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Note on contributors

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Dr Imre has recently co-authored two books examining the phenomenon of global terrorism. He is currently writing a sole-authored book on the topic of global multiculturalism as a comparative political initiative. He is also writing two other collaborative book manuscripts: one on global civil society and the governance state, and another on the problem of regime change. He has also just completed a research project examining the rise of the radical right in Central Europe. Dr. Imre has worked in a number of nation-states including South Korea, Canada, Hungary, and is now teaching International Relations at the University of Newcastle in Australia.

Jim Jose (Guest Ed. & Intro)

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Hawzhin Azeez

Hawzhin Azeez is currently a PhD candidate in

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Stephen Chavura

Stephen Chavura currently teaches political theory in the School of Politics and International Relations at Macquarie University. His research topics include religion and politics, Australian political thought, and political philosophy.

Christine Doran

Dr Christine Doran is Senior Lecturer in History and Political Science at Charles Darwin University in Darwin, Australia. She lectures mainly on Southeast Asian and Australian history. Dr Doran has published widely on Asian affairs, in journals such as *Nations and Nationalism*, *RIMA*, *Asia Pacific Viewpoint*, *Sojourn* and *Gender, Technology and Development*. Recently she has published several articles on the political objectives and strategies of Chinese intellectuals in colonial Singapore at the beginning of the twentieth century, and an article on the Chinese eunuch system in *Nebula*.

Martin Drum

Dr Martin Drum completed a Bachelor of Arts with Honours at the Australian National University in Canberra before moving to Western Australia to undertake his PhD at the University of Western Australia. He was awarded a doctorate with Distinction from UWA in 2004, and worked in a

number of policy roles within WA's Department of Premier and Cabinet from 2005 to 2008. Martin has lectured in Politics and International Relations at Notre Dame since May 2008. His research interests include Australian Politics and Governance, Federal-State Relations, and Public Policy.

Dominic Fitzsimmons

Dominic Fitzsimmons is a lecturer in the Faculty of Law and in the Learning Centre at the University of New South Wales, Sydney. He has a PhD in German studies, specifically focussed on the literature of the Turkish-German community in Berlin. His research interests include law and social theory, nationalism and literature, social justice and adult education.

John Hopkins

John Hopkins is a Senior Lecturer at the University of Canterbury Law School, Christchurch, New Zealand. He research focusses on the development of non-national forms of international and sub-national governance and their interaction with Constitutional Law. He has published widely in these areas, including the book, *Devolution in Context* (Cavendish, 2002). He is a former Deputy Director of the Institute of European Public Law and is the current Chair of the National Centre for Research on Europe.

Graham Maddox

Graham Maddox is Professor of Political Science

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Alexander Maxwell

Alexander Maxwell specializes in nineteenth-century nationalism. He finished his doctorate at the University of Wisconsin, Madison. He has held temporary positions in Slovakia, Wales, Germany, Romania, and Nevada. He now teaches history at Victoria University in Wellington, New Zealand, where he also directs the Antipodean East European Study Group. His first book, *Choosing Slovakia*, examined the emergence of Slovak nationalism during the period 1790-1938. He recently put out an edited volume on *The East-West Discourse: Symbolic Geography and its Consequences*. He has also published on Hungarian and Macedonian history. He is now finishing a book on nationalism and clothing during Europe's Age of Revolutions, provisionally titled *Patriots Against Fashion*.

Tod Moore

Tod Moore is Lecturer in Politics and International Relations at the University of Newcastle, Australia. His interests include theology and resistance theory in the Early Modern era, idealist liberalism 1890-1920, Australian political intellectuals, and sovereignty theory. Tod is currently researching

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Sandra Reeves RHD Candidate, Faculty of Education and Arts. School of Humanities and Social Science, the University Of Newcastle. Thesis title: The role of faith in the delivery of faith-based organisations (FBOs) in the Hunter Valley within the context of the market state. Research interests include poverty, welfare and social policy, the community sector and political ideologies.

Joshua Snider

Joshua Snider is a doctoral candidate in politics at the University of Newcastle Australia. His thesis explores the complexities of modern religious nationalism in South and Southeast Asia

and specifically compares the how the State has co-opted Islamist politics for secular ends in Indonesia and Pakistan. Josh has recently co-authored a book on global terrorism and also is working on a collaborative book project on global civil society and the governance state. Josh is a native of Canada and has taught at several universities in Australia.

John William Tate

John William Tate researches in the area of political philosophy. He has recently published in

this area in journals such as *Political Studies*, *Philosophy and Social Criticism* and *Journal of European Studies*. He has a particular interest in liberal ideals of toleration.

Christian Wicke

Christian Wicke gained a PhD scholarship at the ANU Centre for European Studies in 2008. He studied previously at Maastricht, Boğaziçi (Istanbul) and Edinburgh, where he completed an MSc in Nationalism Studies. He is about to finish his thesis on the personal nationalism of the former German Chancellor Helmut Kohl by mid-2011.

Colin Wilks

Colin Wilks is a lecturer in Philosophy and Religious Studies in the School of Humanities and Social Science at the University of Newcastle (Australia). His research interests are moral psychology, the psychology of worldviews and the bearing which a person's worldview has on his moral psychology. He is the author of *'Emotion, Truth and Meaning'* (Springer, 2002) and is presently working on a second monograph which explores the evolutionary origins of moral consciousness.

Religion and Nation: Modernity, Secularism, and Politics.

By Robert Imre & Jim Jose

The papers published here are the result of a multidisciplinary symposium with contributors dealing with issues regarding the political nexus of religion and the modern nation-state. The symposium aimed to highlight the nuances and complexities of the politics of religion. We therefore asked the presenters to examine socio-political problems rather than questions of doctrine. In their varying approaches the participants rose to the occasion and moved discussion beyond the simplistic equations of the “rise of religion” in the face of globalization. Some of the specific issues included, legal-constitutional questions, religious and political violence, the role of religion in East-Central European Politics, political identities influenced by religion, political religions in the contemporary world, civil society and the role of religion, and a number of other considerations. The relationship between politics and religion was treated as something that was not merely a “straight-line” narrative depicting religion on one side and secularism on the other; one as pre-modern and “savage” and the other as modern and rational. At times such simple dichotomies emerged in one or two papers, but this was mostly a matter of the logic of the issues being tackled by those papers. That caveat notwithstanding, the symposium generated a variety of analyses, interpretations, and considerable debate. Each of the participants entered into the spirit of the symposium and delivered an agenda for further research. In opening up this vista, we sought to broaden the conversation around religion and politics in the modern era.

On the day, the symposium opened with early versions of John Tate’s paper “Liberalism, Blasphemy and Religion” and closed with Jim Jose’s “Political Rule: Still in Thrall of Gods and Masters?” While the revised versions of each of these will be discussed in due course here we note that both presentations took the issue of modernity as their *leitmotif* inasmuch as both explored, from quite different philosophical perspectives, paradoxes of modernity. Their papers thus served as bookends for the rest of the papers presented at the symposium, though this only emerged once all the proposals for papers had been submitted and the symposium program was being finalized. Hence this in no way constrained the themes developed and presented by each of the scholars attending the symposium.

After the symposium each presenter was asked to revise and refine their arguments for publication in this special issue of *Nebula*. Two other papers in this special issue, Guy Charlton and Barry Brunette's "Colonialism and Civilization" and Christine Doran's "The Chinese Origins of Democracy" were not actually presented on the day as their authors were unable to get to Newcastle in time. However, we decided to include them in this special issue because both papers, very much in the spirit of our brief to participants, took the discussion away from a preoccupation with the West's narcissistic frames of reference with clashing "civilizations" and other simplistic conventions of analysis (a concern that we have already raised elsewhere, see Imre & Jose 2010), and instead turned the analytical spotlight on the modernity's colonial others. Their contributions to the volume here round out the themes and added to all of the papers in terms of their opening up of new vistas for discussion and debate.

With these points in mind we now turn to a brief overview of each of the revised papers. Interestingly, while there is considerable overlap between the papers, they also fall into five distinct groupings: modernity, liberalism and issues of separation; religious influences on the development of ideas about democracy; the impact of religious values on practical politics; nationalism, identity and state-building; and issues of political and religious violence. It will be seen that each of the papers opens up the vista for understanding the intersections and multiple sites of contestation between religion and politics. Within each paper the themes of modernity, secularism and the state loom large. And so we begin with the first of these groupings, the papers by Jose, Tate, and Stephen Chavura respectively.

Jose's paper "Political Rule: Still in Thrall of Gods and Masters?" examined what he called an "enduring aspiration" of political rule that he suggests emerged from the French revolution. This was the idea of "*ni dieu, ni maître*" (loosely meaning neither God nor master) which he argues is foundational for modern political rule in the sense that since the French revolution our understanding of the basis for political rule derives from neither gods nor masters but from self-actualizing citizens. For Jose this can be regarded as the *sine qua non* of modern political rule. Jose focuses on the putative secularism of modern political rule and explores what he regards as a paradox at its core. On the one hand, in the spirit of "neither god nor master", religion is separated (and its institutionalized mouthpieces allegedly excluded) from political rule; on the other, is the curious phenomenon that contemporary leaders remain committed to embracing some degree of religious affiliation as a mantle of legitimacy. Jose recalls the oft-quoted remark by Foucault that political theory has not yet managed to cut off the king's head. Jose takes this idea further and suggests that not only has political theory not managed to remove the king's head, it has also been unable to dispense with king's soul, the religious foundations of political rule. As such, political rule remains beholden to the hierarchies of gods and masters.

From an entirely different perspective, Tate's paper, "Liberalism, Blasphemy and Religion" explored a different paradox, though one just as concerned with the dynamics of religion, secularism and the modern nation-state. His paper investigates the liberal tradition and the complexities it encounters when confronting minority religious and cultural claims. He asks whether the modern liberal tradition is sufficiently capacious, in its conception of rights and toleration, to accord competing religious views equal respect. He suggests that clashes between minorities and democratic majorities are intractable because

they involve unconditional commitments on both sides, making equal respect difficult to uphold, and hence we are left with what amounts to a “clash of civilizations.” Though risking reducing his analysis to this stereotypical dichotomy, for a way out of this paradox Tate turns to a reading of the foundational work of seventeenth century political philosopher, John Locke. He suggests that Locke’s approach provides insights and lessons for contemporary politics. It provides defensible reasons why in a liberal democratic society legitimate limits could be placed on both the state and the church to ensure civil peace. He argues that “this older liberalism still allows for the diversity characteristic of multiculturalism, but does so in ways more conducive to civil peace, by relegating such diversity to a private sphere where it is no longer a matter of civil dispute.”

Likewise, Stephen Chavura also turns to a discussion of Locke in his paper, “The Separation of Religion and State: Context and Meaning.” Chavura also examines the ideas of Thomas Jefferson to clarify how we might best understand the meaning of “separation of religion and state.” He argues that the best way to understand the meaning of the separationist doctrine is to place it within the context of the liberalism of Locke and Jefferson. Chavura examines what Locke and Jefferson were trying to avoid by positing a separationist thesis, and in so doing he shifts the emphasis back to the religious roots of their solutions. *Pace* Tate, Chavura argues that “by returning to the foundations of the liberal tradition to illuminate discussion of religion and the state” we can find “a model of religious freedom that allows dissent from the majority religion and religion itself without alienating religious citizens from the state.” This is important, concludes Chavura, because it might enable non-Western and post-colonial nations to steer a middle course between religious domination on the one hand and “a godless or religiously indifferent state” on the other.

Still on the early modern focus, but more concerned with the connection between religion and democracy, Tod Moore and Graham Maddox’s paper, “Participation, Democracy, and the Split in Revolutionary Calvinism, 1641 – 1646,” examines an early phase of the revolutionary period in seventeenth century Britain. They demonstrate that an ideological divergence took place between factions labelled Independent and Presbyterian. They examined over one hundred primary printed sources for this period and found that these debates were centrally concerned with the meaning and relevance of the Greek term “democracy.” Moore & Maddox map these emergent ideologies within revolutionary Calvinism and suggest that such debates prefigured a parallel development that did not occur until a century and a half later with France’s secular revolution. They found a contested social terrain with the Presbyterians supporting the revolutions from a socially conservative position and the Independents favouring radical social change. Interestingly, their analysis points to both sides use of theology and Scripture to support their arguments. For the Presbyterians and others at this time religion was a central means to articulate, validate and propagate ideas about the radically reconfigured political terrain that we now know as modern democracy.

In an entirely different context, early twentieth century Singapore, Christine Doran develops a discussion of how Confucian ideals featured in nationalist discourse as a means to enable the Chinese to counter the colonial domination of the British. In her paper, “The Chinese Origins of Democracy: Dynamic Confucianism in Singapore” she shows how Confucianism, through the efforts of Lim Boon Keng, played an important role in the development of democratic sentiment among the Chinese community in colonial

Singapore. She shows how Lim developed an interpretation of Confucianism that emphasized its dynamic, progressive political potential for mobilizing a form of democratic politics capable of challenging British rule. She demonstrates convincingly that Lim did not look to Western concepts of democracy for the source of his ideas, but rather developed his understanding of democracy drawing on Confucianism. In this respect Doran provides an important corrective to the received wisdom of many scholars of democracy, Western and non-Western alike, who see democracy as a product of Western traditions.

Still on the theme of democracy, Alexander Maxwell's contribution, "A Brief History of Political Legitimacy: Demotic Ideology and the Spread of Democracy," examines the prospects of democracy in the Islamic world from a long-term perspective. Maxwell claims that at the time of writing, the catastrophic American intervention in Iraq and the floundering intervention in Afghanistan continue to generate pessimism about the chances of bringing secular or liberal government to these territories. Maxwell suggests that while the immediate prospects indeed seem bleak, disastrous setbacks have long characterized the progress toward democratic government. As such Maxwell's paper argues that we need to take a long-term and global view of such political trends. It takes considerable time for people to understand and accept the ideas and practices constitutive of a democracy. The current setbacks are not grounds for pessimism, but rather to be expected because in the long term democracy will triumph, and hence "optimism about the future prospects for stable democratic government seems warranted." In time new democracies will emerge and consolidate along familiar lines.

This is precisely the problem addressed by Hawzhin Azeez in her paper "Reconstructing Iraq: Iraq State-building, Nation-building, and Violence," an insightful analysis of state-building in a post-conflict society. Azeez claims scholars have failed to appreciate the "difference between state-building and nation-building." Azeez argues that these are two distinct activities requiring separate, though often connected policies. She suggests that the traditional practice of state-building has entailed a distinct "wall of separation" between the state and religion, an artificial secularization, leading to a specific and certain type of "reconstruction" model for post-conflict societies. Azeez develops an interesting argument in stating that despite the fact that at least five of the previous state-building attempts have been in Islamic societies there is literally no attempt to understand the relevance of top-level religious actors in the reconstruction process. Indeed there is no existing study on the impact of religious leadership (Islamic or otherwise) on the success or failure of state-building missions in any past cases. She suggests that there is a limited and tentative attempt to incorporate religion into state-building doctrine although it is severely restricted and narrowed to the confines of Western liberal values of "civil society." Azeez argues that this is a depoliticizing move because it silences the voice of religious actors (or at best ignores them) because their existence often poses very difficult questions for the processes of legitimate institution and capacity building practices of the state-centric model.

John Hopkins' paper entitled "Round Pegs Into Square Holes? Governance and Non-Territorial Identity" argues that the concept of the nation-state is so fundamental to modern governance that its impact on the politics of identity and fundamental legal norms often goes unnoticed. Hopkins discusses the concept of the "hard-border" and its inability to cope with non-national identities. He points out that the Westphalian

compact of the Seventeenth Century continues to dominate current law and policy. The concept of a single sovereign unit of governance, when allied with the elevation of the “nation” as the only legitimate identity at the end of the nineteenth century, has had a profound impact upon non-national identities. Hopkins argues that nation-states privilege one element of identity (nationalist) over all others. This makes it difficult, if not impossible, for those whose other multiple identities contrast with or at least overlap with those of the nation to be accommodated. Hopkins assesses some of the limited attempts at soft-bordered approaches to identity politics and considers whether these offer a future model for non-national identities. He concludes that some recognition of the soft-bordered reality of individual identity is required but how this might be realized in practice remains unclear.

Christian Wicke’s paper “The Catholic Nationalist: Rethinking Kohl’s Notion of Germany” offers an interesting take on nationalism. He suggests that the idea of “the nation itself can be filled with religious content.” To demonstrate this he looks to Kohl’s nationalism and notes that Kohl’s liberal principles were often based on Catholic thinking. Wicke’s suggests that Kohl incorporated these into his occidental notion of the German nation, its “pre-national” past and “post-national” future. In Wicke’s view an account of Kohl’s ideological conflation should not overlook the relationship between his Catholicism and liberal nationalism. These were mutually constitutive – rather than mutually exclusive. Wicke shows that for Kohl, the state was a transcendental community rooted in Christian values and hence patriotism and national self-determination were unconditionally Christian duties. For Kohl the constitution was deeply Christian and he regarded his own party, the Christian Democrats, as embodying its spirit. Kohl saw it as his duty to counter the rise of secularism and socialist atheism which he saw as contrary to all that the German nation should stand for, indeed what Europe and the West should stand for. Kohl’s religious views therefore served as both “a factor of integration and demarcation in his nationalism,” and hence it was “was therefore not merely a proto-religious substitute for religion but articulated as religious *per se*.”

The theme of nationalism and religion is likewise central to Dominic Fitzsimmons paper, “„But do we get our money’s worth?’ The Usefulness of Religion to the Nation Building Process in Australia and East Germany.” Both countries are constitutionally without official religions, yet religion plays quite different roles in each. He offers a comparative analysis of how these themes play out in East Germany and Australia, juxtaposing the practices of sport and religion. Fitzsimmons offers an original approach that combines considerations of sport (in this case soccer), religion and nationalism to question whether religion has delivered on its usefulness as a means of state-building and the ongoing creation of the nation. His key point is that religion as deployed in both Australia and East Germany “is less about the rhetoric of transcendent belief systems, and more associated with the power of religious symbols, imagery, and structures in everyday society.” Yet in both countries it is sport that has proved the more successful in binding the nation. He concludes that while religion has been useful in this regard, it is arguable as to whether these nations received their money’s worth from privileging religion (though not in constitutional terms) within their ongoing state and nation-building.

Des Brennan’s paper “The Religious Dimension of Poland’s Relations with its Eastern Neighbours” discusses the large role religion has played in the relations between Poland and its eastern neighbours.

Brennan notes that Poland, despite its period of communist rule, has been and has re-emerged as a defiantly Roman Catholic nation, while its eastern Slavic neighbours are largely dominated by the Moscow branch of the Eastern Orthodox Christian faith, itself controlled by Russia. The picture on the ground is, of course, not quite as simple. The role of religion and religious identity on the local, regional and national levels in East-Central Europe is rather more complex when one probes attempts to understand the allegiances and group identities of individuals and communities. Brennan points out that there will be considerable variation over time with respect to the impact and salience of the role of religion all of the countries of East-Central Europe have religious minorities, whose membership often correlates or overlaps with ethnic identities. Brennan's discussion presents an overview of the way religion has affected relations between Poland and its eastern neighbours, particularly since 1989. He concludes that while the role of religion may have diminished over the past twenty years, it still has a role to play in strengthening relations between Poland and its neighbours.

Shifting focus to the paper by Guy Charlton and Barry Brunette entitled "Colonialism and Civilization: the Impact of "Civilization" Policies Suppressing Indigenous Religious Practices in American Jurisprudence" a different set of issues emerges. They discuss attempts by the governments of Canada, New Zealand and the United States to regulate and suppress traditional indigenous religious and cultural practices, including the use by indigenous communities of medicine men, shaman and tohungas. In the name of "civilization" and as a concerted and deliberate part of the colonization process, the political identities of tribes and their cultural sources of allegiance were systematically undermined and disregarded. The religious and cultural rights of indigenous peoples, rights otherwise guaranteed to other (non-indigenous) citizens and individuals in the society, were systematically removed. These historical efforts to suppress traditional religious and cultural practices among indigenous inhabitants has not disappeared but, argue Charlton and Brunette, continue to inform indigenous jurisprudence in each state by importing cultural and rights-based presumptions. Such presumptions are often at odds with principled aboriginal law, treaty law and rights-based jurisprudence, but as the authors conclude, they remain backed up by the courts' continued commitment, at least in the United States, "to liberal notions of economic development and property rights."

Contemporary political institutions and practices are also the themes of two other papers. Sandra Reeves in "Welfare Reform and FBOs: an Australian perspective" examines the intersection between religion and politics by exploring how Australian governments have shifted aspects of welfare support onto faith-based organisations (FBOs). Reeves' points out that for the past two decades or more, welfare policies across the OECD countries have been framed in terms of mutual obligation and individual responsibility. Within these new welfare regimes welfare recipients, who are often unable to meet the demands of their participation contracts, become subject to significant monetary sanctions. In the Australian context, a number of politicians in Australia have claimed that FBOs, because of their religious underpinnings, can use their values and moral (ie Christian) frameworks to assist welfare recipients to become responsible citizens. Reeves draws on her empirical research of FBOs in the Hunter Valley (Australia) to demonstrate that (i) people of faith are heavily motivated by their religious beliefs and that these often lead to compassionate help even in the face of limited resources; and (ii) welfare volunteers in Hunter FBOs meet clients' immediate need for material assistance or social support irrespective of the clients' socio-economic situation

and alleged moral failings. She concludes that the “Howard government was right in stating that the sector is filled with people who care,” but that his government’s aim of using FBOs to change the behaviours of welfare recipients through moral discipline had no basis in what FBOs actually did in practice.

Whereas Reeves analysed a situation in which governments actively sought to involve FBOS, Martin Drum considers another dimension of how politicians relate to faith. His paper, entitled “Is Faith a “no go area” in Modern Politics? A Case Study of Newly Elected MPs in Western Australia’s State Parliament,” offers an interesting micro-case of the interaction between the religious and political spheres. Drum examines the claim that parliamentarians are invoking Christian beliefs with increasing frequency within Australian public life, and that they then use these beliefs to justify their policies and decisions. In the Western Australia elections held in September 2008, a number of new Members of Parliament were regarded as having strong links to Christian churches. Drum discusses a newspaper article labeling these MPs as “a god squad of devout Liberals”, and in that context reports on his post-election research in which he conducted a series of interviews with a number of these politicians. He considers what sort of rhetoric these members used in public life, particularly in parliament, when explaining their values and decisions. Drum’s evidence suggests that while these Parliamentarians hold strong religious views, they are careful to use more secular language when justifying their political stances (a point also echoed in Jose’s paper).

Within the liberal context Colin Wilk’s offers a brief consideration of the way in which religious liberals seek to calm the turbulence that sometimes erupts when religion and politics intersect. Wilks’ paper, “Religious Conflict and Interfaithism,” points out that when religious liberals do intervene in this way they run the risk of igniting intra-religious conflict within the very religions they are seeking to inter-religiously harmonise. Wilks outlines the predicament this poses because it is not only one for the religious liberals. Secular liberals who call upon religious liberals as peace makers at times of religious conflict also face this problem. They presume that religious liberals have some influence over the thinking of their not-so-liberal religious counterparts, and when they try to pressure religious liberals to rein in the more radical elements of their religion may end up pushing the liberals into the arms of the very people whose views they are trying to moderate. Put bluntly, Wilks concludes that the solution to such conflict may well serve to exacerbate it.

The question of religious conflict and violence is central to the paper by Josh Snider. In “Islamist Violence in Indonesia: Bringing the State Back In” Snider analyses the problem of religious violence in Indonesia. He notes that despite the recent success of the Indonesian police and security service in breaking the yoke of the most lethal Jihadist network in the archipelago it would be a mistake to view the problem of Islamist violence as either fully contained or as a phenomenon that can be understood through the narrative of Jemmah Islamiyah (JI) network alone. One of Snider’s key points is that it is necessary to move away from a preoccupation with typologies of Islam and to focus on the role of the state, especially the state’s failure to curb the street violence perpetrated by Indonesian youths in the name of Islam. This latter phenomenon should remind us that the state itself is part of the problem in Indonesia. The persistence of structural violence employed by the Indonesian state at various levels directly and indirectly creates conditions that increase the attractiveness of the groups that justify a violent agenda based on Islamist precepts. Snider

also notes that while JI and loosely affiliated cell networks have succeeded in perpetrating mass attacks on targets within Indonesia it has never posed the threat that has been advanced by many in the terrorism studies community. He suggests that while JI (and loosely affiliated splinter networks) have and will without question continue to present a very serious security problem for governments of the region we must look beyond the JI network to unpack antecedents of Islamist violence in post-New Order Indonesia.

In conclusion, we would suggest that the papers generated by the symposium were able to demonstrate the inherent problem with claiming that there exists a natural and reasoned divide between a secular politics and a religious politics. In drawing out the complexities the participants' explorations remind us that such problems have been with us for centuries. Certainly, these papers, each in their own way, have questioned the seemingly natural separation of religion and politics, and its deployment within the modernist dynamics of nationalism, political identities, and state-building.

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Political Rule: Still in Thrall of Gods and Masters?

By Jim Jose

Abstract

One of the enduring aspirations to emerge during the French revolution was that of ‘*ni dieu, ni maître*’, loosely meaning neither God nor master. The idea that political order derives from neither gods nor masters but from self-actualising citizens can be regarded as the *sine qua non* of modern political rule. Even so, political theory has not yet managed to cut off the king’s head, as Foucault once remarked. Yet this only states half the problem. Not only has political theory not managed to remove the king’s head, it has also been unable to dispense with king’s soul, the religious foundations of political rule. Rather, political rule remains beholden to the hierarchies of gods and masters. To demonstrate this is the burden of this paper.

One of the enduring aspirations to emerge during the French revolution was that of ‘*ni dieu, ni maître*’, loosely translated as neither God nor master. The sentiment was clear; the hierarchical order of the estates of pre-revolutionary France was to be dismantled. In its place, a new social and political order predicated on liberty, equality and fraternity, the verities of the declaration of the Rights of Man, would see each individual man (and for the briefest of moments, individual women) as masters of their own fates, citizens beholden neither to a god nor a master. The idea that the political and social order derived neither from gods nor masters but from self-actualising and self-constituting citizens became the *sine qua non* of modern political rule.

Foucault (1986: 121) once remarked that political theory has not yet managed to cut off the king’s head. That is, the sovereign authority of the State may have been rendered subordinate to the citizens, but the hierarchy of authority that it symbolises remains embedded within our theories of political rule. Even so, Foucault only identified half the problem. The other hierarchical authority, symbolised by the Church, also remains intact. Despite the advent of a misnamed secular age, political rule remains tied to its religious moorings. In this paper I am principally concerned with demonstrating that political rule remains beholden to the hierarchies of gods and masters. Despite the alleged unimportance of religion for the constitution and exercise of political rule, the hierarchies of gods and masters, not self-actualising citizens, remain the *sine qua non* of political rule.

In the Christian West the tensions between religion and politics date back to before the birth of organised

Christianity to the idea that believers should render unto Caesar that which is Caesar's and unto God that which is God's, as reported in the Gospels by Matthew (22: 21), Mark (12: 17) and Luke (20: 25). While this was attributed to Jesus it is likely that the source is St Paul who also made a number of pronouncements on this issue about the obligations of subjects and rulers. (*The Holy Bible*: Romans 13). Saint Paul's views provided the basis for solving the problem of divided loyalties. The monarch and his or her subjects were all God's subjects and hence all owed allegiance to God, and by extension God's chief representative on Earth, the Pope. And the subjects owed allegiance to the monarch who ruled on God's behalf. Thus those who challenged the right of monarchs to rule challenged God. Over the course of the first five hundred years or so of the development of the Christian Church, the practical relations between monarchs and clergy came to be hammered out along lines similar to those just described.

However, the domain of the clergy was seen as separate from the domain of everyone else. In principle each power, the State and the Church, was understood to be autonomous, each in their own sphere, but to the extent that the religious sphere authorised that of the State, the Church had the upper hand. For even though men and women supposedly were the subjects of monarchs ordained by God (and hence owing a duty of obedience to them) it was also the case that men and women owed a duty to God. If the two duties came into conflict then the obedience to God was to take precedence – at least in principle. In this regard, the spiritual sovereignty of the Church entailed a serious degree of spiritual autonomy in the sense that it enabled spiritual authority to claim independence from that of the monarch and which, as Sabine and Thorson (1973: 190) perceptively noted “left a residuum without which modern ideas of individual privacy and liberty would have been unintelligible”.

What needs to be emphasised here are two points. First, the notion of the secular had always been tied to the domain overseen by the sovereign political authority, the State, in contradistinction to the spiritual domain overseen by the Church. And second, precisely because this latter domain was spiritual, an idea of spiritual freedom was built into this separation of sovereignties such that the Church could never be considered entirely subordinate to the State, if at all. However, all this was to change when the sovereign authority of the State was itself redefined in ways that allegedly removed the Church from the equation. The idea that spiritual freedom entailed direct loyalty to God, mediated by the Church as it might have been, provided the political space for all sorts of manoeuvres with respect to struggles between monarchs and Popes, and monarchs and their subjects. And once the various monarchies rendered the Church subordinate to their authority (in the wake of the various wars of the Reformation and Counter-Reformation and the principle of non-interference proclaimed within the various treaties following the Thirty Years War) the residuum idea of spiritual freedom provided an opening for challenging the arbitrariness of the State's sovereignty.

This redefinition of sovereign authority, was played out in political tracts and treatises, on the battlefields of revolution, and in the histories of those revolutions. At issue was the redefinition of the source of, or basis for, legitimate sovereign authority. The longstanding idea that sovereign political authority derived from some divine source in the sense that it was authorised by the Christian God was displaced in favour of grounding that authority on some form of covenant (eg Hobbes 1651a; 1651b) or contract (Locke

1690; Rousseau 1762). The ascendant principle hypothesised was that the governed gave their consent to authorise the founding of the authority that was to govern them and hence there was a covenant or contract between the governed and their governors. This was a direct repudiation of the previously dominant patriarchally informed justifications for government and, by extension, a repudiation of arguments about the religious bases for sovereign political authority.

