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**SECULARISM AND THE PUBLIC-PRIVATE DIVIDE:
EUROPE CAN LEARN FROM LATIN AMERICA**

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ABSTRACT

This paper explores the difficulties faced by European secularism in dealing with a Muslim diaspora of unprecedented size in the continent's history. It shows how this presence has highlighted contradictions in European conceptions of the religious and of the public-private divide. The paper does this by comparing Europe to Latin America where a quite different process of secularization seems to have taken place.

This paper explores two senses in which the presence of religion, namely institutionalized religion, in the public sphere, is a matter of concern. One sense is the most straightforward one, namely the perception that religion is affecting political life. The other is the more analytical sense that there exists, or should exist, a frontier between religion and the public sphere in a secular society—for there is much anxiety in Europe that this frontier, which is an artefact of convention but also a product of the law, is changing, collapsing or being perforated in disconcerting ways. It is my fear that Europe is poorly prepared for the changes which are already taking place in the frontiers between religion and the public sphere. This, of course, is the result of a Muslim diaspora whose growing—but not entirely unjustified—assertiveness is challenging many inherited but implicit, unspoken assumptions, and also posing serious questions for both supporters and critics of multiculturalism.

Ironies of Liberation

Institutionalized religion is unavoidably political—though of course not *only* political. Here I want to examine the somewhat counterintuitive

1 relationship between some religious movements and the world of
 2 secular politics, contrasting the impact of the explicitly ideological
 3 messages of some movements with that of others, which claim to
 4 eschew politics while in fact becoming deeply involved. My main—but
 5 not only—examples, are on the one hand the Theology of Liberation
 6 and the *basismo*—i.e. the political and religious sensibility which confers
 7 a privileged position on the culture, interests and practices of the *base*, or
 8 grass roots—which it inspired, and the evangelical churches on the
 9 other.

10 Let me start in Latin America. In that region a whole generation of
 11 activists of all religions (and none) were inspired by the Theology of
 12 Liberation (TL), a movement inspired by the ideas of Vatican II, of the
 13 subsequent Latin American Bishops' Conference at Medellín in 1968,
 14 and the writings most notably of Gustavo Gutierrez and Leonardo Boff,
 15 as well as others such as Jon Sobrino.¹ The theology inspired and was
 16 dynamized by the Base Christian Communities (or CEB) movement²
 17 which was in the forefront of grassroots struggles against dictatorial
 18 regimes, especially in Brazil, El Salvador and Nicaragua. Its approach to
 19 the Divine emphasizes the prophetic dimension, locates the
 20 construction of the Kingdom of God on this earth; **<comma not semi-**
 21 **colon?>** defines salvation as a collective enterprise of social justice
 22 rather than of personal piety, looks to the poor as a source of religious
 23 inspiration, and prioritizes Bible study over the cult of saints. In Brazil
 24 and Central America its followers called themselves “The People’s
 25 Church” or the “Church of the Poor.” The triumphalism of TL
 26 activists—for some of whom, incredibly, the Sandinista revolution
 27 heralded a new reformation—eventually gave way to a mood of
 28 depression in the face of Papal hostility and also of the growth of
 29 Pentecostalism and the Charismatic Renewal.

30 John Paul II, in fact, stole some of the *basismo*'s clothes: the
 31 preferential option for the poor, notably. But his number one mission
 32 was to overthrow Communism in Eastern Europe and the followers of
 33 Liberation Theology distrusted that mission because they identified it
 34 with the anti-communism of the Latin American right and their allies in

1. Gustavo Gutierrez, *Theology of Liberation* (New York: Orbis Books, 1973); Leonardo Boff, *Church, Charism and Power* (London: SCM Press, 1985); David Lehmann, *Struggle for the Spirit: Religious Transformation and Popular Culture in Brazil and Latin America* (Oxford: Polity Press, 1996); J. Sobrino, *Jesus Christ Liberator: A Historical-Theological Reading of Jesus of Nazareth* (Maryknoll, NY: Orbis Books, 1993).

2. **Comunidades Eclesiásticas ??? Base <please check>** Ana Maria Doimo, *A vez e a voz do popular: movimentos sociais e participação política no Brasil pós-70* (Rio de Janeiro: Relume Dumará, 1995).

1 the United States and big business. They may not have supported the
2 ideologies and philosophies of the Soviet Union, or Cuba, but to attack
3 those was to associate oneself with the forces of capitalism and imperi-
4 alism, which were seen to be more directly relevant and harmful in Latin
5 America.

6 Once Communism had, so to speak, been dealt with, the Pope did
7 bring back to life the Church's age-old distrust of markets and
8 capitalism. But one factor in his posture may have been the suspicion, or
9 even the evidence, that the People's Church was not bringing people
10 into church, and he may have thought that the fall in recruitment into
11 the priesthood was related to the emphasis on social issues in the
12 training offered in their seminaries. The seminarians, after all, may well
13 have concluded that the way to construct the Kingdom of God was not
14 to become a priest but to become a political activist or development
15 worker.

16 In fact the founding father of TL, Gustavo Gutierrez, quite soon
17 switched his "line" especially on Marxism: although his foundational
18 text, which had originally entered circulation in 1968, was definitely not
19 a call for socialist revolution, and has nothing of a materialist ethical
20 position, it is certainly littered with Marxist jargon and uses a broadly
21 Marxist approach to the interpretation of Latin American society—and
22 this is something he quickly regretted, partly because it encouraged
23 others to claim one could be a Marxist and a Christian at the same time,
24 and partly because it created a distraction from the main purpose of the
25 book, which was to bring issues of poverty and injustice to the top of
26 the Church's agenda, and enabled those who did not want to hear the
27 message to focus on the question of Marxism. Thus his second major
28 work, on Bartolomé de las Casas,³ does not mention the word Marx, or
29 the phrase social class, but focuses on las Casas and his time, on the way
30 in which he and his contemporaries thought about indigenous peoples,
31 and also on issues of gender and race.

