Church-State Regimes and Democracy in the West: Convergence vs. Divergence

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Abstract:
This paper attempts to analyze church-state relations from the perspective of democratic theory and practice in Western nation states. This is done at two levels. A more conceptual level involves the discussion of the relationship between religion and democracy, typologies of church-state relations in comparative research and the question whether a particular type of democracy corresponds with a particular pattern of church-state relations and religious governance. This is then applied to a medium range comparison of 19 Western democracies (EU-15, minus Greece and Luxembourg, plus Norway, Switzerland, USA, Canada, Australia and New Zealand). At an empirical and historical level, some country cases are considered in light of a historical delineation of the link between the genesis of church-state regimes and the emergence of modern democracy at the onset of globalization. The guiding research hypothesis is that current church-state relations are shaped by the struggle for democracy, rather than the other way round, and that in the age of globalization and mass migration, democratic polities tend to respond to pressures resulting from these processes with signs of convergence including church-state regimes.
Introduction

The study of religious effects on politics and policies so far has been dominated by actor- and culture-oriented approaches. These include, on the one hand, studies, which analyze the role of Christian Democratic parties or movements, to a lesser extent the churches themselves, in political decision-making (e.g. Hanley 1994, 2003; van Kersbergen 1995; Warner 2000, 2003). On the other hand, there are studies, which focus on long-standing religious traditions and constellations and their shaping political outcomes (e.g. Rokkan 1970; Esping-Anderson 1990; Castles 1998; van Kersbergen/Manow 2009). This paper adds a third, intermediate level which so far has received only limited attention from comparative political science: the dimension of institutional settings such as by church-state relations (see Madeley/Enyedi 2003; Fetzter/Soper 2005; Fox 2008).

The paper provides a step towards a comprehensive analysis of church-state relations from the perspective of democratic theory and practice in Western nation states. This is done by reviewing concepts of democracy and typologies of church-state relations in comparative research, and by asking whether a particular type of democracy corresponds with a particular pattern of church-state relations and religious governance. The paper applies a medium range comparison of 19 Western democracies (EU-15, minus Greece and Luxembourg, plus Norway, Switzerland, USA, Canada, Australia and New Zealand). These countries are selected by the criteria of at least 30 years of uninterrupted democratic experience, sufficiently large size so as to allow for internal differentiation, and high economic development (for details see Minkenberg 2003a: 116, fn 1). At some point in the analysis, the paper also addresses link between the genesis of church-state regimes and the emergence of modern democracy, though here more in-depth analysis is needed at a later stage. The guiding research hypothesis is that current church-state relations are shaped by the struggle for democracy, rather than the other way round, and that their influence on democratic politics cannot be separated from confessional and other religious and cultural factors in these societies. I will begin with a few words on key concepts.

Religion and Democracy

Whether a reference to God is part of the definition or not, hardly any social science concept of religion does without a reference to the transcendental and the function of providing meaning to action and to life – Geertz speaks of a symbolic system of transcendental truths (see Geertz 1973: ch. 4). And most authors distinguish between individual faith, or the Sacred, and religion as its
institutionalization in a community of faithful (Hammond 1985). Hence, concepts of religion which are not simply functional (see Luhmann 1977) usually involve the two dimensions of (a) beliefs in the supernatural and (b) their institutionalization. Thus Steve Bruce defines religion as “beliefs, actions, and institutions which assume the existence of supernatural entities with powers of judgement and action” (Bruce 2003: 9f.; also Bruce 1996: 7).

Starting from this premise, the world's large religions can be generally distinguished along two dimensions. On the one hand, religion requires some kind of institutionalization, without necessarily being formally organized or structurally distinct from its social environment. The Western model of a (Christian) church is only one way of such an organization, other more loosely connected structures (such as the Buddhist *sangha*) also exist. Finally there are religions with some degree of institutionalization (a body of teachings and rules, ritual, religious sites) but no distinct formal structure. On the other hand, religion can be characterized in terms of its basic orientation towards the world as it exists around it. Thus, one can distinguish between religions which emphasize changing the world along the lines of the religious dogma (innerworldliness) and those who accept the world as it is (otherworldliness) (see Robertson 1987: 157).

This leads to the following 2x2 table which makes immediately clear why there is a state-church problem in the Christian world but not in regions where other religions dominate (see table 1).

### Table 1: Structures and Traditions of World Religions

<table>
<thead>
<tr>
<th>Structure</th>
<th>No</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Tradition</strong></td>
<td><strong>Innerworldly</strong></td>
<td>Islam</td>
</tr>
<tr>
<td></td>
<td><strong>Otherworldly</strong></td>
<td>Hinduism</td>
</tr>
</tbody>
</table>

*Source: Robertson 1987: 157*

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1This distinction follows the neo-institutional debate on the autonomy and function of institutions. Generally, institutions are defined as sets or systems of social rules which regulate behavior and reduce uncertainty (see North 1990: 3, for an overview Czada 1995; Peters 1998).
Most of the religions which emerged in the “axial age” (Karl Jaspers) and crystallized after 500 B.C. institutionalized “new basic ontological conceptions of a chasm between the transcendental and the mundane” (Eisenstadt 1993: 14). But only in Christianity were the organizational and doctrinal aspects developed to the fullest extent, and the mix of an innerworldly orientation that tried to exert influence and power in order to change the world and a formal structure that entered into competition with the state and was distinct from the society surrounding it (rather than assuming an “organic” connection with the society and/or “taking over” the state) resulted in conflicts between church and state. In other words, where (a) a self-consciously secular state exists and (b) domain delineation, that is the reach of the authority within a domain, and the ranking of domains are a contestable matter, do church-state problems emerge (Robertson 1987: 156). This particular arrangement between Christian religion and the state is seen by some as a fundamental prerequisite for the emergence and functioning of modern democracy.