The three great revolutionary moments of early modernity – the revolution of 1688 in England, the revolutionary war of independence in the Americas in 1776, and the French revolution of 1789 – put paid to arguments about the State’s authority being divinely authorised. It also set in train the possibilities for challenging and possibly denying the newly reconfigured States the right to impose a particular religious viewpoint on the citizens. But it was only a possibility within the English revolution because the reconfiguration of the English state subordinating the monarchy to the parliament’s sovereignty left the supremacy of the Church of England more or less intact. The Church of England remained the established church and the reigning monarch, however much subordinated to the will of parliament, remained its head. In effect the Church retained a privileged position in relation to sovereign political authority. In this respect the so-called separation remained consistent with the practice of preceding centuries in which the Church provided the spiritual sustenance for the secular ruler.

The American revolution of 1776 ushered in a reconfigured state, a republican state purportedly under the sovereign sway of “we the people” (USC 2010), a polity approximating a self-constituting citizenry. The clauses of the Constitution and the series of amendments now understood as the Bill of Rights, in particular the First Amendment, were aimed at specifying the basis and scope of sovereign authority. In effect this amendment was aimed precisely at preventing the newly formed sovereign authority from setting up a state religion or establishing a state church, and hence from imposing a particular religious belief on the rest of the population. There was not to be a State-sanctioned establishment church in the new republic, and freedom of religion and religious worship was to be guaranteed. Yet this did not guarantee freedom from religion, since the foundation of the new state was predicated, as in post-1688 England, on rendering religion a merely private matter. Although the legitimacy of the new republic’s sovereign authority rested on its citizens, a transformation of hierarchy and privilege was barely effected since the vast majority of the citizens were in effect fenced off from meaningful democratic participation (Wood 1996). Nonetheless, symbolically at least, the US revolution provided significant inspiration for those seeking to challenge the old order of dynastic rule.

Certainly the revolutionaries in France in 1789 looked almost as much to the lessons emanating from the newly emerging United States as they did to the Enlightenment philosophers of Europe, particularly the ideas of Jean-Jacques Rousseau and his radically democratic view of popular sovereignty. The new form of political legitimacy ushered in by the revolution was based on the consent of the governed and an “articulation of popular sovereignty [that] took on a holistic, messianic, and universalist rather than a more liberal, constitutional, and constrained form” (Bukovansky 1999, 198). For a brief period from 1789 to 1802 the idea of ‘*ni dieu, ni maître*’ held sway until Napoleon’s coup restored the Church’s privileges (Weber 1976), even if the Church had to suffer the ignominy of being placed under direct state control. In

1905 the enactment of the policy of *laïcité* redefined the relationship between Church and State as one of strict neutrality. Religion, as a matter of state policy, was deemed an entirely private matter: “financial aid to churches officially ended ... and freedom of public worship was guaranteed” (Ewing 2000, 38). This was consistent with the revolutionary sentiments of the 1790s in which that newly reconstituted political power aimed to guarantee “a public space that is neutral with respect to religion” (Bowen 2007, 14). Thus it would seem that for most of the twentieth century the French state returned to the principle of ‘*ni dieu, ni maître*’, except that political authority remains hierarchically organized in ways that minimise the democratic pulse of Rousseau’s imagined republic.

Similarly in Australia, a post-colonial settler society, the sovereign authority remains the Crown. The citizens perform the rituals of representative democratic processes but the constitutional reality is that a polity in which the self-constituting citizens are sovereign remains to be achieved. Like the USA and France there is a constitutional recognition of the separation of political and religious authorities with the former understood as sovereign. Constitutionally, the Australian State may not legislate to impose a particular religion, may not enforce particular religious observances, may not prohibit the “free exercise of any religion”, nor impose a religious test “as a qualification for any office or public trust under the Commonwealth” (*The Constitution*, §116). The intent would appear to be one of guaranteeing that citizens would have freedom from a state imposed religion, though as Frame (2006, 8) has noted, “[t]his separation does not, however, preclude interactions between church and state.” Whether it is appropriate to describe this constitutional arrangement as a separation remains debatable, but Frame’s point still stands because the Australian state and its rituals remain very much inflected with officially sanctioned religious observances and practices (Maddox 2005).

Each of the above instances of reconstituted political sovereignty, post-1688 England and the republics of the USA and France, provide salutary instances of transformed political and social orders in which the legitimacy of the newly constituted sovereign political authority appeared to be beholden to neither gods nor masters. In all three cases the Church came to be subordinated to the sovereignty of the State. However, this was not the triumph of secularist philosophy, but merely the end of the divided sovereignties problem – at least in principle. In practice, however, the power of the Church still exerts a considerable presence, even in the US and France where the separation between Church and State is supposed to be well defined. Despite the fact that self-actualising and self-constituting citizens are supposed to be the *sine qua non* of modern political rule, all of these states are marked by hierarchical systems of political rule. Moreover, the very fact that religion is supposed to be a private matter results in these private issues permeating the political identities of those who aspire to rule in the name of these self-constituting citizens.

It is hard to find any democratically elected leader within Western countries who eschew the religious mantle when pressed about their affiliations. Only a few have expressed an avowedly atheist position such as former British Foreign Secretary, David Miliband (Zakaria 2009). Of the forty-four US presidents only five (Thomas Jefferson, Abraham Lincoln, Andrew Johnson, Ulysses Grant, Rutherford Hayes) had no stated religious affiliation during their term of office, though there is considerable controversy over the particulars of their beliefs. With the exception of Gordon Brown, all previous British PMs professed to

be Anglicans in accordance with the place of the Church of England as the established Church. In New Zealand, former Prime Minister Helen Clark was an agnostic (Graham 2009, 160). Similarly in Australia, former Prime Ministers Gough Whitlam and Bob Hawke (and possibly Ben Chifley) were agnostic, as is current Prime Minister Julia Gillard, but all other Australian PMs have professed to belong to one or other of the Christian faiths. Indeed, since the late 1990s within Australian politics the religious affiliation of political leaders has generated considerably more scholarly comment than was the case in decades past (eg Crabb 2009; Warhurst 2007; Frame 2006; Kelly 2006; Maddox 2005).

What is of interest here is the way in which the Church is continually invoked to legitimise political authority, and by extension to legitimise the exercise of that authority. For example, most recently in Australia PM Rudd built his political credibility in the lead-up to the 2007 elections, in part, by establishing his religious credentials. This was also similar to the electoral strategies pursued by Blair in the UK and Obama in the US in that each used their personal faith commitments to articulate a new “moral compass” that could appeal to their respective electorates as means of cultural, social and political renewal (Graham 2009). Where invoking religious beliefs in some way or another is expected of presidential candidates (Raban 2008), its appearance within the political discourses of New Labour in the UK and the electoral strategies of Rudd in Australia was less usual.

For some commentators this means that there is occurring an intensification of the presence of religion in politics in the early twenty-first century (Maddox 2005; Kelly 2006; Warhurst 2007). It is also interpreted as an indication that the so-called secularisation of society has reached its limit and politicians ignore this at their peril (Kelly 2006). Yet both of these interpretations share an assumption, also common to the Blair and Rudd political strategies, that religion is the *sine qua non* for possessing values, or at least demonstrates that one has (the right) values. The paucity of that view needs no refutation here. What is far more interesting is that it reminds us that religion is indeed the *sine qua non* of something – not of holding moral values and ethics, but of the moorings that tie politicians (and by extension the wider polity) to a particular understanding of the constitution and exercise of political rule. In effect, the hierarchies of gods and masters, not self-actualising citizens, remain the *sine qua non* of political rule.

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The Religious Dimension of Poland's Relations with its Eastern Neighbours.

By Desmond Brennan

Abstract

Religion has long played a large role in relations between Poland and its eastern neighbours. Stereotypically, Poland is seen as a monolithic defiantly Roman Catholic nation, while its eastern Slavic neighbours Ukraine and Belarus are seen as being dominated by the Moscow branch of the Eastern Orthodox Christian faith. The picture on the ground is more nuanced, and the role of religion and religious identity on the local, regional and national levels in East-Central Europe is rather more complex. Religion has a major role in deciding the allegiance and group identity of individuals and communities. The impact and salience of this role varies considerably over time.

The countries of Central and Eastern Europe have developed long-standing ties. Relations between the peoples of Poland, Lithuania, Belarus and Ukraine have been particularly close. Poles, Belarusians and Ukrainians are Slavs, speaking closely related languages. Belarusians and Ukrainians share a heritage in Kievan Rus, an early Slavic state. For much of the last millennium, most of the territory which now forms Poland, Lithuania, Belarus and Ukraine was united in a loose political entity divided in two parts: the Kingdom of Poland and the Grand Duchy of Lithuania. Ukraine and Belarus first came into existence as independent states in the last century – briefly at the end of World War I, and again, more permanently, when the Soviet Union dissolved in 1991.

The main religions in the area are Roman Catholicism (in Poland and Lithuania), Eastern Orthodox Christianity (in Ukraine and Belarus) and Greek Catholicism (in western Ukraine). The Greek Catholic (or Uniate) Church dates from the 1595 Union of Brest, under which much of the Ruthenian church broke away from the Orthodox communion and accepted the Roman Pope as spiritual leader, while retaining eastern Christian religious rites. The 1569 Polish-Lithuanian Union of Lublin eventually led to the nobility and much of the urban population throughout what later became Belarus and western Ukraine becoming Roman Catholic. In these lands, this process of Catholicisation was also, in large measure, a process of

polonisation. Within a century of the union the landed class throughout the lands of the Polish-Lithuanian Commonwealth was Polish in language and culture. Until World War II, Judaism was also an important part of the region's religious mosaic.

After being partitioned and vanishing from the map of Europe for 123 years, an independent Poland re-emerged in 1918. The post-World War I Republic of Poland, which included Vilnius, Lviv and what is now western Belarus within its borders, was a multi-ethnic state, with ethnic minorities amounting to almost a third of the population. While western and central parts of interwar Poland were predominantly Polish (with significant Jewish and German minorities in urban areas), eastern Poland was ethnically mixed. A strip running along the border with Lithuania, including Grodno and Vilnius, was predominantly Polish. After World War II this area was divided between the Lithuanian and Byelorussian Soviet Socialist Republics and today is divided between Lithuania and Belarus. The area south of this as far as Brest and the Pinsk marshes had a mixed population of Belarusians, Poles, "Tutejsi" ("locals") and Jews. This area now forms western Belarus. The people who called themselves Tutejsi were Slavs without a clearly defined sense of national identity. By the mid-20th century, most of these people were Orthodox Christian. Further south, Volyn and eastern Galicia had Ukrainian majorities, but until the 1940s also had significant populations of Poles and Jews. Today, Volyn and eastern Galicia are in Ukraine. Volyn is predominantly Eastern Orthodox, while Ukrainian Galicia is predominantly Greek Catholic.

The first half of the 20th century was a time of generally bad relations between Poles and their neighbours, with low points reached during World War II, when ethno-religious conflicts turned bloody, particularly between (mostly Roman Catholic) Poles and (Orthodox and Greek Catholic) Ukrainians, in Volyn and Galicia. In World War II and its aftermath, borders shifted. Poland's eastern provinces, which contained most of the country's Orthodox and Greek Catholic populations, were annexed by the USSR. In the years after World War II most of the Polish population of these provinces was deported, mostly west into the lands taken from Germany and given to the new communist Polish state. Most of the Germans who had been living in what became Poland's western and northern territories fled the Soviet advance or were deported to Germany in the years immediately after World War II. This shift left Poland comparatively homogeneous.

The decades of communist rule limited interaction between Poland and its eastern neighbours and kept a lid on ethnic tension. The population of communist Poland was overwhelmingly Roman Catholic. The regime aimed to assimilate all remaining ethnic and religious minorities. Nonetheless, religious and ethnic minorities, though suppressed during the communist years, survived. Poland's religious minorities today include Lutherans (mainly in Silesia), Orthodox Christians, small communities of Muslims and Jews, and, later, newer Christian denominations/sects.

Nowadays, Poland's Lutherans are mostly ethnic Poles, though some are members of the German minority. The Eastern Orthodox presence is associated with the Belarusian, Russian and Ukrainian minorities. Poland's Belarusian minority lives mainly near the border with Belarus. The Ukrainian minority is scattered around Poland, with the largest numbers in northern and western Poland, where most of postwar

Poland's Ukrainian minority was relocated in the late 1940s. There are several less numerous ethno-religious minorities, including Muslim Tatars (also found in Crimea and in small numbers in Lithuania and Belarus).

The link between Roman Catholicism and Polish nationalism reached a peak during the 20th century. Poland and Lithuania remained strongly Roman Catholic societies throughout the years of communist rule, when the Church was a parasol under which the dissident and opposition movement was able to manoeuvre. The importance of religion in Poland is diminished today when compared with the communist period, whereas in Belarus and Ukraine there has been a religious revival in the last two decades. Organised conventional religion is no longer persecuted in the region, although certain churches are favoured in each country. In Poland and Lithuania, the Roman Catholic Church enjoys a privileged position, while in Belarus the Russian Orthodox Church has the most favoured position. In Ukraine the two main Eastern Orthodox Churches and the Ukrainian Greek Catholic Church are the favoured churches.

The population in most of what forms today's Lithuania is Lithuanian speaking, but the Vilnius area had a predominantly Polish-speaking population until the deportations of the late 1940s. Lithuanians are sensitive about the Polish presence in Vilnius. In the unsettled years after World War I ended, Lithuania and Poland fought a short war over the city and surrounding region. In the interwar period, Lithuania's capital Vilnius and surrounding districts were in Poland. Today, a large proportion of the population still speaks Polish and considers itself to be Polish. In some districts adjacent to Vilnius as much as 80 per cent of the population is ethnically Polish. In Vilnius city itself, about 20 per cent of the population is Polish. Since 1989, there has been conflict between Poles and Lithuanians in the Vilnius area over the language used in Roman Catholic Church services. Many ethnic Poles in the area who had become irreligious during Soviet times embraced Catholicism as the Soviet system collapsed. The increased use of Lithuanian in church services catering mainly to Polish-speaking parishioners is one of the main grievances of Lithuania's Polish minority, which feels discriminated against by Lithuania's authorities.

In Belarus and Ukraine, the Orthodox religion has not been closely associated with national identity and independence. In both countries, a cleavage exists between those who identify more with Russia (who live mainly in the east of those states and mainly have an Eastern Orthodox Christian heritage) and those who have a greater sense of national identity (who live mainly in the capital cities and in areas close to Poland). Many of the latter have (Roman or Greek) Catholic heritage.

Most of Ukraine lies in the area traditionally dominated by Eastern Orthodox Christianity, although the westernmost part of Ukraine is predominantly Greek Catholic. Ukraine's Orthodox community is divided between a Ukrainian branch of the Moscow Russian Orthodox Church and an independent Ukrainian Orthodox Church, which broke away from the Moscow Patriarchate after Ukraine's independence. Galicia is the main centre of the Ukrainian Greek Catholic Church. In most of the rest of Ukraine, Greek Catholics are heavily outnumbered by members of the Orthodox Churches. Scattered throughout the country, but mainly in the western third of Ukraine, are a few hundred thousand Roman Catholics, mainly people of Polish ethnicity or ancestry. In most of the last 200 years in the territory which became Belarus and

Ukraine, being Roman Catholic usually meant being considered Polish and vice versa. Much of the Roman Catholic priesthood in Belarus and Ukraine is Polish, and the Roman Catholic Church in those countries is still often seen as being a “Polish” church.

Ukrainian nationalism is traditionally linked with the Greek Catholic Church, which was suppressed during Soviet times. During the late 19th and early 20th century, the two main nationalisms competing in western Ukraine were Polish and Ukrainian/Ruthenian nationalism. As the religious dimension of the latter, the Greek Catholic Church was strongly opposed to Polish nationalism, one of whose dimensions was Roman Catholicism. An improvement in relations between the Roman Catholic and Greek Catholic Churches since 1990 is linked to the improvement in relations between Poland and Ukraine, and between Poles and Ukrainians. Today’s religious divide in Ukraine is mainly between an Orthodox majority and Greek Catholic minority. The Orthodox community is divided between those with a more pro-Russian outlook and those who are more nationalist in outlook. The Greek Catholic community is a subset of the more nationalist-orientated political formations in Ukraine. The Greek Catholic Church has moved its headquarters from Lviv to Kiev in an effort to be seen as a mainstream Ukrainian church, rather than a regional church in western Ukraine.

Most Belarusians belong, at least nominally, to the Russian Orthodox Church, although there is a large Roman Catholic minority in the west of Belarus, and a much smaller Greek Catholic community. During Soviet times, both Catholic churches, but especially the Greek Catholic Church, were suppressed. The Greek Catholic Church was driven underground, but today a small Greek Catholic community has been revived, based mainly among the Poleszuk community in the south west of the country.

During the 19th century and first half of the 20th century, Roman Catholicism in the territory that today forms Belarus was identified strongly with Polishness. In the early 20th century, a significant percentage of the people of what is now western Belarus were of Polish ethnicity. Most of the Polish population was deported during and after World War II, although some, mainly rural and less educated, Poles were left behind. Belarusian nationalists tend to describe Catholics in Belarus today as being polonised Belarusians, much as Poles in Lithuania are described by Lithuanian nationalists as polonised Lithuanians.

Relations between Poland and Belarus today are worse than relations between Poland and any of its other neighbours. Official Belarusian and Russian media often portray the Belarusian opposition as being a “Polish” or Polish-influenced movement led by Roman Catholics of Polish background and/or sympathies. For example, in the run-up to the last presidential elections in Belarus, Russian media wrongly described the main opposition candidate, Aleksander Milenkevich, as a Roman Catholic. He is an Orthodox Christian.

The Orthodox Church has long had an unfavourable stance towards Belarusian nationalism and the democratic opposition. Most native Russian-speakers (a group which tends to favour closer relations with Russia) in Belarus belong, at least nominally, to the Orthodox Church. The church hierarchy has a mutually beneficial relationship with President Aleksander Lukashenko’s regime. While clamping down on Belarusians’ freedoms in most other areas, Lukashenko’s regime has been careful to permit religious

freedom for the country's main denominations. For example, one of the positive things that has happened in Belarus since the collapse of the Soviet Union is that church buildings long neglected and abused have been renovated to become centrepieces of more attractive town and city centres. The religious toleration extends to the less favoured Roman Catholic Church, provided it stays well clear of political discourse. However, the regime continues to paint (or taint) the Roman Catholic Church in Belarus with "Polishness", despite the fact that in the last two decades the church in the country has undergone "Belarusianisation".

While it is true that the Polish minority of Belarus is largely Roman Catholic, most Catholics living in Belarus today speak Belarusian as their first language and consider themselves to be Belarusian, rather than Polish. About 17 per cent of residents of Belarus are Roman Catholic, whereas the Polish minority amounts to only about 4 per cent of the population of Belarus, according to official figures. Over the last 20 years, hundreds of Polish priests have been sent to Belarus and Ukraine to cater to the Roman Catholic populations in those countries, but an increasing proportion of Roman Catholic priests in Belarus are Belarusians rather than Poles. Older Roman Catholics, particularly in rural areas near the border with Lithuania, tend to regard themselves as Polish and consider the Slavic dialect they speak to be Polish. Their urbanised grandchildren tend to see themselves as Belarusian and regard Belarusian as their first language. Often, Belarusian national feeling is most strongly held among Belarusian Roman Catholics. Some elements of the church in Belarus are being increasingly identified with a modern version of Belarusian nationalism which sees Russia and russification as being the main threat to the continued existence of a distinct Belarusian nation.

Conclusion

Overall, over the past 20 years, religion has probably become a less important aspect of relations between Poland and its eastern neighbours, largely as a result of the westernisation and secularisation of Poland and Lithuania and the gradual decoupling of the attributes of "Polishness" and the Roman Catholic Church in Belarus and Ukraine. The Roman Catholic Church in Belarus is still associated with both the country's Polish minority, but also with part of the opposition movement. The Roman Catholic Church, and, potentially, the Greek Catholic Churches, could play a role in strengthening ties between Poland and its eastern neighbours.

Colonialism and Civilisation: the Impact of “Civilisation” Policies on Suppressing Indigenous Religious Practices in American Jurisprudence.

By Guy Charlton & Barry Brunette

Introduction

Invariably the courts must self-consciously grapple which the legal categories and doctrines handed down through precedent to address new situations and fill in the interstices’ of statutory enactments. This process is not simply the neutral and detached application of rules to facts at a particular historical point but is the product of a sequence of decisions which have embedded and institutionalised certain outcomes.¹ Within these outcomes history and the present are compressed into a decision and legal doctrine which in turn conditions subsequent decisions. This process in turn implicates and reflects a wider legal tradition, socio-political order and governmental policy which undergird that tradition. “Rules and functions operate,” John Bell argues “as part of a tradition of legal ways of doing things which has various complex relationships to the kind of society in which it operates and the functions it accords to law.”²

An area where the legacy of cultural, socio-economic, and political attitudes in the law manifests itself today is in those legal decisions relating to the religious freedom of Native Americans. This law is premised on a liberal conception of individual rights, culture and economic development. For several centuries after the European settlement of America, settler governments, as part of the colonisation process, sought to suppress indigenous religions as part of the “civilisation” process premised on culturally superior attitudes and the bias toward western conceptions of religion. This process ignored the idea that indigenous individuals had religious choice.

This paper will discuss the impact of historic policies relating to the suppression of Native American religious activity in recent case law. It will argue that the previous policies of suppressing Indian religious

practices as part of the civilisation process, premised on western conceptions of religion, and liberal conceptions of individual rights, property and economic development, have continued to inform the jurisprudence under the First Amendment of the U.S. Constitution and the Religious Freedom Restoration Act of 1993 (RFRA) despite policy changes in the United States which have encouraged tribal self-determination and support for Indian cultural rights.

The Suppression of Indigenous Religious and Cultural Practices

The twin goals of civilisation and Christianization of Indians were central and mutually dependent objectives of the American missionary movement as well as government.³ In this process, religious freedom was ignored as the missionary efforts to convert the Indian became merged with government policy aimed at settling the frontier and transforming them into American citizens. The goals were supported by the belief that Indian institutions and character had to be transformed to allow the “savage” to enjoy the benefits of the superior Christian civilisation.

The American government supported and relied on missionaries as agents for implementing policy from the early days of the Republic. In 1819 the Federal government created a Civilisation Fund through which it began to subsidize missionary schools. Christianity (and the concomitant discouragement of native religion practices) was an essential element of these religious schools curriculum.

After the American Civil War, the Grant Administration initiated the “Peace Policy” to root out corruption and bring the comforts of civilisation “through the instrumentality of the Christian organizations, acting in harmony with the Government...” The policy established a Board of Indian Commissioners, composed of prominent Christians (an unstated requirement), which was given general supervisory responsibilities over Indian Affairs, sought to replace all Indian agents, and allotted the various Indian agencies among the various Christian groups. The policy was opposed by westerners and was terminated after 1881.

Despite the demise of the Peace Policy, efforts to civilize and Christianize the tribes through the suppression of religious practices continued. The government continued to award contracts to religious groups to educate the tribes and virtually every major denomination operated schools under the federal contract system. As part of this project the government attempted to ban what officials called “pagan” or “heathenish” tribal dances and other religious practices, such as forbidding funerary bundles and giveaways considered necessary to assist departed souls.⁴ The ceremonies were proscribed because some agents disputed their religious character and/or because they were understood to be a barrier to governmental objectives relating to pacification of the frontier, destroying the tribal structure of Indian society and economic development. From 1882 Indian agents were told to compel discontinuance of dances should the tribes be unwilling to discontinue them on their own accord.⁵ The suppression of these practices was attempted in various ways: government rations were withheld from dance participants -- forcing Indians confined to the reservation with a choice of ceasing to engage in the ceremonies or starvation, destroying dance houses, preventing

Indians from leaving the reservation to participate in dances elsewhere, imprisonment and military intervention, an eventuality which resulted in the 1890 Wounded Knee atrocity. In 1892 the Bureau of Indian Affairs issued regulations to be enforced by Courts of Indian Offense designed to suppress dances.⁶ The courts also were charged with enforcing regulations suppressing medicine men, polygamy and the destruction of property which accompanied some religious ceremonies.

At the end of the century, there was an increased recognition that contract schools could violate the First Amendment. By 1900 all funding for sectarian contract schools was cut. In part opposition was not advocacy for religious choice or separation of church and state but was due to the success of the Catholic Church, which had procured almost two-thirds of the contract funds – a proselytisation success rate that aroused Protestant concern.⁷ In 1904 President Roosevelt approved the use of Tribal Trust monies for church-run schools should the tribe choose to participate, a policy approved by the Supreme Court in *Quick Bear v. Leupp*.⁸

Nevertheless the ban on dancing continued to be the target of suppression efforts. In 1921, the Office of Indian Affairs released Circular no. 1665 (April 26, 1921) which read:

The sun-dance, and all other similar dances and so-called religious ceremonies are considered “Indian Offenses” under existing regulations, and corrective penalties are provided. I regard such restriction as applicable to any dance which involves...the reckless giving away of property...frequent or prolonged periods of celebration...in fact any disorderly or planning excessive performance that promotes superstitious cruelty, licentiousness, idleness, danger to health, and shiftless indifference to family welfare.⁹

However in light of the increasing problems on the reservations, all efforts to suppress dances and traditional activities were abandoned in 1934 with the passage of the *Indian Reorganization Act*. The Act, reversing a century of policy aimed at breaking up the tribes and tribal lands, sought to encourage limited self-determination, cultural plurality and the revival of tribalism as a means of securing economic development and Indian adaptation to American society. This vision of tribal integration and Native American citizenship however remains contested.

The Legacy of the Civilisation Policy in Religious Case law

Despite the “embeddedness” of legal decision making in the wider society, the effect of previous governmental policy and the underlying rational and ethos which drove the policy as it was formulated, implemented and enforced by subsequent legal decision-making after the particular policy was abandoned by the elected branches of government has been relatively unexplored. While procedural and substantive legal rules are crucial determinants to policy efficacy in a particular dispute, it is likely that previous attitudes and paradigms relating to particular areas of law would survive a policy change. First, previous

decisional frameworks and legal doctrine, which reflect a certain way of looking at the particular legal area, continue to be used and applied as a template to understand and make sense of that particular law and policy area. Second, unless policy change has been accompanied by a whole scale normative and cognitive rejection of previous policy-frames and the creation of new institutional structures, new policy is often build upon previous policy and its ultimate effects are conditioned by the sequence of historical decisions, which in turn reinforce societal commitments to certain policies and policy frames. Finally, rules and functions of law reflect an underlying sense of what kind of society and what is appropriate to that society within which the court operates – a context and a constellation of ideas which are unlikely to change quickly.

In Native American religious jurisprudence these historical elements are more pronounced as the interaction of indigenous concepts and cultural frameworks necessarily needs to be reconciled with the detritus of historical policy shifts -- emphasizing different aspects of the Native American/governmental interaction -- and western legal categories and cultural sensibilities within the context of a particular tribal-governmental history. In these cases, the courts have held that the government can burden or disregard the religious rights of Indians in a manner which suggests that these religions are perhaps less deserving of protection; for their protection would necessarily mean an embrace of a spiritual and cultural framework contrary to the idea of liberal economic development embodied in those earlier policies.

It is ironic that the Supreme Court's decision to expand governmental authority to burden religious practice was announced in a case involving a Native American's use of peyote as part of a religious ceremony. In *Employment Div., Dept. of Human Resources of Ore. v. Smith* the Supreme Court abandoned the "compelling interest" test in favour of an approach which held that general laws that incidentally burden religious practices are not subject to First Amendment scrutiny.¹⁰ Justice Scalia argued for the majority that it was not "appropriate for judges to determine the 'centrality' of religious beliefs before applying a 'compelling interest' test" and this inherently subjective enterprise would "court anarchy" as it would presumptively invalidate "any regulation of acts that does not protect an interest of the highest order."¹¹

In response, Congress enacted RFRA which stated that the government would not "substantially burden" the exercise of religion unless it demonstrates that the action is in furtherance of the compelling public interest and the means chosen are the least restrictive. RFRA expressly adopted the compelling interest test "as set forth in earlier case law overruled by *Smith*."¹² While the Supreme Court has held that RFRA does not to apply to state and local governments by the, it has been used to invalidate some laws that that would not have been protected under *Smith*.

Nevertheless, Native American religious practitioners have had difficulty arguing that their religious practice has been "substantially burdened" or that the government must recognize claims on areas where the tribes have no current proprietary interest. This is because the courts have generally narrowly defined the concept of "substantial burden" and the incompatibility the preferred definition has with Native American religious practices and beliefs. For example, in *Navajo Nation v. United States Forest Service*¹³ the Court of Appeal found that the use of treated effluent to make snow in a San Francisco Peaks ski hill does not

substantially burden the religious practice of the 16 tribes who held the Peaks sacred. The affected tribes argued that the treated effluent would be offensive to their religious sensibilities and destroy the sacredness of the Peaks which were an integral and indispensable part of their religious practice.