32 But the question remains: People's Church activists often demon-
33 strate total commitment, by creating Base Communities, or placing
34 themselves at risk in land struggles, like Sister Dorothy Stang who was
35 murdered on February 12, 2005 in the Amazonian state of Para. Why
36 then have they remained, as far as the Church is concerned, a faction
37 rather than evolving into a broad-based movement? Why have their
38 efforts to develop a modern language of religious commitment which
39 confronts the contradictions and indeed the painfulness of capitalism

3. Gustavo Gutierrez, *Las Casas: In Search of the Poor of Jesus Christ* (Maryknoll, NY: Orbis Books, 1993).

1 and political oppression not been able to find a religious response and
2 link up with Latin America's traditions of popular religion?

3 **Religious Style and Political Involvement**

4 The experience of Liberation Theology raises the doubt that religious
5 mobilization for political ends tends to polarize between two sorts of
6 manifestation: at one extreme it mobilizes emotions and even hysteria
7 around single slogans tapping deeply rooted and long-held beliefs or
8 practices, from late medieval witch-hunts to the banners of the Virgin of
9 Guadalupe which inspired the early nineteenth-century Independence
10 struggle and innumerable later movements and wars and every popular
11 movement in Mexico.⁴ At the other extreme intellectual figures from
12 the religious world, concerned with doctrine, have a significant impact,
13 but not on the masses and not even principally on the practices of
14 religion or the beliefs of the religiously active themselves. This would
15 be the case for Liberation Theology and also, for instance, for the
16 Church of England.

17 It is often said, in connection with this contrast, that Liberation
18 Theology lacks "mystique." I think one should rephrase this, for such
19 things are said by people who oppose it and deplore what they see as the
20 politicization of their Church by radical priests. For it is a defining
21 feature of Liberation Theology and the *basismo* it inspires that they look
22 to the needs of those who do not participate in the formalities of
23 Catholicism, because they are too poor, too ashamed, too shy or indeed
24 too distant from God, because there are no church-like buildings where
25 they live. Lay activists, nuns and priests go to the slums, to the
26 countryside and to the Amazon, tending to the needs of the outsiders.
27 In these circumstances they work with small groups, not with the
28 techniques of mass communication, and they adopt a didactic style
29 rather than joining in the established ritual and festive rhythms. They
30 have created a popular intelligentsia whose leadership role in local
31 mobilizations may have little or nothing to do with religious ritual, or
32 liturgy, or personal devotion. Had the idealism of *basismo* been hitched
33 on to the powerful engine of popular religion, that connection might
34 have empowered the People's Church movement immeasurably, but
35 although Liberation Theology did set aside its early dismissal of popular
36 religion⁵ as a manipulation of the people's naïveté, its cadres never could

4. Enrique Florescano, *Memoria Mexicana* (Mexico City: Fondo de Cultura Económica, 1987).

5. Gutierrez spoke of "bourgeois manipulation" of the people.

1 translate their organizational and consciousness-raising work into the
2 sort of rhetoric which achieves mass appeal. Briefly, they hate anything
3 with even a hint of demagoguery.

4 In its pastoral work, the People's Church **<add:**
5 **movement?>** places more emphasis on doctrine than the mainstream,
6 and gives more time to consciousness-raising, to training leaders, to
7 debate. Its ideas have had substantial influence far beyond the Church,
8 and beyond Christianity: participation and popular self-determination
9 have become the orthodoxy of development policy and good
10 governance, and many pupils of Liberation Theology are now in power
11 with Lula in Brazil.⁶

12 While the People's Church movement eschews ritual beyond
13 absolute essentials of church services, emphasizing the message and the
14 didactic, leaving little to chance or allusion, popular religion relies for its
15 appeal precisely on what might be called "expectations of the
16 unexpected" and multiple allusive references.⁷ Latin American
17 Catholicism continues to revolve around rituals of salvation and healing,
18 and the annual calendar of fiestas and saint's celebrations. Followers of
19 the People's Church have on occasion tried to co-opt indigenous or
20 popular religion, but with uncertain results: in Brazil during the 1980s
21 one anthropologist observed the counter-productive effects of bringing
22 samba drums into Church: practitioners of samba and Afro-style
23 religion and dance felt they were being used or mocked.⁸ Such stilted or
24 "over-theorized" contrivances, rather like choreographed
25 multiculturalism, are unlikely to gain mass appeal. In contrast, the
26 under-theorized Charismatic Renewal, a cousin of evangelical
27 Protestantism, has plenty—but in the end experience shows it is
28 unlikely to bring much change in social structures or in politics, save
29 perhaps in the very long term.

6. It would be unfair to say that John Paul II was indifferent to these issues. For example, in 1983 he made a visit to Central America which included Salvador, Guatemala and Nicaragua. The Nicaragua leg was marked by clear gestures and words of criticism against the Sandinista government and the People's Church movement, many of whose prominent figures were in the government or close to it. But it should be recalled that during the same trip he paid unqualified tribute to the memory of the martyred Archbishop Romero and also denounced fiercely the executions which the Guatemalan dictator Efraín Ríos Montt (a member of the tightly knit evangelical Church of the Word) insisted on carrying out in a calculated and extremely shocking affront.

7. Pacal Boyer, *Religion Explained: The Human Instincts that Fashion Gods, Spirits and Ancestors* (New York: Heinemann, 2001).

8. John Burdick, *Looking for God in Brazil* (Berkeley, CA: University of California Press, 1994).

1 These reflections lead me to ask whether there may not be a trade-off
 2 between religion driven by ideology or doctrine and religion drenched
 3 in the life of ritual and cyclical celebration. People who want to bring
 4 about structural change in society have had difficulty marrying their
 5 cause to religious ritual and sensibility. Instead they have to rely on
 6 institutional resources. Base Christian Communities are notoriously
 7 dependent on the parish priest or the Bishop for their development and
 8 tend to follow the line of those authority figures. In the 1980s CEBs
 9 were more involved in consciousness-raising and social activism in
 10 places where the Bishops were sympathetic—like São Paulo. So when
 11 the hierarchy began to change its line or its personnel—as with the
 12 retirement in 1998 of the Archbishop of São Paulo, Dom Paulo Evaristo
 13 Arns—the CEBs are said to have lost dynamism; on the other hand the
 14 Landless People’s Movement (MST—*Movimento dos Sem Terra*), which
 15 owes its origin to committed churchmen and women, is still going
 16 strong. Popular religion, in contrast, produces its own resources and is
 17 not materially dependent on external support from hierarchy and
 18 institution, even if it exists in symbiosis with official, institutionalized
 19 Catholicism.