In fact, since the controversy unleashed by Samuel Huntington (1996), the issue of the suitability of religion – both in a generic sense and in terms of its particular empirical or denominational manifestations – for democracy has acquired a growing meaning in the research on the functioning of democracy and its prerequisites (see Anderson 2003, 2004; Bader 2006). For a long time and in contrast to some normative theories, modern empirical theories of democracy have neglected the religious variable altogether. In this they follow a liberal-secularist argument in the mainstream of empirical social science which postulates that a clear-cut separation of religion and politics and a privatization of religion are central functional conditions for liberal democracy. Most democratic theories, however, invoke the premise of a minimal consensus among citizens, the “sentiments of sociability” (Rousseau) without a clear indication what this consensus involves. As a rather rare example of an explicit discussion of the role of consensus in democratic theory, Giovanni Sartori (1997: 98-101) distinguishes between three types of consensus: the basic consensus, i.e. the agreement on the fundamental values in a society; the procedural consensus, i.e. the acceptance of some basic democratic rules, in particular the majority rule; and the programmatic consensus, i.e. the allowance of dissent, or the consensus “to agree to disagree”. Religion is not addressed by Sartori but it is covered by the idea of value consensus.

Most theories, in particular representatives of the so-called economic theory of democracy such as Joseph Schumpeter (1943) or Anthony Downs (1957), point only at the procedural
consensus as functional prerequisite for democracy. Sartori considers the procedural as well as programmatic consensus as necessary, the value consensus (like Robert Dahl 1989) as facilitating conditions for democracy. It is not clear, however, whether this value consensus involved any religious or metaphysical grounding. If at all, those theories refer to political values as a result of the secularization of formerly Christian values (freedom, equality, tolerance, participation). Or, they point at the high levels of economic development in those countries that have first become modern democracies as a consequence of economic modernization. This, in turn, is seen by some who apply the Weberian argument laid out in *The Protestant Ethic and the Spirit of Capitalism* (Weber 1920) as the result of a confluence of several factors, including the psychological conditions brought about by the Protestant ethic following the Reformation (see Anderson 2004: 194; Bruce 2004).

This privatization and secularization argument has been challenged by those theorists who want to restore a public place of religion, Christian and non-Christian alike, in the realm of modern democracy and reconcile the historical tension between liberal-democratic concepts and religion. Several authors such as José Casanova (1994), Veit Bader (2006), Alfred Stepan (2000) and Micheal Walzer (1998a, b) have tried to abstract from national preoccupations and historical paths and suggested that a “priority of democracy” (Bader) is perfectly compatible with public recognition of religion. For such reconciliation, Alfred Stepan for example suggests the principle of “twin tolerations”. These include the guarantee that within the boundaries of constitution and human rights, democratic institutions must be free to generate policies. Hence, there should be no constitutionally or otherwise guaranteed privileges for religious communities to prescribe or prevent certain policies by democratically elected governments. On the other hand, the democratic state must guarantee the free exercise of religion in the private realm and the opportunities for religious communities to promote their values in public (Stepan 2000: 39). From this follows, that all religious communities must have the right to form political parties and that the free exercise of religion finds its limits when it collides with fundamental democratic rights. It also follows that this principle is compatible with all kinds of institutional church-state relationships (see Madeley/Enyedi 2003).

Like democratization, the debates about the relationship between religion – in this case Christianity – and democracy occurred in waves (see Huntington 1991). The first wave of this debate unfolded with the French and American revolutions at the end of the 18th and the

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2 Both authors consider democracy only as a “method” for the selection of responsive political leadership.
beginning of the 19th century. The anti-Catholic impulse of the French revolution and the
institutional secularization especially in Central Europe, which accompanied the spread of the
Napoleonic empire, was followed by intense debates in the United States about the relationship
between church and state and the question whether Catholic immigrants should be permitted into
the country. This debate reached a high point in the 1840s and 1850s in the United States when
militant and at times violent anti-Catholic protests and the Know Nothing Party emerged and
argued that due to their allegiance to the Pope, Catholics could not become loyal citizens of the
American Republic (see Daniels 1990: 267-275).

Likewise, the question of loyalty was invoked during the period of intensified nation
building in Europe in the late 19th century, in particular in the French Third Republic and the
German Empire, culminating in the aggressive anti-clerical politics of French republicans and the
separation law of 1905 and the persecution of Catholics under Bismarck in the so-called
“Kulturkampf”. During the French-German war of 1870/71, the liberal Swiss historian Jacob
Burckhardt proclaimed that after centuries of alliances between church and state and the resulting
“holy ossification” of this institutional relationship, it was time for the strict separation of church
and state: “… the problem of our time is the separation of state and church. It is the logical
conclusion of tolerance.” (Burckhardt 1934: 118; my translation, MM) According to Burckhardt,
the reason for this radical demand was the Catholic Church’s deeply ambivalent relationship to
modernity. On the one hand, the church strove for an accommodation with the modern state, as it
did with the feudal state, but it was unable to accept the modern democratic spirit (ibid. 117). In
this reasoning, as in modern liberal and secularist thinking, there is a profound incompatibility
between the Catholic church (or any organized religion), its teaching and its organization, on the
one hand, and the principles of democracy on the other, which can only be overcome by the
privatization of religion and a strict separation between religion and the democratic state (see

In fact, it is this logic which provides the underpinnings for Samuel Huntington’s
argument of a “clash of civilization” (Huntington 1996). His study on the new cultural fault lines
in the post-Cold War and globalized world order stands for the beginning of a new wave of the
debate about the relationship between religion and democracy. For Huntington, a civilization
refers to an overall way of life and is “a culture writ large” (1996: 41). At the core, its
characteristics boil down to one particular aspect: “Of all the objective elements which define
civilizations, however, the most important usually is religion” (1996: 42, see also p. 47). Hence,
Huntington distinguishes seven or eight different civilizations, all of which center around a particular religious core. Hence, Western civilization is rooted in Christianity and its merging with Latin-Roman traditions, the liberal-secularist principle of a separation of religion and the state acquires the theoretical meaning of a functional prerequisite for democracy: “The separation and recurring clashes between church and state that typify Western civilization have existed in no other civilization. This division of authority contributed immeasurably to the development of freedom in the West.” (Huntington 1996: 70) However, this characterization applies mostly to the Catholic world. In Protestant countries, there existed a wide range of church-state relations, from very conflictual to rather harmonious (see below).

