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Church and State in Europe: East versus West?

John T.S. Madeley,

Department of Government,

London School of Economics and Political Science

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'Oh, East is East, and West is West, and never the twain shall meet,

Till Earth and Sky stand presently at God's great Judgement Seat;

But there is neither East nor West, Border, nor Breed, nor Birth,

When two strong men stand face to face, tho' they come from the ends of the earth.'

Rudyard Kipling, 'The Ballard of East and West' (1892)

The notion of irreconcilable East-West differences expressed in Kipling's first line has a long history. Although he had in mind a collision of identities and interests experienced on the part of both rulers and ruled under the British Raj in late nineteenth century India, similar statements of East-West mutual alienation can be traced back more than two millennia to the Jews versus the Babylonians or the Greeks versus the Persians. So far as intra-European differences are concerned the origins of this polarity can be dated more precisely to Constantine's division of the Empire and his establishment of a second Rome in Constantinople around the same time as he promoted Christianity from being a persecuted sect to the new status of tolerated and then favoured religion of the Empire[1]. This division was itself more deeply rooted in the long-standing tension between the Hellenic and Latin elements in the culture (including the languages) of the Roman Empire.

Edwards Said's accusations of Orientalism against Western intellectuals – and Buruma and Margalit's recent rejoinder pointing to the existence (and the virulence) of a distinct strain of Occidentalism among Eastern, in particular, Islamic intellectuals – have lent a particular piquancy to the East-West polarity.[2] This piquancy has not always been present despite the fact that Europe, as a mere extension of the great Eurasian landmass west of the steppe-lands might seem geographically more open to East-West rather than North-South tensions. In the twentieth century the Cold War meant that a particular form of Europe's East-West conflict hardened along a new line within Europe ('form Danzig in the Baltic to Trieste on the Adriatic' to quote Churchill in 1947) and expanded to global dimensions. The end of the Cold War towards the end of the twentieth century has not however put an end to these or related tensions; on one view it has only re-configured them. Huntington's claims in the 1990s about the continuing incompatibility between Slavic Orthodoxy (like Islam) and Western-style liberal democracy gave a new life to the idea that Eastern and

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[1] Although Constantine is usually credited with the establishment of Christianity by the Edict of Milan in C.E. 313 it was in fact the Emperor Theodosius I who made it the only religion of the Empire in C.E. 380 in an edict which judged those who would not receive the title of Catholic Christians 'to be mad and raving and worthy of incurring the disgrace of heretical teaching... They are to be punished not only by Divine retribution but also by our own measures'. Ehler, S & J. Morrall *Church and State Through the Centuries* (1954) p. 7.

[2] Said, E. *Orientalism* (New York: Vintage Books, 1978); Buruma, I. & A Margalit, *Occidentalism: A Short History of Anti-Westernism* (London: Atlantic Books, 2004)

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Western Europe actually belonged to rival civilizational blocs, each defined and characterised in large part by distinctive religious heritages.[3]

This paper addresses the role of religion (or religion-related differences) in the continuing tension between East and West in Europe, a role which Huntington and others have given such prominence to. It focuses more particularly on one aspect, the relevance of which can scarcely be doubted (whatever level of significance might be accorded it): the contrasting patterns of relations between 'state and church', understood as including all relationships between territorial authorities and all forms of religion. That East-West differences in this field are often thought to be great and significant will scarcely be doubted, equally their relevance to issues of democratic governance particularly at a time when political science has rediscovered the key role played by institutions and their mutual relationships. The paper attempts to identify and assess both the types of differentiation in patterns of church-state relationships across European space and the trends of change which have occurred across time. The central hypothesis to be tested is the claim advanced by some authors that contemporary trends can, when taken together, be seen to prefigure the emergence, in spite of continuing surface differences, of a distinctive European common model – one which is furthermore as different from that associated with the USA in the far West as it is from that of China in the far East. By contrast with those counterposed 'Others' the emergent European model might, it is argued, be seen as an object of hope for the overcoming within Europe of the many tensions which have surfaced in connection with the recent steep resurgence of the religious factor in politics across the world.

B: East-West contrasts: the historical background

Taking the long view in 1978 David Martin wrote: 'Europe is a unity by virtue of having possessed one Caesar and one God ie. by virtue of Rome. It is a diversity by virtue of the existence of nations.'[4] This suggests that the importance of the Christian religion for the development of Europe has been that it has provided a factor for unity, while modern states and nations have tended to undermine that unity. It could be claimed in support that of the three Continents known to the ancient and medieval world, Europe alone became integrated on the basis of the overwhelming domination of a single world religion – while Africa and Asia have remained forever divided. All Europe's Christians furthermore, however internally divided on other matters, at least claimed to be monotheists; they believed in and worshipped 'one God', something which might also be assumed to make for a spiritual unity without which internal civilisational conflicts might have been expected to mark the history of Europe even more than they actually have.

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[3] Huntington, S. P. (1996). *The Clash of Civilizations and the Remaking of the World Order.* (NewYork: Simon & Schuster). See also Lewis, B. *What Went Wrong? Western Impact and Middle Eastern Response* (2002) and Scruton R. *The West and the Rest* (2002)

[4] Martin, D., *A General Theory of Secularization* (Oxford: Blackwell, 1978), p. 100

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An alternative view is that the story of Europe – even when it is thematised by reference to the heritage of the Roman Empire – is overwhelmingly one of disunity and conflict. Nor, it can be argued, is this a matter of the subversion of Christian unity by particularistic nations and states: within Christianity itself there have been three at least three different 'Romes', claiming precedence within the Church, in addition to other geographical centres of confessional allegiance within Europe. Whatever view one takes of the 'scandal of disunity' among Christians, as a point of fact at no time during the last two millennia has Christianity provided a religious basis for the unity of all parts of Europe, even at elite – let alone at mass – level. And with the rapid recent growth of religious (and non-religious) pluralism in all parts of the continent there is surely little prospect now of such a religious basis for unity developing. In the present context it is worth briefly retailing central aspects of this long history of Christian disunity which have such a bearing on East-West contrasts within Europe.

In the fourth century when Christianity made its historic shift from persecuted sect to imperial church, the Roman empire's European territories were already divided into predominantly Greek Eastern and predominantly Latin Western halves. One of the last great persecutors of Christianity, the Emperor Diocletian (rule 284 to 305 C.E.) had introduced the division into the administration of the Empire and, although Constantine re-united it briefly under his rule, he undermined any prospect of this unity surviving for long by founding and starting to build the 'second Rome', a new imperial capital, in Constantinople. At various times the emperors who subsequently ruled from Constantinople attempted to reestablish imperial unity – Theodosius succeeded briefly some fifty years later and in the sixth century, after the western empire had finally collapsed and the line of Western emperors had come to definitive end (in 476 C.E.), Justinian made another attempt but largely failed. If 'Europe is a unity by virtue of having possessed one Caesar' it is so either on the basis of its pre-Christian Roman heritage when under Augustus imperial unity was relatively successfully imposed around the Mediterranean or on the basis of those brief periods of unity after Christianity became the official creed. During these limited periods furthermore it should not be forgotten that the part of Europe which the Roman empire controlled constituted considerably less than one third of the whole Continent, the rest remaining under 'barbarian' rule.