20 It is not so different in Islam. Political Islam is well known for its
 21 extreme hostility to sufism, to magic; in other words to popular religion.
 22 European and North American analysts of Political Islam tend
 23 unfortunately to be political scientists and include little sensitivity to
 24 ritual or religious feeling in their writing. But it may be worth noting
 25 that some of the most prominent among them insist on the lack of
 26 popularity, even failure, of Political Islam—and thereby explain its
 27 occasional lurch into violence.⁹ Kepel argues that although for a time, in
 28 predominantly Muslim countries, Political Islam found a broad appeal
 29 among the devout bourgeoisie and the mass of unemployed, their turn
 30 to violence has cost them that support—especially among the
 31 bourgeoisie.

32 Contrast this with the enormous success of Islamic revival
 33 movements such as *Tablighi Jama’at*¹⁰ which determinedly turn their
 34 back on politics, have no agenda of social transformation, and have
 35 literally millions of followers. Jama’at followers dress in a uniform style,
 36 follow a daily timetable and calendar of observance and a stringent way
 37 of life, and attend vast annual gatherings, notably in Pakistan. The

9. Olivier Roy, *The Failure of Political Islam* (London: I.B. Tauris, 1995).

10. Gilles Kepel, *Les banlieues de l’Islam: Naissance d’une religion en France* (Paris: Seuil, 1987); Barbara Metcalf, “‘Traditionalist’ Islamic Activism: Deoband, Tablighis and Talibs,” *ISIM Working Papers* no. 4, 2002.

1 *Jama'at* shares features with the Pentecostals and with the Chassidic
2 Jewish sect Chabad, like stringent lifestyle requirements and invasive
3 demands on the time of their followers. None of these has ideological
4 involvement in politics, even if all make sure they keep on the right side
5 of governments of any colour.

6 As an example of this ideological atonality, Latin American evangeli-
7 cals vote as their pastors instruct them. This is not because of blind
8 obedience, but because it is often to their advantage. Evangelical churches
9 tend to create tightly knit congregations who spend a great deal of time
10 together and make many sacrifices for their church. They proclaim as a
11 matter of doctrine that religion and politics must be kept firmly apart,
12 and this posture is borne out by the absence of an evangelical “line” on
13 most major issues, with the exception of freedom of religious worship,
14 the death penalty (which they oppose) and homosexual marriage.
15 Nonetheless, they do need the support of politicians. They need it to
16 gain access to the media, to set up radio and TV stations, to buy land
17 and obtain building materials for their churches, to get help with, or
18 contracts for, social programmes, and so on. In highly clientelistic
19 political systems with proportional representation, a small but reliable
20 vote bank is worth a great deal to politicians—more than its absolute
21 size, because investment in winning these votes is very profitable.
22 Reliability is the key. Pastors—like ultra-Orthodox Rabbis in Israel or
23 indeed in Brooklyn, London and Montreal—can reliably deliver the
24 vote of their congregations. In contrast, priests of the Catholic
25 Church—or for that matter mainstream Orthodox or Reform Rabbis—
26 for some reason, cannot offer similar guarantees. So evangelical pastors
27 are like honey pots for the politician-bees. In Brazil there used to be
28 many scandals surrounding the political presence of the churches, but it
29 has all died down. Now “everyone” is after their votes: Lula, the current
30 President, whose Workers’ Party’s foundation was inspired by
31 Liberation Theology and was once regarded as a threat to the very
32 existence of evangelical churches, now has an evangelical Vice-
33 President; the present and former Governor of the State of Rio de
34 Janeiro (husband and wife respectively) are relatively recent converts;
35 the same former Governor was a candidate for the Presidency etc. etc.
36 The Universal Church of the Kingdom of God alone has sixteen
37 Federal Deputies and a Senator. Nonetheless, the influence of
38 evangelicals and Pentecostals in Latin America and elsewhere in poor
39 countries is small when compared with their numbers and rapid
40 growth. They do not engage with the intelligentsia—for whom the
41 pastors have scant regard—or with political-ideological debate, they are
42 apparently little interested in establishing footholds in universities, even

1 those with a Protestant identity (like the Methodist University in São
2 Paulo), and they have not established seminaries of their own to train
3 future pastors, preferring to make occasional use of the older-
4 established Methodist and Baptist churches. Even in the US, much as
5 their votes evidently count for a lot, their influence on political debate
6 seems largely confined to the question of abortion.

7 A similar argument can be applied to the small but highly effective
8 Ultra-Orthodox parties and their leaders in Israel, whose political
9 activity is very tightly focused on their exemptions and entitlements. On
10 issues of economic policy and even of national security they say little if
11 anything. Even the Sephardi Shas party, with 12 out of 120 Knesset
12 members, which does have a mass electoral base beyond its ultra-
13 Orthodox core, is principally concerned with channelling benefits to its
14 clientele and establishing religious schools and organizations.

15 Thus far we have sharply contrasting examples of minority religious
16 movements with a strong ideological bent and influential political voice,
17 and mass-based movements with little ideological interest—albeit much
18 material interest—in politics. But this picture is based on too simplified
19 a model and crudely drawn variables, and needs to take into account
20 factors which have changed the place occupied by religion in the
21 contemporary world, the changing definition of the religious (from
22 heritage to a more complex mix of heritage and conviction/belief) and
23 the shifting boundaries between the religious and the non-religious.
24 Among these, obviously, are the scale of human migration and the
25 intensity of global communication which have encouraged the
26 formation of diasporas and a disembedding of religious traditions from
27 their more stable, sometimes original, geographical and institutional
28 niches. The most egregious example is Islam, which for the first time in
29 its history has to exist in secular societies and under religion-blind
30 states,¹¹ in Europe. For not only has the European system confronted
31 Muslims with an irreligious public space to which their heritage is ill-
32 accustomed (cf. the Rushdie affair which so perplexed many British
33 Muslims and now the polemics about women's headscarves and other
34 forms of concealment)—with explicitly political international issues
35 which directly affect their lives, and also with a situation in which they
36 find themselves at low levels of social and economic status. This may be
37 the reason why religion itself has acquired a political tinge: it is one
38 thing for religious tendencies to favour some political trends and to
39 oppose others, but now we find that religion itself is a political issue.

