea as represented by the Constitution and reinforced by its first ten amendments adopted in 1790 endorsed an incipiently secular view of the state as ‘a purely neutral mechanism without purposes or values. Its sole function is to protect the rights of individuals, that is, to protect freedom.’¹¹ And for some liberal observers of the American scene, the institutional separation of church and state combined with a vibrantly competitive religious ‘market’ has continued to be seen as one of the efficient secrets of its constitutional structure, a virtuous arrangement worthy of emulation elsewhere.

In France, anticlerical radicals for a short time during the 1789 French Revolution launched Europe’s first attempt completely to dismantle the structures of state confessionalism, taking church property into state ownership and even at one point attempting to abolish Christianity altogether in order to replace it with a more congenial cult of Reason. As Rémond puts it, ‘France was the [European] country to make the first breach in the old order founded on the principle of state religion . . . For the first time in a European society, belonging to a

denomination would no longer be a measure of individual rights or a condition of citizenship.¹² Although the uncoupling of citizenship from denominational belonging and good standing was never subsequently to be overridden in France, the nineteenth century was, however, a period of partial restoration and retrenchment in church–state relations. Starting from 1801, a Napoleonic system of multiple establishment of recognized religions was more or less firmly in place for over a century, supported by arrangements for public subsidy, the provision of religious education in the public-school system, and so on. Only in 1905 did the country finally institutionalize its distinctive *laïciste* version of the separation of church and state. It is remarkable that elsewhere, church establishment of one sort or another still remained more or less firmly in place across most of Europe at the end of the nineteenth century. The codings of 2001 World Christian Encyclopedia documents that, despite the progressive de-linking of citizenship from church membership and other measures of progressive church reform, mainline churches almost everywhere in 1900 continued to benefit from advantageous arrangements with the state authorities.¹³ This was most particularly the case in the three mono-confessional blocs, which occupied the Lutheran (northern), the Roman Catholic (southern) and the Orthodox (eastern) parts of Europe.¹⁴ In Europe’s principal multi-confessional belt, which spanned from Ireland in the north-west through Britain, the Netherlands, southern Germany, Switzerland, Bohemia and Hungary all the way into the Transylvanian part of Romania in the south-east, relations between the different religious institutions and the state were complicated by the coexistence of substantial populations of different confessional adherence – but even in those territories, the predominant pattern was one of establishment of the historically dominant confession twinned with the more or less de facto toleration of religious minorities.

In addition to their confessional affiliations the actual forms of establishment varied a great deal. In France before 1905 Catholicism was recognized not as a – or the – state religion but as the religion of the great majority of the French nation, while the Protestant and Jewish communities also received official recognition and state support. In the United Kingdom the Anglican state church retained full and formal establishment status in England and Wales and the Presbyterian Church of Scotland remained the officially recognized national church while the laws penalizing nonconformity in various ways were progressively abandoned. Other systems of multiple establishment could be found at or below state level in the belt of multi-confessional territories, for example in Switzerland with its wide variety of patterns at the cantonal level. In those parts of Europe where the eighteenth-century Enlightenment had impacted either through the action of so-called Enlightened Despots such as Frederick the Great in Prussia, Joseph II in Austria and Catherine the Great in Russia, or through the later, and more forceful, intervention of the French revolutionary armies, systems of religious establishment had on the whole made a successful, if partial, return after 1815. Around 1900 in Eastern Europe the trend was also in favour of reinforcing the principle of religious establishment; in the Russian Empire, for example, Russian Orthodoxy was forcefully promoted even in the peripheral territories where Lutheranism (in the northern Baltics), Catholicism (in Poland) and Armenian Orthodoxy (in Armenia) had previously enjoyed a measure of toleration and even privilege.

