Conclusion: Emerging Issues in the Study of Church-State Relations

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INTRODUCTION

The contributors to this volume have analysed recent developments in church and state relations in various European countries. They investigated particular dimensions of these relations, and pointed at new research directions in the field. On the basis of the analyses they present, one may identify eight major tasks lying ahead for political scientists who study the interpenetration of religion and politics in the European context. These tasks involve 1. the study of the dynamics of contemporary church-state relations, 2. the extension of existing theoretical frameworks to take account of east European developments, 3. the re-assessment of the significance of denominational differences for the links between churches and state, 4. the scrutiny of the links between national identities and discrimination among churches, 5. the analysis of the impact of European integration, and of the development of global governance, 6. the conceptual clarification and operationalisation of the different dimensions of church and state relations, 7. systematic mapping of the strategic options of the churches in twenty-first century Europe, and, finally, 8. establishing the nature of the links between church-state regimes and the national political structures. Some of these topics are age-old, but new developments or obsolete conceptual tools necessitate their revisiting, while others stem from recent political processes.

THE DYNAMICS OF CHURCH-STATE RELATIONS

Church and state relationships are, as is the case with other national institutional structures, the products both of historical traditions and of conscious, rationally planned, and democratically legitimised statecraft. But, there are probably few areas where modern norms are as much in contradiction with inherited structures. The contradictions between the two principles do not necessarily lead to open political conflict, but the reform of old institutions and practices is today a topic of political
discussion in virtually all European states. The re-configuration of church-state relations typically happens through cautious and often tacit re-interpretation of the existing rules, but revolutionary changes do also occur, particularly in states undergoing political transformation.\(^1\) There are some commonalities in the national and regional trends, but there is no common European model yet, although state support for church institutions, respect for the self-determination of religious communities and the extension of privileges to a growing circle of religious organisations seems to be the norm in most countries.\(^2\) Secularisation, understood here as institutional differentiation and the dismantling of religious monopolies, is the leading trend, but it is far from being linear and monotonous.

There are converging tendencies not only across Europe but between Europe and the United States as well. Partly as a result of the policies pursued by the Bush administration, European-style state support for churches has attracted considerable interest. The irony is that while in the USA churches and politicians have begun to embrace the idea of closer co-operation between church and state, in Europe, the principle of separation finds growing support among religious sectors.

The European changes often have a common starting point, and this is the formal or informal establishment of one particular church. But, even where the recent changes in church and state relations can be perceived as a move away from this starting point the direction of the changes differ from country to country. While Ireland is ready to make concessions towards pluralism, but is less ready to embrace the spirit of classical liberalism, Greece is inclined to accept the predicaments of individual liberalism, but is reluctant to provide room for genuine pluralism\(^3\).

As the individual contributions to this volume have shown, churches are still in very different positions in the European liberal democracies. In Greece the Orthodox church is in the position of a quasi public authority vis-à-vis the other churches when it comes to decisions, for example about the construction of religious buildings\(^4\). As opposed to that, in the Czech Republic the majority church has had to struggle to have its voice heard in political discussions about the status and role of religion in the new post-communist society.\(^5\) To sum up, in spite of the common pressure towards less discrimination and more religious freedom, different starting points and different directions characterise the church-state relations in Europe.
Approaches that emphasise path-dependency may be particularly useful in explaining the variance.  

EASTERN EUROPE

The fall of the Berlin Wall signalled a new era in the study of church-state relations. Not only did a new region become accessible to researchers, but also new processes and configurations emerged as a result of the post-communist transition. These processes and configurations refocused attention on questions of freedom of religion and religious equality. After regimes that oppressed and even, on occasion, attempted to suppress religion *tout court*, the new power holders throughout the region often came under pressure to establish a hierarchy of denominations based on historical traditions and on the ‘appropriateness’ of the present behaviour of the respective churches.

In terms of denominational composition, depth of religiosity and church-state relations, eastern Europe confronts us with a bewildering complexity. Countries dominated by Catholic, Orthodox, Muslim, or Protestant churches on the one hand, and confessionally mixed nations are found in the region. Some of the most, and some of the least, religious countries of the continent are located here within close proximity of each other. Even the communist past differs across the region, varying from a relatively high tolerance of church autonomy to exceptionally violent anti-religious and anti-church policies.