And again, if Europe is to be seen as a unity insofar as it had one God, (almost) all Christians being monotheists, there have been many sharp disagreements about the doctrine of the trinity and the nature of God. Nor have these disputes been trivial in effect, however abstruse the theological issues at stake. The first great schism or split among Christians which led (ca 500CE) to the separation of the Monophysite and Nestorian churches of the East from the main body of Christians which resulted from the former's refusal to accept the rulings of the Council of Chalcedon (451 CE) which defined the orthodox doctrine on the Person of Christ.[5] Although most of these separated churches

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[5] The Council of Chalcedon in C.E. 451 ruled over the 'issue of whether the one, united, divine-human nature of Christ should be counted as one or two. In the Nicene creed the key word is *homo-ousiois* (single substance) or *homoi-ousios* (like substance) and the difference of the

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were to be found beyond the bounds of Europe (where they succumbed in the seventh century to Islamic overlordship), Armenian Christianity remains as a reminder of this division at the very edge of Europe. More important for the history of East-West European divisions however was the second great split some five hundred years later between the Eastern Orthodox and Western Latin traditions, which also related in part to doctrinal differences but turned more significantly around <u>ecclesiological</u> differences (ie. different teachings about the nature of the Church). These bore on the relative authority of the Pope in Rome on the one hand and the Ecumenical Patriarch in Constantinople, the Byzantine emperor and various church councils on the other. The papal claim to universal primacy within the Church was firmly resisted in the East where an alternative tradition of autocephalous (or self-headed) churches each with their own patriarch eventually became established. It can thus be argued that, at least from that time on (conventionally dated from the mutual excommunications of 1054), Christianity has been as much, or more, a source of disunity, than a factor of unity within Europe. Prospects for East-West re-unification have at various times been fatally undermined by incidents such as the sacking of Constantinople during the Fourth Crusade in 1204 and the subsequent attempt forcefully to impose unity under papal authority. And even when the final Turkish assault on Constantinople was at hand the Council of Florence (1438-45) failed to re-establish a basis for unity at a time when for strategic reasons it was most needed.

In time the whole of the European continent did however become nominally Christian under the auspices of one or the other rite at one time or another. The Christianization of North-Central Europe by missionary bishops and military orders such as the Teutonic Knights and the Brothers of the Sword, was finally accomplished in 1386 when the last significant pagan rulers, the princes of Lithuania, finally submitted to baptism. It can be said then that by 1400 the Lapps were the only people native to Europe not to have been brought within the Christian fold but at that date Islam still held significant territories in the Iberian peninsular, and was already expanding far into the Balkans. Only in 1480 after a century during which the power of Muscovy had grown, was the pagan 'Tatar Yoke' repudiated in the East and Moscow proclaimed the 'Third Rome', seeking thereby to take over the title from Byzantium/Constantinople which had finally fallen to the Ottomans in 1453. And only in 1492 were the last vestiges of Islamic rule finally dismantled in Spain. In the Balkans the Ottoman empire continued to expand its territory into the seventeenth century; as late as 1683 Islamic armies were besieging Vienna, although from that date they were forced back rapidly at first (out of Hungary and Transylvania) and then more slowly, finally retreating back to the present Turkish border only in the early twentieth century. As they retreated they left behind in Bosnia, Albania and Kosovo those portions of the local Slavic population which had converted to Islam. The Muslim Bosniaks, Albanians and Kosovars remain as salutary reminders that at in fact at no point in the last two millennia has Christianity

single Greek letter "iota" gives us our expression "it doesn't matter an iota".' Lamont, S. *Church and State: Uneasy Alliances* (London: Bodley Head, 1989): 89. It was the non-acceptance of the Council's resolution of the matter which led to the schism with the non-Chalcedonian, Oriental Orthodox churches.

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actually provided a basis for unity among the peoples of Europe since, aside from the fratricidal differences among Christians, they have at no time constituted – even nominally – the whole population of the continent.

The third great schism which separated Christianity into rival confessional traditions came with the Reformation, approximately a further 500 years after the second if one accepts the symbolic choice of 1517 as the date of Luther's implicit challenge to the authority of both pope and emperor. The earthquake which followed and led on to a century of religious wars until 1648 gave rise to a very wide variety of new forms of Christianity. Aside from the principal variants of Protestant Christianity – Lutheran, Calvinist and Anglican – there eventually emerged also an extraordinary array of sects, denominations and cults most of them claiming to be authentically Christian; they were especially in evidence in the multiconfessional regions where the principal confessions abutted onto each other. For most of the modern period however three of Europe's four corners have been effectively monoconfessional, each therefore constituting a single confessional bloc: the Lutheran North, the Roman Catholic South and the Orthodox East.[6] A striking feature of this confessional geography is the broad coincidence between membership of each of the three major language groups in Europe and allegiance to the three major confessional groups. As table 1 indicates there is a remarkable coincidence between language group and confessional identity, a coincidence which is all the more remarkable if the relatively small population size of the crossover territories (those which do not belong to the confession group which is dominant within their language group) is taken into account. However, as the table also clearly indicates, the coincidence is far from complete.

Aside from their characteristic doctrinal and ritual differences each of the major confessions have inherited or developed distinctive institutional patterns of church-state relationships. Hans Küng provides a useful shorthand for identifying how what he calls the principal paradigms still extant within present-day Christianity were initially generated and fixed.[7] The paradigmatic contrasts between the Latin Catholic and Greek Orthodox traditions reflect the very different circumstances existing in the eleventh century of the papacy in the West on the one hand – only distally challenged by the Holy Roman Emperor (of the German Nation) with his principal territories on the northern side of the Alps – and the ecumenical patriarchate on the other, which continued for another four hundred years after the great East-West split in close proximity to, and under the domination of, the Emperors of Byzantium. Eventually, with the fall of the Byzantine empire in the fifteenth century and the subjugation to alien rule of almost all the Orthodox territories of central and eastern Europe – from the Mongol destruction of Kievan Rus in the twelfth century until the final stages of liberation in the Balkans from the Ottomans in the early twentieth – a close identification developed between the surviving autocephalic Orthodox churches and the communities they served. The Ottoman 'millet' system, which actually allowed the churches to subsist with a previously unwonted degree of

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[6] A confessional map of Europe illustrating the location of these mono-confessional blocs and intervening multi-confessional belts can be found in Madeley & Enyedi (2003): 28.
[7] H. Küng, *Christianity: The Religious Situation of Our Time* (London: SCM Press, 1994)

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autonomy and to provide a central cultic focus for their communities, made for a uniquely close connection between religious and ethnic identity within Eastern Orthodoxy. As the Eastern Orthodox territories, starting with Russia, re-established independent regimes however some of the original features of the Eastern Orthodox paradigm reasserted themselves, in particular the notion that Church and State should operate a balanced system of 'symphonia' which accorded a duty of spiritual oversight and care to the holder of imperial authority.

René Rémond's survey of church-state-society relations across Europe provides a useful summary of the distribution of predominant patterns in early-modern Europe.[8] As just mentioned, in the Orthodox East the heritage of Byzantium was taken up by the Russian tsars who developed their own form of Caesaro-papism centred on Moscow as the third Rome. The tradition of the Eastern churches' submission to the will of the sovereign would appear to be partly explained by this tradition; in none of the nations in which Orthodoxy was established have the churches ever enjoyed more than a modicum of independence vis-à-vis their temporal overlords. By contrast, the Roman Catholic church under the medieval papacy claimed precedence over the temporal authorities and even later, when it had repudiated this 'theocratic pretension', 'the pope [still] deemed it to be his responsibility to define the Christian position on all problems of morality, private and public.' (25) So far as the Protestant north was concerned, the role of the territorial authorities in sponsoring Reformation led to the virtual takeover of church properties and administration, incorporating both into the structure of what were to become the first exemplars of the modern state. Through the medium of state churches officials acted under a conception of royal authority which was expected to serve the spiritual as well as the material welfare of its subjects. In the case of all three of the principal traditions – Orthodox, Roman Catholic and Protestant – the institutions of temporal and spiritual authority were closely entwined in the varied systems of church establishment; nowhere however was it successfully maintained – even, or perhaps especially, in the Papal States themselves – that they could or should be separated.

The emergent pattern of the modern state was then from its beginnings in the sixteenth century a confessional institution committed in part to upholding and, where opportunity offered, extending the geographical reach of its favoured religious tradition. The birth of the modern state system as a society of states, which is conventionally dated from the 1648 Peace of Westphalia, did require the signatory territorial authorities thenceforth to desist from attempts by diplomacy or war to change the religious adherence of target populations but this only hobbled the actions in the international arena of what remained in all essentials until the late eighteenth century confessional states. Put more simply Westphalia established the core principle of non-interference in the internal affairs of other recognised states. Within this framework the treaties buttressed the prohibition against religious wars by insisting on the sovereign right of the state authorities of a particular territory to impose a particular confession on

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[8] Rémond, R. *Religion and Society in Modern Europe*, pp. 24-6.