11. I use this term to avoid "secular state" because while some European states are secular (such as France) others are not (like the United Kingdom).

1 People following different religious traditions living cheek-by-jowl in
2 the crazy-quilt modern urban space, find that those features of their
3 religious practice which serve to mark out frontiers (dress, sexual
4 regulation) become political and their ethnic character is accentuated.
5 Muslim leaders, ultra-Orthodox Rabbis and evangelical pastors, too,
6 find they have to engage in political or quasi-political activity, but for
7 the Muslims it is an unfamiliar context—namely that of a secular state
8 or at least of the tacit secularist contract which has characterized
9 modernity and which, in Europe, transcends the very different
10 prevailing regimes of religious regulation. The resulting friction is not
11 inevitable, but it is more likely than would have been the case when
12 religious communities were embedded in long-established geographical
13 and institutional niches. It is an uncertain environment, for it is hard to
14 pinpoint the circumstances in which friction is sharpened. For example,
15 ultra-Orthodox Jews, who exhibit their markers very ostentatiously,
16 have almost no problems in Europe,¹² whereas in Israel their territorial
17 and demarcating activity arouses much irritation and even hostility from
18 Jews of different tendencies. The remainder of this paper pursues the
19 themes of belief and heritage first elaborated in the context of Latin
20 America and of the Catholic Church, in the light of these observations.

21 **Religion and the Public–Private Divide**

22 If we compare Europe to the US, it is noticeable that although religious
23 attitudes clearly are playing a prominent part in US politics at present,
24 fuelling sometimes almost violent rhetoric, there are, however, no
25 serious running disputes about the *place* of religion such as we have in
26 Europe. The US can have ideological disagreement with and among
27 religious people without disagreement about the place of religious
28 institutions in public or private life, whereas in Europe the institutional
29 issue has not been solved. Thus we have the apparently paradoxical
30 observation that, broadly speaking, Muslims seem to face far less day-to-
31 day hostility in the US than in Europe even though anti-Muslim
32 rhetoric finds many more public outlets there.¹³

33 Discussion of these matters usually proceeds on the assumption that,
34 in spite of all the differences, all European societies are secular. That is,
35 they share the assumption, enshrined in their legal systems, that religion

12. In Stanford Hill, North London, there is a Jewish-Muslim Council in which the Jewish side is principally, if not exclusively, ultra-Orthodox.

13. There are mundane reasons for this, to be sure: Muslims in the US tend to be much more middle class than in Europe, even if that is changing somewhat. See A. Mohammed Arif, *Salaam America: South Asian Muslims in New York* (London: Anthem, 2003).

1 is a matter of personal, private choice not to be dictated by the state, and
2 that the state, while ensuring religious freedom, does not enforce a
3 particular set of religious practices or beliefs. The words “private” and
4 “choice” here can be construed in a negative sense (the state should
5 keep out) or in a positive one (the state has to enable people to exercise
6 their freedom of choice against undue interference). The controversy is
7 not hard to see coming. Secularism can be taken to imply that the state
8 will, in addition to its own non-interference, ensure that individuals’
9 religious choices are free of undue constraint imposed by others: that is,
10 that the state will protect individuals from wrongful interference by
11 others in their private choices. Thus, just as in the economic sphere it is
12 wrong to force someone to work for another under an arrangement
13 such as slavery or debt peonage, so in the sphere of religion it could be
14 held to be wrong to use religious arguments to prevent children from
15 learning about Shakespeare, as occurs in a London Chassidic school for
16 girls, which views him as an anti-semitic writer, or indeed to impose a
17 headscarf on young women who, in the eyes of a certain influential
18 strand of opinion, are victims of unreasonable parents or religious
19 authorities. In both cases it could be argued that a handicap is being
20 imposed on a person such that his or her choices are severely curtailed
21 by coercive means, and maybe that the state should not allow these
22 situations to develop.

23 Such judgments rest on very difficult and essentially contested
24 assessments—that is to say, contestation is “essential” to their nature. It
25 is very hard to judge whether there are clear and agreed criteria for
26 deciding what is coercion and what is not in such circumstances, and
27 this difficulty is not the only one. In contrast to the view implied by the
28 previous paragraph, consider this multicultural or even extreme liberal-
29 secular objection: why should the national curriculum (the core
30 curriculum imposed on all state schools in England and Wales) be
31 preferable to a curriculum dominated by Rabbinic study plus a little bit
32 of maths, English and French? If the latter is in accordance with a
33 particular tradition then to withdraw recognition from it as legitimate
34 education may be construed as a violation of a human right. Who is to
35 say that parents are obliged to educate their children for secular careers?

36 Some might be surprised to learn that the state of Israel has taken, in
37 the end, quite a firm view of such things. The Israeli Ministry of
38 Education subsidizes vast networks of ultra-Orthodox religious schools
39 and hitherto has had little if any influence on the content of what is
40 taught in them. Finally, after decades of non-intervention, the Ministry
41 sought to require the teaching of a certain minimum of secular subjects
42 as a condition of funding, and in 2005 the Supreme Court upheld the