The patterns of political-ideological alliance differ too. While in the Catholic and mixed-confession countries there is generally a polarisation between Christian centre-right and anti-clerical left, in the Czech Republic the right is also dominated by secular, even anti-clerical forces. While nationalism, anti-communism, and clericalism often form a single package, in the Orthodox countries anti-communism is still not a self-evident part of this ideological pattern and the political space has not broken down into clerical and anti-clerical camps.

The churches in the region are both perpetrators and victims of the discriminatory state policies. After surviving the worst possible discrimination under communism, they emerged as potentially influential political players, with considerable moral capital. Endowed with this initial advantage, but burdened with
the consequences of long decades of suppression, the churches have had to make
difficult choices. They had to commit themselves to particular institutional models,
and to define their position *vis-à-vis* political actors, especially the political parties.
The memory of the repressive anti-religious policies of the previous regime, the
search for a new national identity, the need for the establishment of a new church-
state model, and the ongoing crisis of political legitimacy often turned religion into a
politically divisive factor.

Eastern Europe is a particularly promising area for the research of normative
political approaches towards religious equality. While in long standing democracies
the inherited institutional relations between churches and the state are often accepted
by the political actors without much critical reflection, in post-communist countries
any particular aspect of regulation must be argued for.\(^8\) There is little space for inertia,
even the maintenance of the status quo requires explicit justification. In the course of
the political transition the logic of communist dictatorship was replaced with the
principles of democratic universalism and national sovereignty. But the national
historical traditions are often at odds with the liberal egalitarian-universalistic
principles. The constraining factors, the pre-communist traditions, the interests of the
actors involved, and the expectations of the international environment might point in
different directions. The result is most often untidy compromise. But, in the course of
establishing a balance between these principles a large number of practical and
philosophical issues must be addressed, providing the observer with rich material for
understanding the potential relationships between religion and politics.

**DENOMINATIONAL DIFFERENCES**

The inclusion of eastern Europe into traditional typologies helps in clarifying the
impact of confessional background as well. The impression that is gained from studies
on European Union countries is that Catholic and Orthodox domination is not
compatible with pluralism.\(^9\) But in eastern Europe the coexistence of majority
Catholic and Orthodox churches with other significant denominations can be analysed
in countries such as Hungary, the Czech Republic, Romania, or the Ukraine.

Confessional background is still one of the most powerful predictors of church
and state relations. But denominational background must be studied à la Rokkan, in
conjunction with historical alliances specific to the respective countries. The different attitude of the Catholic church in Poland and the Czech Republic and the fundamentally different relations between church and state in these countries are not understandable without taking into account the position of the church in the time of nation-formation.

In multiconfessional countries the conflict potential of religious politics is higher, but it is also more likely that institutionalised practices of tolerance develop. Mono-confessional background, on the other hand, may lead to particularly severe clashes between clerical and anti-clerical forces (Catholicism) or to the development of inner pluralism within the ruling church (Lutheranism, Orthodoxy). Comparing countries of different confessional backgrounds has the methodological benefit of reminding us that the power of churches cannot be measured with a single yardstick across denominations. Catholic churches, having a well defined social teaching, pay close attention to public policy formation, especially on moral issues, while Orthodox churches focus on community related issues, and tend to be less concerned with questions of individual morality.