In 1900 all but one of Europe’s forty-five territories (as identified by late twentieth-century borders) were occupied by states which could still be judged *de jure* ‘religious’, that is officially committed in one way or another to the support of either a particular religion or religions (thirty-one cases) or to religion in general (fourteen cases).¹⁵ The sole exception identified was the Netherlands, which the World Christian Encyclopedia labelled *de jure* ‘secular’.¹⁶ With this Dutch exception, the foundations of the inherited systems of church establishment, which

still survived across almost all of Europe, were by 1900 nonetheless under threat, even though in most cases the more punitive laws, which had underwritten them, had been reformed and largely abolished. In France the Law of Separation of 1905 proclaimed that henceforth the Republic would neither recognize nor subsidize any religious confession or cult whatsoever, thereby inter alia unilaterally annulling the Concordat of 1802.¹⁷ Remarkably, however, separation was deemed consistent with the taking into state ownership of all churches built prior to 1905, and over the succeeding century a number of other derogations from strict separation were made; after 1945, despite the constitutional affirmation that the republic was *laïque*, other compromises were made so that by the time of the 2005 centenary of the Separation Act, voices were being raised in favour of a revision to bring the law more into line with current practice. Elsewhere across Europe there were other retreats from establishment models. Even in Britain, at around the same time as France made its separationist move, nonconformist agitation for the disestablishment of the Anglican Church in Wales was rising on the back of a dispute about the funding of religious education, and in 1914 the decisive vote was taken to disestablish, something which finally came into effect in 1920.

If the principle of formal church establishment was already being pegged back in parts of Western Europe before 1914, the First World War and its outcome acted as a major 'extinction event', especially in Eastern Europe, where the great land empires were finally broken up and new nation-states emerged. In Russia the Orthodox Church was disestablished three months after the Bolsheviks had seized power in late 1917; it was thereby reduced to the status of a mere religious association with no corporate personality and thus prevented from owning property. The end of the Austro-Hungarian Empire in 1918 also spelt the end of church establishment in Austria itself, Hungary and the territories which became part of 'Kingdom of the Serbs, Croats and Slovenes' (from 1921 Yugoslavia). Similarly, in Germany the Weimar constitution of 1919 formally disestablished the state church while allowing for cooperation in matters of religious education in the public schools, the raising of the *Kirchensteuer* (a church tax collected by the state tax authorities) and military chaplaincies. And, finally, in Europe's far south-east, after the collapse of the Ottoman Empire the Kemalist regime not only abolished the caliphate in 1923 but also launched a radical campaign of state-enforced secularization, not by introducing separation but by subjecting all religious bodies to close state control under a Ministry of Religious Affairs. The survival of church establishment in different confessional guises in the Nordic countries, the Iberian Peninsula and the Orthodox states of south-eastern Europe has often been seen as anomalous. To the Catholic mind, state churches – despite their virtual existence in the small, overwhelmingly Catholic states of Liechtenstein, Malta and Monaco – although tolerated, had never been fully legitimate institutional forms. The arrangement preferred by the Vatican was, rather, friendly cooperation between Church and the secular state authorities within a particular territory on the basis of Concordats, i.e. treaties negotiated to protect the autonomy of the church within the spiritual sphere and to provide favourable conditions for its mission within civil society. It was on such a basis that relations between the Vatican itself and the Italian state were finally settled with the Lateran Pact of 1929 – a series of Concordat agreements which also finally regularized the existence of Europe's only remaining church-state: the State of Vatican City. Four years later, in 1933, major concordat agreements were also signed with Germany and Austria, while in Spain, after three years of bitter civil war (1936–9), Franco's authoritarian regime introduced a system of National Catholicism.

For almost fifty years after the Second World War patterns of state–religion–society relations varied sharply, as between Eastern and Western Europe. In the West a wave of democratization fuelled by complete disenchantment with the authoritarian and totalitarian alternatives

of fascism, Nazism and communism set in. Christian Democratic parties were among the beneficiaries of this rejection of both extremes of left and right alternatives and they were responsible for ensuring conditions favourable to the principal religious institutions in their several countries. The principal churches tended to be restored to their former places of honour and relative privilege. In Eastern Europe, however, the outcome of the world war produced very different outcomes as Soviet-installed regimes imposed strict controls on the churches and other religious bodies as local variants of the state atheism, which had been pioneered in Russia after the Bolshevik takeover in 1917, were adopted. The Russian-dominated regimes bent their energies to controlling the historically dominant churches, while signing up to constitutional provisions, which ostensibly guaranteed religious freedom in accordance with the Universal Declaration of Human Rights of 1948 and other international legal instruments.¹⁸ In 1970, according to the codings of the World Christian Encyclopedia, all twenty-two countries of Central and Eastern Europe which lay behind the Iron Curtain could be designated *Atheistic de jure*, i.e. committed to ‘formally promoting irreligion’.¹⁹ Separation in these states meant exclusion from public life and the cutting off of most of the resources required for religion to flourish; it emphatically did not mean that the state was debarred from interfering in the field of religious provision and in the extreme and exceptional case of Albania an attempt was openly made between 1967 and 1991 to abolish religion altogether.