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their subject populations on the basis of the *cuius regio eius religio* rule (literally, whose the region, to him the religion). In fact, from 1648 on the recognition of the exclusive authority of state authorities in matters of religion led to a new phase in the consolidation of church settlements aimed at enforcing conformity to the locally established religion and penalising or expelling those who refused to conform.[9] This process of the 'confessionalisation' (in German, *Konfessionalisierung*) of populations continued for long after 1648, as was signified by such famous (or notorious) episodes as the Revocation of the Edict of Nantes which ended the toleration of Protestantism in France 1685 or the expulsion of many thousands of Protestants from the archbishopric of Salzburg in the 1720s. These episodes were only the most dramatic symptoms of the widespread deployment of systems of penal law which undergirded the religious monopolies of the established churches. As Rémond points out, under the *ancien régime* governments which ruled over most of the European Continent, North-South and East-West, up to the time of the French Revolution of 1789 a common regalist tradition obtained virtually regardless of confessional differences: 'It asserted the superiority of the secular power over the churches... It did not necessarily proceed from animosity towards the church; the same power that closely controlled the clergy held them in honour and showed consideration and respect for religion. *Ancien regime* governments shared the conviction, then generally held, that society was unable to do without religion and that the state had authority and responsibilities in the matter.' (79-80)

Since the eighteenth century, when the cause was adopted and promoted by Enlightenment thinkers across Europe, campaigns for religious toleration – and then, for full religious freedom – had the effect of the step-wise removal of the penal laws which had discriminated against those who dissented from or protested against the systems of church establishment. This progressive disentanglement has not however erased the confessional borders of Europe which were set in the mid-seventeenth century; the confessional map of Europe continued well into the 20th century to be dominated by the monoconfessional blocs of Roman Catholic, Protestant and Eastern Orthodox in the Southern, Northern and Eastern parts of Europe separated from each other by belts of multiconfessional territories.[10] Nor have secularising trends of declining levels of religious belief and observance led to the erasure of rooted patterns of confessional identity in the twenty-first century; in Grace Davie's terms, habits of belonging have survived even where traditions of believing have decayed.[11]

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[9] The two treaties which constituted the Peace of Westphalia did require certain rulers to tolerate the survival of dissenting traditions within their territories but only in those territories where there had been religious divisions existing in 1624. Elsewhere the only religious liberty assured by the treaties was that of the rulers, who alone could decide on the confessional allegiance of their populations. In the case of the Czech Lands of course this meant that the victory of the Catholic forces in 1620 was allowed to stand and the Hussite tradition continued to be forced underground.

[10] The confessional map of Europe as briefly alluded to here is a development from Stein Rokkan's 'conceptual map of Europe'; it is explored more fully in Madeley, J. T. S. (2003b), 'A framework for the comparative analysis of church-state relations in Europe' in Madeley, J.T.S. & Enyedi, Z. (eds) *Church and State in Contemporary Europe: The Chimera of Neutrality* (London: Frank Cass, 2003)

[11] Davie, G. *Religion in Modern Europe: A Memory Mutates* (Oxford UP, 2000)

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As Table 2 shows, 38 out of contemporary Europe's 46 national territories (83%) continue to exhibit single-confession majorities and 33 (72%) of these have super-majorities (ie. populations in which more than two-thirds share a single confessional identity). 13 countries even have over 90% of their population sharing a single identity. However crude, these figures can be taken to demonstrate that, despite the massive economic, social, cultural and demographic changes which have occurred, the early-modern confessional state continues to throw a long shadow across contemporary Europe. Of course under current conditions even the most impressive confessional identity majorities – such as the Roman Catholic, Protestant and Orthodox majorities in, respectively, Iberia (Spain and Portugal), Iceland and Greece – are internally divided along many dimensions of belief, practice and ethical viewpoint. In all countries there are now large sections for whom confessional belonging would seem to be unimportant as well as a growing penumbra of alternative traditions, some of long standing, others such as those of the New Religious Movements (NRMs) novel and/or often exotic in their provenance.[12]

C: East-West tensions in the 20th century

If the birth of the modern state system can be conventionally dated to 1648 the modernization of the states themselves in terms of their internal arrangements affecting church-state relations occurred in most cases much later. The development of systems of religious toleration, as part of a process of liberalisation, and of religious and civil freedoms, as part of parallel processes of democratization, progressed at different speeds and by different routes in the multi-confessional belts and the mono-confessional (Lutheran, Catholic and Orthodox) blocs. The identification and analysis of the different patterns and the attempts to explain the contrasting dynamics in different settings has generated a large body of research. In one influential treatment David Martin has pointed to the impact of crucial events which have given a decisive twist to the development of church-state relations in particular territories: thus, the Dutch Revolution of the late sixteenth century, the English Civil War in the middle of the seventeenth century and the French Revolution at the end of the eighteenth century 'sum up a series of antecedent processes and shape in broad measure the sets of tendencies which fructify over time in a given culture ... such events extend in their effects beyond the culture in which they occur into related cultures where they have some resonance.'[13] Interestingly however in none of the cases of revolutionary change precipitated by these events did the post-revolutionary regime move to free religion from secular oversight, rather the opposite. The case of the great 1789 Revolution in France is instructive. Rémond represents the Revolution as making the first breach in the old order founded on the principle of state religion: 'For the first time in a European society, belonging to a denomination would no longer be a measure of

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[12] The fractionalisation scores in Table 2 provide a summary measure of the degree of religious pluralism in each country.
[13] Martin, D., op cit. p.4.

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individual rights or a condition of citizenship'. (38) But within few years church properties had been taken into the ownership of the state and the 1801 Concordat had inaugurated a century of multiple establishment.

The case of the Russian empire, within which the 1917 Bolshevik revolution can be seen as a much later 'crucial event', is also exemplary if extreme. Under the Tsars the Russian Orthodox Church with its monopoly of religious functions throughout the vast territory of the empire was from 1721, after Peter the Great abolished the patriarchate, kept under firm state control by a 'Holy Governing Synod' of bishops under the control of a chief procurator who answered to the Tsar. The system lasted almost 200 years until the abdication of Tsar Nicholas II in 1917; as David Martin puts it, 'Peter the Great made the Orthodox Church a state department and when the revolution came it simply stood Caesaro-Papism in its head. The Orthodox Church was still treated as a department of state but under the autocratic control of an atheist Caesar.' (p. 22) A particular mark of the subjugation of the Church under the communist regime was the loss of lands, buildings and other wealth to the state, just as had previously happened in most Protestant countries at the Reformation and in many Catholic countries as the impact of the French Revolution was registered. Despite its export to the whole of the Soviet bloc in Eastern and Central Europe after 1945, the Bolshevik experiment with controlling religion for the purpose of repressing – and where possible destroying – it by the use of state power proved to be (relatively) short-lived and since the collapse of communism around 1989 there has been an attempt to repair some of its depredations.

Between 1980 and 2000 a number of remarkable changes occurred in the field of church-state relations across Europe. Firstly, the collapse of communism and the disintegration of the Soviet Union, Yugoslavia and Czechoslovakia led to an increase in the number of relevant cases from 35 to 47 and a proliferation of complex sets of arrangements in the newly independent territories. Communism, with its animus against organised religion, had been responsible for Barrett's classification of the east European states as Atheist in 1980 when the Cold War was still ongoing.[14]   Using his classificatory scheme Table 3 indicates by the number and direction of the arrows the effect of the removal of communist political hegemony; the arrows indicate that not one of the former communist territories remained where it had been only twenty years before.[15] In all but two cases change has been in the direction of dismantling of oppressive controls on religion and increasing access to various forms of state assistance, whether in the form of funds for the rebuilding of cathedrals, as in Russia, or the widespread use of national taxation systems to funnel resources to recognised denominations. One exception is Bosnia where the Barrett classification appears to reflect the judgement that political interference with

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[14] Barrett, D., Kurian, G. and Johnson, T. (eds) *World Christian Encyclopedia : a comparative survey of churches and religions AD 30-AD 2200* (New York: Oxford UP, 2001)

[15] In fact Barrett et al. coded Russia, Bulgaria, Hungary, Romania and Czechoslovakia as still Atheist in 2000. The other sources consulted clearly support the case for reclassification however. The classification of Sweden where church -state separation came into force from 1 January 2000 has also been changed.