But differences between individual countries even within the Orthodox world are obvious. While the Orthodox churches have generally been politically passive, functioning in symbiosis with sympathetic governments, this has not always been the case. Sometimes, as in Greece, the maintenance of close links with the state requires political mobilisation, and anti-governmental campaigns. The Romanian Orthodox clergy also has a political agenda. For example, it has pressured the government for an elevated status in the constitution, the reservation of seats for the clergy in the upper chamber, and the maintenance of legal discrimination against homosexuals. Many of its demands are rejected by the government, and the church has even been ordered to return property to the Greek Catholics, a denomination whose legitimate existence is questioned by the Orthodox clergy. Church-state relations are politicised, the stakes are high. But, in accordance with the Orthodox pattern, no open conflict has developed between the church and the state or the church and the various political parties, and no anti-clerical party has been formed.
NATIONAL IDENTITY

National identity, particularly on the peripheries of Europe, is often built around religious values and is linked to church-state regimes as well. Churches provide rituals, unity, and identity for community builders even in the modern world. Denominations differ in their readiness to combine with nationalism, but historical dynamics are as important as denominational differences. Churches with an international spirit can, over time, become national and the reverse is also true. Nationalism also deserves attention because it is intrinsically related to discrimination among churches. New religious movements are often regarded as ‘anti-national’, especially when they have a global centre outside of the state.

The links between the nation and religion are often recognised, but the implications of these links for church-state relations must be more fully taken into account. These links mean that the logic of nationalism and national identity formation may have a direct impact on church-state relations and even on ecclesiastical structures. For example, ethnic, civic, diaspora, or imperial nationalisms may all require a different church structure as well. The tensions between Constantinople and Athens show that competing understandings of national interests may leave their mark on the power structures within the churches and shape the expectation towards the role of the state in regulating churches.

EUROPEAN INTEGRATION AND GLOBAL GOVERNANCE

Domestic factors are less and less able to account for the dynamics of church and state relations. International NGO’s, various European bodies, and the American government are all major players in shaping national patterns, particularly on issues related to discrimination among churches. In the last decade a large number of legislative drafts were prepared in countries like Georgia, Russia, Estonia, and Romania, aimed at restricting the rights of religious minorities. Yet these drafts were all, in the end, withdrawn, modified, or vetoed by the president, largely as a result of international pressure.

The process of globalisation, understood as the growth in economic, legal, cultural, and political interdependence, affects church-state relations in various ways.
Accelerated immigration reduces religious homogeneity all over Europe, polarises opinions on the relationship between politics and religion, and leads to the appearance of religious organisations which do not easily fit into existing frameworks.\textsuperscript{15}

In Europe, the further integration and expansion of the European Union deserves most attention. The norms prevailing in the European Union have an especially great impact on those eastern European countries that are asking for accession.

The practice of certain states like France and Belgium shows, at the same time, that blacklisting marginal denominations is not at all incompatible with EU-membership. The activity of new religious movements is clearly a matter of concern for the European bodies. In 1996, the European Parliament warned member states to be cautious with granting legal status and tax exemption to these new organisations. The Assembly of the Council of Europe also discussed the issue of sects in 1999. The terminological uncertainties and the lack of a neutral language in these debates are telling. One rapporteur emphasised that ‘… present opinion tries to avoid all kind of ideological considerations and any argument or presupposition of a religious, theological or spiritual nature’. At the same time he claimed that ‘false teachers, dangerous sects and narrow-minded “religious” groups have always tried to pervert the natural sense of people for spiritual values’, and warned that there is a new wave of such movements in Europe.\textsuperscript{16} The Assembly discouraged nation states adopting anti-sect legislation, warned against any discrimination of religious minorities, and committed itself to state-neutrality. It also recommended the establishment of a European observatory institution to monitor ‘groups of a religious, esoteric or spiritual nature’.\textsuperscript{17}

The European Union’s legal system is constantly challenged by the sharp differences between the member states’ regulations on church and state matters, and it usually supports the status quo. As its decisions show, the European Court of Human Rights tolerates establishment, differential treatment of mainstream and peripheral churches, and the denial of ‘church’ status to certain religious groups. It has also found the banning of Refah, the islamist Turkish party, acceptable, in spite of the fact that the party, which used to be the largest in the Turkish parliament, played by the rules of democratic competition. Even when state authorities are found to violate the rights of religious groups, the Court, as with its American counterpart, prefers to treat them not as freedom of religion, but as, for example, freedom of speech issues.
OPERATIONALISATION AND CONCEPTUAL CLARIFICATION