With the collapse of communism around 1990, churches and religious groups were, in some of these countries – most notably in Poland, active in the campaigns for liberalization and democratization which precipitated this shift to more open democratic regimes. Ten years later the twenty-two states which had coded as *Atheistic* in 1970 had either returned to the category of *de jure* Religious states providing support to the locally dominant religious traditions (fifteen cases) or had opted to be *de jure* Secular (seven cases: Russia, the three Baltic states, Hungary, Slovakia and Macedonia), that is, ‘officially promoting neither religion nor irreligion’.²⁰ Not one of the eight former Communist countries of Central and Eastern Europe that eventually joined the EU in May 2004 (in alphabetic order: the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia) formally adopted a state church model after the end of the Cold War; nor on the other hand did any of them adopt a rigid separation model, despite the claim of some that it constituted a *sine qua non* of liberal democracy. Most instead chose one or other pattern of ‘benevolent separation’ or ‘cooperation’ models and all, including those that did not have significant Catholic populations, negotiated some kind of concordat settlement with the Vatican.²¹

In 1999 René Rémond concluded that ‘today there is a way, both common to all European peoples and original as regards the rest of the world, of regulating religion-society relations’.²² This ‘way’ was based on ‘an absolute separation’, not between church and state but between religious belonging and citizenship: ‘[t]he state can no longer be confessional; belonging to everyone, it must be neutral and practise a strict equality between denominations’.²³ The same year Silvio Ferrari proposed a similar thesis that, despite continuing surface differences between separatist, concordatarian and national (or state–church) systems, at the level of ‘legal substance’ an emergent ‘common model’ of relationship between states and religions across Europe could be identified.²⁴ What distinguished the model in particular, however, was not any claim to state neutrality or complete equality of treatment but the deliberate privileging of religion, so that ‘various collective religious subjects (churches, denominations, and religious communities) are free to act in conditions of substantial advantage compared to those collective subjects that are not religious’.²⁵ On the basis of the World Christian Encyclopedia codings just reviewed, what distinguishes the European model is not so much state secularity as a species of state-religious partiality, particularly when it is contrasted

with the separationist model which, for example, operated in the USA between the late 1940s and the early 1980s. This is something which other work identifying the incidence of state religions also highlights; if the state secularity is to be seen as a fundamental principle of the European model, then, it is surely one more honoured in the breach than the observance.²⁶ In many respects this is not surprising as it is remarkable how little Europe's confessional geography has changed despite the turbulence and violence of the continent's 'short twentieth century', 1914–1991. The division of Europe along confessional lines, which was inherited from the Latin-Orthodox schism and – in Western Europe – from the period of the Reformation and Wars of Religion, is still evident in the proportion of countries' populations which retain confessional or denominational identities. Of the continent's forty-five major sovereign territories, fully thirty-eight (84 per cent) continued in 2000 to exhibit single-confession absolute majorities; thirty-three (72 per cent) had super-majorities (that is, populations where more than two-thirds shared a single confessional identity), while in twelve countries (27 per cent), more than 90 per cent of people shared a single religious identity.²⁷ However crude, these figures can be taken to show that the early modern confessional state continues to throw a long shadow across contemporary Europe despite the challenges represented in recent decades of major immigration flows from outside Europe, which have considerably increased levels of religious pluralism. Using Ferrari's terms, these challenges include claims for equality of treatment in systems which continue to accord 'substantial advantages' to 'collective religious subjects' as much as pleas for the abolition of those advantages issuing from 'collective subjects that are not religious'.