The Court of Appeal noted that the tribe's religious beliefs were sincere and that the religious activities on the Peaks constituted an "exercise of religion" within the meaning of RFRA. However it held that an action would only "substantially burden" (thus triggering heightened scrutiny) religion under the statute to two situations: first, where someone was forced to forgo a governmental benefit due to his/her religious belief or practice and second, where the individual is coerced into acting contrary to the religious sentiments because of the threat of criminal or civil sanctions.¹⁴ In this case, the Court reasoned, where practitioners were neither precluded from access nor coerced into performing or refraining from some practice by criminal or civil sanctions, the use of recycled water on the Peaks would only be offensive to the tribes "religious sensibilities". This damage to the subjective nature of the Indian's religious experience is not the "kind of objective danger" RFRA and the First Amendment were designed to prevent."¹⁵ Thus for the Native Americans who held the Peaks to be sacred, "the diminishment of spiritual fulfilment – serious though it may be – is not a "substantive burden" on the free exercise of religion."¹⁶

The *Navajo Nation* reasoning, with its determination that only certain government actions can produce a "substantial burden" rather than considering the *effects* of governmental action on Native religions is a re-articulation of colonialist and culturally biases evident in earlier suppression efforts. As an initial matter, it conceives of religion and "culture" as analytically separate, a proposition not likely to be accepted by Native American religious practitioners. This conceptual separation provides for less protection for Indian religions; a governmental activity which impacts a "cultural practice or belief" is not only beyond the reach of RFRA, it need only be rationally related to the governmental objective in order to withstand judicial scrutiny. In addition, the fundamental distinction between "subjective" religious experience and "objective" religious practice is generally not useful in Native American religions because practice and religious feeling are often bound up within particular context, often a particular parcel of land. Unlike western "revealed" religions which have an institutional basis to maintain an accepted dogma, and which generally accord the location (as opposed to the act itself) of a particular ceremonial act as a secondary consideration, Native American religions are non-dogmatic, and envision spirituality as the individuals continually interacting within a communal/environmental context through various ceremonial acts. With the analytical bifurcation of "culture" from "religion" and depreciation of the context of Native American religious practice., *e.g.* the natural environment of the San Francisco Peaks in the case of *Navajo Nation*, the courts have conflated religious experience (protected by RFRA) with equal access to public lands, the protection afforded by generally applicable environmental statutes and the romantic/transcendentalist spirituality concerning the "wilderness".

The equating of Native American religion with "culture", equal access, the protection afforded environmental statutes and a philosophic spirituality is likewise evident in *South Fork Band v. United States Department of the Interior*.¹⁷ In *South Fork* the Band sought to enjoin a Bureau of Land Management (BLM) approval of an expansion of an open pit and underground gold mine in an area considered sacred.

While the Court did not question the sincerity of the beliefs, it dismissed the RFRA action noting that the Band “will continue to have access to the areas identified as religiously significant...” It further noted that the BLM, as part of its duty to protect Indian “sacred sites” under an Executive Order “went to great lengths to evaluate potential impacts on Native American *traditional values and culture*.”¹⁸

The hesitancy of the Courts to recognize the territorial aspect of various Native America religions is also related to a concern about the extent to which recognized religious claims would impact land use and development. This can be no small consideration given the amount of governmental land having religious significance to tribes should the courts be amenable to finding a substantial burden on a Native American religious practice. As the Supreme Court stated in *Lyng v. Northwest Indian Cemetery Protective Association* which concerned the building a road across approximately 17,000 acres territory deemed sacred to the Indians:

No disrespect for these practices is implied when one notes that such beliefs could easily require de facto beneficial ownership of some rather spacious tracts of public property. Even without anticipating future cases, the diminution of the Government’s property rights, and the concomitant subsidy of the Indian religion, would in this case be far from trivial....¹⁹

Similarly in *Navajo Nation* the Court of Appeals noted that within the “Coconino National Forest alone, there are approximately a dozen mountains recognized as sacred” and that some of the plaintiffs to the case “consider the entire Colorado River to be sacred”. Moreover “[n]ew sacred areas are continuously being recognized” by the Plaintiff tribes.²⁰ This notion that government can and should be able to proceed to use it property without concern for the religious sentiments of those affected, *i.e.* because it is the government’s land it *cannot* be a “substantial burden” is seemingly at odds with the thrust of the First Amendment and RFRA.

The concern about the extent of religious claims to territory is reinforced by an unwillingness to see the nuances in Native American religions as they relate to land use and preservation at religiously significant sites. As the dissent in *Navajo Nation* pointed out the types of “sacred” sites recognized across the Peaks vary in religious importance. In effect, the courts have treated all “sacred” sites as analogous to a holy shrine or church in western religion, an analogy if realized in law which would prevent the large scale use of much territory – yet one which has little traction in Native American religions. Ironically, this unwillingness to disaggregate the religious significance of particular sites, or make determinations about the relative impact various non-Indian uses (*e.g.* logging v. hiking) would have on religious practices, has led the courts to find an Establishment Clause violation where the government has made an effort to set aside territory for religious uses by restricting various activities.²¹

Conclusion

The colonialist and liberal ethos did not extend automatically to indigenous peoples and justified Federal policies which sought to suppress Native American religion as incompatible with American civilisation. Despite the change to more solicitous policies since the 1930s, the underlying rationale and paradigm of previous civilisation policy continues to impact American jurisprudence. Indeed, an examination of the precedent and interpretation of religious rights and cultural rights in various judicial opinions suggest that American courts continue to narrowly circumscribe Native American rights. In part, this failure to broadly construe Native American religious practices in order to bring them under the ambit of RFRA and the First Amendment is due to cultural and religious considerations as well as the courts continued commitment to liberal notions of economic development and property rights. As such, the burden of proof upon Native American litigants asserting religious claims remains high and given the continued support for governmental authority shown by the current American Supreme Court this seems unlikely to change in the foreseeable future.

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Notes

¹ Martin Shapiro and Alec Stone-Sweet, *On Law, Politics and Judicialization* (Oxford: Oxford University Press, 2002), 114-5.

² John Bell, "Comparative Law and Legal Theory," in Werner Krawietz, Neil MacCormick and Georg Henrik von Wright, (eds.), *Prescriptive Formality and Normative Rationality in Modern Legal System* (Berlin: Dunker & Humblot, 1994), 24.

³ Robert F. Berkhofer, Jr., *The White Man's Indian: Images of the American Indian, from Columbus to the Present* (New York: Vintage Books, 1979), 113.

⁴ Raymond J. DeMallie, "The Lakota Ghost Dance: An Ethnohistorical Account," (1982) *Pacific Historical Review* 51: 401.

⁵ Allison M. Dussias, "Ghost Dance and Holy Ghost: The Echoes of Nineteenth-Century Christianization Policy in Twentieth-Century Native American Free Exercise Cases" (1997) *Stanford Law Review* 49: 792

⁶ *ibid.*

⁷ *ibid*, 785.

⁸ 210 U.S. 50 (1908).

⁹ United States. Dept. of Interior. *American Indian Religious Freedom Act Report*, P.L. 95- 341: 13-4.

¹⁰ 494 U.S. 872 (1990).

¹¹ *ibid*, 887-8.

¹² *Sherbert v. Verner*, 374 U.S. 398 (1963) and *Wisconsin v. Yoder*, 406 U.S. 205 (1972); RFRA § 2000bb(b) (1).

¹³ 535 F.3d 1058 (9th Cir. 2008) [*Navajo Nation*].

¹⁴ *ibid*, 1069-70.

¹⁵ *ibid*.

¹⁶ *ibid*.

¹⁷ *South Fork Band v. United States Department of the Interior*, 643 F. Supp. 2d 1192 (Nev. 2009) [*South Fork*].

¹⁸ *Ibid*, n. 9, [emphasis added].

¹⁹ *Lyng v. Northwest Indian Cemetery Protective Association*, 485 U.S. 439 at 453 (1988).

²⁰ *Najavo Nation*, *supra* note 13: 1066.

²¹ *Wyoming Sawmills, Inc. v. The United States Forest Service*, 179 F. Supp. 2d 1279 (Wyo. 2001).

The Separation of Religion and State: Context and Meaning

By Stephen Chavura

Abstract

This paper seeks to show the analytical limitations of the most popular terms describing the relationship between religion and politics, the two most popular being “separation of church and state” and “separation of religion and politics.” Although the latter term is preferred it is still quite vague in its meaning and, strictly speaking, impossible to put into practice. I try to clarify the meaning of “separation of religion and state” by discussing the early writings out of which the tradition arose, those of John Locke and Thomas Jefferson. I contend that the best way to define the meaning of the separationist doctrine is to place it within the context of the liberalism from which it emerged. This allows the separation of religion and state to be not only possible but also more relevant for pluralist societies and post-colonial societies who wish to avoid both religious domination and complete secularism.

The term “church and state” is currently sharing space with similar terms such as “separation of religion and politics” and “separation of religion and state.”¹ I can think of three possible reasons why this is occurring. First, the term “church” is monocultural, it is Christian, thus it is of limited use when referring to societies that fit what Rawls (1993, xviii) called “the fact of pluralism.” Muslims, Jews, and Buddhists don’t have churches. Thus no comprehensive understanding of the boundaries separating religious institutions from the state is possible by reference to a doctrine of church and state. Second, with the rise of non-conformist, liberationist, and evangelical types of religion much of the most significant phenomena of interest to political scientists cannot be captured by the term “church and state,” for such movements operate outside institutional – church – structures. Finally, there has been a legal and philosophical trend over the last 60 years to remove more and more religion from the public sphere, making “church and state” too narrow in terms of defining exactly what courts and philosophers wish to keep separate. For these three reasons the phrase “church and state” becomes too restrictive and misleading and, thus, inadequate as a linguistic reference for contemporary political science and philosophy. However, alternative terms such as “separation of religion and politics” and “separation of religion and state” on closer analysis fall short of analytical rigor. The idea of a separation of religion and politics is immediately useless for analysing the limits of interaction between two different entities, for it is simply impossible to separate religion and politics. Take the following:

1. Politicians and judges never being informed by their religious views when executing their office.
2. Citizens never being informed by religion when arguing or voting in the public sphere.
3. Prevailing laws, norms, and ideologies having no connexion, historical or otherwise, with religious dogma or philosophy, thus, in no way carrying on a religious tradition.

Both 1 and 2 are impossible unless we were to (unrealistically) grant public offices and citizenship only to people with no religious views and incapable of being swayed by arguments which, although non-religious, spring from religious motives. Furthermore, 3 is incredibly unlikely, at least in the West, given what we know about the history of ideals such as democracy, rights, toleration, sovereignty, consent, and equality.²

The term “religion and the state” is better at first glance, for it localizes the political into the institution of the state, but, arguably is still too broad. For if the state is meant to be influenced by its citizens and civil society in general, we are almost led back to the absurdities of scenarios 1 and 2. The advantage of the terminology of “church and state” was that it referred narrowly to institutions rather than the broad phenomena that goes to make up religion and politics or religion and the state. Church and state can be separated, religion and the state, strictly speaking, cannot. Thus, given the inadequacy of the best term we have – “separation of religion and state” – we need to be clear exactly what we mean by the expression. This introduces the need for a larger analytical framework by which we can understand it. To answer this I propose that it is best to place the analysis within the context of the liberal tradition out of which the debate first arose.

Separationism and the liberal tradition

Exactly what are we meant to be talking about when we speak of a necessary separation of religion and state? It makes sense partially to look to the historic liberal tradition as a heuristic method because the whole idea of a separation between these realms arose out of the liberal tradition. Indeed, it was the various models of church-state practiced in the medieval and early-modern periods against which Enlightenment philosophers such as John Locke and Thomas Jefferson formulated their ideas.

Previous models or ideal-types can be categorized as follows:

Church over state: The state is absolutely bound to enforce the moral and religious teachings of the church. Though the church has no direct coercive power whatsoever, it has the right to absolve believers of their duty of obedience to governments that shirk the church’s authority.

State over church: At its strongest, the state has the sovereign power to determine the religion of the nation,

thus the Westphalian right: *cuis regio, eius religio*. In its strongest Hobbesian formulation the state has the right to determine all matters of church doctrine and polity.

State with church: The interactive model rose out of the Reformation and holds that both institutions have their authority directly from God, thus, neither is dependent upon the other for its authority. Nonetheless, the state is bound to take an interest in the *cura religionis* and must enforce the national religion on all subjects. Yet neither institution is thought to dominate over the other, as in the other two models.

Although these ideal-types all differ in their relation of church to state, they all agree on their relation of church-state to nation, that is, they all take for granted the legitimacy of enforcing religion upon subjects and citizens. It is this that the earliest advocates of what we would now call a separation of church and state were responding to.

John Locke's Letter concerning Toleration (1689)

Before we analyse the two most famous and influential advocates of the separation of church and state it may do us well to note that, for the most part, the term is not actually used by either theorist. Jefferson famously uses it in his 1802 letter to the Danbury Baptists, Locke does not use it at all, at least not once in the document in which it is claimed he offered the first development of the doctrine. Thus, to discuss the doctrine of church state separation in the thought of Locke and Jefferson is no more than to discuss their views regarding the relationship between churches, priests, religious movements, laws, magistrates, and the state.

Locke's *Letter* (1689) was written against "men striving for power and empire over one another" (1947, 21). The whole *Letter* is a series of (often theological) arguments against any power of the state to coerce religious adherence. Locke's arguments are often theological in that they begin with a particular (to be specific, protestant Arminian) conception of God as concerned with people's internal beliefs and their free ascent to God's message of salvation.³ Ultimately he argues that there is a kind of absurdity in coercing religion, for "God will not save men against their wills" (37). Locke says that "it appears not that God has ever given any such authority to one man over another, as to compel anyone to his religion" (25). Magisterial coercion is futile for the magistrate's power "consists only in outward force...but true and saving religion consists in the inward persuasion of the mind..." (26) Furthermore, if a single religion was enforced upon a nation, given the multiplicity of religions, what would be the chances that it would be the right one? (27) Not only can a magistrate not determine the doctrine of the church (as Hobbes would have) but he cannot pick which preexisting church to foist upon the people, for he has no special knowledge of which church is correct (39-40). Locke offers a summary conclusion of the whole *Letter* of which I quote only in part:

The sum of all we drive at is that every man may enjoy the same rights that are granted to

others. Is it permitted to worship God in the Roman manner? Let it be permitted to do it in the Geneva form also...Let no man's life or body, or house, or estate, suffer any manner of prejudice upon these accounts (62).

What we see here is that Locke is wholly concerned with the imposition by the state of a particular religion upon the citizens. This also means he is concerned with religious forces taking over the reigns of state and imposing a religion on the citizens. Put another way, he is concerned with religious freedom. It is about displacing the magistrate's right, even duty, to attach his coercive powers to a particular church, thus denying nonconformity.

Now it may be clear when I say that Locke's *Letter* is certainly not about separating religion from politics. Furthermore, to say it is about separating church from state must be carefully explained, for Locke never mentions the word "state,"⁴ let alone the phrase "separation of church and state." He speaks of a "difference" between the "Church and the Commonwealth" but not of their separation (47). The separation of church and state refers to a time when the two institutions were *not* separated, that is, when the coercive power of the state was used to enforce a religion upon nations. The opposite of this tradition is exactly what Locke is advocating: the loosening of the state's coercive rights from religion. Thus, if Locke's *Letter* is the classic statement of separation of church and state then the nature of such separation is religious liberty.

Thomas Jefferson's "wall of separation"

The second *locus classicus* of the idea of a separation between religion and the state is Thomas Jefferson's recommendation of a wall of separation between the church and the state. Jefferson's preoccupation was ensuring that religion remained free and uncoerced. His reasons were essentially Lockean and, therefore, for the most part theological: true religion comes from conviction, and conviction cannot be coerced. The essence of Jefferson's views on religion and the state were contained in his 1777 Bill for Establishing Religious Freedom:

...no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods; or shall otherwise suffer, on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities (391).

In his famous *Letter to the Danbury Baptist Association* (1802) he wrote the words that would become so important in post-WWII American Supreme Court decisions. Again we see that the premises upon which he builds his wall are first order theological propositions about God's expectations of his rational creatures:

...religion is a matter which lies solely between man and his God, that he owes account to none other for his faith or his worship, that the legislative powers of government reach actions only, and not opinions [and should] “make no law respecting an establishment of religion, or prohibiting the free exercise thereof,” thus building a wall of separation between church and State (397).

Locke and Jefferson were concerned with religious freedom. Thus, there is a good argument to suggest that the separation of religion and the state, if understood as a doctrine whose meaning is to be found within the liberal tradition of political thought, is a doctrine of negative religious freedom; it is an attack on all models of church-state interaction that had previously been attempted. The separation of religion and state is not the separation of religion and politics.

The implications of this may be surprising for so-called secularists who claim that activities by religious individuals, institutions, political parties, and pressure groups within the political arena violate the separationist principle. For Locke and Jefferson were not writing to ensure that religious agents had nothing to do with politics or to keep religion completely out of the political sphere or the institutions of civil society. They were not advocating the strict separation of religion from the state, far less the separation of religion and politics.

Post-colonial states and religion

The universalism of liberalism’s claims are a scandal to many non-Western intellectuals, activists, and citizens. The secular, liberal state is seen as an extension of colonialism, a denial of the particular characteristics of nations to find expression in law and politics. Consequently there have been reactions against “secular nationalism” in many states decolonized in the twentieth-century (Juergensmeyer 2008). Militant and political Islam over the years has found a strong case for itself in the fact that the separation of Islam and the state as practiced in states such as Turkey, Egypt, Iraq, and Iran were models imposed by Western powers or Western enthusiasts. Thus, any talk of a secular state can plausibly be construed as neo-colonial.⁵

Now, it is true that the liberal conception of the separation of religion and state will never be compatible with certain models and traditions of state-religion interaction. For example, many Islamic groups consider secular and godless anything less than a state- imposed Shari”a law banning all non-Islamic religion. For such groups there is no middle-point between theocracy and godlessness. To such groups separationism has nothing to say. However, separationism need not be opposed to the support and recognition of religion by the state. In that sense a separationist Islamic state is possible. One may even add that the state should grant minority religions the same funding for its institutions that it does the majority religion. This is close to the model practiced in countries such as the Netherlands, England, and Denmark, though, of course, these countries are Christian in heritage (Monsma and Soper 1997).

The extent to which liberalism must live with other arrangements whose basis lies with tradition and national character is an important issue, but not within the scope of this paper.⁶ The point here is that if the liberal preoccupation with separating religion from the state is a preoccupation with preserving religious freedom, then one should be able to envisage a secular Muslim state in the same way that secular Christian states have emerged after the Enlightenment.

Conclusion

The term “separation of religion and state” invites analytical caution, for, strictly speaking, the separation of religion from the state presents problems and dilemmas, both practical and normative. Thus, to have a clearer understanding of what the separation of religion and the state entails this paper has suggested that we should turn to an examination of the very philosophical (and theological, as it turns out!) tradition that generated it in the first place: liberalism. By studying the two most celebrated theorists of separationism it becomes clear that the doctrine revolves around religious freedom. This means that the involvement of religion in politics and the institutions of state need only be regulated if it threatens the religious (or non-religious) freedom of citizens. Of course, exactly when religious freedom is being threatened or when religious influence becomes domination is a tricky issue in itself and deserves a whole other study. Nonetheless, by returning to the foundations of the liberal tradition to illuminate discussion of religion and the state we are able to offer a model of religious freedom that allows dissent from the majority religion and religion itself without alienating religious citizens from the state. This latter point is particularly important for citizens in non-Western and post-communist states, many of whom would oppose religious and political domination yet would be equally scandalised by a godless or religiously indifferent state.

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Notes

¹ It is often the case that a study will use all of the terms interchangeably. The choice of terminology also depends on the cultural scope of the study as well as the religion being analysed – i.e. – whether we can speak of clearly defined institutions in the same way we can when we use the term “Church.” See for example Audi (2000), page 41; Tibi (2002), page 26 and Fox (2008).

² On the religious origins of modern politics the literature is simply too massive to note here. The following are some of the most significant recent studies. Schmitt (2005); Sandoz (2006); Berman (1983); Skinner (1978); Witte (2007); Zagorin (2003); Waldron (2002); Scott (2004); Maddox (1995).

³ For an argument for the theological nature of Locke’s political philosophy in general see Waldron (2002).

⁴ Locke prefers to speak of the “magistrate,” “commonwealth,” “civil affairs” and “civil government.”

⁵ This is not to say that there has not been an Islamic intellectual tradition separating Islam from the state. See An-Na’im (2008).

⁶ It may well be the case that what Yael Tamir calls “messy compromises” between tradition, national character, democracy, and liberalism are inevitable. See Tamir (1993), 4-6.

The Chinese Origins of Democracy: Dynamic Confucianism in Singapore.

By Christine Doran

Abstract

This paper examines the deployment of religion in the effort to raise nationalist consciousness among the Chinese community in colonial Singapore in the early twentieth century. It has often been noted that religion played a significant role in the emergence of nationalism in colonised Asia. However, the religions usually thought of in this context have been Islam and Buddhism, rather than Confucianism (Chong 2009: 2). With the formation of the Young Men's Buddhist Association in 1906 which inaugurated moves towards nationalist consciousness in Burma, or the organisation of the Sarekat Islam in 1912, which was an early milestone in the development of the Indonesian nationalist movement, Buddhism and Islam demonstrated their dynamic potential in the realm of politics. Confucianism, on the other hand, has generally had a reputation as an ossified, elitist and obsolescent form of religion. In fact it has been quite common for Western commentators to deny that it was a religion at all.

This paper focuses on the intellectual contributions of an outstanding Chinese Singaporean community leader, Lim Boon Keng. Lim looked to Confucianism as a source of national pride for the diasporic Chinese community living under British colonial rule in Singapore. Directly contradicting Western assumptions about the rigidity and authoritarianism of Confucianism, Lim offered an interpretation which highlighted its dynamic, progressive political potential. In particular, he developed the case for Confucianism as a source of democratic political impetus, and thus as a challenge to the autocratic, elitist nature of the British system of colonial rule.

In Singapore the period from 1890 to 1920 was one of marked demographic shifts, social change, rapid economic development and intellectual ferment. At that time Singapore was a British colony, ruled as part of the British Empire according to policies laid down by the Colonial Office in London. From the time of its acquisition as a colony in 1819, the British had adopted a policy of welcoming unrestricted immigration from a wide variety of sources. The result was a multi-cultural population, numerically dominated by

Chinese, with Indians and Malays making up the two other main ethnic groups. By 1891 the population numbered about 180,000, with Chinese representing approximately two-thirds of the total.

A prominent leader of the Chinese community in this period was Lim Boon Keng (1869-1957), a second generation Straits born Chinese. After completing his schooling in Singapore, Lim took up a scholarship to study medicine in Edinburgh, returning to Singapore in 1893 to start his own practice. In 1895 he was appointed to represent the Chinese community in the Straits Settlements Legislative Council, an advisory body chosen by the British governor. He represented the Chinese on many other committees, and in 1918 was awarded an OBE. His links with China were also strong. In the last days of the Manchu dynasty he accepted the post of medical adviser and inspector-general of hospitals in Beijing. After the revolution of 1911, he was appointed as confidential secretary and personal physician to Sun Yat-sen. Lim returned to Singapore when Yuan Shikai took over the presidency of the republic. In 1921 he became vice-chancellor of the University of Amoy (Xiamen) and remained in China until 1937. When the Japanese invaded Singapore in 1941, he was imprisoned but later represented the Chinese community in negotiations with the Japanese. Throughout his career Lim wrote many books and articles. He was also a successful entrepreneur in the rubber, tin, shipping, media, insurance and other industries.

Within the apparently uncongenial milieu of Singapore under British colonial rule, Lim advocated a resurgence of Confucianism as a way of encouraging nationalist awareness among the Chinese community. In particular he argued that the intellectual resources of Confucianism could be used to support progressive political change. Lim's conversion to Confucianism was gradual, but by 1899 he identified himself as a convert. He objected strongly to Western commentators' attempts to deny that Confucianism was a religion (Lim 1917: 1).

Lim Boon Keng made the claim that Confucian principles of government were democratic. Indeed, he believed that democracy had already been achieved in China's early history, referring proudly to the "important democratic institutions of the ancient Chinese" (Lim 1915a: 94). In an important paper delivered in 1915, he argued that the Confucian conception of the State was founded on democratic principles (Lim 1915a: 97).

According to Lim Boon Keng, Confucianism comprises a number of closely inter-related "departments:" (a) Philosophy; (b) Theology; (c) Anthropology; (d) Ethics; and (e) Politics. This range of concerns made Confucianism, in Lim's view, a complete and rounded study of humanity, chiefly from a pragmatic point of view, as well as an "all-sufficient religion" (Lim 1913: 142). In order to understand Lim's political thought, it is necessary to outline briefly his interpretation of Confucian principles within each of these departments.

Under the heading of Philosophy, Lim asserted that there is an all-pervading law, absolutely true, underlying all natural processes whether physical, mental or spiritual. Consequently there is a "right way for all things human or divine" (Lim 1915a: 94). The way (*dao*) is unitary, hence for human beings to flourish they must bring themselves into harmony with it. Lim's theology was based on the claim that behind all

the multiple phenomena of the world there is a Supreme Being, or Supreme Ruler. The terms of Lim's argument thus slip easily from theology to theocracy. However, the wishes of this divine ruler were to be interpreted according to the common aspirations and ideals of humanity. As he put it, the "*Vox Populi* is the only recognisable *Vox Dei*" (Lim 1915a: 94). This is, to say the least, a marked democratic move in Lim's argument. By identifying the *vox populi* as the only accessible source of information about the desires of the divine authority available to humanity, he gives the people the ultimate word. In this formulation the source of political legitimacy is not the will of the people as such; instead legitimacy is established on transcendent sacred origins. Nevertheless, the will of the people is recognised as a direct, and directly perceptible reflection of the will of the transcendent deity or of Heaven.

Under the heading Anthropology, Lim acknowledged humanity as the highest product of evolution, a concept by the way that he believed originated in ancient China. Because human beings had developed knowledge and conscience, they were fitted to act as instruments of the divine in working upon and transforming the natural world. Implanted with the germ of benevolence, under the guidance of the sages, humanity has the capacity to move towards altruism and eventually to achieve a universal global community of peace. Ethics demands that humanity must be ruled by and bring itself into alignment with the universal law. In this way the social relations of communal life would be harmonious. To prevent any falling back into barbarism, education is indispensable and therefore education should be universal (Lim 1915a: 94).

Finally, under the heading of politics, Lim Boon Keng puts all the emphasis on democratic principles. Under Confucian conceptions, the State is to be governed for the benefit of the people. The chief authority to whom Lim turned to support this view was Mengzi (Mencius, 371-289 BCE). Mengzi is generally acknowledged to be the most creative and influential follower of Kongzi (Confucius, 551-479 BCE), born about one hundred years after Kongzi's death. Mengzi laid out an order of priority in the political realm: "the people are the most important; next comes the country, and lastly stands the ruler" (Lim 1915a: 95). Thus according to Mengzi, it was the ruler's first duty to provide for the welfare and prosperity of the people. In much of his thinking on democracy, Lim Boon Keng revealed a heavy debt to Mengzi. Lim followed Mengzi in the view that human nature is essentially good (Lim 1915b: 47-8). Mengzi argued that the political legitimacy of a government derives from the acceptance or consent of the people. He stated clearly that the people may always justly overthrow a ruler who harms them. Mengzi's idea of the right to rebel can be compared to John Locke's right to revolution, as expounded in his *Two Treatises of Government*.

In his discussion of democratic politics, Lim also appealed to the contributions of a more recent Confucian authority, Kang Youwei (K'ang Yu-wei, 1858-1927). Kang had almost lost his life by proposing a programme of political reforms to the rulers of the moribund Manchu dynasty during the 1890s. Kang set out the progressive stages of development of the State as follows: (1) nomadic tribal state; (2) territorial chieftaincy; (3) feudal state; (4) imperial state; (5) republic; (6) communist state. Lim endorsed this categorisation as representing the progressive changes in the form of the State over the course of Chinese history. He certainly saw no contradiction between Confucianism and republicanism, and also believed

that certain socialistic policies, such as nationalisation of land, means of communication and public utilities, could be justified by Confucian arguments (Lim 1915a: 97-98).

From these premises and arguments Lim drew significant conclusions about the proper functioning of a Confucian State:

The people are the foundation of the State. The country is for the benefit of the people. The ruler and administrators are to serve the people...The sole *raison d'être* of the State is for the preservation and maintenance of the people, and for the provision of all human requirements in peace and prosperity (Lim 1915a: 96).

From the fundamental principles could also be deduced the appropriate rights and duties of the component parts of the State. The ruler is in theory “the viceregent of God.” He (never she) must “serve the State in the interests of the governed” and is responsible both to God and to the people (Lim 1915a: 96). The people have the right to life and liberty if they discharge certain definite obligations to the State. In return they are to receive protection, education and government. The reciprocal rights of the people also encompassed rights to justice, to property, to freedom of religion, and to a share in administration or self-government. The right to rebel against tyranny or misgovernment Lim, like Mengzi, considered “inalienable” (Lim 1915a: 97).

Lim Boon Keng readily admitted that these Confucian ideals had not always been put into practice during the course of Chinese history. He conceded that “tyrants have oppressed the people from time to time,” but pointed out that China was “not the only land where high ideals have failed to become realised to their fullest extent” (Lim 1915a: 97). Furthermore, even though Confucian principles had never been thoroughly applied in practice, yet they “had achieved greater moral results than any other system of religion or morals” (Lim 1913: 136). Even in “degenerate times,” when Chinese governments had become oppressive, no central government had dared to deny that the people were paramount. At the end of the last dynasty in 1911, even the Manchus declared when abdicating that the emperor yielded to the will of Heaven and the voice of the people (Lim 1913: 136).

Lim traced the democratic foundations of Chinese civilisation back to the earliest period of ancient Chinese history, or prehistory, associated with the emergence of culture heroes and sage kings. Like most Confucian scholars, he stressed the prime importance of this era, which laid the foundations and established the cultural patterns that would guide Chinese development for nearly five millennia. This period can be dated as approximately 2800 to 2200 BCE, before the first dynasty, the Xia dynasty (2100-1600 BCE). Lim characterised this formative period of Chinese history as one of social equality. For leadership, the people willingly gave their allegiance to a number of morally outstanding rulers. According to Lim, the principles of the sage founders of Chinese civilisation were “essentially democratic.” He regarded the kings of this time as moral exemplars and model rulers (Lim 1913: 134). These god-kings were altruistic and used their supernatural powers to improve the lives of the people. About two thousand years later, Kongzi and his disciple Mengzi talked a great deal about the merits of these legendary kings, endorsing

and preserving these ideas about correct political relationships and “thus imparting upon the politics and administration of China the democratic characteristics which distinguish Chinese institutions from those of the West” (Lim 1913: 135).