Concepts like neutrality, establishment, or erastianism are more at home in historical studies, legal theory, or political philosophy than in empirically oriented comparative politics. The various existing typologies provide us with many insights, but it is a further question whether these analytical concepts are empirically justified. In order to test the validity and reliability of these constructs, we need to break them down into components, and to see whether the various elements subsumed under a specific label hang together as well empirically. A preliminary analysis has distinguished seven major components of church-state relations: privileges attached to state recognition, threshold of state recognition, financial subsidies, discrimination, the general attitude of the state towards religion, church autonomy, and church influence over education.\textsuperscript{18}

Only after decomposing large concepts in this or in other alternative ways, and only after identifying the empirical indicators may one hope to find answers to questions like: Is the type and degree of privilege given to churches (tax exemptions, subsidies, access to public facilities) predictable from the size of the threshold that is required to pass in order to achieve church or recognised-denomination status? Is the amount of financial support given to churches systematically related to the degree of the autonomy of churches? Is there a linear correlation between degree of separation and the state’s pro-religious orientation? Is there a positive relationship between the state support provided to religious welfare agencies and educational institutions? Is government support of religion associated with higher levels of control over churches?

A theoretically driven empirical investigation could also reveal whether there is a trade-off between the formal and informal privileging of churches, as the example of Ireland suggests, where formal establishment was unnecessary because of the tremendous informal power of the church. As Kissane shows, in such cases even state neutrality can become a technique for maintaining the social power of the church. The utility of representing dimensions of church and state relations in the form of ordinal scales is demonstrated by Minkenberg’s chapter, which shows that church-state regimes are useful as independent variables not only for explaining religious vitality\textsuperscript{19}, but for explaining public policy outputs as well.
Church-state regimes are independent variables also in the sense that they shape the self-image of the actors, and thereby determine their behaviour. The way churches perceive their role is important since churches constitute complex organisational phenomena, which may appear in many guises. As stated elsewhere:

‘Even within the restricted field of modern Europe, religious bodies (institutions, organisations, groups) have a protean capacity to present themselves vis-à-vis the state in a number of distinct guises, for example:

As providers of ‘Truth’ (cp. other worldviews and ideologies)
As more or less hierarchically organised bureaucracies
As voluntary associations (cp. stamp collectors or ramblers)
As interest or pressure groups (cp. labour unions)
As public corporations/public utilities (cp. post office or water works)
As institutions or sets of institutions (cp. university)
As states within the state (cp. the military).

The multi-faceted nature of churches raises particularly interesting questions concerning the opposition between private and public. The insistence of churches on retaining or acquiring autonomy, or developing a political agenda, may be particularly contentious when they function as ‘para-public’ institutions.

A conceptual mapping of church-state relations must be sensitive to the paradoxical nature of these relations, meaning that while they involve two main types of actors, they affect three types of interests: the interests of states, churches, and of non-believers. The third group has often no institutional manifestation, although, in some countries and in some periods, liberal parties, humanist organisations and various anti-clerical movements fulfil such a role. The complexity of the situation is further increased by the fact that clericalism and religiosity are different social phenomena, and therefore religious but not clerical and clerical but not religious groups may equally exist.
Most typologies of church state relations from as early as Weber’s discussion of hierocracy and caesaropapism, concentrate on the question of which two institutional actors, church or state, has the upper hand. As the chapters of this volume have shown, the answer to this question is, in many cases, far from obvious. It is often difficult to detect which actor is using the other one.22 States that were seen at some point as confessional, have in retrospect become regarded as party states.23

Finally, a conceptual rethinking of church-state relations would need to reassess the validity of market analogies. Regulation, for example, is often regarded as the opposite of competition.24 But fair competition presupposes a certain level of regulation, therefore the impact of state-determined thresholds on competition needs to be studied empirically

CHURCH STRATEGIES

Today churches are rarely dominant actors in their relationship with the state, but they are not passive subjects of state regulation either. Their political strategies in the context of the twenty-first century need to be systematically analysed.

