

History, Time, Meaning, and Memory

Ideas for the Sociology of Religion

EDITED BY

Barbara Jones Denison



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William H. Swatos, Jr.

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CONTENTS

Preface: Traveling Through Time.....	vii
WILLIAM H. SWATOS, JR.	
Introduction: History, Time, Meaning, and Memory in the Sociology of Religion.....	1
BARBARA JONES DENISON	
1. Clio Goes to Church—Again: Places for History in the Sociology of Religion.....	9
KEVIN J. CHRISTIANO	
2. The History of Meaning.....	47
WILLIAM H. SWATOS, JR.	
3. Historical Observation in the Sociology of Religion: A View from Within the Communicative Networks of Two Scientific Disciplines.....	65
PETER BEYER	
4. Past in the Present: Indigenous Leadership and Party Politics Among the Amasiri of Southeastern Nigeria.....	81
ELIJAH OBINNA	
5. The Development and Major Problems of Religious Legislation in Taiwan.....	111
PEN-HSUAN LIN	
6. Developing a Historical Sociology of Nationalism and State Secularization in Latin America.....	145
JONATHAN EASTWOOD	
7. Religion and Deviance: Theocrats vs. Democrats.....	179
NACHMAN BEN-YEHUDA	

8. On the Processes and Problematics of Representing Divinity: Dio Chrysostom (ca. 40–120) and the Pragmatist Motif.....	205
ROBERT PRUS	
9. The Genres of Religious Freedom: Creating Discourses on Religion at the State Department	223
RICK MOORE	
Afterword: What is History?.....	255
JOHN H. SIMPSON	
Contributors.....	265

PREFACE

TRAVELING THROUGH TIME

WILLIAM H. SWATOS, JR.

A moment of difficulty always besets for me the writing of a foreword to a book in which I am also a contributor. This is lessened in the present case because it represents a sustained effort of partnership with a number of the principals who have watched with me across the years the ebb and flow of the significance of history (or historical data) through the work of sociologists of religion. At some times we seem to be historically sensitive, whereas at others “the now” alone prevails.

In considerable measure, this volume represents a conscious, positive response to (and incorporation of an enlarged version of) Kevin Christiano’s 2006 Association for the Sociology of Religion Presidential Address. A number of the other contributions in one respect or another relate to the seeds that were sown at that time, including the interest of John Simpson in beginning to work seriously toward bringing these various strands together by following up a 2009 ASR annual meeting session, which provided several of the other contributions included here.

As it turns out, too, my first article in *Sociological Analysis*, the title by which the ASR’s journal was known in 1977 (now *Sociology of Religion*), was entitled “The Comparative Method and the Special Vocation of the Sociology of Religion.” In that article I was making the case that the comparative method was not a “special method” in sociology of religion, but an essential starting point for all sociology of religion—as I wrote then, “that all genuine scientific analysis is in the same measure comparative analysis and that we only know what something *is* when we also know what it is not”—and I paraphrased the seventeenth-century political theorist James Harrington, to the effect that:

No one can be a student of the social order except that he be first a historian and a traveler. For if he has no knowledge in history, he cannot tell what has been; and if he is not a traveler, he cannot tell what is. But he that neither knows what has been nor what is can never tell what must be or what may be.

Those things I still hold true today and will return to them in my own contribution to this volume. I am pleased to say that I think we have made some progress in this direction since I first gave that paper orally about 35 years ago. The profession could do even better, however, and there continues to be more interest in decontextualized data than is warranted by goals like theory construction and accurate predictions of future trends and developments.

I also want to thank my predecessor as Executive Officer, Barbara Denison, for shepherding the book from what was at best a collage of manuscripts into the volume that you now have in your hands. The job was not an easy one and introduced difficulties none of us could have imagined. Nevertheless, I am pleased with what we have on offer here and hope you will be too.

Finally I want to thank both ASR and Brill for their continued commitment to this series, which was founded by David Bromley, with its first volume appearing in 1991, and edited by him through its first ten volumes. With the completion of this number the series reaches volume twenty. As always, we welcome ASR members to submit proposals for future volumes, and I look forward to continuing with the series in my editorial role for at least a few more years.

