

faith in Europe

From Territorial Belonging to Consumer Choice? A Social Context for Human Rights

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Historically, the voluntaristic notion of religious belonging originated in Western Europe, like habeas corpus, though it first came to fruition in late eighteenth-century North America under the constitutional rubric of 'free exercise'. In 'old Europe' the idea of 'a free Church in a free state' came to fruition, and then quite partially, only in the late nineteenth and twentieth centuries, with a specific marker provided by the separation of church and state in France in 1905. The earlier acceptance of partial pluralism in Poland-Lithuania and in Transylvania became precarious under the pressures of ethno-religious nationalism.

In practice, relatively free exercise takes two forms: the semi-tolerance of minority communities embodied in the Edict of Nantes in 1598, and the semi-tolerance of personal choice accepted during the English Commonwealth from the 1640s to 1660. The sanctions renewed after 1660 against dissent, Nonconformist or Catholic, were slowly relaxed, though in the Catholic case not abolished until 1829, while in practice the vast expansion of Methodism from 1780-1840 finally institutionalised the voluntary principle. The parallel processes in North America began with state churches in Virginia and in Massachusetts (where establishment ended only in 1830), and effectively crumbled with the arrival of migrants professing many different (if mainly Protestant) faiths, and the open policy towards religious faith adopted in Rhode Island. With the American revolution the cause of toleration rapidly mutated into full formal equality.

One might say there existed an area of modest and variable toleration between Saxony and New England, which was initially and most markedly achieved in the Netherlands. This was the area, whether in Halle, Amsterdam, London or Rochester. NY. that received Huguenots displaced by the

Revocation of the Edict of Nantes in 1685. The expulsion of the Huguenots can be seen as part of the logic of nationalism all the way from the various post-1492 expulsions in Spain to the expulsions of minority populations in Greece and Turkey post-1922.

This logic takes two forms. One form was promoted under absolute monarchies anxious to secure the integrity and uniformity of the state, though the toleration proclaimed in 1781 by Joseph II in Austria-Hungary indicates that was not universal. The Austro-Hungarian Empire was, after all, multiethnic and multireligious. The other form is ethno-religious nationalism under the aegis of nationalist intelligentsias, and it has proved much more pervasive and long-lasting.

Maybe the extensive resettlements and expulsions of Muslims (and, where it suited, Christians) in the southward expansion of the Russian Empire were mainly part of an absolutist imperial policy en route to ethno-nationalism. Certainly romantic ethno-nationalism in Eastern Europe resulted in a pattern of ethnic cleansing or pressure to emigrate, mirrored over the last century or so throughout the Middle East as Christians and Jews (Israel apart) have been progressively extruded. The pressure on the Jews in Poland, Romania and Russia is one obvious illustration of the pattern, and it picks up an earlier strand of Christian prejudice against Jews. Even the civic or 'citizen' nationalism of Western Europe picked up earlier strands of Christian prejudice, in particular in France, as was dramatically evident in the Dreyfus case.

In the whole, relatively modern, period of national mobilisation, religion (like language, and the demand the ruling elite be ethnically of the same stock as the ruled) became a marker of identity. (It may be worth remarking here that, according to John Esposito, working on Gallup poll evidence, the current mobilisation of Islamic identities is positively correlated with education and democratic aspirations, rather than religious fervour. That makes the point about religion as a marker of identity in a different context.)

This is where we need to take note of another contrast, between North-West Europe and the North Atlantic on the one hand, and South-West Europe and the South Atlantic on the other. For centuries in Central and Southern America, Catholicism provided an unbroken umbrella, while accepting syncretism. The granting of legal personality to non-Catholic religious bodies was problematic up till quite recently, and competition was only gradually accepted in what was defined

as inherently Catholic territory.

Here we see the same territorial principle at work still currently accepted in parts of Eastern Europe, and recently reinforced by law in the Russian Federation. In the Russian case this is both regrettable and understandable: you do not endure massive persecution for 70 years and face 'sectarian' missionaries with equanimity. In Russia knowledge of Orthodoxy is low, but identification is high. Moreover, extra-ecclesial participation in pilgrimages is almost as extensive as it is in Spain or Poland, and can have a political resonance as well as expressing folk religiosity. Indeed, pilgrimages everywhere are popular.