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religion (or, rather with Christian bodies - see explanatory note 2) was greater in 2005 than was the case in Yugoslavia as a whole in 1980. Another is the unrecognised republic of Northern Cyprus with its overwhelmingly Islamic and ethnically Turkish population. Finally, German reunification is seen as producing a convergence of its two parts, which had previously contrasted strongly in their church-state relations, in the maximally neutral, central cell of the table.[16] One of the most notable features of the table is the convergence towards this cell, which in 2005 is no longer shown as empty as in 1980 but occupied by five newly independent (or in Germany's case newly reunified) states. The significance of the central cell is that if there had been a universal shift towards strict separation of church and state as it has been construed by the US Supreme Court until recently at least then all 49 states of Europe (plus even the Vatican, making a round 50) would have occupied it. The actual trend has however been only a modest one; as can be seen, between 1980 and 2005 more territories moved from the Atheistic column to the Religious than to the Secular and in the case of the one significant shift among the west European states, that of Sweden from the Religious to the Secular column, the degree of *de facto* separation introduced has been relatively modest. And as if to balance the account while Sweden was moving towards a form of disestablishment, in Romania serious attempts were being made to have the Romanian Orthodox Church declared the national church. In 1997, furthermore, new Russian legislation, which had been prepared in consultation with the leadership of the Orthodox Church, cut back on the religious freedoms, which an exemplary Freedom of Conscience law had introduced in 1990. The same month, September, in 1997 also saw the richly symbolic consecration by the patriarch Aleksij in the presence of President Yeltsin of the rebuilt Cathedral of Christ the Redeemer in Moscow -- 'a spectacular expression of the national religious revival of Russia'.[17]

At the level of formal commitments, religious freedom, issues seemed to have been definitively resolved shortly after the end of World War II, at least so far as Europe is concerned. In 1948 article 18 of the Universal Declaration of Human Rights stated that: 'Everyone has the right to freedom of thought, conscience, and religion; this right includes the freedom to change his religion and belief, and freedom, either alone or in community with others in public or in private, to manifest his religion or belief in teaching, practice, worship and observance.' Since then, in addition, a series of other international covenants, conventions and treaties have committed their signatories to upholding the rights of individuals to freedom of religion and belief.[18] Shared subscription to the principles of religious freedom and equality did not, however, involve common practice. Most glaringly, in the communist-dominated systems of Central and Eastern Europe from the forties to the eighties religious freedoms, while they

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[16] Michael Minkenberg contests Barrett's typification of the effects of German reunification on church-state relations which are reflected in the figure. (Private communication)

[17] van den Bercken, W. *Holy Russia and Christian Europe* (London: SCM Press, 1999) p.216

[18] Thus Article 9 of the European Convention on Human Rights and Fundamental Freedoms (1950), used the same words as the UN Declaration adding that the only limitations should be such 'as are prescribed by law and are necessary in a democratic society in the interests of public order, health or morals, or for the protection of the rights and freedoms of others.' See Boyle, K. and Sheen, J. (eds), *Freedom of Religion and Belief: A World Report* (London: Routledge, 1997)

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were formally embraced, were systematically flouted and repressed as the 1980 attributions of table 3 indicate. In Bulgaria, for example, despite the guarantees of the 1947 constitution, which formally separated church and state, tight control was kept on all aspects of religious life, including the appointment of religious leaders.[19] Hundreds of Orthodox priests and religious leaders were imprisoned, while the representatives of the Catholic, Protestant, and Islamic minorities were subjected to persistent harassment, extending in the last case to the closure of mosques and, as late as the mid-1980s, campaigns to impose non-Islamic names. In the developing reformist climate of the late 1980s, finally, organizations such as the Independent Committee for the Defence of Religious Rights, Freedom of Conscience and Spiritual Values emerged to prosecute the struggle to make a reality of religious freedom. Article 13 of the new 1991 constitution incorporated guarantees of individual religious freedom and the freeing religious institutions from state control. Equally significant however it also ruled that Eastern Orthodox Christianity be considered the traditional religion of the Republic and that 'religious institutions and communities and beliefs shall not be used for political ends'. In this way the constitution acknowledged a link between the historically dominant religious tradition and the state on the one hand, while attempting to keep religion out of the political arena on the other. While different in detail from all the other constitutional settlements introduced in Central and Eastern Europe at the end of the Cold War these stipulations of the Bulgarian constitution encapsulated nicely the ambiguities that continued to form a focus for controversies around issues of both religious freedom and equality: presumptively equal religious freedoms were guaranteed to all individuals, but the traditionally dominant confession was declared 'more equal than others'.

None of the eight former Communist countries of Central and Eastern Europe that joined the EU in May 2004 (in alphabetic order: the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia) formally adopted a state church model; nor did any of them move to a rigid separation model either such as is often thought – particularly by American liberal democrats – to be a *sine qua non* of liberal democracy.[20] Most chose 'benevolent separation' or 'cooperation' models and all, including those that did not have significant Catholic populations negotiated some kind of concordatarian settlement with the Vatican. This is all the more remarkable since of the 15 existing EU members only five (Austria, Germany, Italy, Portugal and Spain) had existing concordats.[21] While these agreements are often defended as securing on the part of Catholic groups in the relevant populations legal certainty rather than privilege, there is no doubt that the provision of such certainty has material benefits. Most states require formal recognition of religious groups but not all religious groups succeed in gaining such recognition

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[19] Anderson, J., *Religious Liberty in Transitional Societies: The Politics of Religion* (Cambridge: CUP, 2003) p. 92

[20] Schanda, B., 'Church and State in the New Member Countries of the European Union' *Ecclesiastical Law Journal* 2005: 4, pp. 186-198.
[21] France and Luxembourg on the other hand are partly bound by concordat-like treaties. Belgium and Ireland have no such treaty despite belonging to the group of predominantly Catholic countries.

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with all the benefits that usually entails – tax wavers (and in several states the use of the public tax authorities to raise a church tax), favourable planning rules, exemptions from certain laws (eg. conscientious objection to military service) and the general protection afforded to religious bodies. The typical arrangements in most of the former Communist countries, many of which have retained government administrative agencies for managing religious affairs inherited from before 1989, involve a hierarchy of recognition with the larger traditional bodies at the apex followed in order by other medium-sized bodies receiving the benefits of recognition as religious organisations, then religious bodies which are not recognised and do not receive the benefits but are allowed to subsist under the protection of laws governing voluntary civil associations and, finally, those bodies and groups which are refused recognition and designated dangerous, subversive or offensive in some way.

Nor is it only in formerly communist Central and Eastern Europe that issues of this sort have become objects of controversy; in most, if not all, parts of Western Europe also similar or cognate issues of religious freedom and equality of treatment have came more of less forcefully to the fore. The associated challenges have tended to arise on the back of global trends, such as the greatly increased migration flows of the 1990s often from areas dominated by previously alien cultural-religious traditions and the emergence or importation of often exotic NRMs (New Religious Movements). Unlike in Central and Eastern Europe, in the different parts of Western Europe the impact of these trends has in part been deflected, and in part augmented, by the continuing existence of more or less stable patterns of religious establishment and/or privilege. France has stood alone in Western Europe in its century long experiment aimed at separating church and state, consigning the former to the private sphere (despite the ownership of all church buildings built before 1905 by the state) and requiring the latter to dispense with any functions of a religious nature.[22] Elsewhere ostensibly separationist systems such as those of the Netherlands, Belgium or Ireland have involved the making over to religious bodies of large parts of the education, health and welfare sectors which in other systems would be regarded as key areas of state concern. In the case of Belgium the church-state compact even involves the direct payment out of general taxation of salaries and pensions to officials of the six recognised faith communities, including the humanists.