INTRODUCTION:
HISTORY, TIME, MEANING AND MEMORY IN THE
SOCIOLOGY OF RELIGION

BARBARA JONES DENISON

Once upon a time, when I was a graduate student in sociology, I was introduced to noted University of Chicago historian and professor emeritus Martin Marty. He told me that while history is poor sociology that does not account sufficiently for the present social circumstance, sociology is like bad history that does not go back in time. Marty notwithstanding, this volume in the Religion and Social Order series sets out to address exactly this problem of history within the disciplinary boundaries of the sociology of religion. History has such a fickle nature that it has seen religion hold varied and different places within the timeline of sociological thought, starting with a high level of importance among the early founders of the discipline. In the nineteenth century French social philosopher Comte claimed that “religion is at the root of social order.” By the late nineteenth century Comte’s fellow Frenchman Émile Durkheim categorized religion as a “social fact” to offset the German Karl Marx’s oft misquoted phrase describing religion as an opiate of the masses.¹ Fellow German sociologist and political economist Max Weber completes the classical theorists’ “genealogical” reach into the family tree of sociological examination surrounding religion in the early twentieth century. Weber identified religion as the catalytic contribution to social change in some cases, reinforcement of the status quo in others. The decline of significance for religion in sociology by the latter half of the twentieth century

¹ Marx’s phrase in its 1844 context carries a different meaning from that often superficially assumed today. He states, “Religious suffering is, at one and the same time, the expression of real suffering and a protest against real suffering. *Religion is the sigh of the oppressed creature, the heart of a heartless world, and the soul of soulless conditions. It is the opium of the people.*” Although opium was coming under scrutiny as a source of much social conflict and the eventual Opium Wars, opium at the time Marx wrote was legal but not cheap, hence the context for his observation about religion, which was consistent with his more general class-based social analysis: religion provided the poor with a transport from suffering to another realm analogous to that provided by opium, which they could not afford. The decontextualization of Marx’s work over time is itself a historical problem in sociology.

mirrored the changing social location of religion; the increase in world fundamentalisms, religious movements, private spiritualities and other indicators in the millennial age have brought a renaissance to this long-standing subdiscipline.

This very brief attribution to the history of religion as a subject within sociology does not, however, manifest the essential issues under examination; namely the place of history and its concomitant paradigmatic and methodological considerations within the sociological approach to religion. Time, place and circumstance are as much the analytical framework for thought in history as they are instrumental to the understanding of religious movements, religiosity, the persistence (or lack thereof) of religion, and so on. How then should we embrace history as sociologists?

The authors of each chapter included in this volume have taken that problem to be their own, massaging it to their particular focus and providing us with their assessment of history's significance and contributory nature. For example, in the volume's initial chapter, "Clio Goes to Church—Again: Places for History in the Sociology of Religion," Kevin J. Christiano argues that renewed historical thinking is important to the sociological analysis of religion. History, he continues, provides a context, a chronology and a sense of sequencing to the work of sociologists. Without the considerations brought by the explanatory powers, the essential research questions, or even the tools and methods of history, Christiano continues, sociology of religion is relegated to the present-minded, empirical snapshot approach. A return of history's contributions to their past venerated role in the sociology of religion, Christiano suggests, is the solution to this dilemma.

Christiano frames the enabling environment for the other chapters' contributions. William H. Swatos, Jr., inveterate Weberian scholar and writing about such historically important and diverse social activities as democratic religious movements in Latin America, religious pilgrimage, and Anglicanism, provides commentary on the importance of "meaning" to accompany the sense of the historical in recasting the sociology of religion. In Chapter 2, "The History of Meaning," Swatos tells us that *meaning* provides the cultural canopy to our actions and observations. Meaning, from the concept of linguistic relativity, is carried by the actual language used and learned as infants learn language initially and transmits within the language itself the symbolic expressions of culture. Successive generations thus acquire culture with language.