Lim Boon Keng most definitely did not look to Western concepts of democracy as the source of his ideas. In fact, the historical trajectory he described was one where the Jesuit missionaries who arrived in China from the sixteenth century were so impressed by Chinese political developments, “and with their profound democratic import,” that when they reported what they had seen in Europe, the Chinese model inspired the works of Voltaire, Montesquieu, Diderot and the Encyclopedists (Lim 1913: 138). For Lim it was one of the great ironies of history that these European philosophical works were then being imported into republican China and avidly consumed by Chinese as new insights.

Lim repeatedly drew contrasts between China and the West, always with a sharply critical eye on Western theory and practice. At times these contrasting pictures must have been unsettling for his European audience, threatening to overturn their preconceptions about the general hopelessness of the Chinese and the superiority of all things Western. For instance, Lim pointed to an immense gulf separating social relations in Europe and in China. Whereas in Europe there had existed slavery and serfdom until very recent times, “the free people of China have been contented with their domestic and village liberties” (Lim 1913: 134). Contrasting the Confucian conception of the State with comparatively recent Western notions, Lim insisted that “*L’etat s’est [sic] moi*’ is the very antithesis of the Confucian conception” and that “it is, from the beginning to the end, the very opposite of the prevalent idea of Machiavelli, that in the interests of the State the ends may justify the means, even if immoral” (Lim 1915a: 95). In making his argument for the consistency of Confucianism and democracy, Lim found the intellectual resources available within Confucianism sufficient to his needs. He was able to appeal to Confucian authorities such as Kongzi, Mengzi and Kang Youwei. He also referred to an idealised portrait of a Golden Age with democratic characteristics in the distant Chinese past. On these bases he was able to draw unfavourable comparisons between Europe and China, in terms of both theory and practice, explicitly challenging Western claims to own democratic thought. In spite of the unconducive environment in which he lived, Lim Boon Keng was able to deploy the resources of religion to mount a challenge to autocratic rule.

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Is Faith a “no go area” in Modern Politics? A Case Study of Newly Elected MPs in Western Australia’s State Parliament.

By Martin Drum

Introduction

It has been recently suggested that Parliamentarians are invoking Christian beliefs with increasing frequency within Australian public life. In particular, it has been suggested that these beliefs have been used to justify their policies and decisions. At the most recent election in Western Australia in September 2008, a number of new Members of Parliament were regarded as having strong links to Christian churches. Indeed, one newspaper article labeled these MPs as “a god squad of devout Liberals”. Given the above discussion, it is worth considering, 18 months after their election, what sort of rhetoric these members use in public life, particularly in parliament, when explaining their values and decisions. The evidence suggests that while these Parliamentarians hold strong religious views, they are careful to use more secular language when justifying their political stances.

Politicians invoking religion?

A recent article by Annabel Crabb has suggested that Australian politicians are invoking religion on a much more regular basis. Crabb’s research suggested that the use of religious language increased over the period between 2000 and 2006 (Crabb 2009: 263- 264). Christian beliefs were by far the most cited. Whilst Crabb’s research revealed that Prime Minister Kevin Rudd was the single politician most likely to use refer to his faith, Liberal and National MPs were overall more likely to cite Christian beliefs. Warhurst’s overall assessment of religious expression during the Howard era supported this notion (Warhurst 2007: 23-24).

A “God-squad of devout liberals”?

Following this an article appeared in the Australian in April 2009, arguing that a god- squad of devout Liberals preaching morality and Christian values in a parliament better known for misconduct and lewd behaviour was shaping as a new force in West Australian politics (O’Brien 2009). The four MPs named as part of this “god squad” were Peter Abetz (the Member for Southern River), Ian Britza (Morley), Tony Krsticevic (Carine), and Albert Jacob (Ocean Reef). The four MPs concerned entered parliament at the same time, represent the same party, occupy a backbench position and all alluded to their faith in their maiden speech. Interestingly, all of the members except Mr Krsticevic can be described as marginal seat holders, as they contested and won seats that had been notionally Labor prior to the 2008 election. These parallels in parliamentary experience, party affiliation and political reality make them an ideal group to analyse.

The exact nature of these parliamentarians’ faith is not in itself the focus of this paper, nor is there attempts to draw broader conclusions about the appropriate role of faith in politics, as these questions are too broad to address adequately in this study. This paper instead focuses on the rhetoric they use to justify their faith and what language they consider appropriate for the public arena. The principle methodology employed is the use of one-on-one interviews with each member as a means of understanding the importance of their faith as an influence on their decision-making, and analyzing the context in which they refer to their beliefs in public life. Given the above similarities in their circumstances we might expect to see a degree of consensus about their approach to these issues. What emerges however, is that the differences in emphasis are just as significant as any such level of consensus. It is clear that we should be wary about prematurely drawing conclusions concerning MPs faith and their approach to public life. When exploring the circumstances in which parliamentarians choose to use faith-related references, the evidence would suggest that the instances are relatively limited.

Faith as a motivation for entering parliament

If one were to look for an obvious “god squad” member of the Western Australian parliament, Peter Abetz, the Member for Southern River, would appear to fit the bill. He was an evangelical Minister for 25 years before entering parliament and still preaches occasionally when time permits. Indeed Abetz’s background and profession meant that he found himself talking readily about his faith with potential constituents while campaigning, since he was frequently asked about what his occupation was. Indeed Abetz pointed out that he was “half-expected” to explain his faith when describing what he stood for (Abetz 2010). Yet, like most members of parliament, Mr Abetz had worked in more than one field before entering parliament. He is an agricultural scientist by training, having completed an Honours degree at the University of Tasmania. After finishing his studies, he worked for several years as a farm advisory officer (Abetz 2010a). He is also not

unfamiliar with the political process, being the brother of prominent Liberal Senator for Tasmania, Eric Abetz.

Mr Abetz was the most explicit about his faith when making his maiden speech in parliament. At the time, he attempted to explicitly address the issue of how his faith would affect his performance as a member of parliament. There he identified several notions as being intrinsic to his motivation to enter politics. He spoke about every human being as made in the image of God, and of the importance of the Judeo-Christian ethic. He also alluded to specific moral laws, handed down by God (Abetz 2008). It would be fair to say that these were the three core principles of his belief system that he felt comfortable in putting on the public record. These were the same principles that he constantly reiterated when interviewed.

The second member of parliament who made mention of Judeo-Christian values both during his maiden speech and our discussion was Ian Britza, the Member for Morley. Mr Britza likewise had nearly 30 years of experience as a pastor in evangelical churches, both in Australia and the United States prior to entering parliament. He enjoyed a degree of fame in his former occupation, hosting a weekly television program and publishing a book on the issue of disloyalty in church leadership (Britza 2004). He has also run his own business. Mr Britza referred explicitly to the importance of Judeo-Christian principles during his maiden speech (Britza 2008). In particular he argued that these principles are crucial to his understanding of what is “right” and “wrong”. Mr Britza reiterated these statements when interviewed, arguing that this sense of right and wrong is intrinsic to notions of justice, and is derived from the bible (Britza 2010).

The third member interviewed was Albert Jacob, the member for Ocean Reef. At just 30 years of age, he is the youngest member of parliament in Western Australia. This does not mean that he was unfamiliar with politics or public life however. From 2006-2008 he served as a ward councilor in the City of Joondalup, representing an area similar in size and location to his present electorate. In fact, he states that he has been involved in politics since 2002, and active within the Liberal party since that time (Jacob 2010). Like the other members in this study he also has a professional background. He worked as a horticulturalist before completing a Bachelor of Environmental Design at the University of Western Australia. He has worked as an architect, and has run his own business (Jacob 2008; 2010a). In his maiden speech, Mr Jacob thanked God for what he believed to be a “divine opportunity” to serve (Jacob 2008). Yet he now feels that this reference received an inordinate amount of attention after his maiden speech, arguing that his core motivation for entering parliament was to serve in the public interest (Jacob 2010).

The final member of the so-called “god squad” was Tony Krsticevic, the member for Carine. Mr Krsticevic’s background was rather different from that of both Mr Britza and Mr Abetz. Born in Croatia, he moved to Perth at the age of three. He completed a Bachelor of Business degree, majoring in computing and accounting. He subsequently spent 20 years working in the Australian Taxation Office (Krsticevic 2010a). Although he also used his maiden speech to thank god for making his election possible, Mr Krsticevic was very keen to point out during his interview that his faith could not be separated from other influences, arguing that the whole picture needs to be considered together in explaining his motivations (Krsticevic 2010). Unlike the other three members Mr Krsticevic is Catholic rather than Evangelical. Whilst the focus

of this paper is on the rhetoric used by these parliamentarians rather than their actual beliefs, it was evident that his Catholic beliefs influenced the way Mr Krsticevic described the link between his faith and public life. There was a distinct focus on good deeds as a key motivating factor as he emphasized helping people as his reason for entering politics. Mr Krsticevic's way of explaining his faith was to talk about it in terms of the moral foundation he believes is important (Krsticevic 2010). Faith was just one of several different sources for this moral foundation.

When dissecting the stated motives for these MPs entering politics it is clear that for some it was more central than others. In addition, as an influence on their political life it had to compete with a range of other influences and life experiences. Even those MPs such as Mr Abetz and Mr Britza who had lengthy periods as a pastor had professional training and experience in other areas. Unsurprisingly these professional backgrounds remain very relevant in terms of policy interest and focus, thereby providing alternative foci during their parliamentary careers.

Discussing faith in public life

Mr Abetz was the most forward of the group when it came to describing the appropriateness of using rhetoric related to his faith when in public life. In fact, he stated that he would try to bring it up as often as he could, on the proviso that it wasn't offensive. (Abetz 2010).

Mr Krsticevic as a rule believed that it was not appropriate to bring up his faith explicitly in most electorate functions, but there were instances where it was. On certain occasions he goes to a Catholic Primary School which is linked to the church he regularly attends. He is also a vicar for the youth within that church. In this instance he was already involved in interacting with young people, before becoming a member of parliament. When then visiting as their elected member of parliament at Christmas he spoke about his involvement with their school through the church, and seeing them on Sunday (Krsticevic 2010). In this instance his role as a member of parliament did intersect with his role as a member of a church on Sundays. Mr Britza had a similar experience with a group of Burmese Christians whom he originally visited when representing the Premier. After realizing that they had that they had their Christian faith in common, Mr Britza has since been invited back on his own account (Britza 2010).

Mr Krsticevic and Mr Britza's experience provides an interesting contrast with that of Mr Jacob in this instance, who maintained that he hasn't been to a single function as an elected MP where he has mentioned his faith. Even though he has a large Catholic congregation in his electorate, he said that he hasn't mentioned it there either (Jacob 2010). This contrast could be explained by Mr Krsticevic being more comfortable speaking about his Catholic faith in a Catholic context, than Mr Jacob whose background and faith is different. Mr Jacob admitted that attending Catholic functions was a rather different environment to that which he had experienced before and that he had to take advice from his wife in order to understanding aspects of their faith (Jacob 2010).

The common thread here is that most members concerned feel comfortable in referring to their faith in those audiences that have already been exposed to it, such as churches and religious schools. In these instances it was not only deemed an appropriate thing to bring up but it represented an opportunity to encourage those audiences to place greater value on their faith. Both Mr Krsticevic and Mr Britza, stated that it was an opportunity to inform that audience that their faith was important and something to be valued (Krsticevic 2010; Britza 2010). Outside of these circumstances however, they did not feel that it is appropriate.

Discussing faith in parliament

Despite the fact that all four participants readily referred to their faith during their maiden speeches in November 2008, not one of this “god squad of devout Liberals” has mentioned it in parliament since that time. There is a temptation to see this nonappearance as coincidental, simply due to a lack of opportunity or relevance. But in fact, each Member when interviewed specifically rejected the notion of raising it in parliament outside the maiden-speech context. Mr Krsticevic specifically rejected using his faith as an argument during parliamentary debate, arguing that it would be inappropriate (Krsticevic 2010). Albert Jacob said that it would not be wise, and Ian Britza said that he was extremely unlikely to mention it. Mr Abetz has only once mentioned his former role as a pastor in parliament, during a conscience vote on surrogacy. In this instance he spoke about the role only in terms of his responsibilities in counseling parents, rather than suggesting that the role of being a pastor in itself influenced his views (Abetz 2008a).

Using more inclusive language to justify decision-making

Writing on the Drum, ABC’s online opinion site, reporter Chris Uhlmann recently argued “in Australia’s marketplace of ideas a politician who makes a case for God risks ridicule. It is particularly dangerous if the politician is also a conservative.” (Uhlmann 2010). There was a virtual consensus amongst the participants that mounting arguments in the public domain based directly on the bible or their faith was not their preferred course of action. Mr Britza said that it would be “dangerous” for him to do that, whilst Mr Abetz said that he would be considered a “dork”! (Britza 2010; Abetz 2010) Instead all four participants said that they had broad sets of values and beliefs which they used to justify their decision making. There were similarities in the language used between Mr Abetz and Mr Britza when it came to the term “Judeo-Christian values” (Abetz 2010; Britza 2010). Both used this term frequently during the interview and both stated that they were comfortable in referring to the term at public functions. Mr Britza also expressed his liking for the term “common Christian heritage” (Britza 2010). Mr Krsticevic argued that his faith was part of a collective set of principles upon which he operated (Krsticevic 2010). Mr Jacob took a different approach, saying that if he felt obliged to mention his faith he would do so by describing it as his personal experience rather than that of others, so that it was clear he was not pushing it onto the broader community.

The employment of such terminology is hardly surprising given the need to communicate their message to a broad audience. Brennan argues that even though many Australians think that religion is a private affair and should be kept out of politics, they “are not troubled by the occasional public claim that Australia’s laws and policies are informed by values imbedded in the Judeo-Christian tradition” (Brennan 2007: 17). Maddox also describes a tendency to avoid using explicitly religious language so as to not alienate secular voters (Maddox 2005: 68). More inclusive language enables parliamentarians to share their beliefs in the public arena, whilst at the same time avoiding offense to non-believers.

Conclusions

It is evident that whilst all of the members who participated in this study openly mentioned their faith in their maiden speeches, they have rarely referred to it directly since that time. Indeed they singled out their maiden speeches as special circumstances which required them to state who they were and what had influenced them. All of the members concerned were acutely aware that simple citation of the bible or church doctrines in public debate would not be an effective means of getting their message across in a modern secular society. There were also varying levels to which their faith influenced their decision-making, but even when it did, alternative more inclusive terminology was employed, such as “Judeo-Christian values”, “our cultural heritage” and personal “life experiences”. Whilst this study is very limited in scope, it does suggest that our parliamentarians, even those inspired by faith, are firmly grounded in the political realities of the day which dictate that their positions be justified in language which most people can relate to. Ultimately reaching a broad demographic in the community is more important than securing the “religious” vote. The fact that three of the four members hold marginal seats is especially relevant here, as they have an extra incentive to win and retain broad community approval. The reality though, is that the vast majority of elected representatives are loathe to antagonize their electorate, whatever their margin is. I would suggest that a wider study would reveal similar traits.

The study also highlighted many differences between the Members who participated. As former pastors Mr Abetz and Mr Britza were more expansive when referring to the relevance of their faith, and more likely to raise it in circumstances where they felt it appropriate. Because of his background, Mr Abetz in particular was questioned about it in a range of different contexts.

Both Mr Jacob and Mr Krsticevic were more reserved when discussing their faith, and more inclined to emphasise other influences on their political life. These two MPs are younger and would be expecting longer careers in parliament, perhaps with an eye toward leadership roles in the future. Whilst careful not to dismiss their faith as irrelevant, they were particularly keen to dispel any suggestion that it would compromise their ability to make impartial judgements or prevent them from representing the community more broadly.

All of the MPs concerned are well aware of the dangers of being stereotyped as one-issue activists. The

fact that none of them have referred to their faith in parliament (and rarely in the community) and are generally wary of doing so in the future would further indicate that they are unlikely to be found regularly lecturing the public on the importance of Christian teachings. The secularization of our broader society would suggest that this would be an inappropriate path for them to venture down, and they seem well aware of this themselves.

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“But do we get our money’s worth?” The Usefulness of Religion to the Nation Building Process in Australia and East Germany.

By Dominic Fitzsimmons

Both the German Democratic Republic and the Commonwealth of Australia have had a curious fixation on the nation building process. In order to convince both their own citizens, but also other nations, both the GDR and Australia had to rely on preexisting symbols and narratives which on first glance seem surprising. However, what is most curious is that both nations used sport and religion in similar ways to build the nation. While this paper concentrates on religion, it is sport which provides the framework in considering the usefulness of religion to the nation building process.

This link between sport and religion, and the nation is a familiar story to many diasporic Irish Catholic families, particularly in the nations formed out of the British colonization process. I remember an old Irish Catholic priest in my suburban Australian childhood, Fr Greg Butler, exploring many times during sermons how faith and sport were interlocking metaphors, out of which grew a certain kind of unity between peoples. To me the idea of the nation was intimately linked to sport, and there was a special resonance whenever ‘one of us’ was doing well.

This feeling underscored the dilemma that although Catholics were a minority group in Australia, they constituted a universal imagined community – borrowing Benedict Anderson’s phrase - based on shared rituals, beliefs, signs, words and images. The Catholic view of the world in Australia then encapsulated the belief that not only could there be a secular nation-state, but other communities of belief coexisted with, but also reached beyond, these national boundaries and allegiances. I was lucky to grow up in a time and place when allegiance or loyalty was rarely in question. I could dream of playing football for Australia, while also not having to consider that being Catholic would get in the way of this. But I knew that this feeling was a rare experience in both Australian and broader world history, particularly when my father’s

family all came from Northern Ireland.

In a curious coincidence Australia's first match at the World Cup (Soccer) Finals in 1974 was against East Germany (GDR). I remember as a 7 year old the excitement of reaching the finals for the first time, yet, now it seems incongruous that these two nations should meet in what was an auspicious occasion for both nations. For the GDR reaching the World Cup Finals also signified a certain recognition of the nation as legitimate. Yet, the more I look into this match searching for similarities, the more I find. For example, the GDR model of institutes devoted to rigorous training to ensure national glory, was replicated in many countries, including Australia. So while sport was the first element in common, what also stood out was the role that religion played in the nation building process in each country. Yet, as I will argue, it is better expressed that religion was 'used' in both the GDR and Australia as an instrument in building the nation.

While I am focusing on the building of a 'nation', for both countries, what was also at stake was the viability of the 'state'. The establishment of a functional state based on a national entity where none had previously existed, was a challenge for both a decolonized Australia bound into the British Empire in 1901 and the creation of East Germany under the auspices of the Soviet Union/Warsaw Pact in 1949. So, while my arguments may traverse both concepts my intention is to focus on the nation, rather than on the state.

This paper then considers not just that religion is useful, but asks the question whether it has delivered on this usefulness. In the case of the GDR, perhaps it was of less value than in the Australian context. My departure point is this concept of usefulness; by this I mean the extent to which religion played a role in the ongoing creation of the nation. I am not arguing that religion in either case was a determining factor, and it is clear that if the nation cannot exist for other reasons, then religion is not going to help. So, the subtitle is deliberately sober, almost utilitarian, shorn of any romantic imagery whether in the style of Fanon or Renan. I want to convey the point that religion in the two examples provided is often less about the rhetoric of transcendent belief systems, and more associated with the power of religious symbols, imagery, and structures in everyday society. So, I am arguing that the residual power of religion is more important because it lends prestige to whatever social, political or economic project is at hand. To be more specific, its importance lies in the art and craft embedded within religious belief systems of persuading people to side with or support overtly or covertly, or at least be ambivalent to a certain position.

Recently, Robert Kunovich (2006) investigated the role of religion in the building of national identity. He provides three reasons why religion would be important to the nation (437-9): first, the overlapping nature of elements of identity common both to religion and the nation; second, religion acts to 'reinforce' certain characteristics which together help to build the national identity; and third in more political terms religion provides organizing structures which enable efficient 'group mobilisation'. Each reason alludes to the contingent nature of the relationship between the nation and religion, that while each views the other suspiciously as a contender for the same political space, both can recognize the self in the mirror.

In this paper I will investigate how the Nation (or at least the nation state) has used these elements of religion to further its own position. This paper is divided into two different sections following Kunovich's

definition above, without dealing in any detail with his notion of group mobilization through institutional structures. First, both share a common discourse in that they are imagined (Anderson 1983) or invented (White 1981). Second, religion had already laid down a field of symbols, rich in power and reaching back into time, which were ripe for reappropriation by the nation.

Imagined and invented

Both Australia (1901) and the GDR (1949) can be categorised as relatively recent attempts at nation building. Benedict Anderson's discussion that the idea of the nation is a modern project or at least a result or modernization of relationships of power is compelling. It makes sense in trying to explain the demise of multinational empires or faith based states with the development of capitalist means of production in which the market becomes the determinant of value. Yet, I would like to work from Anthony D Smith's (1992) contention that while the nation state is relatively recent, the nation draws on far older means that people have used to identify themselves, such as the 'etnie' or the Venerable Bede's 'gens Anglorum', or what the Romans referred to as 'natio'. We can see in these the prototype of the modern nation, which Eric Hobsbawm (1990, p46) referred to as the 'protonational feelings of collective belonging'. This is close to Smith's understanding of the sometimes unconscious feeling of collective belonging which characterized the will to build a nation. This definition is very close to my earlier assertion about the catholic community; it was collective, vast and deeply layered with some kind of mystical or intangible connection which kept it all together.

A better way of explaining this connection is to lean above all on Anderson's compelling idea that the nation is invented. As it is something we cannot experience by our own senses alone, we have to imagine its scope, and thereby its complexity. A further way of thinking about this notion is that by recognising that the nation is invented also helps to reveal the diverse and multilayered interests involved in building and maintaining a nation. Australian historian, Richard White (1981) has used a similar idea in his analysis of the images used to describe Australia as a nation. He writes of inventing Australia in the same way that the nation is an imagined community. The importance of this is that somebody or some collectivity must have done the imagining and inventing; that some agency is at hand. Additionally, the nation cannot be invented out of thin air, but out of the solid fragments of previous nation building activities.

This process can be seen in the origins of both the GDR and Australia. The rationale for the nation is not enough; it requires symbols to represent power, unity and other principles which underline the 'need' for the nation to exist. Fulfilling this need is precisely what makes religion useful. Religious belief systems have long filled this gap between the reality of everyday life and the longing for a certain kind of imagined community: the divine rights of kings; the chosen people; the manifest destiny; the white man's burden, have all being connected to some kind of religious practice. All these terms in some way imply that forces outside of humanity were at work in building the nation and more importantly bestow a certain kind of legitimacy for why the nation is built here in this place and this time.

In Europe the doctrine of territorial religion arose from the ruins of the 30 Years War. The Treaty of Westphalia in 1648 used religion to create a certain kind of peace. In order to prevent further armed conflict on the basis of religion, each state gave preference to a certain form of religion; in time this partly led to the establishment of state and then national churches. What is important is that the foundation for the later evangelical 'Church in Socialism' in the GDR had already been laid. Furthermore, the attitude of various Prussian rulers in the 18th Century indicates that religion was less about practices of faith and more about using religious obedience to the end of building the nation, as indicated ironically by Friedrich the Great: "anything which kept the masses quiet was too useful to be discarded" (Craig 1970: 96).

What is a curious similarity between Australia and the GDR is the official attitude towards religious toleration. Both nations decided to 'tolerate' religious practice, and simultaneously prohibit the establishing of a national church or religion. To a considerable extent, this is a purely rhetorical position, as Australia is considered a nominally Christian nation, and the GDR as a secular state-socialist nation. Yet, the rhetoric holds some value in the debate over what kind of state to live in. Perhaps also what was occurring was to draw people away from a faith-based allegiance and direct them to one based predominantly on the nation:

Australian Constitution s116

"the Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Commonwealth."

GDR Constitution

Religion and Religious Institutions –

Art 41.1 guaranteed freedom of religious belief and practice for all citizens

According to Sabrina Ramet (1998), who has researched the legacy of the Cold War and religion across Central and Eastern Europe, while Communist authorities in the GDR wanted to control religious associations, they employed a number of different means to compel these organizations to 'adjust'. Their usefulness to the nation building process depended on how they were categorised by the authorities: first, "legally recognized, co-opted associations", second, "legally recognized associations treated with distrust, kept at a distance but tolerated", and third, "proscribed organizations" (Ramet 1998, p.5). As noted by many scholars in this field, the state set out to use religion, as much through negotiation as compulsion. The church was often seen as a mediator between dissident groups and the governing organs; or as seen

as a space in which dissent could occur but under the surveillance of the state. The government allowed religious ministers exceptions to the travel bans, used them as quasi-diplomats in development projects in Mozambique and Angola, were allowed to teach at universities, and had access to printing offices. Perhaps in the end it is accurate to assert that most religious figures had a stake in the status quo, and therefore argued for moderate change, rather than revolutionary change in 1989. Perhaps not surprisingly, the religious organizations were just as disapproving of the goldrush consumerism of 1989-1990 as the leftovers of the Communist state.

At first glance Australia seems a quite different place, but a similar form of pragmatism took root here in the colony of New South Wales. Perhaps there is no better example than the decision to reject the idea that the Church of England should be the official religion of the colonies. This decision also set the tone for the later separation of church and state in Australia. Rather what was agreed to by a perhaps far seeing Governor Bourke in 1840 was that the three major Christian denominations (Church of England, Roman Catholics, Presbyterians) would have equal status, and equal funding (Hirst 2005). Although practically the Church of England was the faith of the Crown ('Defender of *the* Faith'), the threat from Roman Catholics of a concerted religious/ethnic challenge was blunted. In a sense, John Hirst argues, the Catholics were co-opted into the far grander project of building a new nation. He asserts then that this is an example of why the religious turmoil of Europe of the 18th and 19th century never found much fertile ground in Australia. Indeed, he maintains perhaps with some justification that this co-opting of Catholics (particularly Irish Catholics) into the mainstream by slightly changing the rules of the game which allowed a better deal than they had in Ireland or Britain, set the tone of 'tolerance' for the building of a multicultural society post World War II. This agreement lasted until the 1870s under pressure from other religious groups, and in the light of negotiations for a national constitution a new formulation was proposed in which the church and state were to be separated and religion would be seen as either a private matter or one for each community to decide on for themselves rather than having a solution imposed by government.

Religion then becomes useful because it provides an already existing conceptual framework about how to think about an imagined community; as well as a model of exercising power and ensuring allegiance without having to do too much work. The explanation for obedience exists within faith itself.

The Symbols of Religion

It is often written that the symbols used by the nation are merely 'secular versions of religious symbols' (Weissbrod 1983). But it is not that they are simply substitutes carrying the same kind of emotional and political power. Rather such symbols are deployed to enhance a process of nation building which is already underway. It is as if the nation only has shallow roots and needs to call on the heavy duty deep rooted ties that religious symbols possess in order to convince its own people and others of the seriousness of its nation building project.

Graham Seal (2007) has researched widely about the significance of Anzac Day in both contemporary Australian society and in its contribution to the building of the nation. In effect, many of Kunovich's arguments could be equally applied to Anzac Day, particularly in the way that its mythologisation relies heavily on already existing religious symbols, such as the ritualistic use of flowers on burial ground, memorial services, and a national holiday ('holy day' – once known as the 53rd Sunday). As Seal writes lyrically that there is a quasi-religious service with "a prayer-like moment in which no prayer is uttered" (140). Seal is reworking ground already dug by Ken Inglis, CW Bean and other Australian historians, but gives this process a name: the sacralisation of the secular. Religious symbols are used because they are part of the cultural resources that Australia had already acquired by British-European traditions. In this sense religion lays out a blueprint similar to Edward Said's 'textual attitude' (1978). We know how to think about the importance of Anzac Day and its relationship to the nation because the symbols of blood sacrifice of the young and innocent, is familiar from Christian and non Christian mythology.

The symbols of the GDR also borrowed from that which was already known: the hammer and the compass bordered by a ring of rye were symbols of skilled labour: the blood and sweat of the worker, the intellectual and the farmer. Here the secular symbols became the ersatz religious symbols, as they were also designed to ensure the power of a common narrative. And importantly, this narrative was designed to be to be the antithesis of Nazi Germany in which mainstream German Christianity was complicit through silence. Additionally, the biblical injunction to turn swords into ploughshares as a transformation from war to peace was certainly an important discourse markers used by the new Socialist State. Less coincidentally, this symbol was used as a name by a peace and environmental group in the 1970s established under the auspices of the Evangelische Kirche (Protestant Church) in the GDR. Perhaps it could be argued that these symbols of the nation became important as a rallying point, a marker of difference of the group, or better described as a form of 'boundary maintenance'.

Conclusion

A final word in this paper is that often religion has called in its favours to achieve its own ends. An important example in Australia is the issue of state funding for religious schools. This debate has been won to the advantage of religious schools, but it was clever political manoeuvring which managed it, particularly by the Catholic schools. Up until the 1960s there was no significant national funding of Catholic schools, but the threat that Catholic schools would close their doors, temporarily flooding the public school system, caused a fundamental realignment of what the nation would fund in terms of education. The question of course arises whether this contravenes s 106 of the Constitution, but it would be difficult for the two major parties to initiate this kind of public debate. Perhaps the power exercised here by the Catholic Church (a power that perhaps a Muslim organization could not exercise at the moment) is a clear contrast to what East German churches were able to do. It seems to me absurd to argue that the Church in East Germany caused the downfall of the Communist state as proposed by Kuhnle (2008) – because like a medieval state it became closely entwined with it. Although both countries were constitutionally without official

religions, the role that the Church played in politics was quite different. Yet, pragmatic decisions were made so that religious symbols and organizational structures became useful in winning the battle of ideas over legitimacy. For both the GDR and Australia, sport has been a more successful way of binding the nation. Changing attitudes and behaviour is a long game which requires both a powerful rhetoric and practical measures; in brief, religion is useful, but it is questionable whether the nation gets its money's worth.

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Reconstructing Iraq: Iraq State-building, Nation-building, and Violence.

By Hawzhin Azeez

Abstract:

The article argues that the failure of post-conflict reconstruction is directly linked to scholars' lack of attention to the difference between state-building and nation-building as two distinct activities requiring separate, though often connected policies.