With this separationist argument, Huntington goes much further than those theorists of democracy who stress the Christian rooting of modern democratic values, such as freedom, equality, or tolerance. While Huntington emphasizes the institutional side of Christianity’s particularity and its effects on democracy, others stress the doctrinal or cultural side. For example, a major German textbook on democratic theories points out that in 1999, a large majority of liberal democracies (i.e. 79 of 88, according to the criteria of Freedom House) were countries with a Christian majority: “The difference between democracy and non-democracy [varies] with the proportion of Catholics and Protestants… Democracy is rooted in particular – but not exclusively – in countries which are culturally shaped by Christianity and have borrowed from it and developed further leading concepts” (Schmidt 2000: 448; my translation, MM).

But there are variants of democracy, as there are variations in church-state relations; these shall be detailed in the following.

Church-State Relations

Conceptual efforts to categorise church-state relations are often based on constitutional criteria and begin with the basic difference between a close relationship between and a separation of church and state (see above and Minkenberg 2003a, b). But constitutions alone are rather misleading and inaccurate guides to political reality. Even before the breakdown of state socialism in Eastern Europe, almost all of the world’s constitutions explicitly proclaimed a guarantee of basic human rights including religious freedom. Moreover, the constitutions of various countries of rather different regime type and cultural tradition, such as Germany, Colombia, Ireland and the Islamic nations, contain an invocation of God but it is questionable that they are all similarly authentic references (see Markoff/Regan 1987: 164-171). Clearly,
constitutions are one source for specifying church-state relationships but even if they were accurate and authentic, the reality of the relationship lies deeper than constitutional statements and principles.

Current classifications of church-state relations in Western democracies must operate on the basis of the churches’ historical decision (after 1945) to principally accept the idea of liberal democracy including the notion of human rights and religious freedom. In this light, one must distinguish two dimensions of the debate, one being normative, and the other one empirical. Many texts more or less explicitly include the question of desirability of a strict separation and its implications for basic civil rights or democracy altogether. Here, the opinions differ significantly. After his historical overview of the relationship between church and state in 2000 years of European and Western history, Reinhard Zippelius concludes that the Jeffersonian model of a ‘wall of separation’ most adequately realises the prerequisites of religious freedom whereas Christian Starck lauds the Basic Law’s arrangement of partial establishment of the big churches and criticizes the Constitutional Court’s decision to draw a sharper distinction between state and church by not allowing the crucifix in public schools if parents, students or teachers object (Zippelius 1997: 164; Starck 2000: 7). In a similar vein, Stephen Monsma and J. Christopher Soper (1997: 202) criticize the US Supreme Court’s decisions on the separation of church and state as betraying the true nature of the First Amendment and conclude that Germany is a model case: “Germany and the Netherlands have a far more expansive and, we contend, appropriate understanding of religious liberty than England, the United States or Australia.”

It is important, as Monsma and Soper argue, to separate the issue of religious freedom from the church-state relationship rather than using it as an indicator. But their operationalization of this relationship remains unclear. Their normative ideal of an appropriate relationship between state and church rests on their concept of a government’s ‘positive neutrality’ in religious matters as exemplified for example in the German practice. Positive neutrality means that the state is not simply neutral towards religious communities but grants them certain privileges which are justified by recognition of a positive role of religion in the country’s public life. Thus, the authors use a yardstick which is in principle biased against any laicist arrangement such as in France or, to a lesser degree, in Italy, Portugal and Spain (see Barbier 1995: 188-200). It is no accident that none of the Catholic countries were included in Monsma and Soper’s analysis and that the French debate on laïcité and secularization, not just in France but in all Western societies, is largely ignored (see e.g. Hervieu-Léger 1997; Willaime 1996; Zylberberg 1995). Moreover, by excluding
Catholic countries from their analysis, the authors miss the opportunity to discuss the different dynamics of secularization and laizisation, as they have occurred in Protestant and in Catholic countries and accompanying conflicts over issues such as religious freedom (see Champion 1993; Norris/Inglehard 2004; Levey/Modood 2009).

For the purpose of this paper, more empirically oriented efforts at operationalizing the state-church relationship for comparative analysis need to be considered. However, the social and political sciences do not offer much in this respect. Many empirically oriented comparisons focus heavily on legal aspects. One such approach is suggested by Gerhard Robbers who categorizes state-church relations largely in constitutional and legal terms reflecting the degree of separation between church and state. He proposes three basic types: state church systems (Denmark, England, Greece, Sweden and Finland), a system of strict separation (France without Alsace and the Netherlands, but also Ireland) and a system of common tasks (Austria, Belgium, Germany, Italy, Portugal, and Spain) (Robbers 1996: 324; see also idem 2003). This is mirrored by Maurice Barbier (1995: 171-200) who uses as a yardstick the approximation to the French concept of laïcité, or constitutional separation of church and state, but with diverging results. He classifies Western European countries into the following cases: laicist (France), quasi-laicist (Italy, Spain, and Portugal), semi-laicist (Belgium, Germany, Ireland, Luxembourg, and the Netherlands) or non-laicist (Denmark, England, and Greece).