What then is meaning without historical composition as a supporting stage? The chronological nature of acquiring the symbolic artifacts of meaning throughout primary socialization is a historical sequence. Without an understanding of the historical assignment of certain meanings to specific words, sounds made by our lips and tongues, there is no meaning, just gibberish. Where, Swatos asks, does the meaning of words and actions, ceremonies, rituals and sacred texts made so by historical attribution, take on importance? Obviously history determines comprehension of meaning to the sociological inquiry into religion on a variety of levels.

Likewise, as Peter Beyer suggests in Chapter 3, "Historical Observation in the Sociology of Religion: A View from Within the Communicative Networks of Two Scientific Disciplines," the memory of all that has gone before is contained in the reproduction of knowledge each time we review what is extant and add our original contributions, no matter how weak or how strong, to that historical sequence of thought. As the sole religious studies scholar representing that complementary discipline in this volume, Beyer points to the distinction between discourses in classical sociology about traditionally important topics such as religion. He identifies the lack of room for such discussion in modern societies where religion is seen as increasingly marginal and/or unimportant in the face of other social institutions, conditions and forces sweeping in anew. Religion is part of the historical memory of culture; societies turn to religion in the shadow of that memory at times as Grace Davie (2000) argues; but religion quickly settles back into the cultural scrapbooks as something from the past to revisit occasionally with a sense of familiarity, longing and fondness—just like the vacation trip to Disney World.

The traditional customs, religion and other cultural content and boundaries of tribal society are part of Elijah Obinna's contribution to the dialogue started by Christiano. In Chapter 4, "Past in the Present: Indigenous Leadership and Party Politics Among the Amasiri of Southeastern Nigeria," Obinna considers in which of any other independent modern social structures and nation states we would find the "past in the present" except in those places where indigenous societies inform the political processes in the present. It is precisely because of these historical antecedents stemming from precursor tribal organizational and indigenous community structures that we can understand the importance of various present-day components in political leadership and the movement of dynamic political structure. Obinna argues

persuasively for the significance of cultural memory bolstering the continuity between these past ruling practices and community governance systems and this millennium's emphasis on a Weberian sense of legal-rational authority rather than the traditional system of ascribed status.

In Chapter 5, "The Development and Major Problems of Religious Legislation in Taiwan," by Pen-Hsuan Lin, we are given a historical account of the impact Western religious exposure has had on traditional religious structures and practices in China, with an eye to how governmental attempts to legislate religious organizations and expressions of religiosity duplicate past history into the present meaning of officially sanctioned religious practice. In his discussion of sanctioning official religious practices, organizations and worship sites (specifically temples), Lin notes the discrepancies between those that fall under *The Supervising Temples Act* (specifically Buddhism and Taoism) and both other folk religions (from the collective memory of the past) and religions introduced from outside (e.g., Christianity, historically brought by missionaries and colonials). The political and legal processes differ to such an extent that differential treatment occurs with regard to judicial and other regulatory activity. There is even the perception that a new and imported religion such as Christianity is not subject to regulation. Despite efforts even into the twenty-first century to update and expand religious organizations legislation, no new act has been passed. Lin's chapter provides an interesting analysis of these attempts to move public administration of religion forward in terms of the historical precedents for religious regulation in Taiwan.

Chapter 6 brings us around the world from Taiwan to Jonathan Eastwood's consideration of "Developing a Historical Sociology of Nationalism and State Secularization in Latin America." Little has been written, Eastwood begins, of a comparative nature examining secularization processes in Latin America. This occurs despite the vast amount of literature within the sociology of religion devoted to the secularization debates of the last five decades or so, the rational choice articulation that began at the end of the last century, and the recent calls to treat secularization within its historical confines from a macro-level approach. Eastwood posits a dynamic between variables, notably pitting the strength of nationalism and the strength of the church against one another at the time national identity emerges to determine how varying one or the other affects the developmental path and impact of

secularization within the country. He proceeds to test the relationship between nationalism and secularization by examining the history of Latin American countries, tracing over time the correlational effects. Like the chapters before, Eastwood exemplifies the importance of Christiano's call for more historical input into the sociology of religion. The very nature of examining the emergence of nationhood involves historical paradigms and processes if we are to understand the origins and impact of social structures, forces and identity within the transformation.