1 Ministry's decision. So in this state defined by its religion, the state has
2 intervened to protect the interests of children of religious families
3 whose parents and Rabbis want to educate them in such a way that they
4 cannot join the modern economy.¹⁴ The spokesman for one of the
5 ultra-Orthodox parties was furious: "this," he said in characteristically
6 apocalyptic style, "is the end of the Jewish state."
7 The French *loi anti-sectes* embodies a robust view of such matters.
8 This law (dated June 12, 2001) allows for the dissolution of any
9 organization which has engaged in the psychological or physical
10 subjection of any person taking part in its activities when it has been
11 found to have harmed a person's freedom, dignity or personality, which
12 has illegally practised medicine or pharmacy, or which has engaged in
13 misleading publicity, fraud or forgery.¹⁵ This law assumes that people's
14 choices are often not free, that this is a matter of interest to the state,
15 and that the fact that a choice is described by the chooser as "religious"
16 is not sufficient to guarantee that it is a free choice, nor is it a reason for
17 exemption from the state's legitimate concern. The state is entitled
18 (maybe obliged) to protect individuals in these circumstances. So long
19 as the objects of this, to some people exaggerated, concern were the
20 missionaries of the Reverend Moon, the debate could be thought of as
21 concerning a tiny minority. But that is no longer the case: it is now
22 quite common to encounter people who have radically altered their
23 lifestyles in movements whose leaders exercise power unrestrained by
24 the normal rules of bureaucracy or rational authority, and whose
25 followers lead tightly regulated lives which minimize contact with
26 outsiders. The particular circumstances vary: I would not claim, for
27 example, that *most* charismatic or evangelical churches, which require
28 core members to follow quite strict norms of modesty and austerity (in
29 dress, in avoidance of tobacco and alcohol), are tightly closed and
30 inward-looking. But there is a range of quite clearly identifiable
31 situations and organizations in which restrictions are so tight that it is

14. There are indications that in response to tightening economic conditions and reduced state subsidies, the ultra-Orthodox community may now be relenting in its hostility to the provision of training for the labour market to its members.

15. The language of the law deserves quoting for its trenchancy and to illustrate its very firm, even brutal, psychological assumptions: it permits the dissolution of any organization ("personne morale") whose aim is "to perpetuate or exploit the psychological or physical subjection of persons" ("ayant pour but ou pour effet de créer, de maintenir ou d'exploiter la sujétion psychologique ou physique des personnes...") and as examples it cites attacks against the liberty or dignity of a person, or indeed against a persons' "personality," as well of course as endangering young people, illegal practice of medicine and deceptive or fraudulent advertising ("publicité mensongère, de fraudes ou de falsifications").

1 not clear where they fall with respect to the line between free choice and
2 undue influence or abuse of power.

3 The representatives of Islam in Europe are caught: the culture they
4 have inherited and the people they speak for do not on the whole recog-
5 nize the notion of a private religion, or even of a public–private divide.
6 Yet they are obliged to defend the notion of a private sphere to keep the
7 state out of their families and institutions and marriage practices, now
8 that they are a diaspora in secular Europe. The issues which arise from
9 this difficulty are unavoidably political and highly sensitive for all sorts
10 of historical and contemporary reasons—for example, the implicit place
11 of Christianity as a dominant faith even in secular states, and the
12 Christian origins of so many now-secular European institutions like
13 hospitals and charities and universities, not to speak of secularism itself.

14 In addition to the diasporic phenomenon, these issues are given
15 added urgency by the unprecedented prominence of what I call
16 conversion-based movements, and their increasing influence over the
17 mainstream—if indeed in these changing circumstances we can be
18 confident that we know where the mainstream is. Converts, including
19 reverts or returnees, namely people from secularized backgrounds
20 adopting strict or charismatic or fundamentalist versions of the faith of
21 their forebears, do much more than change their inner beliefs and swap
22 their place of worship: they undertake a wholesale change in every
23 aspect of their lives, and contemporary circumstances seem to make it
24 easier for them to do this than has been the case previously, or indeed
25 than is the case now in many contemporary societies. Conversion-led
26 movements themselves are wielding increasing influence, placing the
27 mainstream on the defensive, as evidenced by the *t'shuva* (return, or
28 repentance) movement in Judaism, by evangelicals in the Church of
29 England, and by revivalist movements in Islam. The mainstream, for its
30 part, is having to make concessions, as illustrated by the
31 Pentecostalization of Catholicism by the Charismatic Renewal and the
32 adoption of aspects of the ultra-Orthodox way of life by modern
33 Orthodox Jews who previously would have drawn a clear line dividing
34 themselves from the ultra-Orthodox.

35 Eventually, following the law of church institutionalization, these
36 “extremisms” may be domesticated, that is they may be brought into the
37 secular fold where religion is a private matter. But it is also possible that,
38 in these new circumstances, they will add to the Muslim diasporic
39 challenge by questioning deeply embedded assumptions in secularized
40 societies about religious affiliation. This is an important question.
41 Religious affiliation has been historically assumed in European societies
42 to be a matter of tradition and a characteristic received by people in their

1 childhood from parents and school.¹⁶ But in European secularized
2 society that conception exists in tension with a different one which
3 conceives of religion as belief and only belief—an individual and private
4 matter.

5 Conversion-based movements have destabilized this balance and
6 revealed it to be more delicate than was once assumed in Europe: it has
7 not in the past mattered what a person believed—or, better, what a
8 person *really* believed. People’s religious affiliation was classified by the
9 company they kept, by their surname, by their colour, and other
10 outward and indexical signs—not by their beliefs: social class, region or
11 locality, language together with religious affiliation, all contributed to a
12 gestalt. In the searing best-seller *Angela’s Ashes*, by Frank McCourt (also
13 made into a film) we see the hatred of Limerick Catholics in the inter-
14 war period for their Northern cousins who, in their eyes, were
15 somehow tarred with a Protestant brush by the mere fact of being
16 Northerners, even if they fought with the IRA. Religion in this
17 perspective is not a choice but a fate.¹⁷

18 As conversion and reversion have become epidemic, so the pressure
19 has grown for frontiers to thicken, be they social, ethnic or religious and
20 even if one can tell the difference. Fortuitously, this is happening at a
21 time and in a place where the state offers resources to accentuate some
22 of this thickening, and it is a peculiarly European phenomenon: the
23 claim for entitlements on grounds of belief can be used to thicken
24 frontiers by invoking laws protecting religious freedom and expression,
25 and the rights of ethnic minorities, in circumstances where the state
26 does not claim to take a decision on what counts as religious belief and
27 what does not. **So<Change to ‘In this way’?>** conventional
28 boundaries and assumptions of secularism are shifted. Yet in Europe the
29 state cannot stand aloof either. In Latin America, which shares Europe’s
30 republican and secularist traditions, the state simply does not have the

16. Of course, European missionaries pioneered conversion in their colonial possessions—but that was for the colonies! Interestingly, it is the migration of populations from the colonies, especially from Africa and the Caribbean, that has contributed much to transforming conversion from an exceptional phenomenon to a leading feature of religion in Europe.