Beyond Europe: contemporary religion–state relations in the rest of the world

Looking beyond Europe, shifts in the mutual entanglement of states and religion across the world seem to point in a number of different directions: while the parliament of Tuvalu in 1991 approved legislation establishing the [Congregationalist] Church of Tuvalu as the state church, at the end of 2007 Nepal's provisional parliamentary assembly voted to abolish the monarchy whose kings had traditionally been held to be reincarnations of the Hindu god Vishnu. Meantime, the 2008 Constitution of the Maldives declared not only that Islam was the religion of the state and the basis of all its laws, but that 'A non-Muslim may not become a citizen of the Maldives'. As Ran Hirschl observes: 'there is much more diversity in the religion-and-state universe than often meets the popular Western eye'.²⁸ His treatment of the subject identifies nine archetypal models, which span across a continuum running from communist atheism at the anti-religious end – such as was typified by the USSR in the 1930s at the height of its anti-religion campaign – to more or less strong forms of what he calls 'constitutional theocracy', such as has existed in a strong form in Iran since 1979. As with most normal continua the bulk of the world's 200-odd cases can be found around the middle of the distribution, a finding which can be illustrated by using Jonathan Fox's large worldwide data collection of religion–state connectedness. This data set covers a large range of both core and more peripheral components of state–religion relations, from constitutions to dietary laws, laws against blasphemy to fiduciary arrangements and systems of overall religious regulation; using the scores for all years between 1990 and 2008, it is now possible to both make an overall description of the contemporary state of affairs and identify ongoing trends on the basis of empirical indicators for all the world's states of significant size.²⁹

As in the case of Europe, it appears that across the world secularizing trends of varying strength have failed to make for anything like a clear separation between state and religion,

even in those countries where critical political changes have for much of the previous century placed anti-religious or anticlerical elites in power. In recanting his earlier belief in secularization as theory and empirical reality, Peter Berger claimed that '[t]he world today, with some exceptions . . . is as furiously religious as it ever was, and in some places more so than ever'.³⁰ The Fox data in large part substantiates this claim with its logging of the various indicators of religious influence in constitutional and general governmental arrangements – and this regardless of the almost universal declaratory guarantees of religious freedom which are now found in constitutional charters and bills of rights.³¹ The number of cases which correspond most closely to Hirschl's communist-atheist model, identified by Fox as hostile to religion (i.e. characterized by 'hostility and overt persecution of religion where state ideology specifically singles out religion in general or religion is in some other way uniquely singled out for persecution'), had only stood at three by 1990 (North Korea, Cuba and Vietnam) but by 2008 this number was judged to have been further reduced to just one (North Korea). At the other end of Hirschl's continuum (in Fox's more extended typology corresponding to two classifications of religious states: one where religion is deemed mandatory for members of the official religion, the other – at the furthest end of the continuum – where religion is deemed mandatory for all citizens) there are, respectively, eight cases (up from two in 1990) and two (Saudi Arabia and the Maldives down from seven in 1990), revealing overall a slight increase which accordingly contrasts with the almost complete disappearance of its polar-opposite type. It is, however, in the middle of the distribution that most cases are to be found. Here the failure of separationism to have made significant headway becomes evident: only seven states out of the world total of 196 in 1992 could be counted as having separationist regimes (in Europe, only France and Azerbaijan, and, in the Americas, only Mexico and Uruguay) and by 2008 there had been no overall increase. In fact fully 92 per cent of all cases are coded as having in 2008 state–religion regulatory regimes which range from various forms of full religious establishment to 'cooperationism' and 'accommodationism' (the last being the single category with the largest number of cases in both 1990 and 2008, understood as involving a posture of what is oxymoronically deemed benevolent neutrality towards religion, as in Ferrari's European model). According to the codings for 2008, however, the largest connected group of categories, which groups together 'preferred religions', 'historical or cultural state religion' and 'active state religion', is one which most positively favours not just religion in general but one or more named particular religion(s) – as, for example, in the anomalous cases of the United Kingdom and Finland, two particular established religions. This pattern is not only to be found in all Protestant Christian traditions, however; it is in fact most common in those countries where Islam has been historically dominant, where it accounts for almost 60 per cent of all cases.

While this brief review of the Fox data can provide a summary overview of state–religion relations in terms of alternative models, a more intensive analysis is needed to probe the variations in range, scope and intensity of the regulatory relationships which are to be found within and across the individual categories. For example, while cases of established religion, or 'active state–religion', models are identified in Catholic Malta, the Protestant United Kingdom, and Muslim Saudi Arabia, even without quantitative measures to demonstrate the fact it is evident that the 'weight' of religious establishment varies widely between these three cases across a number of dimensions. Similarly, the fact that France, Mexico and Azerbaijan can be coded as cases of separationist regimes obscures vast differences in their internal arrangements. For the purposes of broad comparison, however, Fox's government involvement in religion (GIR) index provides a useful summary indication of these variations.³²