Nachman Ben-Yehuda, writing in Chapter 7, "Religion and Deviance: Theocrats vs. Democrats?" points out there is little extant literature on the interface between religion and deviance. As he announces in the opening paragraph, Ben-Yehuda is driven to construct an understanding of specific deviant behavior within a defined community, in this case an ultra Orthodox Jewish community. Since labeling theory spawned the rise of social constructionist thought in studies of deviance, and Rodney Stark (1985, 1996), R. Stephen Warner (1993) and others brought rational choice to the secularization table, it is no small wonder Ben-Yehuda selected this framework for his analysis. It is precisely the history of Israel, ancient and modern, and its meaning in the collective memory of so many groups, as well as the relatively short time in which modern nationhood has been writing a new history, that is the deviance for some. Concomitantly, this sequence constructs the deviance for others, allowing Ben-Yehuda to demonstrate the importance of these tools in sociological inquiry across two sub-disciplines of strength.

Moving from the modern history of Israel and more in keeping with the motif of antiquity, we find Robert Prus's chapter highlighting not only the place of history but also a particular emphasis on the role of pragmatism in the sociology of religion. In Chapter 8, "On the Processes and Problematics, of Representing Divinity: Dio Chrysostom (ca. 40–120) and the Pragmatist Motif," Prus makes the case that pragmatism precedes symbolic interactionism, social constructionism and functionalist tendencies in identifying religion as a uniquely human achievement. Prus outlines his case through the work of classical Greek and Roman era scholars on into the writings of the medieval western scholastics, demonstrating a time-line sequencing in Dio Chrysostom's thought development, creating the shared language of religion. As Swatos emphasized the linguistic relativity component of cultural

transmission through language, Prus argues for the language of pragmatism as transport for conceptualizing religious belief. The shared symbolic system of language provides the opportunity to understand and encounter the divine. In this way pragmatism adds another manner by which methodological tools can grasp a coherent sociological view of religion.

Religion takes an alternate turn in Chapter 9, Rick Moore's discussion of "The Genres of Religious Freedom: Creating Discourses on Religion at the State Department." From religion being the end result in cultural transmission of a sense of the divine in Prus's work, Moore describes the process of generating International Religious Freedom reports, demonstrating thereby the importance of collective religious memory. The well-worn narrative recalling American leadership in religious freedom and tolerance, stemming from the Puritan colonial days to the present civil religion discourses, frames these reports in such a way as to make sure American religious values are implicitly upheld and our international friends are treated likewise. Alternatively, in these collectively written documents, Moore notes, much common wisdom on international human rights is uplifted and preserved. For the many groups, governmental and NGOs, that use these reports, Moore cautions, an understanding of their secondary and syncretic nature is crucial. It provides a window of understanding into how religion is created as a category for differentiation.

And so we come to the conclusion and subsequent endnote to our "story," where John Simpson reminds us of the answer to "What is history?" Sequential ordering of events in order to create meaning is fundamental to historical analysis. The social construction of meaning is the fodder of sociologists, especially those focused on religion. We conclude where Christiano began, that is, on a note elucidating how history informs our investigation. I leave it to you, the reader, to contemplate future endeavors in the sociology of religion in light of a renewed sense of time, place and meaning positing a framework for analysis and critique.

To add a sliver of history to this volume, I wish to express my appreciation to John Simpson and Bill Swatos, colleagues with whom I share a great deal of history in ASR, for involving me as editor in this fascinating project. And last, my eternal gratitude to Jesse Ramsey and Dan Oosthuizen, graduate assistants at Shippensburg University, without whose gargantuan efforts and computing abilities I could not have fulfilled my commitment to this volume.