The prominent reconstruction failures of cases such as Iraq and Afghanistan as well as others start long before preliminary plans are drawn. The dominant trend within state-building is the lack of pre-conflict planning which eventuates into subsequent uncoordinated post-conflict preparation that yields little constructive results. Lack of pre-conflict planning may involve lack of awareness of the complexity and often interlaced sources of conflict or inadequate security forces on the ground. Because of such tendencies there are more 'failed' cases than successful ones, where the post World War II examples of Japan and Germany are widely viewed as the epitome of successful reconstruction. Yet for various complex reasons the success of these two cases have been near impossible to replicate. The urgent question is why has it been so difficult to replicate the successes of these cases?

Scholars have failed to understand where the inconsistencies that plague state-building activities start. For instance Michael Barnett (2006:89) argues that the reconstruction of post-conflict societies has evolved to entail 'liberal peacebuilding,' to such an extent those leading such missions have often repeated the mistakes of attempting to first develop a strong society that could counteract the arbitrary use of state power in the future. Barnett goes so far as to argue that the state-building donor community desires a minimal state, with a strong civil society that would balance state authority. Barnett moves on to present what he calls republican peacebuilding as the answer to the failures mentioned above. Such a process would entail institution building that would promote legitimacy and stability when/as society begins to transfer their consent to such institutions. Barnett's study embodies several problems endemic in state-building literature. Firstly he fails to recognize that reconstruction processes involve a high level of state-building

rather than nation-building as he suggests above. Secondly, if reconstruction processes were to entail building a strong nation, through civil society development for instance, would it not naturally lead to a bottom-up form of democracy building which some (Carens 1993) have suggested are the most stable forms of democracy building? Instead Barnett argues for a top-down form of democracy development, failing to recognize the level of resentment that local communities feel at outsiders imposing foreign forms of political institutions. Finally, he involuntarily juxtaposes nation-building with state-building viewing them as essentially non complimentary practices.

Scholars and policymakers need to differentiate the distinction between state-building and nation-building as dissimilar, though interconnected, activities requiring distinct policies as part of the wider reconstruction process. Indeed if the empirical reconstruction of post World War II Japan and Germany is simplified into this state- building and nation-building divide, the policy and planning mistakes of some of the more recent cases become apparent. The success of Japan and Germany lie in the fact that the reconstruction process in these two cases directly revolved around rebuilding the *state* and its relevant institutions along liberal democratic values. There was indeed little need for nation-building because both states entailed fairly homogenous nations within their state borders. The process therefore entailed reconstructing appropriate democratic institutional frameworks that would supplement state capacity. There was little requirement to rebuild a nation of people because of the inherent homogeneity of both states and because the nature of the conflict that led to Western nations reconstructing these states did not involve internal civil, ethnic and sectarian conflict. Additionally, in contrast to the majority of other reconstruction cases, Japan and Germany were on the one hand relatively economically developed and on the other hand had been thoroughly defeated by the allied forces leading to a level of compliance that has rarely existed in subsequent cases.

These cases point to two particular themes: that some cases may require an emphasis on rebuilding the nation rather than the state and vice versa based on the specifics of the case; and that more importantly nation-building as a distinct and separate activity needs to be involved in state reconstruction and should indeed accommodate that process. Yet there is a consistent failure to see the distinction in the reconstruction process as concerning two elements- on one level there needs to be horizontal reconstruction of communities that in some instances had suffered decades of internal strife; while on the other hand there needs to be a simultaneous vertical line of institution and capacity building within the state. Therefore the question is not so much that of defining such activities as either state-building or nation-building but that in fact such practices involves *both*. Experts in this field need to recognize and establish distinct policies that aim to reconstruct a nation as well as processes that aim to strengthen state capacity precisely because the failure of such states entails structural weaknesses on both levels.

This failure, however, has been supplemented by leading authorities in the field who are concerned with defining the reconstruction of weak and failing states as either state-building or nation-building. James Dobbins et al, through the notable think-tank Rand Corporation's various publications (2003, 2005, 2007), as well as political economist professor Frances Fukuyama, denote this discipline as nation-building. Wang (2005), Jenkins and Plowden (2006), Donini, Niland, Wermester (2004) all concur with this labeling. In

contrast Chesterman (2004), Belloni (2007), Paris and Sisk (2009), Herring and Rangwala (2006) as well as Zaum (2007) label this discipline as state-building. Only a handful such as Fukuyama, Zuam and Chesterman have made any attempt to differentiate the two terms through a critical analysis of the difference between state and nation.

In complete contrast, the United Nations has often labeled such activities as peace-building which serves to highlight the general lack of consensus in the field. However, considering some of the more colossal failures witnessed in the operation theater it is no longer adequate to allow the two (three including U.N's preference for the term peace-building) terms to assume synonymy. Indeed it is essential that the two terms are analyzed and viewed as totally distinct though associated activities.

The propensity to equate state-building with nation-building as synonymous concepts ensures that state-building takes precedence over nation-building activities and is essentially seen to encompass the latter. This further suggests that state-building literature is fraught with the misconception that state-building will inevitably lead to nation-building. However, rebuilding a state does not necessarily imply the development of a sense of nationalism or nationhood. The reconstruction process in Iraq involved activities tailored towards reconstructing the 'state,' rather than the 'nation,' which inadvertently left many of the initial sources of conflict (such as ethnic strife, religious and sectarian insecurities, claims to the oil rich city of Kirkuk, war and authoritarianism) in place.

The U.S. led state-building process entailed plans to develop a free-market economy, establishing rule of law, ascertaining security, democracy-building and imposing transitional administrators; essentially state-building practices that are designed to establish the institutional and foundational elements of 'stateness'. In contrast there are often relatively little activities that are aimed towards nation-building. Nation-building often entail reconciliatory processes involving public trials of war criminals and truth and reconciliation commissions that are aimed towards addressing some of the collective psychological and emotional pain within the nation. De-ba'athification and the public trials of war criminals including Saddam Hussein were some of the more prominent examples of nation-building in Iraq. It is important to note, however, that such activities are rarely ever defined as actions that are aimed toward rebuilding the nation. They are often seen as part of the collective process of reconstruction with little insight into the difference in rebuilding a state and rebuilding a nation.

The study of cultures and its associated semiotics provide great insight into the political culture and history of a nation. It is therefore essential that nation-building entails a greater level of study for such reconstruction missions. The United States focus on reconstructing a strong democratic state entailed a strong emphasis on reconstructing the state with a lack of clarity to the cultural, religious and historical complexities of Iraq. A notable omission was their inability to identify significant actors and individuals who could influence the reconstruction process. The preeminence of stateness ensures that state-building donor community attempts to focus on actors who contribute to developing a stable state in the aftermath of conflict. Ahmad Chalabi was widely viewed as one such actor during the lead up to the 2003 war in Iraq. His involvement in the Iraqi National Congress (INC) and his close relations with key neoconservative

figures in the Bush administration made him a favored post-conflict figure in the post-Saddam Iraqi state (Kolowski 2005). Other notable figures included Iyad Allawi and Nouri Al-Malaki. Their endorsement and backing by the United State revolved around their anti-Saddam and anti-Ba'ath activities as well as their general endorsement of secular democratic rhetoric during their exile from Iraq (Ghareeb and Dougherty 2004:113). Some scholars have adamantly argued that “the transfer of power to elected institutions must always be regarded as the goal of a reconstruction process, but the participation of local actors in the transition process is crucial.” (De Brabandere 2009). Despite this, key figures within Iraq such as Ayatollah Ali al-Sistani and Muqtada al-sadr were however given little analytical attention and received even less endorsement or support in the initial reconstruction stages because for the most part they did not fall in line with the official semiotics and rhetoric of the donor community's state-centric expectations. The al-Sadr family had been active opponents of the Saddam regime and had suffered great loss for their activism. Considered as the ‘intellectual godfathers of Iran's Islamic constitution’ (Dekmejian 1995:123) Ayatollah Muhammad Baqir al-Sadr was the leading figure behind the establishment of the D'awa party that actively opposed the Ba'athist regime. His political and economic writings produced the ideological foundation of the party and marked Al-Sadr as a powerful political figure (Bengio 1998:99). Al-Sadr was also heavily influential in causing a ‘Shia Renaissance’ in the 1960's. It is arguable that considering the emphasis on the secular democratic discourse surrounding the state-building paradigm that it is not remarkable that such actors were excluded from the post-conflict reconstruction agendas in Iraq despite the fact that they had been active proponents of the regime.

However, the lack of attention that these actors received points to the endemic problem of adequate nation-building processes that is heavily subject to the ownership of the reconstruction process by local actors (Foulk 2007). Sachedina (2006) has noted that the state-building processes in Afghanistan and Iraq has failed to take into account the importance of religious values and norms in contributing to democratic development and reconstruction. Indeed the concept of religion is shied away from precisely because religion tends to contain exclusionary modes of citizenship that counteracts the nation and state-building behavior of the donor community. The lack of attention to the complex relationship between rebuilding state institutions and rebuilding some semblance of nationhood in Iraq led to the rise of religious actors who filled the power vacuum. Indeed the process of social control shifted from the state towards the religious centers of Iraq, where the traditional values of the state in retaining an army, mobilizing society, the establishment of judicial rule and collecting taxes were redirected and re-established through these religious actors effectively acting as what William Reno would dub a shadow state, which serves to challenge the generally accepted notion that religious actors are limited within the confines of civil society activism (Wardak, Zaman, Nawabi 2007, Borchgrevink 2007). Funke and Solomon (2002) argue that local actors who assume leadership of shadow states tend to profit personally from institutional weakness of the state and through corrupt means gain extensive personal wealth at the cost of a weakened society. What is presented here by religious actors has been a different case where local leaders have used religion as a source of solidarity and nationalism so as to keep the Iraqi state from disintegrating. Religious actors such as Muqtada al-Sadr and Grand Ayatollah Ali Sistani played a far more complex role, directly contributing to the nation-building and state-building process in Iraq through civil society activism, mobilization of the masses into supporting or opposing the reconstruction, providing aid, donations as well as guidance,

advice and fatwa's to refrain from violence, retaliation as well as to participate in democratic processes. Though the relationship between 'public violence' and religious ideologies are also perceptible in Iraq it is also highly plausible that these actors could serve as a source of self produced solidarity, legitimacy and nation-building. As Glazier (2009:66) notes the process of involving actors at the local level has led to a successful cooperative relationship between the Coalition forces and Sunni tribal leaders and Sheiks.

The state-centric reconstruction process has traditionally been concerned with the issue of legitimacy, which is increasingly being viewed as problematic particularly in Islamic states. The role of religion in state-building practices has received little attention, despite the fact that some of the more recent missions have been conducted in some of the most religious states. The omission is linked to various normative assumptions surrounding issues such as secularism and state-building precedence over nation-building and hence a general disregard towards culture and traditions of recipient states. Where religion has attracted attention, the discourse has revolved around the empirical concept of religious violence, fundamentalism and its various impacts as a motivational tool behind political behavior (Glazier 2009).

Ultimately any form of post-Saddam Iraqi governance will entail some elements of Islamic jurisdiction and laws. Various religious actors have increasingly and successfully advocated such a measure. Yet the reconstruction process and the resurgence movement have been viewed as a general vindication of Islam's inherently violent roots (Spencer 2007, Akbar 2002). This paper in contrast argues that the use of religious violence in Iraq is linked to legitimacy building and is indeed part and parcel of a successful reconstruction process where the Shia and Sunni communities attempt to forge their own sense of social consensus regarding which form of Islam the end state should adopt. In other words they are engaged in nation-building. As Barnett (2006) notes that the concept of legitimacy is fluid and culture specific so that legitimacy in accordance with Western states may directly conflict with local notions surrounding legitimacy. The question is how conceivable or stable will a newly reconstructed state be if the donor community does not take into account the expectations of Islamic communities as is the case in Iraq, in so far as that religion does not only provide moral guidance but also serve as the founding values that underpin governance?

On another level the sectarian violence that ensued is indicative of the unstable political communities that have been joined together through the penmanship of colonialism. Scholars have attempted to view religious and sectarian violence in Iraq through a study of religious content, in containing values that could be attributed to the reality of political violence often used in connecting that inherent call for violence with real political situations (Glazier 2009). Yet such analyses are limited because they attribute fault to the religion itself, when it is conceivable that any religion could be directed towards violence based on the content of Holy Scriptures. Rather these manifestations of religious and sectarian violence are more readily connected to inherent difficulties of state formation where different groups and communities attempt to forge often competing schismatic national identities. As Cole (2004) argues "nationalism is made not only by unity but by conflict, by struggles and compromises" (n.p.).

Indeed the processes of state formation in Europe have produced a similar relationship between violence and state-building (Holden 2004, Glete 2002), where "nationalist sentiments relate to a myth of origins

supplying a psychological focus for the unity of the political community; but any interpretation of origins that has concrete reference to the past is likely to stimulate as much tension as harmony, because of the diversity of cultural differences characteristically involved” (Giddons 273). Likewise, Rear (2008) argues that the initial stage of violence that erupts during reconstruction missions is similar to the initial state development processes of Western Europe. The violence that erupted between Sunni and Shia militants is considered to be part of an ‘empirical process of state-building’, and in fact is a necessary aspect of state reconstruction where post-colonial remnants of conflict are addressed through this violence as a method of attempting to develop an “organic political unity”(Dawisha 2008: 253). Other scholars have extended this argument further and have noted the necessity of these forms of violence, where the linkage between ethnic violence and the state-building process suggests that interference with that violence also interferes with the state-building process. In so doing, it not only perpetuates state weakness or possibly state failure and collapse, it also poses a fundamental challenge to the continuity of the state’s system and its state-centric premise” (Rear 2008).

As some scholars (Sachadina 2002) have noted the ‘disestablishment’ of Islam will only serve to destabilize the already fragile state further and will severely challenge the post-Saddam Iraqi state. Cole’s (2004) analysis of the sectarian violence and the influx of external jihadists into Iraq reflects this logic. He notes that the inwardly projected sectarian violence does not displace Iraqi nationalism, but rather “[s]ectarian groupings in the country do not see their religious identities as superseding their national ones”, suggesting that the violence experienced in Iraq is not endemic of an inevitable fracturing of Iraq but rather is more closely in line with the attempt to forge a national identity however violently and bloody that process may be.

The dilemma for the donor community lies in the conflict of interest that naturally arises when the recipient society demands a post-conflict governance that is aligned with their traditional and customary historical values, in this case Islamic Sharia law; and their own interests which corresponds more readily with liberal democratic norms that unmistakably entails a secular state construct. This predisposition is symptomatic of the state-building vs. nation-building partition where secular actors that have adopted the democratic rhetoric of the state-building community have been given prominence precisely because they are deemed to contribute to the institution building process that is central to the state-centric reconstruction model. The voice of religious actors have therefore been silenced or at best ignored because they often pose painful questions to the processes of institution, legitimacy and capacity building practices of the state-centric model.

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Round Pegs Into Square Holes? Governance and Non-Territorial Identity.

By W. John Hopkins

Abstract

The paper examines the current hard-bordered concept of the state and its inability to address the needs of non-national identities. The rise of European micro-nationalism in the latter half of the Twentieth Century led many to question the future of the Westphalian state. This paper examines this claim from the perspective of non-national identities and concludes that the essential elements of the model remained intact. In particular the territorial basis of the dominant governance model and the requirement of hard-borders remains the norm. For this reason, non-territorial identities were largely unsuccessful in their demands for constitutional recognition. The needs of such identities demand that such a shift take place, particularly if the spectre of exclusive territorial nationalism is to be exorcised. Yet the difficulties experienced by the few examples that exist in Europe emphasise the fundamental shift in approach that such a move towards soft-borders entails.

Introduction

The politics of identity has become rather unfashionable in recent times. In both popular and academic writings the claims of non-national groups for autonomy are often portrayed as a throwback to a pre-modern era. This brief paper challenges this view. Far from being an issue from our history, identity and its constitutional representation remains at the heart of most governance models. The nation-state in particular remains legitimised by reference to a national identity. Rather than supplanting identity politics, the nation-state merely privileges a particular form of territorial identity over all others (Tivey, 1981).

The problem for the current state model is that human identity is multi-faceted and overlapping. The single hard bordered territory of a nation-state cannot therefore legitimately represent all identities and

no arrangement of such borders ever do so. Only by adapting our concept of governance to recognise the multi-level and non-territorial nature of identity can we hope to satisfy the demands of non-national identities. This requires a shift towards a concept of soft-borders, with overlapping structures of governance focussed upon the individual rather than territory.

The continued dominance of the hard-border can be seen in the response of European states to the challenges of micro-nationalism in the latter half of the Twentieth Century. It is noticeable that those micro-national identities which have been the most successful in achieving recognition are those which have been able to mimic the hard-bordered requirements of the nation-state. At its extremes this drives such identities towards the creation of ethnically and religiously “pure” territories capable of calling themselves a “nation” and thus claiming the right to a state. The tragedy of Bosnia-Herzegovina is only one example of this phenomenon (Malcolm, 1996).

The only solution to this lack of fit between identities and states, is to resort to non-territorial and overlapping governance structures, capable of recognising different identities within the same territory. However, the few examples where a soft-bordered approach has been implemented have struggled to avoid applying a hard-bordered approach in practice. Although these examples may more accurately reflect the realities of overlapping identities their difficulties show the continued resilience of the dominant model. The requirements of identity may require a soft-bordered approach to the concept of governance but the legacy of the hard-bordered state is such that, although a shift is necessary, it will prove difficult to deliver.

The Concept of the Hard Border

The concept of the hard-border is so fundamental to modern ideas of governance that it often passes without comment. It is based upon the notion that all government can be exercised territorially. According to this approach, jurisdiction is primarily exercised according to the territory upon which an activity takes place. Where identity is part of the concept, it will be related to territory alone. Thus, if an individual is in territory A they will be subject to the laws and governance of the government of territory A, however it is organised. By crossing the hard-border into territory B, the individual becomes subject to the laws and constitutional structures of territory B. The basic elements of the concept can be summarised as follows:

- that governments exercised power over a territorially defined area
- that they claimed a monopoly of public power over the territory and the population within their borders
- that the territory is exclusive. i.e. All public authority is defined by the boundaries of the nation-state

The first element is self-explanatory. In general, the state is responsible for all individuals within its territory. It has control over the land within it and any other territorially definable features. It is a territorially

defined entity. The second element, sees the authority of the state as beyond challenge within the territory. Although some element of federalism may exist within the state, the state apparatus remains supreme. Finally, and most importantly for this paper, the state is hard-bordered. Where one jurisdiction ends, another begins.

The development of this model of governance, although intimately connected to the nation-state actually precedes that of the “nation” itself. Although there is some evidence of pre-nationalism the modern concept of “nation” emerged largely as a means of legitimising existing hard-bordered state structures (Orridge, 1981). The widespread acceptance of the hard-bordered approach to governance is generally dated to the Westphalian compact of 1648. This series of treaties replaced a soft-bordered approach of multiple allegiances and personal loyalty with an embryonic hard-bordered state model. In the years after 1648, a system of overlapping boundaries and inter-woven links of dynastic governance were replaced by a patchwork quilt of single jurisdictional territories. The reality of legal and constitutional unity within each territory was often more apparent than real, but the principle that legal boundaries started and finished at a fixed territorial border was nevertheless established.

This concept of the hard-border remains fundamental to the organisation of all legal structures around the globe. It divides the world into neat packages which define the application of all policy. Even supra-national and international entities will be defined as a collection of such units. These boundaries legally define most aspects of the individual’s life and identity. They define the rights we enjoy, the taxes we pay and the economic policy pursued, amongst an almost endless list. Most importantly, they also define who we are, at least in the eyes of the law. On one side of the border we are Poles, on the other we are Czech.

Hard Borders and Identity

The fact that many identities are not reflected in existing territorial governance models should not surprise us. The multi-faceted nature of identity cannot be captured by the single territory approach that is at the heart of the hard-bordered model. For this reason, the hard-bordered state manufactured its own, “imagined community” to match the territory of the border (Anderson, 2006). At the birth of the European hard-bordered model in 1648, states and empires continued to rely upon their previous justifications for their legitimacy. Reference to the demos was unimportant in a pre-democratic era. However, as such pre-democratic systems crumbled, states required a new form of legitimacy to justify their hard-borders. The paucity of existing identities capable of legitimising the post-revolutionary states in the 19th Century led states to create them (Dyson, 1980, p129).

France is the classic example of this process as in the aftermath of the French revolution, the issue of legitimacy became acute. The legitimacy of a republican government over the territory now known as “France” could not be based upon the pre-revolutionary regime. Neither could any cultural or normative identity be realistically be used to justify a single government in Paris. A large minority (and possibly the

majority) of the peoples over whom the new government laid claim did not speak French and whether they identified as French is open to serious doubt (Beer, 1980). In any event, they were given no choice. The state represented the French “nation” and the French state apparatus set about ensuring that the population was French. The classic French imposition of national culture and nation-building was to provide a global blue-print for the practice of nation-building (Gellner, 1983).

As Gellner states, those who did not conform with the nation-state identity promoted by the central authorities had one of two options – to resist or conform (Gellner, 1983). There was no middle way. The most obvious example of this was through the imposition of national languages on the non-national populations. In Europe this saw the near extinction of the various Occitan languages as well as the Celtic languages of the western fringe. In colonial states it saw the oppression of indigenous languages such as Te Reo Maori as well as the wealth of Aboriginal languages. The aim was the same, however. The nation-state brooked no opposition to its privileged culture (Tivey, 1981).

The discrediting of ethnic nationalist legitimation for the current patchwork of nation-state borders has led to alternative legitimation arguments being employed in the post-war era. The most vocal in the democratic world are those of self-identification. This argues that the nation-state represents a self-identified national community which exists within a particular territory. Given what has been said above, this is actually a self-fulfilling prophecy. It also has an underlying weakness. Even assuming that it is possible to assess such self-identification within the state, what happens when significant numbers clearly do not fully identify with it. More complex still are those identities that cannot be classed as national or do not follow territorial boundaries. How can the single territory nation-state claim to represent these non-territorial or non-national identities? The answer is clearly that it cannot.

Governance, Identity and Soft Borders

Until the latter part of the Twentieth Century the key argument in favour of the hard-bordered approach to governance was that although the nation-state model may not in fact enjoy any particular normative legitimacy, by and large it worked. It may be imperfect and suffer from a number of practical problems through its inability to recognise non-national and non-territorial identities but by and large it allows the delivery of the requirements of governance and the “Law Jobs” better than any alternative (Llewlyn, 1940).

This argument may have been convincing in previous era, but in Europe at least the development of alternatives has seen it lose a significant amount of traction (MacCormick, 1999). Most obviously, the “unexpected rebellion” of western Europe’s micro-nationalities led directly to a variety of experiments in sub-national and federal governance structures (Beer, 1980). These were, themselves, made possible by protective supra-national structures of the European Union . By the late 20th Century, in Europe at least, the nation-state was no longer the only game in town. These developments were portrayed in the heady days of the 1980s as part of a new form of multi-level governance (Marks et al, 1996). However, in the

cool light of the 21st Century it is noticeable how the concept of the hard-border continues to dominate.

The emergence (or politicisation) of non-national identities in the supposedly stable states of Western Europe clearly presented a significant challenge to those states. In many cases (Portugal, the UK, Spain, Italy) it led directly to a response in the form of new sub-national governance structures (Hopkins, 2002). However, although the emergence of these regional governments led many to argue that they were part of a wider weakening of the nation-state, closer examination reveals that these responses were almost universally traditional and within the limits of the state model (Elazar, 1995). Most notably, it is only those identities that have been able to achieve some form of governance autonomy have been those able to adopt the hard-bordered paradigm of the nation-state model. Those non-national identities which have not done so, or cannot do so, have failed in their attempts to gain constitutional recognition.

Those few examples of soft-bordered governance which have been developed to represent non-territorial identities have struggled to survive in the hard-bordered paradigm. In Belgium, for example, attempts to resolve the complex issues of the three language Communities (French, German and Flemish) led to a complex and carefully crafted dual layered system of soft-bordered Communities and hard-bordered Regions. Over time these institutions have slowly morphed into two “mini-states” in the form of Flanders and Wallonia. Only the awkward issues of the small German minority in the South East of the country and bi-lingual Brussels has demanded the survival of at least some elements the soft-bordered approach. Even amongst these surviving soft-bordered examples the German Community is constantly agitating for further authority to be treated as another hard-bordered mini-state. Only the uniquely complex example of Brussels has the principle of personalised governance been delivered with relatively little controversy in the field of culture and education. It is important to note, however, that in Brussels the soft-bordered, personal, approach to governance continues to functions.

The fate of the Sami of Scandinavia and Roma people of Central and Eastern Europe provide further evidence of the limits of Europe’s micro-national revolution. Although the Sami have achieved limited recognition of their identity in the Scandinavian states, this varies on a state by state basis, with Sami issues continuing to be dealt with through national Sami assemblies, despite the obvious fact that the Sami themselves occupy a territory spanning three states (Norway, Sweden and Finland). The situation of the Roma is of course far worse with no recognition and active persecution continuing throughout their homelands. Despite an estimated European population of nearly 10 million people, their lack of a territorial homeland means they do not fit within the hard-bordered model of the nation-state. That all these identities exist within the European Union further emphasises the limits of current model. Despite the existence of a supra-national entity and the creation of European citizenship, the reality for non-national identities remains little changed. The dominance of the hard-bordered model makes it difficult for non-territorial identities to achieve constitutional recognition.

Conclusion: Hard Borders and Non-Territorial Identities

The limits of Europe's micro-nationalist "rebellion" betrays a deeper problem concerning governance and identity. Those identities that are able to emulate the characteristics of the nation-state, and identify themselves with a territorial identity, appear far more likely to achieve some form of constitutional recognition than those which do not. Territorial micro-nationalities talk the language of the nation-state. This strengthens the hand of such identities as the nation-state finds it very difficult to respond without challenging its own legitimacy. In addition, such responses can usually be tailored to fit the hard-bordered territorial model, through some form of regional or federal arrangement. Such concessions, although accepting some variation within the state, largely remain territorial and do not challenge the external hard border. This is particularly true when an historical territory or state has previously existed (e.g. Scotland, Flanders, Catalonia). Those parts of the historical territory which conflict with an existing state border will often be sacrificed to allow the lesser territorial claim to succeed (e.g. Catalonia).

In contrast, European identities with no such territorial "homeland" have conspicuously failed to gain governance recognition within the existing state structure. Even as it declines, the legacy of the nation-state appears likely to cast a long shadow on the recognition of identity in governance and law. This is not to say that such soft-bordered approaches must fail. Non-national and non-territorial identities, both religious and secular, seem destined to become more conspicuous rather than less, as the mono-cultural national myth of the state comes under pressure from alternative indigenous and immigrant identities. If the dangerous spectre of ethnic nationalism and exclusive territorial rights are to be avoided such calls for the recognition from identities without a strong territorial link need to be answered. To achieve this will require some recognition of the soft-bordered reality of individual identity but how this is to be delivered remains unclear. The long shadow of Westphalia seems destined to dog attempts to resolve questions of governance and identity for many years to come.

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A Brief History of Political Legitimacy: Demotic Ideology and the Spread of Democracy.

By Alexander Maxwell

To establish democratic government in a previously undemocratic state requires its inhabitants to possess certain popular attitudes toward political legitimacy. Democracy, like any other form of government, can only function properly if the people it seeks to govern understand and accept its implicit assumptions. The rise of democracy thus has a cultural history. A long-term perspective on political legitimacy, considering change over centuries rather than year-to-year, suggests that democratic ideas are spreading more rapidly than democracy itself. In the long term, therefore, optimism about the future prospects for stable democratic government seems warranted.

The history of political legitimacy enables scholars to track how cultural attitudes toward state power have changed over time. The earliest historical records suggest that in the ancient world, ruling elites routinely proclaimed themselves gods, or to have descended from gods. The Pharaohs of Ancient Egypt posed as divine (see Ions 1982: 120). Ptolemy V, best remembered for the Rosetta stone, on which he claimed divine descent and ordered priests to pay regular homage to him (Bevan, Mahaffy 1927:236). Augustus Caesar proclaimed himself a god, and ordered prayers said to him (Beard et al, 1998:128). Sassanid emperor Shapur I claimed that his “seed is from gods” (Soudavar 2003:43). Further examples could easily be given.

Ancient claims to divinity may have catered to popular expectations rather than genuine religious belief. Plutarch’s biography of Alexander the Great (1994:7:307, 309), for example, notes that while Alexander posed as a god when demanding tribute of conquered peoples, but did not expect his fellow soldiers to believe such claims: “Alexander himself was not foolishly affected or puffed up by the belief in his divinity, but used it for the subjugation of others.” Alexander publically professed himself a god because he lived in an age in which rulers derived their legitimacy from claims to divinity.

Assertions of divinity fell from favour during the Middle Ages, since the idea of a single jealous God spread with monotheistic Christianity and Islam. Medieval and early modern rulers instead proclaimed

themselves to be God's chosen representative. Christian monarchs, whether Orthodox, Catholic, or Protestant, claimed to rule by grace of God. (Canning 1996:17; Zenkovsky 2003:1:36; Dabbs 1971). Roy Rappaport (1999: 315) rightly described Christian kingship as "not sacred but merely sanctified, albeit highly so." Islamic rulers similarly claimed to rule as God's deputy, lieutenant, or favourite (see Crone 2003; Black 2001:206; Safran 2000:47-49). The first Umayyad Caliph Mu'awiya exemplified the cosmological claims to political legitimacy common throughout the medieval and early modern Christian and Muslim worlds by claiming that "the earth belongs to God and I am the deputy of God" (Crone 2003:6). Once again, further examples could easily be given.