Table 10.1 shows the banded scores for GIR in millennium year 2000 across 175 countries arranged by world region. In many respects the picture which emerges from the comparison of these scores confirms what area experts already knew. The fact that the mean GIR score for the countries of the Middle East and North Africa (MENA), which are overwhelmingly Muslim (the exceptions being Israel and Lebanon), is much the highest (over 50) is consistent with the impression that a large majority of countries where Islam has been historically dominant have systems of religious establishment. Equally, the fact that Saudi Arabia (78) and Iran (67) score first and second in this measure of governmental regulatory weight in the sphere of religion accords with what is widely known about their variations of theocratic (or possibly, hierocratic) systems of government, given their treatment of certain religious minorities, their patterns of regulation of the majority religion and their privileging of religious legislation and customs. Israel's GIR score (37), which is by contrast low for the MENA world region, is also shown to be relatively high in a world context. The overall GIR scores for the Western liberal democracies with a mean under half that of the MENA is, while still well above a separationist zero, on the other hand, relatively low, with the scores for the former Soviet bloc lying only modestly higher. It is interesting to note, however, that when all the elements of governmental involvement in the sphere of religion are taken into account only four out of twenty-seven Western democracies score under 10, with only the USA scoring zero, reflecting its history of strict separationism. Interestingly, the median case is Portugal (22), where according to Barrett *et al.*, 97 per cent of the population are, formally at least, Roman Catholic and Catholicism has been the established religion throughout the twentieth and into the twenty-first century.

This brief statistical overview of state–religion arrangements can take little account of the turbulent struggles which have revolved, and in many parts of the world continue to revolve, around them. Thus, militant Islamists following the line marked out by pioneering ideologists including the Egyptian Sayyid Qutb (1906–1966) and the Pakistani Sayyid Abul Ala Mawdudi (1903–1979) regard many of the political regimes which incorporate forms of Islamic religious establishment in Egypt or Algeria or Saudi Arabia as corrupt, in practice anti-Islamic, and worthy only of violent overthrow. In those countries where Islamists have for a time at least gained power – Iran, Afghanistan, Sudan and, briefly, Egypt, for example – and attempts have been made to craft an authentically Islamic polity with the state under the authority of religious officials or activists, the resulting struggles have been turbulent; and in others where the contest between rival factions still remains undecided – Somalia, Iraq and Afghanistan, for example – the threat or actuality of state failure with the complete breakdown of the state's ability to rule is evident. While the world of Islam presents the most dramatic attempts by religious forces to assert their precedence in the exercise of state powers it is not alone. In India and Sri Lanka, for example, Hindu, Sikh and Buddhist fundamentalists also struggle to reorder along religious lines the political arrangements set in place at the time of independence.

Conclusion

There is no Archimedean point from which the relationships between religion and the state can be observed. While in the early twenty-first century the modern state as first developed in Europe continues to be the key template for political organization across the globe, its form and function continue to remain matters of ongoing dispute. Responsibility for the management of affairs affecting the physical and material security of citizens is generally accepted to be an essential state function but on wider issues – including how it should relate to religious

or religion-related ethical concerns – radicals, liberals, conservatives and reactionaries of various hues continue to engage in seemingly unresolvable controversy. The liberal democratic option of ruling that such concerns are no proper business of the state and should as much as possible be kept off the political agenda has failed to attract general agreement even in the more prosperous parts of the first world.³³ Elsewhere, where material conditions are much less favourable, issues of state–religion relations often now occupy centre stage. The existence of different worldviews encapsulated in, or extrapolated from, contrasting religious traditions continue to make for incommensurable and, even, non-compossible standpoints on important issues.