The 21st century: an emergent Common European Model?

In 1999 canon lawyer Silvio Ferrari argued that despite all the surface, legalistic variations to be found in Western Europe there actually existed a common model of relationship between the state and religious faiths in that part

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[22] From the time of the 1905 Law of Separation however the French state has been required step by step to moderate the strictness of its separatist regime; the reincorporation after 1918 of the three Rhenish departments where the old system of religious establishment had survived and the eventual provision of public funds for the support of private (and largely Catholic) schools represent only two of the compromises which a more rigid scheme of strict separation, such as is more nearly approached in the USA, would have struck down.

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of Europe.[23]   The conventional focus on 'outmoded' typologies of different patterns of church-state relations, he argued, obscured the underlying presence of this common model; three-way distinctions, for example, between separatist, concordat-based and national (or state-church) systems were too much based on the formal elements of institutional relationships and obscured the existence of 'legal substance'. When attention was paid to the latter, evidence of 'a process of rapprochement that is going on at the very level of legislative contents between the national laws of the various countries of Western Europe' came to light, which confirmed the existence of the common model as an emergent reality.   There were also reasons to believe that this model could prove sufficiently robust to serve as a template for the development of church-state relations in Eastern Europe.

The model is characterised first by a common commitment to recognise individuals' rights to religious liberty, something which all West European countries – and now almost all of Europe's fifty-odd states – have signed up to. Anomalies in the practical recognition of religious liberty and all its entailments – such as the surviving constitutional ban in Greece on proselytism – are gradually being eliminated, although novel problems in connection with the toleration of several NRMs or 'cults' such as the Church of Scientology or the Moonies continue to pose problems.[24] In this the emergent European church-state model is no different from any other – all systems confront often imponderable issues in this regard and frequently set up different arrangements to deal with them.   What is distinctive about Ferrari's common European model as opposed to, say, the USA's separationist model however is its deliberate privileging of religion:

'A religious sub-sector is singled out within the public sector. This may be understood as a 'playing field' or 'protected area'. Inside it the various collective religious subjects (churches, denominations, and religious communities) are free to act in conditions of substantial advantage compared to those collective subjects that are not religious.'

The model is described as being of relatively recent date but 'deeply rooted in the political and legal culture of contemporary Western Europe.' Ferrari of course is not alone in observing the privileged standing of religious groups in Europe, despite the continent's reputation for uniquely high levels of secularisation.   Thus Rémond concludes his historical survey of religion in European society with the claim that Europe is witnessing the emergence of a 'collective private' sector where *inter alia* religion finds a public expression: 'Between [Europe's different] countries the distances are less pronounced than is thought. Above all they are tending to diminish; although they still offer a

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[23] Ferrari, S., 'The new wine and the old cask: tolerance, religion, and the law in contemporary Europe' in Sajo, A. and Avineri, S. (eds), *The Law of Religious Identity: Models for Post-Communism* (The Hague: Kluwer Law International, 1999)

[24] On these problems see Richardson, J.T., *Regulating Religion: Case Studies from Around the Globe* (London: Kluwer Academic/Plenum, 2004)

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wide variety in the forms they take, among them all exists a fairly general agreement on fundamentals which enables one to say that today there is a way, both common to all European peoples and original as regards the rest of the world, of regulating religion-society relations.' (op cit.: 215-217) The evidence from Eastern Europe suggests that, however haltingly, there are similar tendencies also evident there.

One question-begging feature of the emergent model as Ferrari presents it that it is centred on what he sees as the secular nature of the modern state, in French, its *laïcité*; 'the fundamental principles of the common European model of relationships between the state and the religious communities ... are quite rigid. ... [They] have been summed up in the formula "the secular state".'(op. cit.: 11) It might be argued however that what distinguishes the European model is not so much state *laïcité* as state religiosity. This is a point which emerges most clearly from the analyses of Jonathan Fox of a very large world-wide data collection which attempts to map church-state connectedness.[25] The data identifies 149 variables across 197 polities and provides a comprehensive detailing of the widespread involvement of government in matters of religion, not least across all the national territories of Europe. If the *laïcité* of the state is to be seen as a fundamental principle of the European model, then, it is surely one more honoured in the breach than the observance. Much depends on what counts as evidence of the religiosity or *laïcité* of the state: an examination of the criteria applied by Barrett et al in classifying the attributions reported in Table 3 suggest the following definition:

A state can be deemed religious in some non-trivial way
    if it is:
        (identified/
        (formally linked/
        (heavily involved/
        (joined in law

                    with:

                    (a religion or
                    (religions or
                    (churches
                    and its/their promotion.

A similar conclusion regarding the pervasiveness of the marks of religious establishment in virtually all the states of Europe emerges from the evidence reported in Table 4. This comes from Inglehart and Norris's attempt to test

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[25] See Fox, J. & Sandler, S. (2005). Separation of religion and state in the 21st century: Comparing the Middle East and Western democracies. *Comparative Politics*, *37*(3), 317-335; Fox, J. 'World Separation of Religion and State Into the 21st Century' *Comparative Political Studies* 2006; 39; 537-568. See also Stepan, A. (2000). 'Religion, democracy, and the "twin tolerations."' *Journal of Democracy*, 11(4), 37-56.

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some hypotheses of American rational choice analysts which focus on the critical role of the level of state regulation of religious markets.[26] The table presents the complete data matrix for the European cases included and shows that not one of these cases scores zero, the score which equates to the complete freedom of religious markets from state interference. The modal score (scored by Austria, Bosnia, Hungary, Monaco, Poland, Sweden Switzerland and Yugoslavia) is 4 and the overall median is 4.25. It is interesting to note that the median scores for the Western and Eastern & Central European groups of countries are not far apart at 4.08 and 4.45 respectively. What variation there is can be explained in part by reference to Table 5 where the surviving variations between countries identified with different dominant confessions are shown still to exist; the level of state regulation of religious markets in historically Mixed Confession societies is only about half of that found in historically Orthodox societies. This is an area where the data collection work undertaken by Norris and Inglehart on the one hand and Fox and his associates on the other makes it possible to investigate further. The table attached to data table 5, showing the labels of Norris and Inglehart's twenty key variables has been edited to indicate that there are at least three types of variable involved, to which the letters T, A or O have been attached – they refer to Treasure (economic and financial linkages), Authority (the manner in which the state shares or concedes its authority to religious bodies, and Organisation (the degree to which the state involves itself in affecting the organisational context in which religious bodies work). The suggestion is that Ferrari and Rémond's claims about an emergent European model of church-state relations can be better understood as a sort of European TAO or way (in the Buddhist Chinese sense) consisting of the interweaving of three different strands.[27]

Conclusion*: Is there 'neither East nor West, Border, nor Breed, nor Birth...'?*

The wider contemporary context of this topic is characterised by postindustrial economies and post-materialist cultures progressively exposed to the pressures of a globalising world. In this wider context Europe occupies a particular place characterised by the rapidly ongoing reintegration of its Eastern and Western halves. One of the many challenges which these interlinked processes presents is how to accommodate the religion-related cultural contrasts which have been imported by movements of migration. The leaders of disaffected religious (or anti-religious) minorities in different national contexts can often be found to mobilise their followers to protest against perceived

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[26] Norris, P., & Inglehart, R. *Sacred and Secular: Religion and Politics Worldwide*. (New York: Cambridge University Press, 2004)

[27] This point is argued further in J.T.S. Madeley 'Unequally Yoked: the Antinomies of Church-State Separation in Europe and the USA', a paper for ECPR/APSA Panel: Religion and Politics: American and European Experiences and Contrasts,APSA Chicago 30th August – 2nd September 2007

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denials of rights and other claims, particularly where there is a widespread sense of grievance or betrayal. The most obvious – but not the only – immediately relevant case is that of the large Muslim minorities which since the unprecedented waves of international migration since the 1980s have emerged in historically Christian Europe. It might well be said that how far these countries manage to accommodate and tolerate these internal differences and tensions is an increasingly urgent challenge, not least given the recent occurrence since 2001 of terrorist attacks by Islamist extremists. While a return to full and/or open state establishment of religion, even it were politically feasible in a liberal democracy, would provide no answer to these challenges, there is a range of alternative, intermediate sets of state-religion arrangements which still preserve the basic human freedoms (including freedom <u>from</u> religion), while providing an environment in which recognised religious organisations can most easily serve the needs of their memberships. This is not establishment nor is it disestablishment of the old kind; it is instead a rather robust and long-lived phenomenon known to the English language as <u>antidisestablishmentarianism</u> --28 letters that stand in defiance against the 16 words of the first amendment to the US constitution, which forbade Congress to introduce church establishment.