Several rulers who posed as God's chosen representative were simply catering to popular expectations. Henry IV of France, to give one particularly famous example, converted to Catholicism for secular reasons: "Paris is worth a mass" (see Lindberg 2009:280). Several monarchs claiming to rule through divine sanction flouted the basic tenants of the religion that ostensibly legitimized their rule. Ottoman Sultan Selim II drank so much alcohol that history remembers him as "Selim the Drunkard" (see Kohen 2007: 73). Russian emperor Peter the Great repeatedly mocked Orthodoxy with his "most drunken Synod of Fools and Jesters" (Zguta 1973; Shubin 2004: 238). Nevertheless, no monarchs sought to abolish the church as a means of social control over the population at large. For "the common people," as Nietzsche (2002:55) observed, "religion ... glorifies their obedience." Just as Alexander the Great cynically proclaimed his own divinity, free-thinking monarchs publically professed to derive their authority from God because they lived in an age in which rulers derived legitimacy from claims to divine sanction.

Monarchs could not formally reject religion without undermining the foundations of their legitimacy, thus creating civil strife. The perceived link between religious dissent and sedition, combined with religious chauvinism, generated several conflicts between Muslims and Christians, Sunni and Shi'a, Catholics and Protestants. Similar forces contributed to the ongoing persecution of Jews (See Flannery 1999; Cohen 1995).

Political theorists using religion to legitimize state power thus often rejected religious toleration. If a given religious belief justified political power, rejecting that belief implied rejecting secular authority. Islamic thinkers developed justifications for rebellion against impious rulers as early as the seventh century (see Grunebaum 2005: 61-62; Dabashi 1993:125). Both Catholic and Protestant thinkers developed similar justifications for sedition during the Reformation. One French tract from 1590 explicitly justified the assassination of unbelieving kings (see Stankiewicz 1976: 39-40). The violence and destruction of Reformation's religious wars, however, drove European thinkers to seek a basis for political legitimacy that rested on non-sectarian principles. Their efforts bore fruit in social contract theory.

Contract theory derives legitimacy from parables about the rational self-interest of the people (see Morris 1999; Lessnoff 1990). Several early social contract theorists supported absolute monarchy, but by 1762, Jean-Jacques Rousseau (2008:32) described the collective will of the people as "the sovereign," able to legitimately oppose the royal will. Rousseau treated the social contract itself as sacred, suggesting that it could form a simple "civil religion" to replace complex Christian theology (see Deenan 2005).

Political theory inspired by social contract theory eventually led to a new series of political upheavals, often called the “Age of Revolutions,” with the French Revolution at its centre. The spread of contractarian thinking and its political ramifications is too complex to summarize here, but two points deserve emphasis. Firstly, states legitimated through contract theory are historically a very recent phenomenon. Liberal democratic government may trace its roots back past the Enlightenment to Ancient Greece, yet only in the twentieth century has republican government become the rule: for most of human history, rulers have claimed legitimacy from the blessings of supernatural forces. Secondly, the transition from monarchs ruling “by grace of God” to popular will was typically bloody and protracted. Most absolute monarchs fell from power because of war or revolution, and several democracies have been unstable and collapsed.

Consider the painful transition to democracy in France. The French Revolution of 1789 briefly replaced absolute monarchy in constitutional monarchy, but Louis XVI’s unwillingness to cede power led to his execution in 1792. The resulting Republic proved so tyrannical that historians often refer to the Jacobin period as “the Terror.” Two short-lived Republican governments followed before the dictator Napoleon Bonaparte seized power in a 1799 coup. Napoleon launched so many aggressive wars against neighboring countries that he was eventually toppled through foreign intervention, and in 1814 absolutist monarchy returned. Another revolution in 1830 led to a somewhat more successful constitutional monarchy; still another revolution in 1848 led to a short-lived republic that promptly became a dictatorship under Napoleon III. Only after Napoleon’s capture in the Franco-Prussian war and a brief civil war did stable democratic government emerge in France. The path to French democracy, in short, involved three revolutions, two dictatorships, and two foreign interventions. The whole process lasted the better part of a century.

The transition to democracy in Germany proved equally protracted. The Revolution of 1848 brought into being a German parliament that sought to coexist with German princely families, which quickly proved impractical. Defeat in the First World War enabled German democrats to found a German Republic in 1919, but the dictator Adolf Hitler seized power in 1933. Hitler’s dictatorship launched so many aggressive wars against neighboring countries that it was eventually toppled through foreign intervention, and only in 1948 did a stable German democracy emerge in the Western zone of occupation. Establishing a stable German democracy, therefore, involved two revolutions, (three if one counts the 1989 revolution that toppled the Berlin wall), and an unusually brutal dictatorship. The whole process lasted a full century.

Establishing British democracy took even longer. The first English republic came into being in 1649, led by the dictator Cromwell who launched aggressive wars against neighboring Ireland and Scotland, though without prompting foreign intervention. The Stuart dynasty returned to power in 1660, but further revolution in 1688 established a constitutional monarchy. The United Kingdom, as its name suggests, has since remained nominally monarchical, even if it established democratic government in practice during the nineteenth century. Several of its former colonies, however, have established republican governments, and the United States, the first formal democracy to emerge in the British world, gained its independence in 1783. The United States, furthermore, tolerated human slavery until the 1860s. The path to British and American democracy thus also involved revolution, and if one accepts that American democracy rested

on British foundations, the process of establishing it lasted centuries.

Perhaps, then, one should take a philosophical attitude toward unstable or fragile democratic states. As I write this essay, the situation in Iraq looks bleak. Consider, however, that the first Iraqi Republic appeared when the Hashemite dynasty was overthrown in 1958. It proved unstable, and in 1979, the dictator Saddam Hussein seized power. Hussein launched two aggressive wars against neighboring countries before being toppled by foreign intervention. One may legitimately doubt whether Iraq's current democratic government enjoys much popular support, or how long it could survive without foreign support. The century-long timeframe suggested by the German, French and British examples warns against expecting too much too soon. Yet the same examples also suggest that Iraqi democracy is developing normally: other examples of democratic transition suggest that catastrophic reversals usually characterize the path from monarchical rule to democracy. Instead of despairing that Iraq's current elections are not yet peaceful, free and fair, one might instead be optimistic that Iraq has been holding elections since 1925.

Indeed, one of the most striking features of contemporary global politics is the spread of democratic rhetoric, symbolism even in frankly undemocratic states. One might distinguish "democratic" government from "demotic" governments. Democratic governments, as defined here, subjects themselves to popular review in the form of free and fair elections, respect the rule of law, and honour the civil rights of its inhabitants, and so forth. Readers may mentally substitute their own criteria of liberal democracy. To qualify as "demotic," by contrast, a government must only claim its legitimacy arises from the popular will, instead of claiming legitimacy from supernatural forces.

Several twentieth-century dictatorships qualify as demotic. Consider how many states hold elections that are neither free nor fair (see Mackenzie 1958). The tyrant Stalin once remarked that voters were unimportant, explaining "What is extremely important is who counts the votes and how they are recorded" (see Service 2005: 227-28). Stalinism obviously does not qualify as a democratic system of government, yet it remains demotic: Stalin's 1936 Constitution for the USSR explicitly proclaimed that "in the USSR all power belongs to the working people of town and country as represented by the Soviets of Working People's Deputies" (Beard 1996). The Soviet Union and its puppet states, furthermore, routinely organized elections. Voters in Soviet elections, of course, only had one choice of candidate, and could be severely punished for voting incorrectly (see Brym, 1978; Pravda 1978). Yet the sham elections of the Soviet period show the lengths Soviet leaders went to create the appearance of legitimacy from below, while their Romanov predecessors had claimed their legitimacy derived from God. Soviet leaders thus publically professed their obedience to the popular will because they lived in an age in which rulers were expected to derive their legitimacy from the consent of the governed.

Sham elections remain popular among contemporary dictatorships. In Africa, Robert Mugabe's Zimbabwe has held regular parliamentary and presidential elections (see Copson 2006: 3-21). In Central Asia, Saparmurat Niyazov's Turkmenistan witnessed a bizarre personality cult, yet organized regular elections (see Ochs 1997:22; Kehl-Bodrogi 2006:143). The Islamic Republic of Iran organizes regular elections which are neither a sham nor properly democratic (see Demant, 2006: 255; Jahanbakhsh, 2001; Gheissari

and Nasr, 2006). While none of these states qualify as liberal democracies, the prominent role of elections in such diverse political contexts illustrates the explosive spread of demotic political legitimacy.

If demotic political rhetoric spreads faster than democratic practice, perhaps the one presages the other. If so, demotic rhetoric presages the eventual emergence of genuinely democratic government. Several apparently stable democracies have emerged from the collapse of Soviet Communism, and even Communist China has found that limited local elections can lead to unexpectedly substantive transfers of power (Epstein 1997; Pei 1995). As demotic ideas eventually acquire hegemony, democratic practice may follow.

Yet if history offers grounds for optimism in the long term, the short or medium term may witness unrest and turbulence. While revolution and expansionist dictatorships eventually pass, the fact offers but cold comfort to those who must endure violent times. As demotic political ideals spread to Africa and the Middle East traditional state structures may collapse even if the political will or social structures necessary for democratic government are not in place. If bloody revolutions and expansionist dictatorships resulted in France, Germany, England, and Iraq, perhaps one should expect similar results in Africa and the Middle East.

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Participation, Democracy, and the Split in Revolutionary Calvinism, 1641 – 1646.

By **Tod Moore & Graham Maddox**

Abstract

During the early phase of the revolutionary period in Britain (1641-46) an ideological divergence took place between fractions labelled Independent and Presbyterian. Our study of printed sources for this period uses debates over the meaning and relevance of the Greek term „democracy“ to attempt a mapping of these emergent ideologies within revolutionary Calvinism. We find a contested social terrain with the Presbyterians supporting the revolutions from a socially conservative position and the Independents favouring radical social change.

The years 1641 to 1646 saw “a transformation of the political nation, the beginning of mass politics, and a rapid and revolutionary expansion of what is sometimes called the „public sphere“ [which] brought “men that do not rule” (and sometimes women too) into active engagement with public affairs” (Cressy 2003: 68). In particular there were a great number of books and pamphlets written by the leading Calvinists and these reveal a surprising amount of interest in democracy. A modern consensus that democracy did not come into fashion as an idea until the mid-nineteenth century is questioned by the prominence given to democracy in the controversy over the reconstruction of the church between the Presbyterians and the Independents in the 1640s. We know that “democracy” survived from ancient times within the “mixed constitution,” where it was blended with monarchy and aristocracy. We ask whether the strains of conflict, especially the attitudes and practises of the Independents, loosened the internal bonds of the mixed constitution, undermining claims of kingship and challenging elites.

We propose the subdivision of Calvinist political theory according to a simple bipartite model derived by analysing the pamphlet wars which took place in Britain and New England roughly from 1641 to 1646. Specifically, these groups were known to each other and to subsequent history as the Independents and the Presbyterians. We therefore name our variants of Calvinist political thought “Independent,” “Presbyterian,” representing the ideas typically found in writings clustering around the “Grand Debate” of

the Westminster Assembly (Paul, 1985). It is important to stress that these are typologies — abstractions of the principal features of the ideas of the two groups. We acknowledge the limitations of such abstractions, yet seek to impose some order on the political orientation of Calvinists out of the “jungle growth of opinions” in this period (James 1999: 39). These categories do not necessarily apply perfectly to the political thought of every Independent or Presbyterian writer. The most distinctive differences among the types are in their approaches to the idea of democracy, and the position within the Reformed tradition from Luther to Calvin the synthesizer, and later Reformed writers like Theodore Beza, William Perkins, and William Ames. Independents emphasised the New Testament and Ames and Perkins, whereas the Presbyterians, while still focused on the Bible (Old Testament), placed particular stress on the later theologians of “High” Calvinism. Combined with this theological divergence we find a variation in political trust, leading the Independents to a more positive view of participation than the more elitist and sin-obsessed Presbyterians. These fractions had much common ground, for example the belief in the right and duty to resist tyranny, a distinguishing feature of later Calvinism (McNeill 1949; Eales 1996; Coffey 1997: 177; McLaren 2006: 23), and the characteristic protestant idea, from Luther’s priesthood of all believers, that the individual conscience is supreme, and that the personal spark of divinity can only be restrained by God, itself a democratic notion (Maddox 1996: 149, 262 n. 40; Perry 1964: 107).

Calvin himself recommended no form of polity, arguing that the model ought to vary according to circumstances, basing political considerations on the reality of original sin. The human propensity to take advantage of power in order to dominate others makes all power relations dangerous: “The fall from kingdom to tyranny is easy; but it is not much more difficult to fall from the rule of the best men to the faction of a few; yet it is easiest of all to fall from popular rule to sedition,” (Calvin 1960: 1493; Hancock 1989: 69). This creates a tension between following the injunction in Romans 13 to obey the powers that be, and the fear of sin’s taking hold of those same powers, especially where this would “lead us away from obedience to [God]” (Calvin 1960: 1520). Calvin did not attempt to resolve this dilemma, but he did say that it is “safer and more bearable for a number to exercise government,” asserting that “if the three forms of government ... be considered in themselves ... aristocracy, or a system compounded of aristocracy and democracy, far excels all others,” in the absence of complications arising from sin (ibid: 1493).

Independent Calvinism

Independents favoured the use of covenants voluntarily to establish individual parish churches, leading each congregation to organise along arguably democratic lines. The testimony of the New England churches, set up as such congregations by exiles who sailed to Massachusetts Bay in the early 1630s, became an important element in the debate, even though their delegates were unable to attend the Assembly (Paul 1985: 125). The positive attitude toward democracy, which according to Russel L. Hanson (Ball 1989: 68) is nearly unique for early modern writers, is construed by Thomas Goodwin (1641: 4-5) as a preference for the poor, so that “when *Christ* came at first, the poore receive the Gospell; not many Wise, not many Noble, not many Rich, but the Poore.” Richard Mather, and other (unnamed) ministers (1643:

53-57), argued that in New England “Church government is in part Democraticall or popular,” and that it is “in respect of the people a Democratic.” The leading New England theologian, John Cotton, was initially content with the mixed nature of congregational government (1645: 100), but later (1648: 97) declared that as far as the church of the New Testament was concerned, “their Form of Government was like ... to a Democracy.” The democratic tendency of the Independents existed within the mixed form of aristocracy plus democracy, familiar from Calvin (above), and endorsed by Thomas Goodwin and Philip Nye in their Preface to *The Keyes of the Kingdom of Heaven* (1644: A4 recto-A4 verso).

While both fractions placed great stress on the Bible and Calvin, the Independents tended to emphasize Scripture (Cotton 1643: 1; Cotton 1644; Goodwin 1641; Anon. 1641), and they not only stressed the New Testament, but also the benefit of insights or “new light” which post-dated Calvin (Goodwin 1643: 4, 23). Their reading of passages in the Gospels, Acts and the Pauline Epistles suggested a congregation which was more autonomous than those following a Genevan model, with a power to expel minister and member alike as in Cotton’s *The Keyes of the Kingdom of Heaven* (1644: 12-16), where we see Acts 15, Acts 14 and Galatians 5 used to support the idea of “the votes of the people [being] needfull in all admissions and excommunications” (Cotton 1644: 8). This model gave the Independents a strongly local bias, enshrined in the town meeting, and a suspicion of overarching institutions, although Cotton (1644: 15-16, 28-29) allows the holding of rare synods for the discussion of urgent matters, provided these rely on the congregations for action. Independents condemn the permanent institution of powerful presbyteries and synods (Bradshaw 1641 [1605]: 7; Anon. 1641: 1; Woodward 1644: 13; Holmes 1644: 13; Anon. 1644a: 45; Goodwin 1644: 9; Goodwin 1645: 7). The congregational model not only emphasizes the role of the laity, but also has a problematic relationship with rulers, especially monarchs. Calvin himself was anti-monarchical (McNeill 1949), and mistrust of monarchy is also expressed by John Cotton (1656: 72):

A Prince himselfe cannot tell where hee will confine himself ... But if he have liberty to speak great things, then he will make and unmake, say and unsay, and undertake such things as are neither for his owne honour, nor for the safety of the State.

There are examples, from 1645, of the direct election of elders by many London congregations including St Peter Cornhill, where the laity voted “by placing strokes by the names they favoured” (Lindley 1997: 277). But it is not our intention to attribute modern democratic thought and practice to the Calvinists of New England. Nevertheless, the godly of Massachusetts were scarcely more exclusive than the ancient Athenians, who gave democracy its name and basic form and their legacy involves faith in the worth of the ordinary person, even if that person had to be a believer.

Presbyterian Calvinism

Presbyterianism was the preferred form of Calvinism among elites in the era that Coffey (1997) terms the British Revolutions, and when the Westminster Assembly met in 1643 it was a foregone conclusion

that the English and Scottish ministers would endorse a Presbyterian system. In the pamphlet war, the Presbyterians frequently take their Independent opponents to task for giving power to the laity. George Gillespie defended the Scottish Kirk against the Independent alternative, because “the exercise of Ecclesiasticall power and jurisdiction in a particular Congregation, ought not to bee committed to the whole collective body thereof” or else “the Government of the Church must needs be popular,” exposing the godly to “the rudenesse of the vulgar sort” (Gillespie 1641: 109, 114). Samuel Rutherford (1642: 16) stated bluntly that “[t]hat which maketh the government of Gods house Democraticall and popular is not to bee taught,” and Adam Steuart (1644: 43-45) argued against autonomous congregations which “excitate the ignorant people” and give power to the untrustworthy “ordinary Mechanick.” The frequency of statements similar to these can leave us in no doubt about either the Presbyterian position on democracy, or their sincerity in maintaining such a position (Edwards 1641: 16; Steuart 1644: 46; Rathband 1644: 26; Gillespie 1644: 1; Forbes 1644: 39; Edwards 1644: 92; Rutherford 1644: 480; Baillie 1645: 125). In keeping with the tenets of “High” Calvinism, they expected all ministers to be educated as well as called, and the basis of ministerial education was fluency in Latin, Greek, and Hebrew (Anon. 1644: 2). Their erudition bred contempt for the “illiterate” (Edwards 1644: 79; Rathband 1644: 23).

Presbyterians insisted on the need for permanent representative institutions (Herle 1643: 11) based on the ministers and elders of a locality, region, and ultimately the nation itself, to decide all controversies of religion and to present potential ministers to congregations (Anon., 1644b). This system, established in Scotland by John Knox and Andrew Melville as a national equivalent of the Genevan Consistory, was subsequently defended from attempts to introduce bishops via the national Covenant, a perpetual oath given before God in imitation of Old Testament Israel (Vallance 2001; Coffey, 1997). Presbyterians emphasised the need to be able and ready to resist the secular powers, accusing the Independents of tying their own hands by failing to establish a strong institutional framework above their congregations (Gillespie 1641: A4 recto; Steuart 1644: 10; Prynne 1644a: 9). One consequence of the system of presbyteries was the intolerant attitude the Presbyterians displayed toward any whom they regarded as failing to conform to Calvinist theology as they defined it (Gillespie 1644: 31; Prynne 1644b: 12), although it should be noted that the New England churches were also less tolerant than the Independents in England.

Presbyterian republicanism partly emerged from the theory of resistance, but was also developed from ideas of natural law and civic humanism, although even here it was the spark of divinity which gave the people an irresistible prior right to determine and to unmake the constitution (McLaren 2006: 32). Popular sovereignty is affirmed by Rutherford (1644: 66), who asserts that “there is an absolute Majesty in the people” (391) which underpins every government. Particular regimes need only be supported as long as they maintain good laws for the defense of life and religion (106), based on an initial contract to establish society (4), and a second contract to establish the regime (p. 399). The Presbyterian writers show a clear preference for limited monarchy (Herle 1643: 7; Rutherford 1644: 8, 17, 387), and so they were not republicans in the sense of opposing *all* forms of monarchy. Presbyterians use of a wide array of civic humanist sources, including Aristotle (Steuart 1644: 16; Rutherford 1644: 65), and Tacitus (Cheynell 1643: A4 recto; Gillespie, 1644: 3, 38; Rutherford 1644: A4 verso) as well as contemporary sources. Generally the Presbyterians combine Old Testament Scripture with secular citations. Presbyterian natural

law is Calvinist, as natural reason has been clouded by sin (Calvin 1960: 368) and is therefore not to be relied upon in the same sense as Scripture, yet they do use such arguments, as when Edwards (1641: 13) rejects Independency as being “against the light of Nature and right reason.” Pure reason remains suspect and confirmatory empirical evidence is therefore necessary, a point developed by Robert Greville (1641).

Discussion

Historical scholarship of the British revolutionary period has undergone many episodes of revisionism since the days of ASP Woodhouse (1938), Ralph Barton Perry (1944), and AD Lindsay (1943), when Independents were seen as democrats. Reacting to linear “Whig” history and the use of non-archival printed sources, scholars have silenced these voices from the revolutionary era. John Morrill (2001: 27) for example portrays the Independents and Presbyterians as completely unrepresentative of public opinion. In parallel with this view of the Independents and Presbyterians as bloody minded revolutionary elitists, there has been much writing on the least numerous of all of the revolutionaries, the later sectaries and separatists. The Levellers and the Diggers have had their enthusiasts, and even the Ranters have been celebrated (Smith 1983). It is our contention that this period needs to be understood as a revolutionary one, which means taking seriously the ideas of the two main revolutionary fractions.

Until we can learn more about the social bases of the Independent congregations especially (see Seaver 1985) the question of social causation is best left alone, although there is some evidence that the causes were not entirely theological, as seen in participatory practices of such parishes as Swallowfield (Hindle 1999). The theological and Biblical setting of these ideas about radical social equality is significant however for the more recent phenomenon liberal democracy. The Bible is unlike the body of writings available from ancient Rome, in the sense that it contains passages which can easily be used to buttress such radicalism, whereas no such writings are to be found in the Latin canon. Quentin Skinner, by contrast, has claimed that it was the emergence of a secular and neo-Roman political culture that paved the way for modern modes of politics, including the democratic: the seeds of modernity are to be discovered in the early-modern era, in the autonomous activity of politics categorically removed from religious life (Skinner, 1978). Whatever the social origins of the ideas we have been considering, it is hard to see how they could have been pursued in the absence of the theological and Biblical apparatus. In his latest history of democracy John Dunn (2004) tends to by-pass the British revolutions, although he concedes that the door opened a crack to democracy. He argues that the radicalism of the Levellers offered no public role to “democracy,” although he notices Hobbes’s complaint that English radicalism was boosted by the translation of the Bible.

The suggestion is that the democratic discourse in Calvinism and associated democratic impulses and precedents tended to be eclipsed but were never entirely forgotten. Revolutions are bound to be followed closely by division of the revolutionary party into a less and a more radical fraction, just as they are bound to tumble forward under their own momentum, well past the initial goal of many of their supporters. If

we learn anything from the precocious emergence of democracy in the 1640s it might be that the seeds of quite distant political futures can be planted in the disintegrating ground of a revolutionary movement which is itself destined to fail.

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Welfare Reform and FBOs: an Australian perspective.

By Sandra Reeves

Abstract

For a number of years, welfare policies across the OECD countries have been framed in terms of mutual obligation and individual responsibility. Welfare recipients can become subject to significant monetary sanctions. Coupled with the tightening of criteria to access some benefits and residual payments, this leads to a heavy demand for the emergency relief that the government contracts FBOs to deliver. A number of politicians in Australia have claimed that FBOs religious guidance enable welfare recipients to become responsible citizens. This study of FBOs in the Hunter Region of NSW demonstrates that (i) people of faith are heavily motivated by their religious beliefs leading to compassionate help even in the face of limited resources; and (ii) Hunter FBOs meet clients' immediate need irrespective of socio-economic situation, or behaviours. It also indicates that the harsh welfare policy climate may lead to a clash of cultures in regard to the needs of the poor.

In recent years, the intersection between political and religious values has led to interesting changes in welfare provision in Anglo-Western nations across the OECD countries (Bartkowski & Regis, 2003; Lohrey, 2006; Saunders, 2005; Walsh, 2000; Warhurst, 2007). This has led to a restructuring of welfare that, in Australia, has reconfigured the relationship between the government and the not-for-profit (NFP) sector in which faith-based organisations (FBOs) play a major role (Engels, 2006: Family and Community Services (FaCS)¹, 2005; Lyons, 2001). FBOs tend to be largely staffed by volunteers with religious motivation to be of service to others.

In the period that this study was carried out, the Howard Liberal Coalition Government's welfare reforms led to the targeting of welfare dependents. In 2006 the severity of the breaching program was increased which could render welfare dependents on benefits such as Newstart and Youth Allowance losing their benefits for a period of eight weeks (Andrews, 2005; Centrelink, 2006). Sanctions coupled with residual payments and the tightening of criteria to access pensions left many with no option but to access emergency relief (ER) from FBOs who hold the majority of contracts to supply it (Engels, 2006). Welfare beneficiaries were expected to integrate into society through economic participation (ACOSS, n.d.; Centrelink, 2006; Saunders, 2005). Politically this was achieved in a number of ways, (Travers, 2005) one in particular was the articulation of the individualisation of personal responsibility for poverty, viewed through a moral lens.

FBOs religious orientation, faith and moral wisdom assumed to be embedded within their day-to-day practices, was seen by many as a means to impact positively on the behaviours of those using their services (Bartkowski & Regis, 2003; Costello, 2003; Olasky, 2000). Howard upheld volunteers as virtuous (Brett, 2003). Volunteers who worked in FBOs provided the added value of faith and hence could provide an extra dimension to assist in reforming those on welfare. The Howard government's Federal Treasurer for eleven years Costello (2003) articulated this position in an address at an Anglican lunch: '[T]hese agencies can make more immediate and individual contact with those in need. They are run by people of religious and moral conviction willing to share their values (virtues) in support of treating underlying causes of poverty' (n.p.n).

Therefore, the causes of poverty, from the perspective of the Howard government, were embedded in the personal behaviours of the poor. Again as highlighted by Costello (2003):

...the pension should be enough to provide food and shelter ... but it doesn't ... [money] is always spent on the wrong thing. And it always will be until you treat the cause of the poverty, which is alcohol and drug dependence (p. 3).

These views repositioned FBOs as a solution to poverty within the context of a reforming welfare state. Embedded in this approach was a view that workers in FBOs would look through a value-laden lens to determine which services or resources might or might not be granted based on client behaviour. Yet there was little concrete evidence for these assumptions as emerged from research conducted in the Hunter Valley Region in 2006-2007.

This discussion revolves around a small sample of results drawn from a larger research study including 10 in-depth interviews with managers and volunteer counsellors working in eight Protestant FBOs. Additional data was developed using a 'client assessment of services survey' (CASS) that was distributed to clients of one major regional FBO during the months of June and July 2007 on the initiative of that FBO's manager. Within this time, 613 clients sought emergency relief, 124 were given 'in-kind' support (food over the counter), leaving 489 receiving a face-to-face interview with volunteers and a paid member of staff. From this group, 80 assessment surveys were completed and returned, giving a response rate of 16%.

This research showed how volunteers and managers of FBOs viewed their clients and how clients perceived their treatment when accessing the services of an FBO. It demonstrates that the moral lens hoped for by the government did not manifest in direct moral judgments of the clients; that is, clients were not denied resources because they were deemed morally bad. Rather this cluster of FBOs treated their clients with care and compassion, underpinned by the strong undercurrent of their Christian faith. Predominantly, the amount of resources given to clients was based on the demands of budgets and not exclusively on client behaviours. Those in need were accommodated regardless of their behaviour including those sanctioned by Centrelink. Hence it was concluded that policies in which FBOs were expected to provide a role in disciplining the poor might instead have led to a clash of cultures as FBOs struggled to meet the increasing needs of their desperate clients.

Jesus Lives in This Place

Undoubtedly, the participants interviewed emphasized the importance of working within an environment underpinned by their Christian faith. As one respondent stated:

I think, for the organisation, it [faith] is probably the real crux of why the organisation exists... man is created by God and our service to man is also a service to God. The social arm, it comes from the faith (Manager Interview 1).

Particular references were made to following Jesus, doing what Jesus wanted and being Jesus 'with skin on'. Manifesting a 'Christ-like persona' was deemed important as hopes were held that clients would see Christ in them, as one volunteer commented: 'God is in the service'. These self-perceptions as to how they interacted with clients stood in stark contrast to participants' views on how they thought Centrelink treated welfare beneficiaries. For example, one manager thought Centrelink 'off loaded' those they did not want to help straightaway to FBOs (Manager Interview 3). Participants felt that Centrelink treated people like numbers, whereas they really cared for people at a deeper, more personal level. There was an overall tendency to try and accept, as one volunteer stated, 'where people are at'. Working in what might be conceptualised as a 'philosophical or spiritual work environment' did lead to a change in attitude from another volunteer who claimed to have a direct communication from God. She stated:

I had this message from the Lord saying to me you know, 'this can't be, you can't be judging' um, I just settled here. So now I am happy to discuss or talk or help with whoever comes in now (Volunteer Interview 2).

This acceptance of 'whoever' permeated the volunteers' views on clients, which tended to be liberal in perspective. Even though it was acknowledged that clients did have issues with addictions, drinking and relationships, there was no overt moralising in discussions relating to single parents, welfare dependants or the long-term unemployed.

This is not to conclude that client behaviours perceived as being wrong did not lead volunteers and managers to get frustrated at times, which created at times an underlying tension as expressed by one volunteer when she stated: 'I couldn't do this every day' (Volunteer Interview 1). Even so they strove to express their faith by showing a loving, caring and compassionate *persona* to those in need regardless of behaviours. Discussions relating to interactions with clients were peppered with comments such as 'I love the people who come in here week after week, faith helps me love everybody, I accept everyone, everybody is equal, and God loves all of humankind'. This acceptance of clients regardless of why they were in need stood in stark contrast to the assumptions behind the policy solutions of the Howard government and welfare reform in general. For FBOs, the increase in the severity of breaching made assisting clients very difficult as articulated by one manager: 'We put them on an auto voucher² just so they can continue to eat. But what

about electricity, rent? We just do not have the resources to fund a person's total living expenses'. Even so, they still tried to meet clients' needs even though, at times, resources were limited.