These concepts offer some insights but they ignore some of the problems constitutional criteria raise (see above). In general, much of the existing body of literature is characterized by the fact that the various approaches either are built on a single dimension (like constitutional separation) or a small number of indicators, or they involve a broad variety of indicators but do not sufficiently distinguish between causes and effects in the church-state-relationship, or the difference between the institutional arrangement itself and its political outcome. One such example is provided by Francis Messner who uses as criteria the legal recognition of churches and denominations (or législation cultuelle) in the European Union and the consequence of such legislation for religious sects. His index includes questions whether there is religious instruction in public schools, freedom of religious organization, religious care for military persons and prisoners, and acceptance of religious marriage (Messner 1999: 332). With this procedure, he arrives at four types of regimes: open universal regimes where there is no discrimination against small sects (France without Alsace, Ireland, the Netherlands), pluralistic regimes where there is a pluralism of churches and recognition with little discrimination (Alsace in France, Belgium,
Luxembourg), hegemonic regimes with specially privileged churches and some discrimination (Austria, Germany, Italy, Spain) and closed regimes with only one official church (Denmark, Finland, Sweden as well as Greece, Portugal and the United Kingdom).

While Robbers’s and Barbier’s classifications are rather narrowly construed along constitutional criteria, Messner’s operationalization contains a variety of measures such as marriage laws or religious education in schools which for the purpose of policy analysis should be included in the dependent variable rather than the independent variable. In fact, very few approaches to conceptualize church-state relations overcome these shortcomings while at the same time attempting to cover the whole of Western democracies or, at least, Western Europe. A more robust operationalization which involves political, economic and juridical criteria but avoids mere historical or legalistic accounts and leaves room to distinguish between an institutional church-state relationship and its political outcomes is suggested by Mark Chaves and David E. Cann (1992). Their article is part of a larger ongoing debate in the US literature on how to understand and explain secularization which need not be discussed here. However, their six-item index of church-state relations, measured by the degree of regulation or deregulation, seems useful because it avoids the problem of choosing a single dichotomy or continuum of ‘established religion’ vs. ‘separation of state and church’ which underlies others’ typologies such as those of Gerhard Robbers and Roland Robertson (see Robertson 1987: 158). In particular, the six items measure whether or not (1) there is a single, officially recognized state church, (2) there is official state recognition of some denominations but not others, (3) the state appoints or approves the appointment of church leaders, (4) the state directly pays church personnel salaries, (5) there is a system of ecclesiastical tax collection, (6) the state directly subsidizes, beyond mere tax breaks, the operation, maintenance, or capital expenses of churches (Chaves/Cann 1992: 280). The result of this index is the classification of countries into categories which will be termed here as ‘deregulation’ or ‘separation’ (0 or 1 points: Ireland, the Netherlands, and France), ‘partial regulation’ or ‘partial establishment’ (with 2 points: Austria, Spain, Portugal3, or 3 points: Belgium, Germany, Great Britain, Italy, and Switzerland; there is no case with 4 points) and ‘full regulation’ or ‘full establishment’ (5 or 6 points: Denmark, Finland, Norway, Sweden). It should be added that since 2000, the Swedish Lutheran Church has been disestablished but continues to enjoy a number of privileges and state regulations (see Gustafsson 2003).

3 Portugal which is missing in Chaves and Cann’s classification is coded 2 according to their criteria based on Canas (1996).
An overview of these classifications of Western European countries by Robbers (separation scale), Barbier (laicism scale), Messner (openness scale) and Chaves and Cann (regulation scale) is summarized in Table 2.

Table 2: Scales of Church-State Relations in Western Europe/ Western Democracies before 2000

<table>
<thead>
<tr>
<th>Separation scale (Robbers)</th>
<th>strict separation</th>
<th>common tasks</th>
<th>state church</th>
</tr>
</thead>
<tbody>
<tr>
<td>F, IRE, NL,</td>
<td>A, B, D, I, P, SP</td>
<td>DK, FIN, GB, GR, SW</td>
<td></td>
</tr>
<tr>
<td>Laicism scale (Barbier)</td>
<td>laicist</td>
<td>quasi-laicist</td>
<td>non-laicist</td>
</tr>
<tr>
<td>F</td>
<td>I, P, SP</td>
<td>B, D, IRE, NL</td>
<td>DK, GB, GR</td>
</tr>
<tr>
<td>Openness scale (Messner)</td>
<td>open universal</td>
<td>pluralistic</td>
<td>hegemonic</td>
</tr>
<tr>
<td>F, IRE, NL</td>
<td>B, LUX</td>
<td>A, D, I, SP</td>
<td>DK, FIN, GB, GR, P, SW</td>
</tr>
<tr>
<td>Regulation scale (Chaves/Cann)</td>
<td>deregulation</td>
<td>partial regulation</td>
<td>full regulation</td>
</tr>
<tr>
<td>F, IRE, NL, AUS, CND, USA, NZ</td>
<td>A, P, SP</td>
<td>B, CH, D, GB, I</td>
<td>DK, FIN, N, SW</td>
</tr>
</tbody>
</table>

Abbreviations for countries:

A: Austria  F: France  NZ: New Zealand
AUS: Australia  FIN: Finland  N: Norway
CND: Canada  GB: Great Britain  P: Portugal
B: Belgium  GR: Greece  SP: Spain
CH: Switzerland  I: Italy  SW: Sweden
D: Germany  IRE: Ireland  USA: United States of America
DK: Denmark  LUX: Luxembourg

The classifications in Table 2 reveal interesting insights. First, there is a considerable divergence of classification depending on which criteria are used but in one point a consensus emerges. All authors agree that (within Western Europe) France should be put on the one end of the spectrum, and the Scandinavian countries on the other. Thus, all state-church regimes in Western Europe can be situated somewhere between the French model and the Scandinavian model. Second, a significant overlap exists between Robbers’, Messner’s and Chaves/Cann’s scale in that, contrary to Barbier, but also to Monsma and Soper’s argumentation, they group Ireland, along with the Netherlands, into the same group as France. It might seem surprising to find Ireland at the extreme end of these scales, (not only along with laicist France and the pillarised Netherlands but