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CHAPTER ONE

CLIO GOES TO CHURCH — AGAIN: PLACES FOR HISTORY IN THE SOCIOLOGY OF RELIGION

KEVIN J. CHRISTIANO

To be a member of any human community is to situate oneself with regard to one's past, if only by rejecting it. The past is therefore a permanent dimension of the human consciousness, an inevitable component of the institutions, values and other patterns of human society. The problem for historians is to analyse the nature of this "sense of the past" in society and to trace its changes and transformations.

– Eric Hobsbawm (1997: 10)

After all, the only reason for life *or* a story is "What Happened Next?"

– Jack Kerouac (1995: 266)

On the occasion of his presidential address to the American Sociological Association more than forty years ago, the eminent research methodologist Paul F. Lazarsfeld confessed to a degree of fear over the choice of his topic, a gesture "more irrevocable than marriage, more self-revealing than a dream" (1962: 757). He went on to observe that such discourses often fall into one of two categories: either a direct analysis of a sociological problem that concerns the speaker or a more detached stock-taking of the state of the discipline. My own contribution to this *genre*, first presented in my 2006 Presidential Address to the Association for the Sociology of Religion, attempted a combination of these self-assigned tasks (see Christiano 2008). As a historically inclined sociologist, I argued for the importance to research in the study of religion of a sustained renewal for historical thinking. By doing so, I hoped to enable a marginal improvement to the sociology of religion as a discipline. This chapter includes much of that address but also seeks to extend it in a slightly different direction from the original. My motives for making this call are simple enough to state:

All social action, including religious behavior, unfolds in and over time, and thus features an inevitable historical dimension. This aspect of religion has not always been acknowledged, much less given its due,

in social-scientific analyses. Rather, sociologists of religion too often have seemed satisfied to leave questions of precedence and sequence—the chronology of the past—and of span and impact—the duration and significance of stages or events—to scholars who have been specially trained in history. Or, as the religious historian Martin E. Marty (1976: 42) has put it, “historians are more interested in development, evolution, sequence, surprise, and change” while “sociologists are concerned also with ‘snap shots’ of the present.”

Surveying *The Present State of American Sociology* toward the end of the 1940s, Marty’s future colleague on the faculty at the University of Chicago, Edward A. Shils, traced the ahistorical character of the discipline in twentieth-century America all the way back to its origins, for “the very condition of its birth and the process of selection which accompanied it meant that sociologists would lack the sense of the past, the traditional standards of judgment and the traditional intellectual discipline which distinguished the academic man of the late 19th century” (1948: 2). No American could be expected to produce studies of religion like those of Max Weber, he complained, because “The historical education of American sociologists is usually too poor and their religious ‘musicality’ is too slight to interest them in such problems” (1948: 33).

There is, however, no necessary reason—other than a laziness that risks being enfolded into tradition—for this tendency. To the contrary, the *sociology* of religion might be exactly the perspective with the conceptual tools and analytical methods to make possible a dynamic understanding of change in religious identities and beliefs, religious behaviors and institutions (see Ellison and Sherkat 1995). After all, noted the church historian Sidney E. Mead, “History originates in curiosity about the past. . . . Where such curiosity exists it is manifested in questions. The type [of] question is, ‘how did this present come to be out of the past?’—or, if you wish, ‘how did I, or we, or they, get *that* way?’” (1963: 18; emphasis in the original). In slightly different terms, Mead is pointing out that the most fundamental questions of history are what sociologists regard as beginnings to the study of social change. Moreover, most of the greatest empirical issues in the sociology of religion have been, in reality, differences over interpretations of such change. The accuracy of this assertion makes the relative absence of research on historical processes in American sociology of religion all the more striking. As Richard L. Means has commented, “when all this is said, I think it is strange that we have not really given much attention

to the special uses of history in the behavioral sciences in relation to the sociology of religion” (1970: 192).