Neutrality is a central concept in the analysis of church strategies. While states are expected to be religiously neutral, churches are expected to be politically impartial. Although it is rare for religious officials to be constrained in their political activity by law, direct partisan agitation is often seen as incompatible with democratic functioning. At the same time, protests on behalf of marginal groups such as immigrants, or opposition to extremist forces, for example, that of the French clergy’s actions against Le Pen, are usually judged differently. Transitions from dictatorship to democracy also provide a context in which democrats expect churches to take a stand. And indeed, the southern and eastern European political transitions have many examples of clergymen playing an instrumental role in the process of democratisation. Churches are part of civil society, and can promote civil virtues even when bound by a hierarchical organisation.25

But even churches which accept the basic principles of liberal democracy, like the Spanish Catholic church, may demand constitutional recognition of their primacy in certain cases, and even churches which acquiesce to the reality of church-state separation, like the Polish Catholic church, may fight against its explicit inclusion in

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the Constitution. The widespread demand of the churches for the recognition of their own particular role or of religious values, contrasts sharply with the laicist demand for maintaining a ‘naked public sphere’.

Anderson finds that

‘… the relationship of the churches to democratisation is shaped by their particular historical relationship with the political order, their perception (or mis-perception) of their political capital, and, in the Catholic case, of the broader attitude to political order, political influence and minority rights of the international institution at the point of transition.’

The contrast between Italy and Spain, the first, a country where even in the 1990s the church was trying to maintain an organised form of united political Catholicism, and the second, a country where the clergy has explicitly rejected the formation of a Christian party, shows that different historical trajectories may undercut the relevance of denominational specificities.

The analysis of the dilemmas churches face over their choice of political strategy may show the untenability of the often-invoked presupposition that the churches stand alone and united against the state. In reality, churches may politically be deeply divided and they can create alliances with other churches or with other political actors. The internal cohesion of churches, and their potential for coalition are important factors behind their eventual success in acquiring privileged status. Internal division is not always a drawback. As the Greek example shows, political decentralisation may actually help to maintain the influence of the church.

The coalition possibilities available to mainstream and marginal churches may differ. The established churches, for example, may ally with the secular state against the marginal churches under the banner of anti-cultism. Alternatively, they may ally with the new religious movements against secular forces (including the state), in the form of a religious crusade against atheism, or they may fight both the state and the peripheral churches, in order to defend orthodoxy.

For the churches it is often a rational strategy to strive for privileged access to the government, instead of engaging in outright competition. But rent-seeking behaviour entails particular costs. Churches that acquire such a status, may find out
that their position constrains them and it leads to sub-optimal impact over public policies\textsuperscript{31}. In an anti-clerical environment public ambitions may prove to be detrimental.

Abandoning neutrality towards political actors makes one vulnerable to the results of party competition. In cases where the victory of the friendly parties is uncertain, rational churches should opt for a more neutral strategy. A balanced strategy towards parties may secure privileges better than close association with one of the political actors.\textsuperscript{32} A neutral strategy should be especially attractive when the potential ally is weak, as in the case of the Czech Republic\textsuperscript{33}.

In spite of the high risks involved, churches often engage in political and partisan struggles. One likely explanation, often overlooked by rational choice approaches, is that churches have other goals than that of preserving their ‘market position’ or increasing their ‘market share’. Often these other goals are strictly political. Clergymen are also political beings, with secular political preferences. The behaviour of the churches is likely to mirror in one way or another these preferences.

In the democratic era the ability of churches to put pressure on the state depends to a large extent on how skilled they are in mobilising public opinion. As shown, even privileged churches such as the Orthodox church in Greece may need to mobilise the masses and engage in protest action.\textsuperscript{34}

THE POLITICAL SYSTEM: PARTY POLITICS AND POLITICAL CULTURE

In modern politics, parties have a direct impact on the status of the churches and on church-state relations. Party politicians have a major say on the sort of church strategies that are acceptable, on what counts as a socially beneficial role, and on whether religious capital is a legitimate resource in every-day politics.\textsuperscript{35} The party system, especially the pattern of competition, shapes the optimal strategies of the churches. For example, the transformation of the Italian centre-based party system into a pattern of bipolar competition, radically altered the opportunity structure of the church\textsuperscript{36}.