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1 Barbier includes only Denmark in his analysis but by implication, Finland, Norway, and Sweden could be added to his group of ‘non-laicist countries’.
also – according to Chaves and Cann – with the non-European cases Australia, Canada, New Zealand and the United States). But this can be explained by the exclusion of the education system (which in Ireland has almost entirely been conceded to the church) from most of these scales and the fact that in Ireland, Catholicism has such a powerful presence that the church is not directly established and endowed by the state. Third, the distribution shows that regardless of the scales used, there is a significant variation of church-state relationships within the group of Catholic countries such as Ireland on the one hand and Italy on the other, i.e. “although Catholic countries are uniformly non-pluralistic, they are not uniformly regulated.” (Chaves/Cann 1992: 283) Fourth, the patterns as illustrated in Table 2 underline the importance of distinguishing modernization, secularization and laicism as different, yet related trends (see Casanova 1994; Willaime 1995; Katzenstein 2006). If modernization is understood as a functional differentiation of spheres of politics and society, a growing autonomy of subsystems, and individualization, then clearly the Scandinavian group of countries is not (culturally) modernized because of the ongoing fusion of church and state. On the other hand, economic data indicate a high level of modernization, and data on church-going or religious beliefs reveal an advanced state of secularization (see Norris/Inglehart 2004). Quite the opposite seems true for countries like Ireland and Italy (in Europe) and Canada and the United States (in North America) where church-going rates or subjective religiosity is comparatively high and the institutional separation of church and state rather advanced.

Finally, the grouping of Germany and Great Britain raises some interesting questions about the criteria to be used for classifying church-state relations. The European authors agree in putting Britain at the extreme end of their scales, along with the Scandinavian countries and Greece. From a narrow institutionalist viewpoint in general and a French perspective in particular, this seems quite understandable because the overarching characteristic of the British case is the existence of a state church and thus an arrangement of church-state relations which on the face of it is the polar opposite of French principles and practices. But one must also take into account the dynamism of change in the post-war decades which, despite the persistence of the respective principles, has resulted in some convergence of church-state patterns in Britain, France and Germany.

With these considerations in mind and with regard to the inclusion of the non-European democracies Australia, Canada, New Zealand and the USA for wider comparative purposes, a slightly modified scale based on the criteria of Chaves and Cann shall be used for further analysis
(see above). This modification concerns the addition of two more significant criteria, which refer to the central role of state support for religious education. Thus, countries will be categorized also whether or not (7) the constitution or national legislation prescribes the inclusion of religious instruction in public school curricula, and (8) the constitution or national legislation provides for state funding of religious schools (see Minkenberg 2003a: 122f.). Overall, a nine point scale is obtained for all 19 countries under consideration, as shown in Table 3.

Table 3. A Scale of Church-State Relations in 19 Democracies.

<table>
<thead>
<tr>
<th>Separation</th>
<th>Partial Establishment</th>
<th>Full Establishment</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>USA (1)</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>CND (2)</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>AUS (2)</td>
<td>I (4)</td>
</tr>
<tr>
<td>3</td>
<td>F (0)</td>
<td>SP (4)</td>
</tr>
<tr>
<td>4</td>
<td>A (4)</td>
<td>CH (4)</td>
</tr>
<tr>
<td>5</td>
<td>B (4)</td>
<td>D (4)</td>
</tr>
<tr>
<td>6</td>
<td>DK (7)</td>
<td>FIN (7)</td>
</tr>
<tr>
<td>7</td>
<td>N (7)</td>
<td>SW (4)</td>
</tr>
<tr>
<td>8</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

State-church Separation <------------------------------------ -------------------------------------------------> Fusion
(Complete deregulation) (Full regulation)

* Portugal which is missing in Chaves and Cann’s classification is coded 4 according to their criteria based on Canas (1996) and according to one point for each of the education criteria (7) and (8).

Abbreviations: see Table 2

Numbers in parenthesis indicate values in Fox’s taxonomy of the separation of religion and state. Sources: Minkenberg (2003a: 123); Fox (2008: 48, 114).

In a more recent classification of countries’ patterns of relationship between religion and the state, Jonathan Fox (2008: 48, 114) arrives at a similar, somewhat narrower scale of separation of religion and state. His taxonomy employs his official GIR and SRAS measures (Government Involvement in Religion, Separation of Religion And State; see ibid., 4-6). Official GIR measures the official relationship between religion and state and reflects whether a state has an official religion and if not, the nature of the government’s relationship with various religions within the country’s borders (p. 5). The scale ranges from 0 to 8, with the following types and scores (0) hostility, (1) nearly full separation, (2) moderate separation, (3) general support, (4) preferred treatment for some religions, (5) historical/cultural state religion, (6) state-controlled religion, (7) active state religion, and (8) a religious state (ibid., 111-139). With a few exceptions (marked by italic typescript in table 3), there is a large overlap in the classification. At one end, Sweden, due to the disestablishment of the state church in 2000, exits from the group of full establishment, at
the other, New Zealand as well as Ireland leave the separationist camp – the former because of the intermingling of church and state in the role of the head of state (the English monarch), the latter because of the still pervasive role of the Catholic church in the country’s education system (ibid., 121, 123). For these reasons which in the New Zealand case quite debatable, all three countries join the middle group of partial establishment. Interestingly enough, none of the 19 countries get three points in Fox’s taxonomy, and none receives six points, thus underlining the validity of the borders between the three broad categories in Table 3.

Patterns of Democracy

One of the most widespread institutional explanations of variations of political patterns in democracies involves the particular type of democracy, and especially the accompanying modes of interest mediation and bargaining institutions. It reasonable to assume that the institutional relationship between religion and politics reflects these particular types of democracy and that if we measure an effect of church-state regimes, we really measure the effect of democracy type. Therefore, it is important to take a closer look at the relationship between church-state regimes and types of democracy.

For this, I refer to two basic typologies of democracy in the literature, the distinction between presidential and parliamentary democracies (see Steffani 1979; Lijpart 1992; Stepan 2001), and the distinction, most widely advanced by Arend Lijphart (1999; see also Schmidt 2000: chs. 3.1 – 3.3; O’Leary 2005), between majoritarian and consensus, or consociational, democracies.