The mark of the liberal state is not that it makes the world comfortable for liberals but that it recognises and protects the rights even of illiberal minorities. Complete state religious or ideological neutrality is as far from realisation in Europe as ever it was. Nor does one have to be an adherent of any particular religious or philosophical system to appreciate the virtues of arrangements that make for accommodation and toleration. As the Enlightenment sceptic Gibbon wryly observed in *The Decline and Fall of the Roman Empire*:

'The various modes of religious worship which prevailed in the Roman world, were all considered by the people, as equally true; by the philosopher, as equally false; and by the magistrate, as equally useful. And thus toleration produced not only mutual indulgence, but even religious concord.'

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Table 1 : Language Group > Dominant Confession Linkages in Europe, showing 'crossovers'.

GERMANIC PROTESTANT	GERMANIC CATHOLIC	LATIN CATHOLIC	LATIN PROTESTANT	SLAVIC PROTESTANT OR CATHOLIC	SLAVIC ORTHODOX
Scandinavia + Iceland	S. Neths, N. Belgium (Flanders), Lux	S. Belgium (Wallonia)		(Finland, Estonia) and Latvia	Russia
Britain + N. Ireland	Irish Republic	France		Lithuania and Poland	Belarus
Northern and Eastern Germany	Rhineland, part Württ., Bavaria etc			Western Ukraine	Central and Eastern Ukraine
German Prot Swiss cantons	German Cath Swiss cantons	Francophone Cath Swiss cantons	Francophone Prot. Swiss cantons	Czech Rep., Slovakia	Serbia, Montenegro, FYROM
	Austria	Italy (Hungary)		Transylvania	(Romania), Bulgaria
		Spain, Portugal, Malta		Slovenia, Croatia, part Bosnia	Georgia, (Greece, Cyprus)

Note: some countries have national languages which are neither Germanic, nor Latin, nor Slavic eg. Finland, Estonia, Hungary, Romania and Greece. These are indicated by brackets and assigned to the column which represents their previous imperial connections.

Small states (eg Monaco, Liechtenstein, Vatican City State etc) not included. Nor are the south-eastern European states (Albania, Armenia, Azerbaijan, European Turkey) that do not belong either to the three major confessional or to the three major linguistic groups.

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TABLE 2	THE LONG SHADOW OF THE CONFESSIONAL STATE IN EUROPE CONFESSIONAL MAJORITARIANISM BY TRADITION AND COUNTRY					**Fractionalization Index**
%	CATHOLIC	PROTESTANT	ORTHODOX	MUSLIM	OTHER	
91-100	Spain: 99.0 Luxembourg: 97.0 Portugal: 97.0 Poland: 92.2 Ireland: 92.0 Malta: 91.0	Iceland: 99.0 Norway: 95.17	 Greece: 93.0 Armenia: 91.9	Turkey: 99.8 Cypriot, Turkish*: 99.0 Azerbaijan: 94.7		0.0561 Turkey 0.1472 Spain 0.2027 Iceland 0.1778 Luxembourg 0.2346 Portugal 0.1889 Norway 0.2860 Azerbaijan 0.1639 Greece 0.1485 Poland 0.2753 Iceland 0.1045 Malta 0.3761 Armenia
81-90	Andorra: 89.0 Croatia: 88.5 Lithuania: 85.0 Italy: 84.95 Belgium: 80.9	Finland: 89.0 Denmark: 86.27 Sweden: 84.0	 Bulgaria: 82.0			0.2012 Andorra 0.2609 Finland 0.2120 Croatia 0.2279 Denmark 0.3048 Lithuania 0.3048 Italy 0.4594 Sweden 0.4656 Bulgaria 0.3380 Belgium

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71-80	Liechtenstein: 80.0 Austria: 78.0 Slovenia: 76.0		Cypriot, Greek*: 78.0 Romania: 77.0 Georgia: 75.0			0.4296 Liechtenstein 0.4184 Austria 0.5060 Romania 0.2958 Slovenia 0.6392 Georgia
61-70	France: 69.6 Hungary 67.5 Slovakia: 67.0		Belarus: 70.0 Moldova: 70.0	Albania: 65.0		0.6816 Belarus 0.7287 Moldova 0.4921 France 0.5677 Hungary 0.5104 Slovakia 0.7597 Albania
51-60		United Kingdom 53.0	Yugoslavia* 60.0 FYROM* 59.3 Russia 51.7			0.7499 United Kingdom 0.6617 Russia
41-50	Switzerland[1]: 46.1			Bosnia-Herzegovina[2]: 44.0		0.6460 Switzerland 0.5777 Bosnia-Herzegovina
31-40	Czech Republic[3]: 40.0 [0.7057]	Germany[5]: 35.7			Estonia[4]: 36.5	0.7057 Czech Republic 0.8022 Estonia 0.7230 Germany

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	Netherlands[6]: 34.5					0.7662 Netherlands
					Latvia[7]: 34.0	0.7969 Latvia
Cases with more than 50%	17	6	11	4	0	
Cases with 50% or less.	3	1	0	1	2	
Total Cases	20	7	11	5	2	

*No fractionalization index available.

1. Switzerland, other confessional groups: Protestant 40%; Other 8.9%.

2. Bosnia-Herzegovina, other confessional groups: Orthodox 31%; Catholic 15%; Protestant 4%.

3. Czech Republic, other confessional groups: Other 38.6%; Protestant 4%; Orthodox 2%.

4. Estonia, other confessional groups: Protestant 17.2%; Orthodox 16.5%; Catholic 0.6%.

5. Germany, other confessional groups: Catholic 33.7%; Other 26.4%.

6. Netherlands: Protestant 26.9%; Other 12.9%.

7. Latvia: Orthodox 22.8%; Protestant 22.2%; Catholic 19.7%.

Sources: Barrett, D. et al (eds), *World Christian Encylopaedia: a comparative study of churches and religions in the modern world ad 1900-2000* (2nd edn: New York: Oxford UP, 2001) Fractionalisation scores (based on Herfindahl) calculated from same source leaving out groups which count for less than 1% of the population.