Such developments in the party sphere along with the growing relevance of mass media campaigns, and the de-ideologisation of party appeals, may change the weight of churches as potential allies. It is especially important for the options of the
churches whether parties preserve their clerical or anti-clerical appeal. In addition, if parties have weak identities, their position on church-state issues may prove to be erratic.\textsuperscript{37}

The political weight of churches may increase where governments are struggling with a lack of popular legitimacy.\textsuperscript{38} In cartelised party systems churches may exert less leverage, while in the context of intensive competition churches may become much sought after partners or, on the other hand, be ostracised, if they scare away voters. The configuration of party competition may determine how badly party leaders need external allies like churches.

The type of democratic regime also shapes the opportunity structure of the churches. While all the analysed countries may be subsumed under the label of liberal democracies, they differ in employing a participatory or a delegative principle. Varying amounts of assistance given to civic society organisations empowers churches to different degrees.\textsuperscript{39} The state’s attitude towards private organisations (how easily the state delegates public functions to these organisations), the prevailing pattern of interest-integration and the degree of corporatism all shape the position of the churches as much as the fate of other institutions, like universities, chambers of commerce, trade unions, or parties.

Equally, it matters whether a regime is organised in elitist or populist ways. The wide use of referenda, for example, may compel churches to actively cultivate their social power, solidifying their position in various social institutions like associations, hospitals, schools, etc.\textsuperscript{40}

The analysis of church-state relations must be integrated into the analysis of democratisation and state building. Government policies on religious and church matters are good indicators of the state’s attitude towards equality, tolerance, pluralism, and freedom of religion, all important building blocks of well functioning democratic regimes. The support given to particular churches, and denied to others, shapes the resources of the social and political groups related to these churches, and thereby influences the outcome of future competitive struggles.

Finally, the outcome of conflicts relating to church and state matters are under the influence of more general patterns of conflict-resolution, such as pillarisation,
consociationalism or adversarial democracy. Practices developed centuries ago often provide a model for the accommodation of new churches as well.\textsuperscript{41}

The simultaneous analysis of churches and governmental structures provides a useful complement to rational choice theories, identifying those structural constraints that prevent the elite from acting on the basis of a simple cost-benefit analysis.

CONCLUSIONS

The studies presented in this volume highlight the importance of the political context for the understanding of church-state relationships. The lesson is that specifically political science frameworks are needed for interpreting the dynamics of this field. The relevance of approaches using juridical, historical, economic, or philosophical perspectives are in no way denied. But by drawing analogies between churches and the other subjects of standard political science like parties or corporations, or by contrasting types of church-state regimes and types of democracy, we may gain insights that the above mentioned approaches cannot deliver. Both churches and the state are part of the political institutional setting that surrounds us, and therefore they should not be studied in isolation. The relationship between churches and states in Europe is in flux, and only by establishing the links with other sectors of the political system and by identifying the political interests involved are we likely to be able to account for the direction of the changes.

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\textsuperscript{1} G. Gustafsson’s contribution on the case of the recent church-state separation in Sweden indicates that large-scale changes also occur in the otherwise most stable corners of western Europe.


\textsuperscript{3} Kissane and Mavrogordatos.

\textsuperscript{4} Mavrogordatos.

\textsuperscript{5} O’Mahony.

\textsuperscript{6} Madeley.

\textsuperscript{7} Madeley, ‘A Framework for the Comparative Analysis of Church-State Relations in Europe: North and South, East and West’.

\textsuperscript{8} Enyedi.

Madeley.

Madeley.


Mavrocorodatos.

Mavrocorodatos.


Council of Europe, 20 April 1999, doc. 8379.


Minkenberg.

Enyedi.

Enyedi.

Donovan.


O’Mahony.

Anderson.

Anderson.

Donovan and Anderson.
29 Mavrogordatos.


31 Minkenberg.


33 O’Mahony.

34 Mavrogordatos.

35 Enyedi.

36 Donovan.

37 O’Mahony.

38 Enyedi.

39 O’Mahony.

40 Kissane.