The most vigorous expressions of ethno-religiosity and the territorial principle are found wherever there is a perceived threat to lands held to be sacred or territorially integral to the nation, and where borders are disputed with groups adhering to a potentially hostile ethno-religiosity. Throughout its history as a border-state with Ottoman Islam, and nourishing resentments over displacements after the historic defeat at Kosovo in 1389, Serbia has seen itself as a martyr nation. It is not that religious practice is all that high, or that belief is orthodox, but rather that the church is caught up with the people in a mood of hyper-nationalism in relation to Catholics in Croatia and Muslims in Bosnia, and in historical nostalgia. This kind of nationalism has taken over from the pan-Yugoslav and national communist political identity fostered by Marshal Tito. Greece in some ways resembles Serbia, though the border issue with respect to Macedonia is less acute. The intense argument over whether Greece should conform to European Union norms with respect to abandoning statements of religious identity on Greek passports is some indication of the passions that can come into play.

Other expressions of territoriality can be found in Georgia and Ukraine, although there are voluntary religious groups active in both countries, and in western Ukraine competition between rival territorial churches. In Romania under Ceausescu, Hungarian minority churches, both Catholic and Protestant, came under pressure, and since 1989 the (hitherto suppressed) Uniate Church in the west of the country has presented itself as the true guardian of Romanian identity over against the Romanian Orthodox Church.

National integration always makes coexistence problematic, and that is even true in a highly secular country like Estonia, where the Lutheran Church stands at about 16 per cent, mainly among Estonians, and the Orthodox Church at 17 per cent. mainly among Russians. This rift parallels others over

language against a background of a revived paganism. Rival versions of the tortured recent history of the country under both Germans and Russians are another source of anxiety and division.

So then, we note two major pressures: one towards a free church in a free state, and the abandonment of the principle of territoriality established by the Treaty of Westphalia in 1648; and the other towards ethno-religiosity or religious nationalism, based on the territorial principle. Roughly, this corresponds to a standard difference between ethnic nationalism and nationality grounded in citizenship (and some degree of moral and political consensus) irrespective of other criteria. Quite how ethno-nationalism expresses itself depends on particular historical factors, of which the most potent is the response of an oppressed nationalism to alien domination and colonisation. The obvious examples are provided by the Irish in response to British colonisation, the Poles and Lithuanians in response to Russian colonisation, and the Romanians, Bulgarians, Greeks and Serbs in response to Turkish colonisation.

The most extreme cases at the end of the spectrum represented by civic as against ethnic nationalism are outside Europe. Saudi Arabia does not even allow the construction of non-Muslim places of worship since Arabia is sacred, inviolable territory. There are, of course, costs attendant on conversion throughout most of the Muslim world from Morocco to Malaysia, and democracy is no guarantee at all against a tyranny supported by the majority. In Qatar non-Muslims can only acquire territory created artificially out of the sea. The nearest comparable examples in Europe are Serbia, where religion has become hyper-nationalistic, followed at some distance by Greece, always conscious of the proximity of the Christian-Islamic border, of the situation in Cyprus, and of the million and a half Greeks expelled from Turkey after living there for over two and a half millennia.

But even apart from ethno-religious reactions to colonialism, radical secular nationalism can give rise to conflict and legal restriction, for example in France, where unifying republican ideology confronted an alternative unifying principle in Catholicism. This is reflected today in the way the French state replicates a model for dealing with religious bodies, whether Muslims or 'sects', based on its historic experience with the Catholic Church. France has to be promoted as the supreme focus of loyalty. Republican ideology was inevitably associated with non-Catholic forms of religion, in particular Protestants and Jews, but on terms insisting on the principle of laïcité. finally triumphant in the Third Republic after 1870.

The Republic itself became an object of veneration as a sacred entity. The Christian concept of glory was translated into la gloire, and the Blessed Virgin into Marianne. The affaire foulard, over the appropriate dress for Muslim women, simply illustrated the laique principle once more in action, as did laws inhibiting sectarian activity. Legal restrictions in Belgium are broadly on the French model, and have managed to catch mainstream bodies in the net as well as 'cults'.