Located in a world context, the situation in Europe is increasingly seen as exceptional; for Berger, Europe was the major exception he had in mind to his claim that the world seems to be as furiously religious as ever. In spite – or, perhaps, because – of the maintenance there of important state–religion linkages, the secularity of European societies and cultures has seemed to resist the countervailing sacralizing trends evident elsewhere. Even in the USA pressures of this kind can be observed, although they might be seen as calling for relatively modest changes which would bring state–religion relationships there closer to those obtaining in Europe.³⁴ Europe is far from immune to trends making for the deprivatization of religion, however, in particular as immigration flows and the inclusion of Central and Eastern European countries in the European Union has led to a distinct heightening of levels of religious pluralism and challenges to largely secular cultures.³⁵ Nor is it clear that Ferrari’s European state–religion model of benevolent neutrality will prove sufficiently robust to accommodate and so ‘domesticate’ the more difficult challenges that face it, as religious minorities of immigrant background call for the same level of favourable treatment by the state that long-established groups enjoy.³⁶ The fact that issues relating to the place of significant Muslim minorities in Europe have tended to become ‘securitized’ as terrorist attacks threaten to bring to the continent a spill-over of violent challenges from crises in a number of MENA countries has made a resolution of the underlying tensions all the more difficult to achieve. Olivier Roy has argued that what he calls ‘neofundamentalist’ Islam, which has increasingly appealed to Europe’s often rootless and materially disadvantaged Muslim youth, is associated in one of its forms with sympathy and occasionally active support for the militancy of extreme groups such as al Qaeda and, latterly, Islamic State.³⁷ It is even the case according to his analysis that the more ‘pietistic’ variants of Islamic revivalism, which are typically more concerned with reasserting strict or ‘pure’ Islamic values within their minority communities, while they might be seen as embracing multiculturalism do so principally as a means of resisting, rather than easing, integration into the European host societies where their adherents reside. Both cases, however, would appear to represent unsettling challenges to both state and society in Europe, and place a large question mark over any future trends of secularization as differentiation, the marginalization of religion or, even, its eventual irrelevance to public life. In the red dawn of the third millennium of the Common Era it is a nice irony that academic debates about secularization continue unabated; the rising trend line of controversy would itself seem to mock the very idea that religion as a whole is in decay and declining in political significance. The violent events of 2004 in the Netherlands, including the murder of the film director Theo van Gogh by an avowed Islamist, stand as a cautionary tale in what can be seen as modern Europe’s first largely secular state and the site of a number of its most progressive social experiments: in the minatory words of one author ‘[w]hat happened in this small corner of northwestern Europe could happen anywhere, as long as young men and women feel that death is their only way home’.³⁸

Table 10.1 Fox GIR scores in 2000 by region

<i>GIR scores (inclusive)</i>	<i>Western democracies</i>	<i>Former Soviet bloc</i>	<i>Asia</i>	<i>M. East and N. Africa</i>	<i>Sub-Saharan Africa</i>	<i>Latin America and Caribbean</i>	<i>Total cases</i>
0.00–9.99	USA Netherlands Australia Canada	Estonia Albania	Taiwan S. Korea Mongolia Solomon Is Philippines Japan		Congo-Brazzaville Lesotho Namibia Benin, Angola Burkina-Faso Burundi, Gambia S. Africa, Zaire	Guyana Ecuador Bahamas Brazil Barbados Trinidad and Tobago	
10.00–19.99	Luxembourg New Zealand Sweden Italy Ireland Gk. Cyprus Tk. Cyprus Germany	Tajikistan Slovenia Bosnia-Herz. Yugoslavia Latvia Lithuania Czech Rep. Kyrgyzstan Slovakia Ukraine	Fiji Papua NG Vanuatu		Swaziland, Liberia Senegal, Malawi Mozambique, Ghana Botswana, Rwanda Mauritius, Guinea-Bissau Sierra Leone Gabon Cape Verde Togo, Cameroon Mali Zimbabwe Tanzania Central African Rep	Suriname Uruguay Mexico Jamaica Guatemala Nicaragua Columbia	38 (21.7%)
20.00–29.99	Switzerland Portugal France Andorra Austria Belgium Malta, Norway Denmark Liechtenstein UK, Spain Iceland	Poland Croatia Hungary Romania Macedonia	Thailand India Nepal Cambodia Singapore	Lebanon	Madagascar Niger, Uganda Ivory Coast Ethiopia Guinea Nigeria Chad Equatorial Guinea Kenya Eritrea Zambia	Belize Chile Paraguay Honduras Haiti Peru Venezuela El Salvador Panama Dominican Rep.	41 (23.4%)

(continued)

Table 10.1 (continued)