Results derived from the Client Assessment of Services Survey (CASS) upheld the claims of care and compassion by the volunteers and managers. A mixed of responses indicated that clients felt welcome (n=58), understood (n=18), and supported (n=10). Only two respondents felt judged while in an interview situation with a volunteer.³ In regards to some clients having a negative experience one manager stated: 'The actual quality in the delivery of services however can vary enormously depending on the outworking of faith of the individual staff/volunteer member' (Manager Survey 2), thus suggesting that there were times when volunteers had not lived up to the expectation of their centre and clients had been treated in a negative way. However, this was the exception rather than the rule. Nevertheless, caution must be applied as some might have been denied assistance or not received adequate assistance and, as a result, might not have filled out the CASS. However, those that did receive assistance found it a positive experience as follows:

I was treated with respect and compassion and encouraged through my trials. When I needed food and clothes and shelter you were there. Thanks.

I was extremely happy with interview, it was non judgmental, non invasive and dignified.

Wonderful service, I don't know how I would get through without the ability to access this service

The results indicated that volunteers and workers did strive to provide a caring environment. However, even though faith was very important for all participants, the verbalization of faith was viewed as appropriate only if instigated by a client. Managers, including one not contracted to the government, were united in their views of the role of faith and its manifestation to clients accessing services, as the following statements show:

We take the opportunity of speaking the gospel if the clients give us the opportunity...we are not here to Bible bash people, but if the opportunity to present spiritual things comes up, we will talk to them (Manager Interview 3).

So *in our actions* we would hope that people would see Christ, and that would be unreal (Non-contracted Manager Interview 2 emphasis added).

Responses such as these highlight, yet again, the importance placed on faith manifesting as social action rather than overt moralisation. The term 'Bible bashing' was used derogatorily more than once during the interviews. As one manager elegantly put it: We should not thrust faith down a client's neck because we have a captive audience' (Manager Survey 1).

The responses from clients to the question in the CASS asking whether religion was mentioned in their interview with a volunteer, 82% said no. However, it must be acknowledged that service provision was grounded in faith and, therefore, contained a strong moral undercurrent. In acting out their faith in a caring and compassionate way, volunteers and managers hoped that clients would see the benefit of a religious - Christian - lifestyle and thus come to know Christ and change their behaviour, that is, the outcome the Howard government sought. However, rather than seeking to punish clients who were deemed deviant by restricting resources and thus change their behaviour, faith-based service provision demonstrated the benefits of faith by providing a caring environment in which ‘occasional’ religious conversion was the icing on the cake.

Volunteer power rested on their ability to decide whether or not to help the client in a particular instance. However, even if a client had spent the money on drink or alcohol or had been breached, as long as proof of expenditure or loss of income could be shown, assistance would generally be provided, especially where children were involved. As one manager stated: ‘We are not here to judge, but to provide a service’ (Manager Interview 1). There was a tendency to want to be able to help clients more substantially and this was particularly important as participants were aware of the difficulties faced by clients. Qualitative responses from the CASS highlighted the desperation of some clients. The responses were littered with words and phrases like ‘urgent, hungry, survival, now I can eat, and hard times’ and, rather disturbingly, ‘my children will eat for the next few days’. The provision of increased assistance depended on financial resources. There was constant concern that government contracts might not be renewed and this hindered assistance providing a long-term solution to client need.

Therefore, FBOs had to manage their resources carefully so as to ‘get through’ the funding year. Guidelines as to the amount and frequency of assistance given were often tightened to cope with high demand, especially when budgets were running low. Tension arose as to how clients could be helped given budgetary constraints and FBOs’ heavy reliance on government funding. This ‘poverty of provision’ or underfunding of the faith-based sector in relation to client need was viewed by all as a serious problem: ‘the service that we provide here, if a government agency were to do it, it would probably cost you half a million dollars a year. And you know we are here five days a week’ (Manager Interview 3).

When questioned as to why government was increasingly seeking to use the faith-based sector as an alternative to state services, there was resignation that it was probably because they provided ‘cheap welfare’. In addition to managing on limited budgets, most operated out of buildings supplied by churches or the larger organisation under which they operated and, of course, the use of volunteers. Most organisations paid their own electricity bills, water and land rates, and staff salaries; ‘The church owns the building and pays for electricity’ (Manager Interview 2) and ‘ER funding does not pay for rent’ (Manager Interview 3). On top of these costs, those under contract to the government also had the extra cost of paying for yearly audits of their books that ate into their budgets:

I mean that sticks in my claw because it costs us over \$1000 a year to get our audit done and as a consequence of that there is 10 families I can’t assist straight away sort of thing (Manager

Interview 3).

A level of tension and anger expressed to the government's perceived attitude that faith-based service provision was inexpensive. One manager of an FBO felt that the organisation in which he worked had 'done itself a disservice' (Manager Survey 1) by becoming too closely involved with the welfare side of things, and another manager of a small centre not attached to a larger network took out his frustrations on the larger FBOs thus:

Government will give everything to the cheapest tender. They have conned the major charities like St Vincent de Paul, The Salvation Army, Wesley and all those people for bidding for these contracts and underbidding one another to get the price down. They are doing it cheaper and cheaper ... (Manager Interview 3).

This manager also tendered for contracts, but he felt the larger FBOs were undermining the whole process. But this tension was also reiterated by a manager of a national FBO as he stated:

It is a cost saving mechanism. It would cost double for the government to provide the service. One of the things that I get very disappointed in, is the fact that because FBOs do some of this work, the government funds them because they do it cheaper than anyone else (Manager interview 1).

One manager referred to his centre's services as band-aid assistance in line with the views of a volunteer who stated, 'they're still handing out vouchers and paying bills and putting band-aids on things' (Volunteer interview 4). This view of their services did not sit well. There was an overriding wish that government used their services because they were good and that they were giving 'something back to the community'. Viewed as being 'cheap' undermined their sense of purpose and pride in their work. However, for most of the volunteer participants this was tempered with the view that what they did was God's work, so whether government thought them cheap or efficient was not a major issue, they were not doing it for the benefit of Government, but for God, in service to the poor.

Conclusion

As this sample of research highlights, even though it is obvious that faith-based organisations have a strong moral undercurrent, the overt verbal moralisation to the poor does not manifest as an automatic trade off between accessing material or social resources. Instead access to resources is based on need, some of which are a direct result of harsh government policy, in which behaviours whether deemed deviant or not by volunteers and managers is not the major consideration. If in need the hungry are fed and those in need of social support are comforted.

However, the Howard government was right in stating that the sector is filled with people who care; clients were treated with care and compassion. It is obvious that the sector is constrained by funding limitations and their only focus is on the immediate needs of clients. Tension arises due to funding constraints, the perception of Centrelink as being uncaring, the increasing need of clients, as well as government using their services because they are cheap. As governments seek to reduce the welfare bill a clash of cultures may arise within states (Huntington, 2002 [1997]), particularly in relation to how the most vulnerable in society should be treated. How long the faith-based sector can keep providing services set against a state which seeks to make access to state resources increasingly difficult is something only the faith-based sector can decide.

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Notes

¹ Now the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA)

² An food voucher given to a clients on a weekly basis who have no income for a set period of time.

³ The volunteers providing ER to clients were a different set of volunteers and did not participate in the data collection process.

Islamist Violence in Indonesia: Bringing the State Back In.

By Joshua Snider

The current state of Islamist militancy in Indonesia has yielded a somewhat conflicting set of outcomes, both in relation to the future of Jihadist activism and how best to respond to it. On the one hand Southeast East (sic Indo) has not emerged as the “next front” of the global war on terror as Gersham (2002) predicted. And in fact we are not seeing the manifestation of the much feared slippery slope phenomenon where exposure to radical Islam will lead to increasingly large numbers of people taking up the idiom of violent extremism. And more interestingly we are not seeing militancy establish itself as the moral vanguard of a creeping cultural Islamisation of the state - i.e. the Pakistan phenomena. At the same time however the problem of acts of violence justified by and in defense of various strands of Islamist ideology has not abated. Alas, it seems then that Indonesia like a variety of other nation-states are confronted with an ongoing problem of a particular type of relapsing and remitting religiously justified “light insurgency” enacted against both apparatuses of the state and the perceived symbols of western modernity.

To elucidate this discussion I will engage several areas of analysis including: a brief historical analysis addressing the actors and ideologies at work in the trajectory of modern Islamism in Indonesia, an exposition on the efficacy of the response to the problem of violent militancy and finally an analysis detailing the vexed role of the state in being both an object of violence and an agent of radicalization. By highlighting these themes this paper will advance the position that the persistence of structural violence employed by the Indonesian state at various levels directly and indirectly creates conditions that increase the attractiveness of the groups that justify a violent agenda on Islamist precepts. Thus while the Indonesian state has taken an increasingly vigilant stand against activities of JI and the splinter cells it has inspired, it has been much slower in responding to other trends, in particular the Islamisation of street violence.

Islamism in Indonesia: Actors and Ideologies

The trajectory of Islam itself presents a particular problem if one wants to explain the persistence of violent religiosity in post-New Order Indonesia as a function of ideology. While we cannot discount the role that ideology plays in informing the world view of those who commit to a program of Islamist militancy, assessing the relationship between typologies of piety and the connection between certain types of groups

and acts of violence requires a nuanced perspective. For the purposes of this work the delineations around the practice of Sunni Islam in Indonesia can be most accurately understood by assessing piety in terms of adherence to either Modernist or Traditionalists frameworks. Traditionalists adhere to a syncretised version of Islam that incorporates local (non-Muslim) customs into ecclesiastic rites, such as ancestor veneration and saint worship. Conversely, Modernists subscribe to versions of revivalist ideology that seek to strip the practice of Islam from the various manifestations of “cultural innovation” that occurred as it was transmitted into the Malay world (Hooker 2003). It is important to note however that the modernist tent is a big a one and includes ideological frameworks ranging from versions of culturally austere Salafism (that reject politics and calls for a retreat into prayer) to the neo-modernist ideology of Muslim Brotherhood that espouse a distinctly political program to Islamize the state. When it comes to political activism, the Traditionalist tent is similarly broad, and over the past half century has included groups that range from benevolent Nahdatul Ulama to the violent activism of Dural Islam.

While the Traditionalist-Modernist divide is an important metric in understanding the broad delineations within the rubric Indonesian Islam, when it comes to assessing the trajectory of violent activism it presents some limitations. This is particularly true when the Traditionalist-Modernist delineation is used to predict the future unfolding of violent activism. Since the attacks in Bali, the desire on the part of terror analysts to categorise and effectively “order” degrees of religiosity to fit the metrics of threat analyses not only miss the mark in terms of understanding the dynamics of Islam in Southeast Asia but more broadly miss the mark as a predictive indicator of how and when violent attacks will occur. In this regard there has been a fixation in the recent analysis offered by Chalk & Rabassa (2009) and Ramakrishna (2007) with the “Arabisation” of Indonesian Islam. This view places a particular emphasis on the security problems associated the import of Modernist ideology and cultural practices associated the Persian Gulf and in particular maintains that the propagation of Salafi ideology acts not only as a *agent provocateur* of radicalized sentiment (and stokes the latent fires of intolerance) but as a more general threat to Indonesian secularism (Eliraz 2004). However, even if we can construct a “good Muslim – bad Muslim” calculus whereby adherence to a menu of theological moderation as defined by Javanized Islam is good, and adherence to variants Arabised influenced modernism is bad, the cleavages within Indonesian Islam are varied and complex enough that securitising Middle Eastern influences represents a vast over-simplification of facts.

Yet if we are looking to assess the degree to which Modernist movements (Salafism among them) have been engaged in contestations for political power through both violent and non-violent activism it is difficult to maintain (taking a long view) that either modernism or traditionalism have been more or less prone to inspire strains of militancy. In fact, many have argued, including Bertrand (2004) and Emmerson (2006) that secular politics has done as much to radicalize Indonesian Islam as specific modes of theological interpretation. Frequently cited examples of this include: the Japanese mobilization of the Islamist Masyumi organization as a force of anti-colonialism in the later half of the second world war, the Suharto regime’s use of Islamist gangs to put down elements unfriendly to its agenda and more recent use of Islamist militias to aid the military in its struggle against Christian separatists in Ambon (Hefner 2000). In addition to this the most violent and well-organized Islamist movement in the history of the region, Dural Islam (the forerunner of both the Majelis Mujahideen Indonesia and Jemmah Islamiyyah), was a Traditionalist in its

ideological foundation, using Javanese mysticism to justify its claims to legitimacy (Hefner 2000).

Responding to Islamist Violence

It cannot be denied that the Indonesian state has taken a vigilant posture against acts a certain type of Islamist violence. Over the past decade the Indonesian security services have not only disrupted major attacks but have also put down major JI cells including, most recently, the one led by Noordin Mohammed Top. But in assessing the totality of the response of the Indonesian state to the problem of Islamist violence it is necessary to look beyond JI and the manifestations of Islamist terror directed at western targets. At this juncture it is important to unpack in some detail the distinct manifestations of violence associated with the Islamist agenda that has over the past century manifested. Here activism can be placed into several distinct categories:

- (1) Activism that has sought to Islamise the state through bringing non-Muslims into line – more specifically enforced piety, as well as vice and intimidation campaigns,
- (2) Activism that employs Islamist precepts (and violence) to sow inter-communal discord among and between the various religious groups in Indonesia.
- (3) Activism that has sought to violently Islamise the state and forcefully undo the secular character of post Independence Indonesia
- (4) Activism that embraces elements of aforementioned but draws on a globalised rhetoric to punish foreign interests within the state.

The response of the Indonesian state to these four typologies of activism has not been uniform and has been framed both by Indonesia's complex transition out of authoritarianism but also by the utility and convenience of these groups serve as a servant to elite interests. In this regard the fourth manifestation has gotten the most attention and has had most negative impact on the prestige of the Indonesian state overseas. Not only has Indonesian state been proactive in an ongoing violent struggle against the various cells nominally aligned to JI but it has also cooperated with the international community (against popular domestic sentiment) in turning over high value detainees such as Hanbali. Assessing the response to the first two manifestations is more complex. Groups that stir inter-religious discord and maintain an agenda to Islamise the state (at various levels) are a strategic problem for the Indonesian state and how best to respond to this problem is tied to a series of issues related to Indonesia's brand of federalism and role of Islam within the evolving contours of Indonesia's political spectrum. Here, the fluctuating line between freedom of expression and intimidation is one that is frequently played out in the media, as are various regional demands for religious autonomy. And in many cases the state has been unable or unwilling to spend precious political capital to push back against manifestations of Islamist activism that seek to

enforce piety – usually among the economically and politically disenfranchised. The third manifestation of activism represents yet another problem. Certainly JI challenges the state but in an indirect way, it primarily seeks to embarrass the state by highlighting its inability to protect foreign interests – 5 star hotels, Embassies and places frequented by tourists. What remains interesting is that despite the fact JI emerged from the DI tradition there is no group that has continued on with DI's agenda to violently challenge the state in an effort to bring about its collapse. There are probably several reasons for this. First, it is quite likely that no one wants an enemy in the Indonesian security apparatus. Challenging the state directly and violently as opposed to attacking foreign interests would be a huge escalation and would no doubt yield diminishing returns. Despite the fact that there was a transition out of authoritarian politics many institutions are still run by people that discharged security during the New Order regime. Thus, it is quite likely that direct and violent challenge to state (individuals, institutions and apparatuses) by Islamist elements would be dealt with by using equally aggressive and non-traditional tactics. Secondly, by all accounts extreme Islamist politics do not have a popular constituency in Indonesia. This can be evidenced by looking not only at the public response of the to the tactics used by JI but also by looking at the general performance of Muslim political parties in the electoral process.

Recalibrating the antecedents of Jihad: Bringing the state back in

The response of the state to the problem of Islamist violence seems to be moving in contradictory directions. As I touched upon in the previous section the response of the state to the idiom of Islamist violence as it has been embodied by JI and splinter cells has been swift, on the other hand the response on the part of the state to manifestations of Islamist violence involving expressions of the Islamist agenda that extend or promote codes of structural violence within Indonesian society represents has been severely lacking. In many cases the lack of response highlights the extent to which the state is not only indifferent to the problem but in many cases uses the Islamist voice for its own institutional ends. This trend is most clearly evidenced in the relationship between Islamist gangs and state actors in Indonesia's informal security sector.

Of these gangs, the Islamic Defenders Front (FPI) is the best known and the most successful. [The group was formed in the late 1990s by the Saudi educated petty criminal Habib Risiq and maintains a rhetorically Salafi-Jihadist agenda which selectively enforces its hard line world view across the archipelago via "street justice" on people and groups that do not conform to its agenda – mainly prostitutes and bar owners.] While FPI has not been implicated in any attacks on western targets directly it frequently sells its "security monitoring services" to the highest bidder. The main question surrounding FPI on the subject of radicalization involves the complex question of ideological transition (Wilson 2006). Thus, are FPI members more likely than others to cross the rubicon from street level vigilantism to more lethal attacks? As it stands most FPI members are purely profit driven but there is concern in some corners (especially given that FPI is employed by criminal syndicates associated with various state apparatuses) that if emboldened over time without consequence their members base could migrate from 'Jihad for hire' to 'ideological Jihad.'

Moreover, if we advance the idea that criminality is a key driver in processes of violent transformation – that people who are violent to begin with will be more likely to commit an act of mass violence in the name of Islam, then perhaps the potential for ideological migration among FPI member is particularly troublesome. In the case of the FPI not only has the state been selective in prosecuting it for intimidation campaigns (it finally jailed Risiq for incitement) but the connection between security consulting services connected to the state and the FPI network presents a troubling dynamic. There have many examples where FPI has been retained at the behest of security interests aligned to state interest (Wilson 2006). This reality presents a worrying trend that brings into question the state's commitment to tackling the problem of Islamist violence. As I stated earlier, Indonesia's transition out of the authoritarianism has been a successful yet incomplete endeavor and there are still old political dynamics working themselves out. The use of Islamist gang like the FPI to keep other groups' in-check not only perpetuates old politics, it perpetuates the acceptability of Islamist and is deleterious to the nation-states unfolding democratization process.

Conclusion:

This paper has been a modest attempt to recalibrate to the analytic frame-work around how we view the connection between the state and the ongoing problem of Islamist violence in world's most populous Muslim nation-state. My analysis in this paper has tried to demonstrate that by de-emphasising the role of the specific typologies of Islamist thought and re-centring analysis around the role of the state we can gain a much clearer and nuanced picture on why Islamist violence has been despite it's lack of popularity as a means of been persistent. I have also tried to demonstrate that because the threat has itself not been properly understood the means by which the radicalization process been understood has been similarly flawed. This is particularly true in the policy prescriptions given by Indonesia's allies, notable the USA and Australia, in regards to counter-radicalization strategies. Certainly gains have been made in closing down certain Pesantren (religious schools) that preach hate. Similarly, as a result of western pressure Indonesia's security services are now more vigilant in their surveillance of certain groups. At the same time however many of the demands made at the request of western intelligence agencies are short-sighted and only reflect the immediate security interests of specific actors outside Southeast Asia. For example, demands that the Indonesian government takes a more activist position in the policing of religious schools and more generally "moderate" the practice of Islam is a particularly ineffectual way of combating radicalism. Secularism has been of the hallmarks of the Indonesian state and many analysts worry that moves to empower the doctrinally conservative MUI (Majelis Ulema Indonesia) – the National Ulema Council – to more actively police religious practice will lead to deterioration in religious freedom. In particular, moderate and non-violent groups like the Sufis and the Shaii Ahmadiyah sect worry that if MUI is empowered by the state to enforce doctrinal norms they will inevitably face more persecution than they already do. Similarly, secular civil society groups worry that if the MUI is empowered by the state they will face the growing tide of state sanctioned religiosity, albeit under the guise of combating radicalism.

On the complex subject of radicalization the current state of affairs yields an interesting and contradictory

set of dynamics. I would conclude by saying only that we are continuing to see spasms of violence not because JI has large constituency or because Indonesia has ethno-religious issues that make religiously based violence more or less likely or because Indonesia is a highly radicalized society, rather this phenomenon is the bi-product of unresolved secular political dynamics associated with its clunky transition out of authoritarian politics.

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Liberalism, Blasphemy and Religion.

By John William Tate

The modern contours of the debate concerning the relationship between church and state were established in 1689 by Locke in *A Letter Concerning Toleration*, and discussion of the issue has not advanced one millimeter beyond Locke's treatment even though over three hundred years have passed. (Fish 1997: 2255).

Liberal democracies embody two competing political traditions – liberalism, which in various forms places a priority on individual liberty, and democracy, which defends the sovereign capacities of political majorities. This paper focuses on the liberal tradition and the complexities it encounters when confronting minority religious and cultural claims. At a philosophical level, democrats have little trouble dealing with minority claims. For instance, Jean-Jacques Rousseau believed the highest duty of a citizen was conformity to the general will, and those who failed to display this virtue must be “forced to be free” (Rousseau 1968, Bk. I, ch. 7: 63-64). In other words, because of its emphasis on the sovereign rights of political majorities, democrats are often willing to allow minority issues to be resolved by a broader collective. It is only liberals, with their philosophical commitment to the rights of individuals and minorities, often *against* the power of majorities, who are likely to experience philosophical difficulty in such instances, and seek ways to protect individual and minority rights in a political context where sovereign majorities wield significant power. For liberals, political constitutions incapable of being momentarily altered by democratic majorities are often a favoured source of protection for individual and minority rights.

Yet what happens when the clashes between minorities and democratic majorities are intractable because they involve unconditional commitments on both sides? In such instances, neither side can give ground without betraying their own fundamental value commitments. Such intractable conflicts can be seen where issues of *blasphemy* are at stake. For religionists, what is at stake in such instances is the honour and integrity of their God, and depending on their response, often their own salvation. For secularists, particularly in liberal democracies, what is at stake are fundamental political rights to freedom of speech and conscience. Given the agonistic nature of such a confrontation, evident in the fact that neither side can concede anything to the other without diminishing something fundamental in themselves, solutions consistent with civil peace are not always evident.

As the Rushdie and recent Danish Cartoons affairs indicate, such clashes over the issue of blasphemy can

occur *within* liberal democracies and the cost can sometimes be in human lives. Liberals are divided on the best way to accommodate such endemic and volatile differences in order to avoid such bloodshed. The liberal tradition has its origins in seventeenth century England and emerged precisely in response to such circumstances of religious conflict. The overriding political question was how civil peace could be secured within a polity when its inhabitants were fundamentally divided over questions of religion. A political response emerged in the work of John Locke which emphasized a strategy of “privatization” and “separation,” where matters of religion were reduced to private questions of individual conscience, and where such questions were thoroughly separated from civil concerns centered on the public sphere. More recently a different sort of liberalism has emerged, identifying strongly with an ideal of multiculturalism, and insisting that the best way to deal with such conflict is to prioritize a value of equal respect. In instances involving blasphemy, for instance, this value of equal respect would trump competing values of free speech, insisting that individuals should not blaspheme if this violates the equal respect of others (cf. Parekh 1990: 705-08; Rostbøll 2009: 629, 631-632, 633, 634, 636, 642, 643). Various liberals have endorsed this priority placed on equal respect over other liberal values (: Taylor, 1994: 41; Galeotti 2010: 5-6). Each of these strategies was designed to produce a liberal political framework capable of preventing individual differences degenerating into civil disorder. We will consider each in turn.

Privatization and Separation

John Locke is widely considered one of the founding fathers of the liberal tradition (Laslett 1963: 103; Macpherson 1962: 262; Seliger 1968: 45; Plamenatz 1972: 252). Locke began his philosophical career ruminating on what he perceived to be an overriding political problem. This was the problem of how to secure civil peace in a polity where individuals are fundamentally divided in their most earnest convictions (Locke 1967: 117-121; Locke 1993a: 186). In Locke’s time, these convictions were religious ones, and the differences they induced between individuals were, in Locke’s view, likely to lead to violent conflict (Locke 1967: 117-121, 160-61).

Locke’s strategy for ensuring civil peace in this context of endemic division was one of “separation” and “privatization.” He wished to separate or remove religion from all contact with the public sphere of civil authority and instead confine it to the realm of private individual conscience and voluntary church attendance. His *Letter Concerning Toleration*, published in 1689 in the wake of England’s Revolution of 1688, was primarily an account of this process of separation and privatization, where religion was limited to the private sphere, subject to individual choice, and the state was limited in its capacity to intervene on matters of religion, only doing so when civil interests (separate from religion) were at stake (cf. Locke 1993b: 397-410). Let us consider these two limits on state and religion in turn.

Concerning the limits on the state in relation to religion, consider the following examples. Locke conceded that the state could prohibit animal sacrifice in religious practice, but only for the sake of the civil interest of preserving public food supplies (Locke 1993b: 415). The intrinsic rights and wrongs of animal sacrifice

was not the state's concern – rather, it must remain “indifferent” on such issues (Locke 1993a: 192, 193, 195). Similarly, when it came to the practice of idolatry, the state could not prohibit such practice, but rather must tolerate it, irrespective of its theological merits, since the practice was not “prejudicial to other men's rights” nor did it “break the public peace of societies” (Locke 1993b: 417). In each case, the state could only intervene on matters of religion when civil interests (separate from religion) were at stake. On matters of religion itself it was to remain “indifferent” and therefore impartial.

Concerning the limits on religion, Locke insisted that churches could not invade the civil rights of their members, nor could they overstep their private limits to insist, at a public political level, that “dominion is founded in grace” or that “faith is not to be kept with heretics” (Locke 1993b: 397-405, 425). All the churches Locke proscribes in the *Letter* are those that overstep these private limits, and seek to exercise political authority in the name of religion (cf. *ibid*: 424-26). Once again, therefore, religion is only proscribed or limited on civil grounds. This is the case even when Locke's proscription extends to Catholics and atheists. Catholics are proscribed because they owed their allegiance to a foreign power (Locke 1993a: 197, 202-03) and atheists are proscribed because they could not be trusted to abide by their “promises, covenants and oaths” (Locke 1993b: 426) – in neither case are they proscribed for theological reasons. Thus we see that John Gray, John Dunn and Jeremy Waldron are in error when they suggest that Locke proscribed atheists and/or Catholics because their views were at odds with his personal religious convictions (cf. Gray 2000a: 323-24; Gray 2000b: 2; Dunn 1990: 15; Dunn 1991: 180, 181; Waldron 2002: 225-28, 240, 246).¹

Thus we see that Locke's separation doctrine involves two limits – a limit on the church and a limit on the state, where each limit is imposed for civil reasons alone. The privatization doctrine refers to one half of this separation – the limits on the church. Locke referred to separateness of church and state, based on these two limits, as follows:

[T]he Church itself is a thing absolutely separate and distinct from the commonwealth. The boundaries on both sides are fixed and immovable. He jumbles heaven and earth together, the things most remote and opposite, who mixes these two societies, which are in their original, end, business, and in everything perfectly distinct, and infinitely different from each other. (Locke 1993b: 403. Cf. *ibid*: 393).

Locke's Contemporary Legacy

Locke's strategy of privatization and separation also characterizes the work of later liberals like John Rawls. Within his doctrine of *political liberalism*, Rawls made a fundamental distinction between the “political” and the “non-political” or the “public” and “non-public” spheres of a well-ordered society (Rawls 2005: xix, 137, 220n). He relegated all comprehensive religious doctrines to the non-political/non-public sphere and insisted that, when it came to matters of public deliberation, all citizens should

refrain from making substantive judgments concerning the intrinsic qualities of these religious faiths, and instead consider them solely on civil grounds – i.e. in terms of their relation to the public principles of justice (ibid: xxviii, 60-63, 114, 210-11, 216-17).

We saw Locke engage in precisely such a strategy when it came to animal sacrifice, idolatry, Catholicism and atheism. Each philosopher is adopting a strategy of separation and privatization, thereby removing matters of contention from the public sphere, and each does so for the same reason of securing civil peace in an environment of endemic difference . As Rawls puts it:

Political liberalism sees its form of political philosophy as having its own subject matter: how is a just and free society possible under conditions of deep doctrinal conflict with no prospect of resolution? (ibid: xxviii. Cf. ibid: xviii).

Equal Respect

The sort of liberalism that prioritizes equal respect can allow for no such separation and privatization of religious differences. Rather, because religion is the subject of such “equal respect,” and because such “equal respect” must be acknowledged and affirmed at a public level, it requires that religion become an object of negotiation and accommodation in the public sphere. It is the argument of this paper that such negotiation and accommodation will become the occasion of interminable and intractable dispute because of the way in which “equal respect” gives rise to irresolvable issues.

Of course, one can plausibly suggest that *all* liberal citizens would endorse a right to equal respect. But while this is true, few would agree on what this “equal respect” required in practice (i.e. the extent of accommodation required) or what beliefs or practices were entitled to such a right. This is because such judgments presuppose a prior judgment concerning what is *worthy* of equal respect, which (involving as it does intrinsic evaluations) necessarily arises from personal viewpoints centered on individual conscience. Yet as Locke tells us, there is “nothing so indifferent which the consciences of some or other do not check at” (Locke 1993a: 191). The result is interminable and intractable dispute because the claims of conscience, so “often happening to be contrary one to another” must necessarily “produce contrary laws” (ibid). The result, Locke says, is that , “...a toleration of men in all that which they pretend, out of conscience, they cannot submit to will wholly take away all the civil laws, and all the magistrate’s power...” (ibid). Thus we see how a general assertion of a right to “equal respect” will produce interminable and intractable dispute, because there is no criterion internal to “equal respect” capable of deciding competing claims to this same value.

This is not the case with a right to free speech. This is because although individuals may disagree about the propriety of such a right, there can be no dispute as to what such a right would entail in practice, since unlike equal respect, the content of the right, and what it applies to, would not be in dispute. Every speech

act is, after all, an exercise in free speech. The application of such a right would not, therefore, be open to interminable dispute, even though the consequences of this exercise may give rise to conflict and unrest, as individuals find the speech of others abhorrent.

However, from the perspective of our first liberal strategy above, if individuals have sufficiently “privatized” their faith, separating it from civil concerns, then they should have sufficient critical distance from their faith to concede others free speech rights at a civil level even if they find such speech abhorrent at a personal level. Anything less than such a public/private distinction in the minds of liberal citizens means they have fallen short of full compliance with the separation doctrine. In this way, therefore, the separation and privatization doctrines ensure civil peace by insisting that individuals accept at a civil level what they find abhorrent at a private level. This would not be possible in the case of “equal respect,” since all such evaluations of what is worthy of respect being subject to rights claims, they must become a matter of public deliberation, with the result that there is no means to privatize what we find abhorrent, instead subjecting all to civil dispute.