17. During fieldwork in North London in 1998 a Jewish community leader told me how she had approached a civil servant to discuss the possibility of using ethnic minority provisions to set up a Housing Association. The official had responded by saying “but being Jewish is a religion, it is a choice” to which she had given the immediate response: “And what about Hitler—did he ask?” Was she saying that anti-Semitism made Jews into an ethnic group, or that the official should adopt Hitler’s criterion, albeit of course for protecting minorities, not destroying them?

1 capacity to interfere with children’s upbringing or with other family
 2 matters, even on occasions when it might have reason to do so, so that
 3 many issues about what goes on in the private sphere simply do not
 4 arise, whereas in Europe, with its pervasive apparatus of social workers
 5 and their heavy responsibilities, the state can reach into the heart of the
 6 family. This destabilizes concepts of the private sphere, and may be seen
 7 by Muslims as an excuse to attack some of their most deeply rooted and
 8 never-questioned traditions. Some practices among ultra-Orthodox
 9 Jews might also provoke controversy, such as the insistence on making
 10 small boys study Rabbinic learning for hours every day irrespective of its
 11 suitability for all of them. But for the state to question such things
 12 would be to provoke a terrible public controversy—so the implicit
 13 biases of the state are also present.

14 The involvement of the state in the management of boundaries
 15 between secular and religious requires trust, and more especially trust
 16 that people’s religious affiliation is authentic.¹⁸ But how can one
 17 establish authenticity, and how far can one go in testing it, without
 18 invading someone’s personhood unreasonably?

19 For example: a person who claims exemption from certain rules—
 20 like school dress or a day off on Saturday—on grounds of religious
 21 belief, is assumed to be sincere. Since religion is held to be a private
 22 matter, it is not really legitimate for the modern state—in the person of
 23 a judge or a social worker, for example—to pronounce on whether an
 24 individual sincerely holds to a religion. But sincerity is a hard one to
 25 call, and, in order to pre-empt a challenge, the individual may prefer to
 26 invoke the language and norms of multiculturalism, namely tradition,
 27 instead of claiming, so to speak, “religious immunity” on grounds of
 28 belief. This is because in “multicultural speak” it suffices to say that
 29 “this is the way it is *done*.” The question of sincerity of belief, or of
 30 authenticity of interpretation, does not arise. The Electoral Commission
 31 in Israel heard this sort of argument from the Shas party, which
 32 distributed tiny bottles of oil during an election campaign, inscribed
 33 with a picture of a revered Kabbalist and a play on the party’s name to
 34 make it read like “remedy oil.” The party claimed this was no different
 35 from distributing t-shirts, which is regarded as acceptable campaigning,
 36 but the Commission, accepting the arguments of an anthropologist that
 37 the distribution of the liquid fitted in with a North African custom of
 38 gift exchange, said it was bribery. Multiculturalists disagreed.¹⁹ In

18. Bernard Williams, *Truth and Truthfulness* (Princeton, NJ: Princeton University Press, 2002).

19. G. Barzilai, *Communities and Law: Politics and Cultures of Legal Identities* (Ann Arbor,

1 England they would probably have got away with it.²⁰

2 Now there is no point in scaremongering: convention and the law
3 impose limits, and tradition is not and will not be used to justify abso-
4 lutely anything. But the use of tradition as a plea for exemption is
5 causing trouble. Within diasporic communities there is usually a strand
6 of opinion which fears controversy and desires not to “rock the boat.”
7 But not all share this view. Many Jews are taught that this was the
8 suicidal mistake of previous Western European generations. The strand
9 of opinion which does challenge the system, however, can now invoke
10 contemporary concepts of religious freedom which, after the Holocaust,
11 place far fewer limits on cultural difference than would have been the
12 case a few decades ago.

13 Furthermore, in a religion-blind state, even where there is an
14 implicitly recognized dominant faith, there is no source of recognized
15 religious authority: is a judge to say that a Bishop is more entitled to
16 pronounce than an evangelical preacher on the legitimacy of this or that
17 practice?, or that the Chief Rabbi is more correct than a Chassidic
18 *Rebbe*? Such matters are arising, for example, in the daily practice of
19 Britain’s National Health Service: one hears accounts of ultra-Orthodox
20 Jewish families physically preventing their elderly relatives from being
21 taken to hospital because the food there is not kosher, or because the
22 Sabbath laws might be violated. Ultra-Orthodox Jewish schools may in
23 theory conform to the minimum standards prescribed by the
24 authorities, but a school which bans Shakespeare as in the example
25 mentioned above must surely be sailing close to the wind. These cases
26 remain in penumbra for all sorts of reasons, but eventually they will
27 come into the public domain.

28 Issues of both authenticity and authority came into the public domain in
29 the case of the Muslim schoolgirl from Luton who in 2002, aged fourteen,
30 insisted on wearing clothes which reflected a strict version of modesty, in
31 violation of the already modest uniform which the school had prescribed
32 after consultation with local Muslim bodies.²¹ Her complaint became a court
33 case and reached the Appeal Court, which decided in her favour in March
34 2005, and the House of Lords Appellate Committee (the UK’s equivalent
35 of a Supreme Court) in February 2006. The Appeal Court had decided in
36 her favour not on the substance of the case but largely because the school
37 had failed to take into account in its procedure the European Convention

MI: University of Michigan Press, 2003).

20. So much, by the way, for Israel as a theocracy! Or rather, so much for any attempt to classify Israel on a theocratic-secularist axis.

21. <http://www.courtservice.gov.uk/judgmentsfiles>

1 on Human Rights. This was rejected by all five members of the House of
2 Lords, who said procedure was not the issue and went to the substance.