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Table 3: Changes in Church-State Relations *de jure& de facto,* Europe 1980-2005

RELIGIOUS ORIENTATION OF STATE *DE JURE* ⇒	'RELIGIOUS'	'SECULAR'	'ATHEISTIC'
CHURCH-STATE RELATION *DE FACTO* ⬇			
1. State exists to promote Christianity.	Vatican		
2. State makes large subsidies to churches but does not control.	Bel, Dk, Fin, Greece, Ice, Liecht, Lux, Monaco, Norway, Spain, **Sweden** ——→ Switzerland, **FedRepGer**	Austria **Sweden**	
3. State aids churches with special but limited privileges (eg tax exemption, radio/TV access etc).	Andorra Portugal, Britain, Italy, Malta, **Armenia** **Poland**	San Marino Netherlands **Russia Hungary Romania**	
4. State subsidies only to schools, hospitals etc.		France [USA]	
5. State non-interference: churches receive no privileges or aid, nor interference or obstruction.	Ireland, **Macedonia} Mont., Croatia} Serbia, Slovn.} Ukraine, Mold., Georgia**	**Germany, Estonia} Lithuania} Slovakia Czech Rep**	
6. State imposes on all churches limited or occasional political restrictions.	**Cyprus**	**Latvia**	*Yugoslavia**
7. State discriminates against or severely obstructs minority churches	**Bulgaria Cyprus, Belarus**	**Albania**	*GerDemRep*
8. State interference, obstruction, discrimination or repression against all churches: proselytism etc prohibited.	**Bosnia**	Turkey	**Bulg*, Hungary*, Pol*, Romania**
9. State hostility, antagonism or harassment: no evangelism, missionaries, conversion.	**N. Cyprus Azerbaijan**		*Czechoslovakia* *USSR*/**Russia**
10. State suppression or elimination: no religious activity tolerated.			**Albania**
TOTALS (1980) >2005	**(21) > 33**	**(5) > 16**	**(9) > 0**

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Constructed on the basis of attributions in Barrett et. al. (1982 and 2001) supplemented by *2005 Annual Report on International Religious Freedom: Europe and the New Independent States* (US Dept of State, Sept 2005). The table is a revised version of the table published in Madeley and Enyedi (eds 2003) p. 16.

Bold type indicates countries, which have changed their classification. Italics indicate states that have ceased to exist since 1980.

Notes:

1. Barrett et al's *de jure* classifications allot states to the categories Religious, Secular and Atheist. Not least because of the question-begging term secular I have pre have used inverted commas; the labels Religious, Officially Neutral and Anti-religious would seem more appropriate.

2. Barrett et al's *de facto* classifications are given as rankings of degrees of 'religious liberty'. It is clear that it is the religious liberty of Christians which is the core criterion however. Hence the low scores for Turkey, Azerbaijan and Northern Cyprus, all overwhelmingly Islamic societies with strong prohibitions against proselytism. Armenia on the other hand is placed in row three as providing 'substantial state assistance to and genuine promotion (as opposed to control) of Christianity (sic)' (Barrett et al, 1981: p.100)

3. Barrett 2001 still listed the 6 states indicated by asterisks as Atheist in 2000. The other more recent sources support their reclassification since (if not before) 2000.

4. The bottom line totals mislead: if the effect of the collapse of the Central and Eastern Europe conglomerate states as of 1980 (USSR, Yugoslavia and Czechoslovakia) is taken into account the total of states deemed Anti-Religious rises from 9 to 24 and so constitutes the largest category. Their complete disappearance since 1980 through shifts in the de jure orientation of the states vis-à-vis religion is in this light all the more remarkable.

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	TABLE 4	T	T	T	T	T	A	A	A	A	A	A	A	A	A	A	A	O	O	O	O	
	Variable no. (1>20)	8	9	10	12	13	1	2	4	11	14	15	16	17	18	19	20	3	5	6	7	T
	25 W. EUROPE																					
22	**Ireland**					X																1
32	**Netherlands**		X																			1
29	**Malta**					X												X				2
2	**Andorra**								X										X		X	3
11	**Cyprus**		X	X		X																3
18	**Germany**		X	X											X							3
23	**Italy**					X			X										X			3
27	**Luxembourg**	X	X			X																3
35	**Portugal**			X					X										X			3
38	**San Marino**		X			X			X													3
46	**United Kingdom**			X		X												X			X	3
4	**Austria**		X			X							X						X			4
31	**Monaco**											X	X					X	X			4
42	**Sweden**		X	X		X			X													4
43	**Switzerland**		X	X		X													X			4
7	**Belgium**	X	X	X									X						X			5
15	**Finland**			X		X			X									X	X			5
16	**France**		X	X	X											X			X			5
25	**Liechtenstein**		X	X		X			X									X				5
33	**Norway**		X			X			X									X	X			5
13	**Denmark**		X	X		X			X									X	X			6
41	**Spain**		X	X					X							X			X	X		6
21	**Iceland**	X	X		X	X			X									X	X			7
44	**Turkey**	X				X						X	X		X				X	X		7
19	**Greece**	X	X			X			X			X	X		X			X	X	X		10
	WE Subtotal	5	16	12	2	17	0	0	12	0	0	3	5	0	2	3	0	9	15	3	2	M=4.08

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#	22 C.&E. EUROPE																						
1	Albania																		X			1
14	Estonia					X													X			2
40	Slovenia			X															X			2
12	Czech Republic	X	X																X			3
24	Latvia			X		X													X			3
26	Lithuania		X	X															X			3
28	Macedonia		X			X													X			3
45	Ukraine									X									X	X		3
8	Bosnia & Herzegovina		X						X							X					X	4
20	Hungary	X	X	X															X			4
34	Poland			X		X			X										X			4
47	Yugoslavia					X			X			X							X			4
5	Azerbaijan								X			X	X	X					X			5
9	Bulgaria		X			X			X									X	X			5
10	Croatia	X	X			X			X							X						5
30	Moldova, Republic Of					X			X			X							X	X		5
39	Slovakia		X	X		X			X										X			5
6	Belarus		X	X								X	X						X	X		6
17	Georgia			X								X	X	X	X	X				X		7
36	Romania	X	X	X		X						X							X	X		7
37	Russian Federation			X								X	X	X	X	X			X	X		8
3	Armenia						X		X			X	X	X		X		X	X	X		9
	EE Subtotal	4	10	10	0	10	1	0	9	1	0	8	5	4	2	5	0	2	19	7	1	M=4.45
	TOTAL	9	26	22	2	27	1	0	21	1	0	11	10	4	4	8	0	11	34	10	3	M=4.25

Coding of variables taken from Norris, P., & Inglehart, R. (2004). *Sacred and Secular: Religion and Politics Worldwide*. (New York: Cambridge UP) pp. 253-4. Appendix C: Technical Note on Freedom of Religion Scale. See table below for variable labels. Here the matrix is organised according to the TAO typology of 'government tools' adapted from Hood, C & H.Z. Margetts (2007) *The Tools of Government in the Digital Age* (London: Palgrave)

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1.	The constitution limits freedom of religion..	A
2.	The constitution does not recognize freedom of religion. (Or the law does not recognize freedom of religion, in countries without a written constitution.)............	A
3.	A single official (established) state church exists..	O
4.	The state favors one religion..	A
5.	Religious organisations must register with the state or be designated by it to operate legally, or the govt imposes restrictions on those organisations not registered or recognized...	O
6.	The state issues legal permits for religious buildings..	O
7.	The state appoints or approves church leaders, church leaders appoint or approve government officials, and/or church leaders have specific positions in government...	O
8.	The state pays church salaries directly..	T
9.	The state subsidizes some/all churches..	T
10.	The state provides tax exemptions for some/all churches...	T
11.	The state bans clergy from all or some specified religions from holding public office..	A
12.	The state owns some church property and buildings...	T
13.	The state mandates some religious education in state schools, even though some students can be exempted from this requirement with a parent's request................	T
14.	There are reports of forced religious conversion..	A
15.	The state restricts some denominations, cults, or sects..	A
16.	The state restricts/bans some missionaries entering the country for proselytising purposes...	A
17.	The state restricts/censors some religious literature entering the country or being distributed..	A
18.	The state imprisons or detains some religious groups or individuals........................	A
19.	The state fails to deter serious incidents of ethno-religious conflict and violence directed against some minority groups..	A
20.	The state is designated a country of particular concern for freedom of religion by the U.S. State Department...	A

Shaded items are for variables which show no variation within the European sub-set, all scoring zero.