Looking at Southern as well as Eastern Europe, the image of French secularism and laïcité has found its mirror image in countries or areas where there were major remnants of traditional Catholic monopoly, or, in the case of Kemalist Turkey, Islamic monopoly. For example, in Italy in the earlier parts of the twentieth century Pentecostals could be described as 'worse than animals', while in Spain the institutional presence of Protestant churches was quite precarious. Nowadays, overt restrictions are more likely to be confined to the informal pressure of quasi-uniformity. In these regions, mostly along the Mediterranean littoral, for example in Southern Italy and Sicily, a process of selection and a mixing of Christian motifs with other motifs exists quite naturally under the cloak of uniformity, and in a way that Catholics further north often find primitive and objectionable.

Summing up the situation in parts of Southern, Eastern and especially South-Eastern Europe one may say that the framework of monopoly is still in place. However, the legal framework of voluntarism is also in place, and some acceptance that specific Catholic and Orthodox norms cannot be the basis of secular law. That has been increasingly true in post-Franco Spain, in Italy since the 1974 referendum endorsing divorce, and even in postcommunist Poland. Though regular practice in Poland is engaged in by nearly half the population, the church found that continuing identification with Catholicism could not be translated into acceptance of Catholic norms by the state legislature or the people.

Overall national self-identification in the South and East of Europe is expressed by religion or language in association with culture, or religion and language in tandem. Turkey with its secular character guarded by the army, and Islamic parties increasingly powerful, is a special case. The current debate is whether the commitment of the main Islamic party to EU membership and EU norms with respect to human rights is tactical or substantial.

In Northern, Western and North-Western Europe there is extensive pluralism and greater acceptance of multiculturalism. often in the context of weak established

churches. Germany is an instance of a bi-confessional state experiencing what is known as confession-loss, and a growth of the free-floating 'spirituality' widespread throughout North-Western Europe. Its main problem concerns the status of several million Turks, with the status of guest-workers. For reasons going back to the Nazi past, Germans are wary of 'cults'. Their recognition is not automatic, and both state and Länder treat the issues raised as problems for the two main confessions, who in turn treat them as a youth problem, to be dealt with, inter alia, by moral entrepreneurs like Pastor Haack. (See Elisabeth Arweck, *Researching New Religious Movements*, London: Routledge, 2006.)

The Netherlands and the United Kingdom are among the most advanced cases of secularisation. In the Netherlands the 'dykes' created by the 'pillar' (or ghetto) system, with self-contained Protestant, Catholic and Re-Reformed cultures, broke down in roughly that sequence in the 1960s and 1970s. The current problem of cultural segregation is not interconfessional but focused on a large Muslim subculture, highly sensitive to any liberal erosion of its cohesion, and to insult. As in the United Kingdom, the cultural distance between a Muslim minority with international loyalties and the Christian and secular majority strains at the presuppositions of a multicultural society. Dutch and British liberals, as well as most Christians, bend over backwards to meet the Muslim sensitivities and/or demands, but are simultaneously very conscious of the threat of violence, and of issues relating to women and homosexuals. Though the Caribbeans, West Africans, Poles and Romanians in the United Kingdom are sometimes involved in cultural contestation, the cultural distance is less great than in the case of Muslims from the Indian subcontinent.

The Western European scene, insofar as it reflects the 'turn to the self' and the 'triumph of the therapeutic' so widely documented, confronts other cultural modes among migrants and also among the new members of the European Union. Sometimes migrants and the new members of the European Union can appeal to the human rights agenda without fully internalising or practising it themselves.

There is one area of contestation where it is not a case of EU norms under critical pressure among new members, but of those norms exerting critical pressure across the board on all religious subcultures. A recent example in the United Kingdom highlights what can happen when individual human rights, in this case of gays, run up against the collective human rights of religious subcultures, in this case the Catholic Church. The issue was a legal directive to compel Catholic adoption

agencies to treat gay couples on a par with others when it came to placing children for adoption. This is part of a wider problem, which is, how far all issues of public morality have to be translated into the putatively common language of secular liberalism. It remains unresolved. (See Calvin Smith, 'The de-privatisation of faith and Evangelicals in the public space', Editorial, *Evangelical Review of Society and Politics*, Vol. 1, No. 1, February 2007.)

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