3 Note the following: 80 per cent of the pupils in the Luton school were
4 Muslim; local Imams differed in their opinions on the correct or acceptable
5 dress for girls, and one of them expressed different opinions in his private
6 capacity from those previously expressed as Chair of the Luton Council of
7 Mosques. One Appeal Judge engaged in a brief disquisition on Islamic
8 Theology to discover that there were broadly two traditions, one more
9 strict than the other. I could never have imagined before how such a
10 discussion could take place in an English court, but it was relevant because
11 so much of the case revolved around judgments of what was acceptable
12 Muslim dress. One of the Law Lords referred to well-known secularist
13 authors (journalist Yasmin Alibhai Brown, and sociologist Nira Yuval-
14 Davis) on the subject of women and Islam and argued that although veiling,
15 even in extreme forms, was not a matter for state interference in general, it
16 was the duty of schools to “enable and support” young girls from “ethnic,
17 cultural and religious minorities” who face “particularly difficult choices.”²²
18 The Law Lords, while each stressing that there was no doubt that the young
19 girl held her beliefs sincerely, hinted quite strongly that they believed she
20 was under pressure from her brother, who took a very hard line and, after
21 the death of her father and in the light of her mother’s ignorance of English
22 and eventual death, acted as her spokesman and probably as the decision-
23 maker on the girl’s education.²³ In any case, the very political declaration
24 of the plaintiff with reference to Islamophobia and the “post-9/11 world” as
25 she left the Appeal Court after her (temporary) victory revealed something
26 of a political motive underlying the origins of the whole affair, which judges
27 and lawyers, of course, could not mention.

28 From the point of view of a sociologist, at least, the Luton case raises
29 many difficult questions: the Appeal Court judge said that the school’s
30 Governing Body were entitled to find that the uniform policy “satisfied all
31 the requirements of the Islamic dress code.” Neither court could pro-
32 nounce on what the judges seem to have suspected—namely that the girl
33 was subject to very heavy influence from her brother. The House of Lords
34 said that state school governors, who are not professionals, have been
35 entrusted by Parliament to take decisions on such matters in a reasonable
36 way and, citing various judgments in the European Court of Human

22. UK House of Lords Session 2005–6 [2006] UKHL 15.

23. The testimony of the school’s Deputy Head that he felt threatened by the meeting at which the girl’s brother had accompanied her to school and expressed her refusal to comply with the school’s dress code was mentioned several times; the judges also noted that the brother refused to negotiate and took the legal route immediately after that first meeting.

1 Rights, that the girl’s complaint would only have had force if no other
2 schooling had been available to her in her choice of dress. But what
3 business do school governors have discussing matters of religious law? And,
4 in a religion-blind state, should the religious affiliation of the governors of a
5 state school be a matter of official discussion in court, as occurred in this
6 case? They are not an authoritative religious body – and even if they were
7 their conclusions would be “essentially contested.” For that matter, there is
8 no such thing as an authoritative Muslim body in a secular society: the issue
9 is settled in predominantly Muslim societies (and even in Israel) by
10 constitutional arrangements whereby the state funds and recognizes a single
11 religious judicial system. In England such matters should surely only arise
12 in a Muslim school, not in a non-denominational state school.

13 **Secular Liberalism under Pressure from Conversion**

14 There is a tension between the concept of religious affiliation as free
15 personal choice and the ready-made everyday acceptance that most
16 people’s religious affiliation is derived from their home background and
17 their ancestry. The secular-liberal cast of mind gets very confused here,
18 and its implicit assumption, which we can hear underlying everyday
19 conversation, is tolerant of, or at least understanding towards, religious
20 affiliation as a way of life, but has great difficulty coming to terms with
21 religion as a belief. Secular-liberal conversation is mystified by those
22 who have made an active choice of religious affiliation, as converts or
23 “reverts,” whereas it can, so to speak, empathize with people who
24 inherit their affiliation and retain it as a matter of habit or social
25 convenience. Although believing without belonging, which has become
26 the governing slogan of the sociology of religion,²⁴ may be what people
27 say they do, for the true secularist, as far as the public is concerned,
28 belonging without believing is a “cool” religiosity which can be lived
29 with.

30 The secularist attitude has opened the way to a potentially
31 ungovernable situation in Europe. It is hard to contest a claim for state
32 protection for anything which is even alleged to be traditional, and it is
33 impossible to contest the claim of traditionality itself because that is not
34 for the state to decide. Even in the United States issues are arising
35 (again) over Darwinian evolution **in the guise of the defence**
36 **of <check>** intelligent design, which among other things challenge the
37 state to distinguish between religion and science, or even to adjudicate

24. Grace Davie, *Europe: The Exceptional Case: Parameters of Faith in the Modern World* (London: Darton, Longman & Todd, 2002).

1 between their rival claims.
 2 In Europe, converts of various kinds are at the cutting edge of
 3 contemporary religious expansion, and for them belief takes precedence
 4 over tradition. The challenge they present to certain implicit
 5 understandings which underpin the secular order is illustrated by the
 6 story of the two young teenage girls whose refusal to discard their
 7 headscarves gave rise to the latest wave of controversy in France, and
 8 finally led to the law banning obtrusive religious symbols in schools.
 9 These girls are sisters, their father is a lawyer and half-Jewish (“Jewish
 10 according to the laws of Vichy but not according to the Talmud” as he
 11 put it) while their mother is an Algerian convert to Catholicism (and
 12 very devout). They embarked on something like a research project and
 13 decided that the religious affiliation which most appealed to them was a
 14 particular Islamic tendency. So they started wearing their headscarves;
 15 the unfortunate Head Teacher of their school implored them to remove
 16 their headscarves saying they were losing him sleep at night, to which
 17 they replied that they were sleeping very well thank you! Their father
 18 supported them to the hilt and the word around the school was “don’t
 19 mess with them, their father is Jewish and a lawyer.”²⁵

20 If religion is a choice, how far can that choice be respected? Are the
 21 authorities required to check on the sincerity, let alone the correctness,
 22 of the choice? Why do the requirements of religious observance have
 23 some special status over and above other requirements and rights? And
 24 why only religion? For the time being this question has been swept
 25 under the carpet. There are serious and persistent queries about what is
 26 religious and what is “cultural,” and it is only a matter of time before a
 27 court will be called on to draw the line. Religious freedom allows no
 28 monopoly to any religious authority. However, a proliferation of
 29 definitions of what is proper in one or another faith may lead the state
 30 back into the fray, responding to pressure to define what is proper, or to
 31 regulate the exercise of religious authority. Interestingly, the famously
 32 *laïc* French state has set up a “Conseil français du culte musulman” in an
 33 apparent attempt to institutionalize religious authority among Muslims.