The first distinction rests on the fundamental criterion of the relationship between executive and legislative powers. In presidential democracies, the powers are more strictly separated but head of state and head of government are merged in the same office, directly elected by the people, and cannot be removed from office by a simple parliamentary vote. The model case here is the USA, but also Latin American democracies. Canada and Australia are, like the Westminster model of the former mother country, the UK, parliamentary democracies where the executive and legislative powers overlap but, in the language of Walter Bagehot (1867) the “dignified part” of government, i.e. head of state is separated from the “efficient part”, that is the prime minister and cabinet who are voted into (and sometimes out of) office by parliament. An overview of the 19 democracies according to this distinction is given in Table 4.
Table 4: Type of Democracy and state church-relations: Parliamentary and presidential democracy

<table>
<thead>
<tr>
<th>State church separation</th>
<th>presidential</th>
<th>semi-presidential</th>
<th>parliamentary</th>
</tr>
</thead>
<tbody>
<tr>
<td>USA</td>
<td></td>
<td>France</td>
<td>Canada (M)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ireland</td>
<td>Netherlands (M)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Australia (M)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>New Zealand (M)</td>
</tr>
<tr>
<td>Partial Establishment</td>
<td>(Switzerland)</td>
<td>Austria</td>
<td>Belgium (M)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Portugal</td>
<td>Germany</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Italy</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Spain (M)</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Great Britain (M)</td>
</tr>
<tr>
<td>Full Establishment</td>
<td></td>
<td>Finland</td>
<td>Denmark (M)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Norway (M)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Sweden* (M)</td>
</tr>
</tbody>
</table>

*Note: M stands for a monarchical regime.
*) until 2000


Several observations can be made. First of all, among parliamentary regimes, a U-shaped relationship emerges between church-state relations and monarchies: all parliamentary democracies with a strict separation as well as those with full establishment are monarchical. This pattern indicates a close link between processes of nation-building and secularization on the one hand, and the emergence of the current church-state relationship on the other (see also Spohn 2003). With the exception of the Netherlands, all countries in the upper right field are former British colonies and countries of immigration. As such (this also included the United States), they are characterized by their separationist model of church-state relations in distinct opposition to their former “mother country” Great Britain and its traditional state church.

In the Australian case, the initial adoption of the British model of establishment when increasingly faced with a denominational pluralization resulted in the replacement of the British model by the American model of separation. This took place already during colonial times, initiated by the New South Wales Church Act of 1836 and was completed by and large at the end of the 19th century (see Monsma/Soper 1997: 89-95). Put differently: in the course of the process
of these countries’ separation from Great Britain, nation-building was intertwined with the process of separating church and state while keeping the Westminster model of democracy. In contrast to this pattern, the Scandinavian countries experienced nation-building along with parliamentarization and maintenance of the state church modell (see von Beyme 1999a: chap. 2). While parliamentary regimes, in particular when embedded in monarchical state forms, often coexist well with state church models, church establishment seems to be less functional in presidential regimes. In the realm of symbolic politics, a state church would seem a particularly potent competitor to presidents who combine monarchical functions with a democratic legitimacy and true executive powers (see Stephan/Minkenberg 1999). With the exception of Finland, no such case exists. In this country, however, we are also dealing with the “anomaly” of two state churches; a Lutheran and an Orthodox one (see Heikkilä et al. 1996). This undermines the classical model of the monopoly of one state church, in conjunction with a secular head of state. These observations can be summarized as follows: in cases where the introduction of (parliamentary) democracy occured in an evolutionary fashion, the state church model survived the political regime change, whereas in cases of a rather revolutionary regime change, or in the case of British colonies’ separation from their mother country, church establishment gave way to the separationist model of church-state relations. However, with regard to the distinction between presidential and parliamtary democracies in general, the patterns of church-state relations remain rather inconclusive.

The second typology of democracy is based on different modes of power relations, i.e. the degree to which political power is centralized and uninhibited by checks and balances according to Arend Lijphart’s and others’ analyses. The core question is which type of democracy is better suited for (ethnically, culturally, and territorially) divided societies, which ensures a higher degree of inclusion and responsiveness for all segments of society. In majoritarian democracies, the parliamentary majority and the executive, who emerges from it, encounter few constraints on their exercise of power. In consensus democracies, on the other hand, the power of the executive is mediated by a variety of other institutions such as an independent parliament, coalition building among parties, federalism, and an independent judiciary (see Lijphart 1999: 9-47; Schmidt 2000: 339f.). Lijphart (1999: 3-5) summarizes these factors along two dimensions: the party-executive dimension which concerns mostly the relationship between political parties, the executive, and parliament, and the federalism-unitarism dimension which is rather independent from the former and constituted by factors such as a strong or weak judiciary, bicameralism vs.
one parliamentary chamber, federalism vs. a unitary state and others. Lijphart’s classification of countries diverges from mine, however, because he decides to drop the federalism dimension and use only the party-executive dimension to group the countries (see Lijphart 1999: 248, 312; Schmidt 2000: 342). However, I take his classification more seriously than himself and classify only those countries as consensus democracies, which have positive values in both dimensions, and only those countries as majoritarian, which have negative values in both dimensions. All other countries are classified as mixed forms here. Table 5 summarizes the result and looks at the relationship to church-state regimes.