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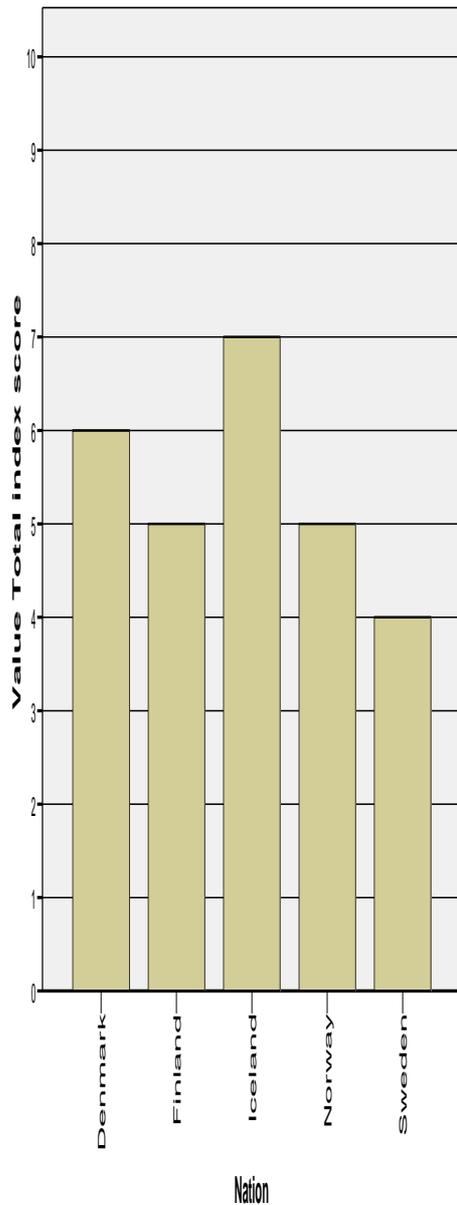**Church and State in Europe: East versus West**
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Table 5: State Regulation of Religion scores by Dominant Confession

Data source: Norris, P. & Inglehart, R. as used in

Norris, P., & Inglehart, R. (2004). *Sacred and Secular: Religion and Politics Worldwide.* (New York: Cambridge University Press) (2004)
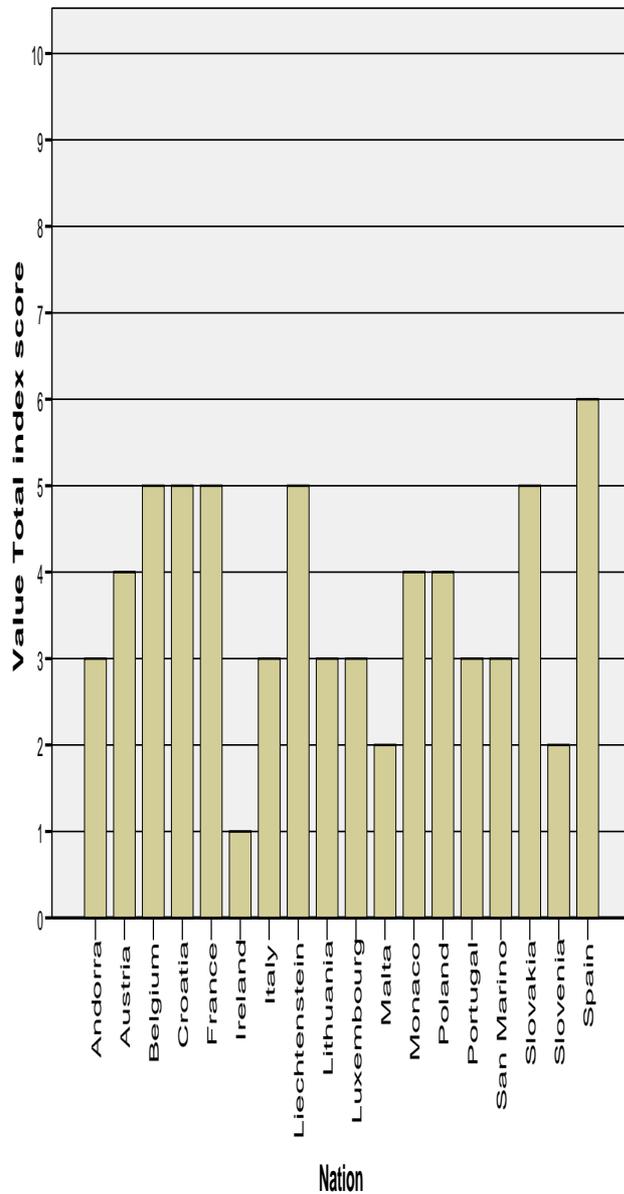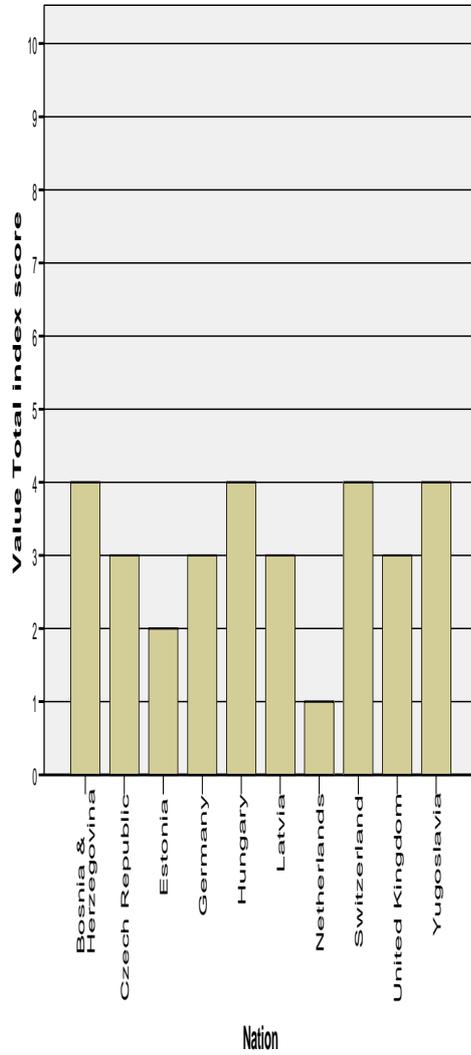
Protestant	**Catholic**
Mean score: 5.4	**Mean score: 3.7**

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Mixed

Mean score: 3.1

Orthodox

Mean score: 6.0

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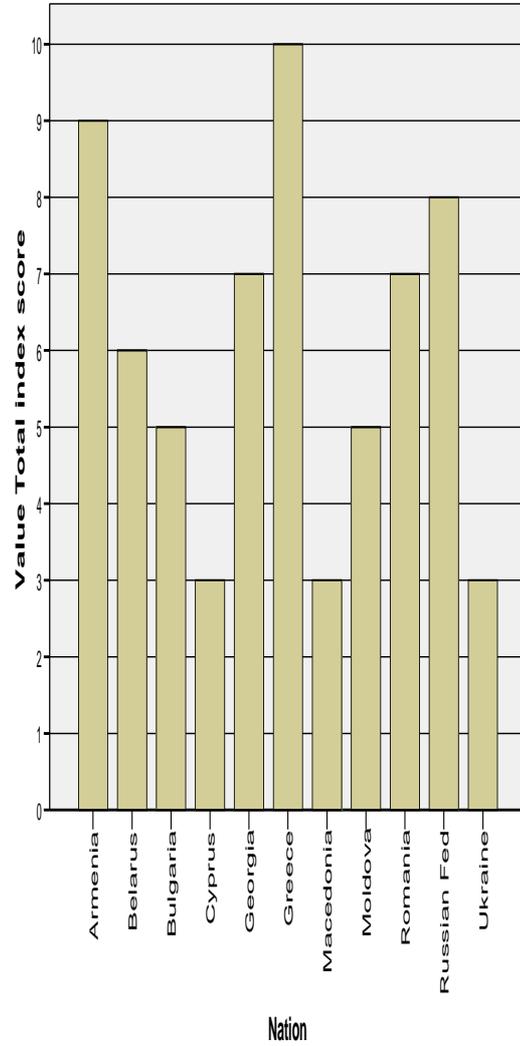
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