<i>GIR scores (inclusive)</i>	<i>Western democracies</i>	<i>Former Soviet bloc</i>	<i>Asia</i>	<i>M. East and N. Africa</i>	<i>Sub-Saharan Africa</i>	<i>Latin America and Caribbean</i>	<i>Total cases</i>
30.00–39.99	Finland Greece	Russia Azerbaijan Kazakhstan Moldova Georgia Belarus Bulgaria Turkmenistan Armenia Uzbekistan	Sri Lanka Bangladesh Laos	Israel Bahrain	Djibouti Somalia	Argentina Costa Rica Bolivia	
40.00–49.99			N. Korea Bhutan Indonesia Burma China Afghanistan	Syria Oman Kuwait Turkey Libya Yemen W. Sahara	Comoros Mauritania	Cuba	20 (11.4%)
50.00–59.99			Pakistan Brunei Vietnam Malaysia	Morocco Qatar Algeria Iraq Tunisia UAE	Sudan		18 (10.3%)
60.00–69.99			Maldives	Jordan Egypt Iran Saudi Arabia			11 (6.3%)
70.00–79.99							4 (2.4%)
Mean scores	19.17	24.24	30.71	50.82	15.82	17.88	1 (0.6%)
Totals	27	27	28	20	46	27	175 (100.1%)

Source: Fox, Jonathan. *A World Survey of Religion and the State*. Cambridge: Cambridge University Press, 2008.

Notes

- 1 Taylor, 'Why we need . . .', 41.
- 2 Martin, *Toward a General Theory of Secularization*.
- 3 Casanova, *Public Religions*.
- 4 Stepan, *Arguing Comparative Politics*, 222; Monsma and Soper, *The Challenge of Pluralism*.
- 5 Halliday, *Islam and the Myth*, 43.
- 6 Kepel, *Revenge of God*.
- 7 Norris and Inglehart, *Sacred and Secular*.
- 8 Badie and Birnbaum, *Sociology of the State*, 87
- 9 In fact the treaties of Münster and Osnabrück, which together constituted the Peace of Westphalia, required the signatories to tolerate the existence of some religious minorities but this only applied in certain territories of the German Empire – or to use the proper designation, 'The Holy Roman Empire of the German Nation'.
- 10 Ward, *Religion and Community*, 106.
- 11 Bellah, 'Religion and legitimation', 12.
- 12 Rémond, *Religion and Society*, 38.
- 13 Barrett, Kurian and Johnson, *World Christian Encyclopedia*.
- 14 Madeley, 'Framework', 27–36.
- 15 Madeley, 'Unequally yoked', 279.
- 16 The Dutch Reformed Church had been disestablished in the 1790s and in 1815, when the United Kingdom of Netherlands had incorporated the southern Catholic provinces, the previous state church had not been re-established; instead, the principle had been introduced that the state should not interfere in the internal affairs of religious organizations (Bijsterveld, 'State and church').
- 17 Rémond, *Religion and Society*, 149
- 18 Leustean, *Eastern Christianity*. On the 'disconnect' between ostensible guarantees of religious freedom and actual conditions in many states, see Fox 'Out of sync'.
- 19 Barrett, Kurian and Johnson, *World Christian Encyclopedia*, 96.
- 20 Madeley, 'European liberal democracy', 16.
- 21 Schanda, 'Church and state'.
- 22 Rémond, *Religion and Society*, 217.
- 23 Ibid.
- 24 Ferrari, 'The new wine'.
- 25 Ibid., 3.
- 26 Barro and McCleary, 'Which countries'.
- 27 Madeley, 'America's secular state', 115–17.
- 28 Hirschl, *Constitutional Theocracy*, 39.
- 29 Fox, *Political Secularism*.
- 30 Berger, *Desecularization*, 2.
- 31 See Ibán, 'God in constitutions'; Madeley 'Constitutional models'.
- 32 The index scores represent an overall measure of GIR obtained by combining six narrower-gauge measures for: (a) state support for one or more religions either officially or in practice; (b) state hostility toward religion; (c) comparative government treatment of different religions, including both benefits and restrictions; (d) government restrictions on the practice of religion by religious minorities; (e) government regulation of the majority religion; and (f) legislation of religious laws. The scores simply represent summations of the number of positive instances of GIR.
- 33 Madeley, 'Liberal democracy'.
- 34 Monsma and Soper, *Challenge of Pluralism*.
- 35 Byrnes and Katzenstein, *Religion in Expanding Europe*; Zucca, *A Secular Europe*.
- 36 Klausen, *Islamic Challenge*.
- 37 Roy, *Globalized Islam*.
- 38 Buruma, *Murder in Amsterdam*, 262.

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