Table 5: Type of Democracy and state church-relations: Majoritarian and Consensus Democracy

<table>
<thead>
<tr>
<th>State church separation</th>
<th>Netherlands</th>
<th>Australia</th>
<th>France</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Canada</td>
<td>Ireland</td>
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<tr>
<td></td>
<td></td>
<td>USA</td>
<td>New Zealand</td>
</tr>
<tr>
<td>Partial Establishment</td>
<td>Austria</td>
<td>Italy</td>
<td>Great Britain</td>
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<tr>
<td></td>
<td>Belgium</td>
<td>Portugal</td>
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<td></td>
<td>Germany</td>
<td>Spain</td>
<td></td>
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<tr>
<td></td>
<td>Switzerland</td>
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<td></td>
</tr>
<tr>
<td>Full Establishment</td>
<td></td>
<td>Denmark</td>
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<td></td>
<td></td>
<td>Finland</td>
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<td></td>
<td></td>
<td>Norway</td>
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</tr>
<tr>
<td></td>
<td></td>
<td>Sweden*</td>
<td></td>
</tr>
</tbody>
</table>

*) until 2000

Sources: Minkenberg (2003a), p. 130; Lijphart (1999), 312.

Again, there is no clear relationship between type of democracy and church-state regime. However, some patterns are observable: first, with the exception of the Netherlands, all consensus democracies fall into the category of partial establishment. However, in the Netherlands, pillarization has provided a political opportunity structure for the churches, which is absent in more clear-cut separationist regimes like France (see Monsma/Soper 1997: 51-86). The separationist regime, on the other hand, corresponds with the mixed form or majoritarian
democracy. It is not surprising that the four “pure” consensus democracies Germany, Belgium, Austria, and to a lesser extent Switzerland, are successor states to the Holy Roman Empire and exhibit the system of partial establishment. In these countries, the different denominations in the wake of the Protestant Reformation, and later the confessional parties which emerged particularly here, were forced early on to mediate the conflicting religious interests. These are the only countries which emerged as religiously divided countries from the Reformation, where in contrast to the rest of Europe neither the Reformation nor the Counter-Reformation could celebrate an encompassing and lasting victory. These are also countries, in which Christian Democracy was to play a prominent role in rebuilding democracy after World War II. This means, that churches as well as Christian Democratic parties played a role in the immediate post-war development of constitution making and democratization, which benefitted the status of the churches, in conscious demarcation to the French model of separation (see von Beyme 1999b: 34). Lijphart’s definition of consensus democracy means that the power is to be divided and social segments are to be given relative autonomy (see Schmidt 2000: 340). The regime of partial establishment reflects this idea with regard to the religious subsystem.

Finally, the Scandinavian countries appear, again, as a distinct group. These countries are to a large extent unitary in terms of territorial organization but also exhibit a variety of checks and balances in the electoral and party system. Here, state centralism corresponds with the unitary state church system. It remains to be seen, however, if this type of democracy favors the Scandinavian churches in the policy making process.

*Pressures for Change: Convergence or Divergence?*

Over the last 20-30 years, the established patterns of church-state relations in most Western democracies are confronted with growing pressures which challenge the legitimacy of the time-honored regulations described above. These pressures result from two basic sources: on the one hand, the current regulations are the result of particular historical power constellations, both between the respective Christian denominations/the Catholic Church and between these and the state. This means they have been modeled – with the exception of the non-European democracies – *before* the onset of democratization and parliamentarization. On the other hand, it is precisely this historical heritage which is challenged by the current processes of globalization, of the integration of European states into the EU, and of religious pluralization. The latter – and this is true for the European as well as the non-European democracies – results from both international
migration at a large scale and internal differentiation of the religious landscape.

These processes of religious pluralization have shaped the traditional immigration countries (the four non-European democracies among the 19 cases in this analysis) from the beginning. In Europe, this is a more recent phenomenon, beginning largely in the postwar era. Since most of the last wave of immigrants (from the 1970s on) hail from Muslim countries in Africa, the Middle East and in Asia, the European debate about immigration has increasingly become a debate about Islam and how to deal with it (see Casanova, 2006). The cultural pluralization and increasing heterogeneity of the religious map in Western democracies led to a growing number and intensity of conflicts at the intersection of politics and religion, state and church, with the most visible examples being the immigration and growth of non-Christian minorities, in particular Muslims, and non-mainline Christian denominations. One should also not forget the increasing number of atheists or unaffiliated. For example, in Germany, with the accession of the GDR to the Federal Republic in 1990, the percentage of officially counted non-religious, or those not affiliated with any church jumped from a few in the old Federal Republic to about almost 30% today. They prompt new public debates on the regulation of the relationship between religion and politics, not always with results in their favour.

As has been shown elsewhere (see Minkenberg 2007, 2008a,b) in 14 of 19 Western democracies Islam is the third or even second largest religious community. The countries where Islam is second are among those which are traditionally very homogenous in denominational terms, two Lutheran cases in Scandinavia (Denmark, Norway) and two Catholic cases (Belgium, France) located in the West of Europe. In Spain, as in Austria, Muslims are on the verge of leaving Protestants behind. Somewhat mirroring this pattern, it is in particular the group of Protestant immigrant countries Australia, Canada and the United States, plus Finland, in which the Orthodox church takes third or second place. Moreover, the analyses have shown that from around 1980 until around 2000, religious pluralism has increased in all Western democracies, except for Sweden and the United States (see Table 6).

More specifically, the data in Table 6 show that in traditional immigration countries such as Australia, Canada and New Zealand – along with the Netherlands – religious pluralism has increased from an already high level. In other countries like Austria, France, Italy and Spain – all Catholic – the jump started from a much lower level and has been particularly pronounced, thus challenging the dominant religion and its actor, the Catholic Church, and the established mechanisms in the relationship between the church and the state in a fundamental way. Some
argue that within Western democracies religious traditions, in particular Protestantism or Catholicism, assume a particular role in shaping politics and policies, such as social policies or policies of immigration and integration, that there are so-called “families of nations” shaped, in part, by particular Christian legacies (e.g. Castles 1993, 1998; Martin 1978; van Kersbergen 1995).