34 **Secularism Destabilized**

35 The preceding section sketched some of the difficulties which we face
 36 in Europe. We do not know whether religion is tradition or belief, we
 37 do not know if religion should be privileged above culture or heritage,
 38 or whether indeed it is indistinguishable from them. In addition there

25. *Le Monde*, 14 October 2003. <author? article title? Page no. available?>

1 are several background elements which must play a role: one is that,
2 although diasporas are not in themselves a new phenomenon in
3 Europe’s religious institutional history, the scale and global context of
4 Europe’s most recent diasporas evidently present new problems;
5 another is that however much European legal and institutional
6 arrangements have shifted towards a separation of religion and state, we
7 are still heirs to a long history in which there was an implicit
8 understanding that one religious institution was dominant, and this
9 evidently complicates the incorporation of the most recent diasporas.
10 Yet another destabilizing force is the rise of conversion-led movements
11 which are redefining what religion means among the poor and
12 especially among diasporic populations. Reality has moved on very
13 substantially, and now we are in a mess.

14 The first part set out to contrast the influence of a mass-based reli-
15 gious movement—Pentecostalism or evangelical Christianity—with that
16 of another—Liberation Theology—which sought to espouse the cause
17 of the masses inspired by a religious belief and a theology but through
18 political action. The paradox I wanted to point out was that although the
19 evangelicals are much more numerous their influence in the political
20 direction of society has so far been limited. I say “so far” because in the
21 long run the cultural change brought by the conversion of so many
22 people—up to, though not often more than, 20 per cent of the popula-
23 tion—to an evangelical way of life may be far-reaching. Liberation
24 Theology in contrast has, beyond the sphere of the churches in which it
25 developed and beyond the sphere of religion, been the inspiration of
26 social movements like Brazil’s Landless People’s Movement (MST),
27 NGOs, international development policy and all sorts of consciousness-
28 raising and participatory initiatives in Latin America and beyond. This
29 should not surprise: the influence of religious thought on all modern
30 secular ethics and political philosophy is also self-evident.

31 It seemed to me that here was a lesson about the place of religious
32 belief in action, for Liberation Theology spawned a movement, *basismo*
33 as I have called it, which taught a doctrine to its followers, while
34 evangelicals seemed able to have much more success without bothering
35 much about doctrine. Theirs may not be a political revolt, but it is at
36 least a mass expression of cultural dissidence, with its social base clearly
37 among low-income groups. But Liberation Theology was the sort of
38 movement which secularists can live with and even welcome.

39 Compared with Europe it is quite surprising that this major religious
40 transformation has taken place with very little conflict at all. There are
41 exceptions, as in Mexican villages where evangelicals are punished for
42 opting out of the traditional obligations of fiestas and cargos which are

1 interwoven with Catholic ritual, or momentary incidents in Brazil
2 which have sometimes ended up in the courts²⁶ but they are unusual.
3 Somehow, Latin America has made a peaceful transition from an
4 overwhelming dominance of Roman Catholicism to a secular and
5 pluralist constitutional and political settlement. The reasons are many,
6 but the outcome is nevertheless incontestable. It is certainly an original
7 version of secularization, and, because it has been peaceful, promises to
8 be quite a successful one.

9 Yet when we look at Europe we see that the secular society may be
10 established, but secularism as a regime governing the relations between
11 religion and the state and between the private and the public domains is
12 in trouble. One reason, obviously, is our difficulty in incorporating the
13 Muslim populations: their leadership, reasonably, is looking for
14 recognition; their levels of income, education and employment are
15 distressingly low, and their heritage has not accustomed them to living
16 in a religion-blind state. The resulting controversies have highlighted
17 the inconsistency of Europe's regimes governing the relations between
18 religion and the state and between the public and the private, and have
19 contributed to the tense return of religion into politics. This return is
20 not quite what modernity might envisage: instead of a struggle over
21 ideas, such as has been promoted by Liberation Theology, we have,
22 because of migration on an unforeseen scale, returned to a foundational
23 type of struggle about the definition and place of religion in the state. In
24 regions where these institutional issues have been resolved, like Latin
25 America and the United States, *society* is in certain senses less secularized
26 than in Europe: in Latin America because religion is more prominent in
27 daily community and family life, in the annual cycle of festivities and in
28 rites of passage, and in the United States because so many people claim to
29 hold religious beliefs and to participate in religious services. In the light of
30 this very crude comparison it would seem that secularization in society and
31 state march to different tunes and at different rhythms, and maybe simply
32 are quite distinct phenomena. But the comparison should also take account
33 of the implicit, also crude, contrast between Latin America and the United
34 States which can to some extent be superimposed on one we have already
35 drawn, between a context in which religious affiliation has historically largely
36 been a matter of family and tradition (Latin America) and another where,
37 broadly speaking, to be religiously affiliated is to signal that a person *really*

26. Patricia Birman and David Lehmann, "Religion and the Media in a Battle for Ideological Hegemony," *Bulletin of Latin American Research* 18, no. 2 (1999): 145–64; D. Recondo, "Oaxaca: multiculturalisme et démocratisation," *Problèmes de l'Amérique Latine* 41 (April–June 2001): 45–70.

1 believes. Europe’s exceptionalism reappears again, this time simply because
 2 the continent which admitted a vast Muslim diaspora for economic reasons,
 3 now finds itself facing an unprecedented challenge.
 4

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 6 is the author of *Struggle for the Spirit: Religious Transformation and Popular Cul-*
 7 *ture in Brazil and Latin America* (1996) and *Remaking Israeli Judaism*, written
 8 with Batia Siebzeher (2006).

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