Conclusion

In a society fundamentally divided between rival faiths, blasphemy gives rise to agonistic and, often, violent civil conflict. In such contexts, a conflict between “free speech” and “equal respect” is unavoidable since, given either the permission or proscription of blasphemy, one or the other must prevail. When confronted by such conflict, liberals divide on whether free speech or equal respect should have priority. It has been argued that the strategy of privatization and separation with which the liberal tradition began is more capable of dealing with such a clash than more recent liberalisms prioritizing “equal respect.” This older liberalism still allows for the diversity characteristic of multiculturalism, but does so in ways more conducive to civil peace, by relegating such diversity to a private sphere where it is no longer a matter of civil dispute.

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Notes

¹ Waldron provides textual evidence that although Locke was willing to proscribe Catholics in the *Essay Concerning Toleration*, by the time of the *Letter* he was willing to tolerate them (Waldron 2002: 218-23).

The Catholic Nationalist: Rethinking Kohl's Notion of Germany.

By Christian Wicke

Abstract

Religion can shape the form nationalism takes: the notion of the nation itself can be filled with religious content. Kohl's Catholicism facilitated a liberal type of nationalism, assisted a romantic conceptualisation of Germany, Europe and the West, and had a strong effect on the way he interpreted, falsified and relativised Germany's history. His "liberal nationalist" principles were derived from Catholic doctrines. The attacks of socialism and communism were based on Catholic Social Teaching. The state as a transcendental community rooted in Christian values. Patriotism and national self-determination were unconditionally Christian duties. The constitution was deeply Christian and his own party the most adequate national representative of its spirit. Kohl saw the secularism that accelerated after the sixty-eight movement and the decline of Christian Democratic power in 1969 as a threat to national heritage. Socialist atheism would be anti-national, anti-European and anti-Western. His religious denomination served as both a factor of integration and demarcation in his nationalism. Kohl's nationalism was therefore not merely a proto-religious substitute for religion but articulated as religious *per se*.

Introduction

Religion can thoroughly shape the form nationalism takes: the notion of the nation itself can be filled with religious content. Politics, cultures or histories that are constructed to give meaning to particular concepts of the nation can be articulated in religious rhetoric. This analysis of the nationalism of the former German Chancellor Helmut Kohl will therefore move beyond the idea of modern nationalism as a proto-religious substitute for religion (see Hayes 1926, 1960; Smith 2003) by looking at a nationalism that has been articulated as religious *per se*. It reveals that his Catholicism facilitated a liberal type of nationalism, assisted a romantic conceptualisation of Germany, Europe and the West, and had a strong effect on the way he

interpreted Germany's national history.

Kohl's upbringing in the Palatinate region, his Catholic parents, his political mentor Father Finck as a teenager after the Second World War and his early membership in the Christian Democratic Union (CDU) signal an omnipresence of Catholicism in Kohl's life. Kohl's background facilitated a view on history that assumed positive continuities in the German past and encouraged him to falsify and relativise national history. His romantic notion of Germany stood in the tradition of political Catholicism that was suppressed in Bismarck's Reich, controversial in the Weimar Republic and the Nazi era, and eventually revived and harmonised under West Germany's first post-war Chancellor Konrad Adenauer as a reaction to the failures of the past. The new official nationalism of the Federal Republic (est. 1949) that succeeded under Adenauer's newly founded CDU offered an alternative to the "failed" Prusso-Lutheran notion of the nation. It was based on a western conception of Germany, which should be integrated into the European and Transatlantic frameworks in order to safeguard the Christian occident. Kohl saw himself obliged to maintain this conception throughout his career.

His "liberal nationalist" principles¹ were derived from Catholic doctrines that comprised ideas of subsidiarity, individualism, solidarity and welfare. Further, his attacks of socialism and communism were based on Catholic Social Teaching. The non-totalitarian state had to be a transcendental community rooted in Christian values. Kohl thus projected patriotism and national self-determination as unconditionally Christian duties. He interpreted the West German constitution as deeply Christian, so that only his own party would be the most adequate national representative of its spirit. Kohl saw the advance of secularism that accelerated after the sixty-eight movement and the decline of Christian Democratic power in 1969 as a threat to national heritage. The cultural and ethical foundation of the *Volk*, the republic and Europe was in his eyes essentially rooted in Christianity. Consequently, socialist atheism would be anti-national, anti-European and anti-Western. Informed by a genuine European identity, it was an occidental concept of nationhood with strong poly-centric components that motivated Kohl during his Chancellorship (1982-1998) to play a leading role in the European integration process and the way he shaped the German (re)unification. His religious denomination served as both a factor of integration and demarcation in his nationalism.

Kohl's Catholic Nationalism

Kohl believed he had learned the lessons from the past. He was convinced that a functioning state had to be based on Christian principles and could thus not afford any complete secularisation (Kohl March 1975: 102). The national community, its culture, history and values rested, in Kohl's view, extensively on its Christian heritage and the churches played an instrumental role in maintaining this tradition (Kohl March 1975: 103, 15-06-1988: 294). Kohl, moreover, saw Christianity as an indispensable force against secular radicalism that he saw reviving in the 1970s, when he perceived an extreme threat to the national and republican tradition (Kohl March 1975: 107, 13-06-1976: 170). He saw the ecclesiastical institutions as

anti-Communist allies, as promoting human rights and appeasing class struggles (Kohl March 1975: 108).

In his PhD (1958), Kohl described the relationship between religion and politics after “the loss of the unity of the occident” as problematic: in modern times, it would be difficult to distinguish between specifically Christian policies and quasi-Christian motives (Kohl 1958: 77). The Third Reich had, in Kohl’s view, however, revealed the contrast between Christian and non-Christian politics, as religion had been suppressed and persecuted. He took this alone as evidence for the conclusion that “one can justly talk about a Christian defence front in the Third Reich” (Kohl 1958: 77). Kohl’s religiosity thus had a strong impact on his interpretation of national history: in his memoirs he described the Nazi-era as “apostasy from God” (Kohl: 2005: 340).² Kohl still admitted in his thesis that there was a feeling of guilt because Catholic politicians supported Hitler’s Enabling Act (Kohl 1958: 80). During his later political career, he would, however, fail to accept this fact. According to Kohl, the “first German democracy [during the Weimar Republic] was destroyed by extremists from left and right” (Kohl 22 February 1979; Kohl 13 October 1982). He blamed atheist communists and fascists equally for the German catastrophe (Kohl 10 April 1976: 156). Kohl could therefore relativise the German past on the basis of its present Eastern counterpart (Kohl 10 April 1976: 156). His Catholic background in that sense affected his version of national history as well as his interpretation of political ideologies and the way he exploited the Cold War.

Kohl presented the politics of his party as a “divine duty to supervise that the worldly areas of life do not make themselves independent.” Natural law, in the Christian sense, would be the standard to solve disputative questions (*Rhein-Zeitung* 11 January 1968). He called upon his party members “to fight for maintaining the person as he was intended by God...” (Kohl 28 August 1964: 11). Christianity he saw as intrinsically anti-ideological (Kohl: 05 November 1974: 587). Ideology, in turn, would be always evil (10 April 1976: 157). The CDU was in his view therefore not an ideological party but a “*Weltanschauungs-Partei*” entrenched in the worldview of the Church (Kohl 28 September 1964: 11). Yet, ideologies, namely liberalism, socialism and National Socialism served him as demarcations to locate the Christian Democracy on the ideological spectrum (Kohl 28 August 1964: 11).

Kohl claimed that the foundation of the FRG as a success story mostly written by his own party, which connected “social, Christian and liberal thought” (Kohl 13 October 1982). The main rival party served as an atheist anti-type: “The CDU...very much in contrast to Social-Democracy, never wanted a substitute for religion” (Kohl 29 August 1964). As opposed to the SPD, his party would stand for a “notion of democracy that assumes the human, how he really is, not as a dogmatic philosophy of a “new human,” how he could be or should be” (Kohl 23 May 1974: 94). Only the CDU would thus represent the real will of the German citizens, their “Christian and liberal heritage” (Kohl 12 June 1973: 55). And when he saw Adenauer’s moral legacy crumbling in society in the 1960s, he proclaimed the CDU as a messiah of the Federal Republic to restore the Christian values, liberal principles and national imagination that were necessary for salvation (*Rhein-Zeitung* 11 January 1968; CDU 19 September 1985).

For all that Adenauer was Kohl’s greatest national hero, the Federal Republican constitution was his supreme national symbol. For Kohl, the German Basic Law itself was based on the Christian *imago dei*

(Kohl 13 June 1976, Kohl 12 February 1984: 230). The legal system of the FRG would rely on Christianity and Enlightenment, yet the latter rooted in the former, which ultimately implied the sublimation of liberalism (Kohl 28 May 1987: 109, 23 May 1974: 70). The constitutional state had superseded individual reason, because human cognition was at all times imperfect (Kohl 08 December 1973: 56-7, 1973: 93). In Kohl's view, the values upon which the state was built were not subject to empirical or discursive practice but to Christian natural law (Kohl 13 June 1976: 171). And because his own party would be the best representative of this Christian tradition, he portrayed it as Germany's most constitutionally patriotic faction (Kohl 1973: 70/71).

Kohl did neither concretely differentiate between Catholic belief and Christianity as such, nor did he clearly distinguish Judaism. The liberal tradition, which comprised "the basic values of freedom, solidarity and justice, to the inalienable dignity of the human being, to Human Rights," would ultimately rest on "Christian faith" (Kohl 12 February 1964: 230, Kohl 03 October 1982). He referred to Ernest E. Griffith, according to whom the Judeo-Christian religions would serve as the best foundation to maintain democratic institutions and principles, which included: "love for freedom," "participation in social life," "moral cleanliness of public institutions," "voluntary recognition of duty to serve the community, on the part of economic groups," "the assumption that political leadership and administration are public positions of trust," "constructive limitations of passions in the interest of society" and "amicable cooperation of peoples" (Kohl 14 June 1972).

Yet, to him there was "a noteworthy difference in the preconditions" between Catholicism and liberalism: "Catholic Social Teaching is determined by a notion of the person...as a member of a supra-personal, more comprising community," whereas "classical liberalism assumes autonomy and independence of the individual and does not emphasise the social character explicitly" (Kohl March 1975: 113). He therefore wanted to bring religious awareness into liberalism. Kohl declared: "for the CDU the answer to the question about basic values cannot be given positively through the reference to mere factuality of society" as this "would leave the dignity of the person up for negotiation" (Kohl 13 June 1976: 171). He advocated welfare and solidarity as Christian principles, while liberal nationalists believed the social questions in liberal societies could only be guaranteed by nationalism (see MacCormick 1982, Tamir 1993, Miller 1996).

Kohl elevated the state itself into a sacred sphere, a transcendental community: "our state is more than a collective of production for material wealth...It is a community of free citizens, a community of the ones alive, the dead ones and the ones coming after us...this is our political and historical contract" (Kohl 12 June 1973: 55). This transcendental patriotic duty could, in Kohl's view, not be fulfilled by any socialists, whose conception of history would be purely materialistic: "citizens will only be combat-ready...if they are not only convinced by their reason, but also by their heart, by their emotion and if they are convinced by their feeling, this is my Republic" (Kohl 28 April 1979: 15-16). Not a socialist state, but the Christian commandment of the grace of charity and solidarity would most effectively endow co-nationals with mutual social obligation (Kohl 13 June 1976: 172).

Kohl felt that the religious and the national imagining were both on the decline with the sixty-eight

movement, and the coming to power of the Social Democratic government in 1969. All this he saw as a movement towards secularisation in the 1970s, against which he sought to react. Although Kohl joyfully noted a “revival of local customs and traditions” after during his Chancellorship in the 1980s (Kohl 18 March 1987: 27), he realised that the challenges of the modern secular world had persisted (Kohl 18 March 1987: 27). His romantic nationalist politics of *Heimat* and *Kulturnation* were not sufficient enough to prevent people from fearing a loss of security, to solve the “tension between continuity and progress, between traditional and modern values” that came about in the course of secularisation (Kohl 18-03-1987: 7). He perceived the Churches and religious communities as central in solving this problem (Kohl 18 March 1987: 9). Religion was necessary to avoid dangerous feeling of angst that emerged out of “faithless cultural scepticism” (Kohl 12 February 1984: 231). Instead, optimism was needed: “Help us, that not pessimism, but the belief in the future of our country – deriving from our trust in God – determines our actions. That is lived Patriotism in 1984!” (Kohl 12 February 1984: 246).

Hope was needed when unification appeared increasingly unrealisable. Kohl was convinced that “especially the German wants unity” (Kohl 1975: 129). When the Pope visited Germany in 1980, Kohl affirmed: “As a Pole, he knows what it means when the *Heimat* is violently cut up. He however also knows that an unflinching consciousness of national unity proves stronger than any political power” (Kohl 10 November 1980). Like John Paul II (2005), Kohl saw the universal principle national self-determination as something that went beyond its international legality. It was directly linked to the *natural* willingness and obligation for unity of all peoples: “That is a piece of normality in the life of peoples” (Kohl 28 April 1979: 14-15).

Although Kohl desired to maintain regional, national, ethnic and religious demarcations, his Catholic nationalism had somewhat poly-centric tendencies that ensured a relative degree of tolerance, which was again a principle demanded by liberal nationalists: “For the Christian in any case, patriotism means the attitude not only towards the own fatherland, but always also means the respect of the love of fatherland of the neighbour and thus the rejection of any form of national arrogance” (Kohl 26 September 1992: 427). Kohl’s genuine European identity suggested at least some elements of authenticity within this rhetoric. As with Adenauer, the underlying source of Kohl’s Europeanness was a Catholic background. Similar to Germany, Europe, the European Community (EC) were for Kohl primarily cultural and “spiritual-moral” notions based on a long Christian tradition (Kohl 1973: 62, *General-Anzeiger* 19-09-1977, Kohl: 31 October 1991: 373). Catholic symbols in his home region, such as the Speyer Cathedral, were to him simultaneously German and European *lieux de memoire* (Kohl 2004: 25). “The Roman-German Kaisers,” who once resided in the Palatinate “did not rule over a nation-state, but over an early house of Europe, which reached from Sicily to the North Sea. They contained the consciousness of the occidental world in themselves, this ancient and Christian *Kulturkreis*” (Kohl 2004: 26). Kohl consciously used the principle of subsidiarity taken from Catholic Social Teaching to explain European identity. Catholic, Christian, Western, European, national and local identities were all mutually constitutive in Kohl’s mindset (Kohl 27 October 1992: 442, 444). While each European nation had its own cultural core, they would share the common religious and therefore cultural heritage that had to be revived in public consciousness by the Church and politics (Kohl 23 June 1991: 360, 26 September 1992: 418).

If Adenauer was Germany's prophet of the revival of Christian Europeanism in the post-war epoch, Kohl was his messenger towards the end of the century (*FAZ* 17-9- 1989). The fall of communism in the East and the German reunification had, in Kohl's view, proven that Christian heritage was stronger than any political constraints (Kohl 2007: 579). Kohl grasped this moment as a great chance for a re-Christianisation (21 June 1991: 368-369). As much as the atheist ideology had banned East Germans from their "real" national heritage, it had hindered Europeans in the East from their real Europeaness. Communism was anti-Christian, thus non-Western, hence un-European, and therefore non-German (Kohl 02 April 1985, Kohl 23 June 1991: 361). At the same time, Kohl romanticised the diversity of European culture and Christian variety across the continent and demanded to "draw an ecumenical bow from the monasteries and chapels of Ireland to the churches and cathedrals of Kiev and Moscow" (Kohl 21 June 1991: 369). In Kohl's nationalism, religion served as both a factor of integration as well as political demarcation.

Conclusion

Religion constitutes an underlying factor in the analysis of Kohl's nationalism, which was not *Ersatzreligion* but legitimised on Christian grounds. Catholicism shifted toward the centre of power in the Federal Republic under Adenauer. Catholics then were no longer second-class citizens and leaders such as Adenauer and Kohl sought to impart an official notion of Germany as integrated into Europe and the West on the basis of a common pre-national Christian heritage and to promote a transcendental interpretation of constitutional democracy and the "social market economy" as based on Catholic Social Teaching. With the division of Germany and the rise of Christian Democracy, Catholicism succeeded the alleged Protestant trajectory of the failed Reich and presented itself as a counter force against the Communist threat within the context of the Cold War. Communism was portrayed as equally evil and atheist as the Nazi apostasy from God. Kohl used his Catholic background to falsify and relativise national history by displaying Catholics as victims of the accidental terror under Hitler and within an otherwise glorious German tradition that reached back to the Christendom's pre-national legacy and the romantic memory of the Holy Roman Empire.

This biographical approach to nationalism thus offers more general conclusions, which seem to be worth further exploration. It reveals that religion cannot be ignored as a parameter in structuralist, idealist, and elitist accounts in Nationalism Studies: First, religion may be a reason to exclude groups from the official national culture and thus cause socio-political advantages/disadvantages. In times of crisis the role allocation between religious groups in national culture can change. Second, religion can have a strong effect on political ideology, national myth-making and the interpretation of national history. Notions of the same nations and states can be dependent on the religious groups they accommodate and can vary amongst them. Third, the religion of political actors may influence their foreign policy performance and official interpretations of the meaning of liberal rights and institutions in allegedly secular states.

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Notes

¹ For the ideology of liberal nationalism see some of its greatest advocates, such as Neil MacCormick (1982), Yael Tamir (1993) and David Miller (1996).

² As he wrote in his memoirs:

‘Yet, first it had poisoned the spirit. The rulers were menials of lawlessness. With their arrogance and gluttony they blinded the people and ruined the whole continent. Origin of this work of destruction was an increasing fall in values and morality. In the end, the totalitarian *Unrechtsstaat* presupposed an apostasy from God.

The hypocritical reference of the rulers of the Nazi-regime to “divine destiny” only served to cover up the own arbitrariness. It was and remains in reality the worst perversion of religious belief: a derision of the living God, as the great religions acknowledge and witness him’ (Kohl 2005: 340).

Religious Conflict and Interfaithism.

By Colin Wilks

The Interfaith Movement aims to diminish the potential for *inter*-religious conflict in the modern world by promoting ‘interfaith understanding’. Its effectiveness as a movement is however limited because the method it employs for promoting *inter*-religious harmony can only be employed at the risk of augmenting the potential for *intra*-religious disharmony within the very religions it is employed to *inter*-religiously harmonise.

Religion has been with us since we first became human, and despite the ‘God-busting’ efforts of evangelical atheists, such as Richard Dawkins, it is will remain with us while ever the uniquely human needs to which it uniquely ministers remain with us.

The uniquely human needs to which religion uniquely ministers stem from the fact that, as humans, we have been alienated from the natural world of instinctual purposes in which non-human animals exist, and, as a consequence, have had to infuse our extra-instinctual existences with extra- instinctual purposes and meaning. However, while religion emerged in human history as a solution to the uniquely human problem of being human, other uniquely human problems emerged in the wake of the solution it provided, and the most obvious of these was the problem of *inter*-religious conflict.

The fact that different groups of humans developed different religious solutions to the uniquely human problem of being human did not immediately result in what might be termed ‘*genuine* inter- religious conflict’. There were no doubt conflicts from the very outset between different groups of humans who believed in different gods (or spirits), but they were not conflicts *about* the different gods the different groups believed in. While both sides in such conflicts may have called upon their gods to aide them in their conflict with the other, they were merely *pseudo* inter-religious conflicts because it was not the other’s religious beliefs that were at issue.¹

It was not until certain groups of humans started believing that their gods – or more to the point their *God* – was the *only* God that the potential for *genuine* inter-religious conflict emerged in human history; and, as my emphasis on ‘God’ singular is intended to highlight, it was the emergence of monotheism that triggered the emergence of *genuine* inter-religious conflict. But it was not the initial and insular Judaic form of monotheism that triggered it; it was the subsequent and all-embracing Christian and Islamic forms

that emerged from the Judaic form, for where the Jews believed the one true God was their God and theirs alone, the Christians and Muslims believed the one true God was everyone's God, and, thus, the God that everyone should believe in.

To complicate matters, however, the Christian and Islamic monotheists both believed that their own respective conception of the one true God was the one true conception of the one true God and, thus, the one true conception that everyone should believe in.

To the limited extent it ever actually occurs, *genuine* inter-religious conflict occurs not simply because one (or both) of the conflicting parties believes that what the other believes is wrong, but because one (or both) of the parties believes it (or they) have a religious duty to correct the error of the other's ways.

There are various methods by means of which the more tolerant and peace-loving followers of Judaism, Christianity and Islam (which are arguably the world's most conflict-prone religions) have sought to diminish the potential for *inter*-religious conflict between their less tolerant and less peace-loving counterparts. Most of these methods have encouraged mutual toleration by encouraging believers to believe that it is only by the grace of God that they themselves are believers: from the Christian perspective 'there but for the grace of God go I'; from the Muslim perspective 'It is not for any soul to believe save for the permission of Allah' (*Qur'an* 10:99-100), and, hence, there should be 'no compulsion in religion' (*Qur'an* 2:256). However, the somewhat different method on which I intend to focus is the method upon which the contemporary Interfaith Movement is based.

The Interfaith Movement is founded on the belief that *inter*-religious conflict can be more effectively diminished if, rather than simply tolerating each other 'at a distance', people from different religions get 'up close and personal'; get to know each other as people and get to know each other's religions from the inside out. In simple terms, the interfaith method for facilitating this coming together is simply a matter of people from different religions getting together and focussing on the beliefs they share in common rather than those that divide them. In more complex terms, however, it is a far from simple matter of them subordinating their first order religions, that is, the religions they subscribe to as Jews, Christians or Muslims, to a second order religion in which the primary article of faith is that people from different first order religions can live together in harmony despite their differing first order religions.

In order to subordinate his first order religion to this second order religion, an interfaithist must not only subordinate any concrete, first order conception of God he entertains to an abstract, second order conception of God, he must subordinate any first order concerns he has about first order scriptural detail to a second order concern about the second order, interfaith 'message' that lies behind the first order scriptural detail. An instructive example of this works in practice is provided by Mark Dowd in his documentary *The Children of Abraham*.

At the beginning of his documentary, Dowd poses the question 'If Jews, Christians and Muslims are all children of Abraham, why is his family so horribly dysfunctional?' Because Abraham is a central religious

figure in Judaism, Christianity and Islam, it would be easy enough to assume that his centrality to all three religions could provide a basis for establishing some sorely needed common ground between them. Unfortunately, once we move beyond the fact that he is a central figure in all three religions to the differing scriptural narratives in which he centrally figures, any hope of him providing a basis for common ground where it is most needed quickly fades.

As Jews and Christians tell the story: toward the end of his life Abraham became desperate for a son, and because his wife Sarah was thought to be barren, he took her Egyptian maid, Hagar, as his second wife, and she bore him a son who he named Ishmael. Thirteen years later, however, Sarah miraculously conceived and bore him a second son who he named Isaac. After the birth of Isaac, Sarah persuaded Abraham to banish Hagar and Ishmael from the family. Some years later, God told Abraham to sacrifice his son Isaac, and, being a devoted servant of God, he began making preparations to sacrifice his son. At the last moment, however, God intervened and told Abraham that He had just been testing his devotion and there was no need to carry through with the sacrifice.

As Muslims tell the story, however, it was not Isaac who God asked Abraham to sacrifice; it was Ishmael, and the difference is crucial because it is to Ishmael that Muslims trace the ancestry of the Prophet Muhammad.

The method by which interfaithists seek to ‘smooth over’ crucial differences of this kind is demonstrated in the following exchange I have transcribed from the *Children of Abraham*:

Mark Dowd: [Does] the fact that Jews and Christians think it was Isaac whom God asked Abraham to sacrifice, while Muslims think it was Ishmael, [pose] a problem for interfaith dialogue and the [prospects] of bringing greater harmony between the three religions?

Rabbi David Rosen: Well it could be a problem if your concern is whose text is right: your text or mine. But that is not a healthy approach to interfaith relations and interfaith dialogue. And therefore if we [ask] ‘what is the message behind the narrative?’ the identity of the characters is less important than what the message is conveying. I think we can go beyond this, and I think that is what we have to do. In dialogue [with Muslims] I have no problem saying ‘Isaac in my tradition’ and ‘Ishmael in yours’.

Mark Dowd: But would you be happy if it was in fact Ishmael whom God asked Abraham to sacrifice?

Rabbi David Rosen: it would make no difference to me in terms of the message.

If all Jews, Christians and Muslims were like Rabbi Rosen, and could so easily subordinate their concerns about first order scriptural detail to a second order concern about the second order message that lies behind the first order scriptural detail, there would be little if any potential for *inter*-religious conflict

between Jews, Christians and Muslims. Unfortunately, most Jews, Christians and Muslims are not like Rabbi Rosen, and could not bring themselves to believe that it makes no difference whether it was Isaac or Ishmael who God asked Abraham to sacrifice. This is why the effectiveness of the Interfaith Movement is so profoundly limited; its method for diminishing the potential for inter-religious conflict can only be pushed so far before it begins to augment the potential for intra-religious conflict.

Intra-religious conflict is conflict that occurs within particular religions (or within denominations of particular religions). It takes many forms, but the specific form that concerns us is that which occurs between followers of a particular religion who have a more concrete-literal understanding of their religion and those who have a more abstract-metaphorical understanding.

While it may make no difference to Jews, Christians and Muslims who have a more abstract- metaphorical understanding of their religions, the identity of the son whom God asked Abraham to sacrifice makes all the difference in the world to Jews, Christians and Muslims who have a more concrete-literal understanding of their religions; and does so not simply because they all have a vested interest in it being one son or the other, but because if it makes no difference whether it was Isaac or Ishmael, then perhaps it makes no difference whether God *really* asked Abraham to sacrifice one of them, and if it makes no difference whether God *really* asked Abraham to sacrifice one of them, then perhaps it also makes no difference whether there *really* was an Abraham, and if it makes no difference whether there really was an Abraham, then perhaps it also makes no difference whether

For Jews, Christians and Muslims who have a more concrete-literal understanding of their religion, believing that it makes no difference which son God asked Abraham to sacrifice would be like stepping onto a slippery slope that descends all the way to atheism. The fears such people have about this slippery slope – be they conscious or unconscious - are understandable, because it is far from clear how their more abstract-metaphorically inclined counterparts would secure themselves a theistic foothold somewhere short of atheism once stepping onto it.

Toward the end of his documentary, Mark Dowd stops to reflect on what he has learned in the process of making it:

Perhaps in the end it is not as helpful to talk about the differences between the three Abrahamic faiths as it is to talk about two different mindsets; on the one hand, the mindset of religious liberals who are open to dialogue, comfortable with their own religions, but happy to explore the minds of others, and, on the other hand, the mindset of religious fundamentalists who see everything in black and white and who are adamant that they and they alone possess the truth.

He then goes on to blame himself and other religious liberals for not doing more to address the problem of fundamentalism within their respective first order religions, but, as his documentary clearly demonstrates, there is very little that religious liberals can do about the problem of fundamentalism within their own respective first order religions, because religious fundamentalists have little respect for the opinions of

their religiously liberal counterparts indeed; from their perspective, their religiously liberal counterparts are little more than closet atheists.

One of the uniquely human needs to which religion ministers is the need for ‘existential certainty’; and the more black and white the certainty it provides the more fully the need is met. The more they focus on the theological abstractions which *they* share in common, and the interfaith messages which *they* ‘see’ behind the first order scriptural narratives, the more the interfaith religious liberals undermine the literally-interpreted scriptural certainties on which the faith of their respective less-liberal religious counterparts is founded, and, thus, the more they distance themselves from the people they are *supposedly* hoping to exert a calming, interfaith influence upon.

I stress ‘supposedly’ because the interfaith mission, understood as a mission to establish common ground and inter-religious harmony where it is most sorely needed, is a ‘mission impossible’, because the people who are most sorely in need of inter-religious harmony, namely, the fundamentalists, are impervious to its methods. Indeed, it is fortunate that the circles in which interfaith religious liberals and religious fundamentalists move are very different, for if their circles ever actually crossed the ‘chemistry’ would be anything but calming.

This points to the fact that rather than being on a mission to spread the word of inter-religious harmony among the people who are most sorely in need of it, the interfaithists are instead on a mission to assure their humanist liberal counterparts (i) that they too are liberals (albeit, religious ones); (ii) that religion can be a force for good in the world, and (iii) that they, the forces of good religion, can secure the middle ground occupied by religiously moderate Jews, Christians and Muslims, and thereby prevent it from falling into fundamentalist hands.

As former British Prime Minister Tony Blair recently put while elaborating on the mission statement of the ‘Faith Foundation’ he has founded (a branch of which is now operating in partnership with the University of Western Australia):

What I always say is [that] religion can be a force for good or for ill. The question is how do we promote it as a force for values common to all of humanity [presumably liberal values], for understanding, for respect towards each other, and how do we prevent it being a source of conflict. Religion can be a force for good and it cannot be, so let’s work out how we promote it as a force for good and diminish its impact as a force for evil (*Lateline*, 7 June 2010).

But as I have shown, there is a very fine line that needs to be walked here, because if harmonising methods, such as the interfaith method, are pushed too far, indeed, if the *pushed* to any extent at all, they will simply push many otherwise moderate Jews, Christians and Muslims into the enemy’s hands.

While ever the human needs to which religion ministers remain human needs, religion, in its various forms, will remain, and, while ever religion remains so too will the problem of religious conflict, because

like so many of the other uniquely human problems with which humans have to deal it is a problem for which there is no perfect solution.

References

Dowd, M. *The Children of Abraham*. Channel Four Television Corporation. 2004. *Lateline*. “Mid East peace vital for world security: Blair.” Australian Broadcasting Corporation. Aired 7 June 2010.

Notes

¹ Of course, the distinction I have drawn here begs the question whether any religious conflicts have ever *really* been *genuine* religious conflicts.