<table>
<thead>
<tr>
<th></th>
<th>Weak Pluralization (d&lt; 0.10)</th>
<th>Moderate Pluralization (0.10 - 0.20)</th>
<th>Strong Pluralization (d&gt;0.20)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low level pluralism (&lt;0.30)</td>
<td>Ireland Portugal (Sweden: d=negative)</td>
<td>Belgium Demark Finland Norway</td>
<td></td>
</tr>
<tr>
<td>Moderate pluralism (0.30-0.50)</td>
<td></td>
<td>France Italy Austria Spain</td>
<td></td>
</tr>
<tr>
<td>High level pluralism (d&gt;0.50)</td>
<td>Australia Canada New Zealand Switzerland (USA: d=negative)</td>
<td>Germany Great Britain Netherlands</td>
<td></td>
</tr>
</tbody>
</table>

Notes:
- The base of categorization is the pluralism value of 2000 (0: completely homogenous, 1.00: completely pluralistic);
- d = difference of pluralism value between 1980 and 2000 (trend).
- Countries in italic have church-state separation (see Table 3).
- In countries in bold, Islam is the second largest religious community (in Austria and Spain: counted as equal to Protestantism).

Source: Minkenberg (2007: p. 898f.)

Taken together, this means that today, most Western democracies are markedly more fragmented in religious terms than they have been a generation ago. And these developments all push in the same direction: the established institutional and political arrangements to regulate the relationship between religion and politics in the framework of liberal democracies, long seen to have been solved once and for all, are challenged fundamentally and require new justifications. Even without 9/11, the multicultural facts of modern Western society raise new (and very old) questions about the political regulation of religion. Accordingly, we see some major shifts in the
debate in two groups of Western democracies, the ones with a more or less established church structure, and those with a more or less clear separation between church and state (see Minkenberg 2003).

The first group comprises countries like Great Britain or the Federal Republic of Germany as well as the Scandinavian countries. Here, we witness increasingly conflictual processes of realigning religion in the public sphere, for example with regard to the role of religious education (an increasingly controversial topic in Germany), the presence of headscarves and Christian symbols in the public space (see the Crucifix-sentence of the German Constitutional Court of 1996 or the current wave of legislation banning the headscarf from public offices), the fight for religious freedom for non-Christian churches, for example the debate in Great Britain regarding the recognition of Muslim communities and the torn position of the established Church of England, or the steps towards disestablishment of the state church in Sweden in 2000 (see Gustafsson 2003; Modood 1997). But also in the second group, the countries with a more separationist regime, such as the US and France (or Turkey), the established role of religion experiences increasing pressures from actors who interpret the neutrality and indifference of the state in religious matters particular political positions at the expense of religion. Secularism is seen not as a guarantee for state neutrality and a balance between all religious forces, but as a political program equivalent to a secularist state religion (see Kymlicka/Norman 2000; Wald 2003; Watson 1997). Moreover, these developments in various parts of the world are accelerated by and interwoven with economic and cultural globalization processes (see Haynes 1998; Robertson 1991, 2003). As a result of the processes, state institutions and national identities are weakened, leaving an ideological vacuum. This provides an opportunity for religions traditions, or their “re-inventions”, to gel into cores of cultural identities, projects of transnational unities and loyalties – it is this scenario where Huntington’s argument of a “clash of civilization” unfolds its most persuasive power (Huntington 1996; see also Barber 1996).

As the case of Sweden has demonstrated, the inherited state-church regimes are not indefinitely tied to the type of democracy. Table 6 shows that in the majority of countries with high levels of religious pluralism, state and church are separated. From this one may infer that in other countries with no separationist regime but high levels of pluralism and/or strong pluralization, the pressures to disentangle church and state will increase precisely because of the democratic mechanisms at work (as Sweden has shown). This, then, points at growing convergence in light of these processes, and it shows that the ongoing struggle for democracy, in
in this case the struggle for democratically legitimated inclusion of religious minorities, has new effects on church-state relations.

**Conclusion**

The paper has shown that comparative analysis of church-state patterns in Western Europe can reveal important insights into classical questions of political science. The variety of church-state relations does not only correspond with religious factors, such as confessional composition or church-going rates, but also with some significant political factors as was demonstrated with regard to type of democracy. However, a simple structuring of the field of church-state relations with regard to the existence of an official state church on the one hand, and the dominance of a strict separation of state and church must give way to more nuanced concepts. The discussion revealed the analytic usefulness of a scale which is not oriented at the primarily formal or legal criteria of a state church or laizist system but includes other, more economic and political, criteria without treating each country as a unique case. Moreover, the analysis has shown such as scale to be best suited for comparative studies especially when treating church-state relations as an independent variable. The fact that both Germany and Great Britain end up in the same categories on the church-state index as well as on those of parliamentary democracy types underscores the shortcomings of the conventional, legalist distinctions between countries with a state church and those without.

However, the analysis also demonstrated a relatively loose relationship between democracy type and church-state relations. Again, the cases of Great Britain and Germany are rather telling. If one switches the focus to the distinction between majoritarian and consensus democracies, both countries appear on the opposite ends, their similar church-state regime notwithstanding. This finding points at the necessity to conduct more historical research in the evolution of church state regimes, nation building and democratization – a central aspect which could only be touched upon in the paper. But the data strongly suggest that the inherited state-church regimes are not immutable, even in a fixed democratic setting. In countries with no separationist regime but high levels of pluralism and/or strong pluralization, the pressures to disentangle church and state will increase because of the democratic mechanisms at work (as Sweden has shown). They most likely will, in their own national paths, follow the immigration countries with high religious pluralism and a separation of state and church. Here are signs of growing convergence in light of these processes: ongoing struggles for democracy, in this case
the struggle for democratically legitimated inclusion of religious minorities, have new effects on church-state relations. Hence, it appears that current church-state relations are (still being) shaped by the struggle for democracy, rather than the other way round. But, as other research has shown (see Minkenberg 2003b, 2008; Fetzer/Soper 2007; Bramadat/König 2009), the consequences of church-state relations cannot be separated from confessional and other religious and cultural factors in these societies – which one might expect to affect the functioning of democracy as well.

References