Six Theses (But No Church Door)

To simplify somewhat the task of following what, beyond this point, is a long story, I have distilled my narrative into six essential theses, some of which are theoretical and others historical. They are:

1. A conviction about the explanatory power of history was easily visible in the voluminous works of the late nineteenth- and early twentieth-century classical sociologists who dealt with religion—not only (indeed, especially) those of Max Weber, but of Émile Durkheim, too (see, e.g., Bellah, 1959; Calhoun 1996: 305).
2. This value that was placed on history was evident as well among the first generations of academic scholars of religion in American universities at the turn of the twentieth century.
3. The sociology of religion, and particularly its historical dimension, largely dropped from sight in the discipline after the 1930s. It survived solely in pockets of activity that were located outside the mainstream departments, where approaches to religion took the form of social philosophy or, alternatively, applied research. There, the immediate demands of denominations and the labors of religiously committed researchers sustained the sociology of religion for a time.
4. In the meantime, sociological theory embarked on a decades-long but ultimately disappointed quest for an ahistorical “general theory of action,” while methodology in the field abandoned historical ambiguity in favor of the clarity that was afforded by statistical techniques that were tried and approved first in governmental research.¹
5. When the formal study of religion re-emerged within sociology in the 1950s and 1960s, it was in a decidedly different form.

¹ I am hardly the first to issue such a call for a return to historical thinking. For two excellent published models, see Swatos (1977) and Kniss and Chaves (1995). Swatos, for example, writes of “the necessity for a consciousness of the past in interpreting the present” that “must not be lost” amid other methodological changes in the discipline (p. 106). The latter two warn persuasively of research becoming dominated by “the limits of cross-sectional analysis” (p. 177).

Shorn of historical content, it depended heavily on sample surveys of individual attitudes as its research method of choice.

6. The overwhelming present-mindedness of much scholarship in the sociology of religion across the past fifty years has led indirectly to empirical dead-ends in several key areas of research, such as the study of the various processes of secularization.
7. Finally, returning historical thinking to its original and proper position in the sociology of religion would not simply connect the field to its venerable beginnings, it would help to make the scientific progress of the discipline in this new century more broadly-based and substantial.

*The Place of History: From Classical Sociology of Religion
to Twentieth-Century Religious Studies*

The deep roots of the modern sociology of religion in historical inquiry are not usually acknowledged in the way that the former field is conceived and transmitted today. Despite this fact, the reader who makes the effort to return to primary texts will find historical approaches and analyses occupying salient positions in the works of founding figures, and in the writings of Émile Durkheim no less than in those of Max Weber.

Classical Sociology

Admittedly, few sociologists of religion have practiced their craft with as acute a sense of history as did Weber. Whether his subject was the persistent impact of a new economic ethic that was spread through Reformation-era Calvinism (Weber 2001), the operation within religious groups of ancient authorities or novel patterns of leadership, or the social dimensions of common beliefs among the peoples of China or India (Weber 1951, 1958), Weber fused sociological principles with a historical sensitivity that seldom weakened and never disappeared.

The record of Weber's achievement in this matter is uncontroversial and his status as a principal forerunner of contemporary comparative-historical sociology is undisputed. Arguably the best brief testimony to the significance of Weber's contributions as a historical thinker comes from the pen of his fellow German, Karl Mannheim. As Mannheim (1953: 218) described Weber:

He does not study the past like an archivist, whose task it is to look after ancient documents and who sees a big hiatus between “the yesterday and the to-day”; he investigates the most distant past, e.g. Chinese and Indian religion, or the economic system of Rome, relates all these historical data to the present, and is most concerned with the similarities and differences between the operation of social forces then and now. The great problem that engaged the attention both of Sombart and Max Weber, namely the rise and development of capitalism, was so worked out as to provide a diagnosis of the contemporary situation. What are the roots of Western society; whence do we come, whither are we going, and what is our place in the present crisis? These are the questions that are latent in Weber’s empirical investigations.²

In contrast, the role of Émile Durkheim as a historical sociologist of religion is less clearly remembered, and therefore less likely to be credited and communicated to each new generation of students and researchers. Today, the work of Durkheim is framed in capsule as an extensive treatment of what Mustafa Emirbayer (1996: 267) has called “a mechanical and automatic unfolding of structural processes.” Durkheim’s legacy as a scholar who grappled with changing histories as well as with immutable structures has largely been lost to discussions in religion. Nevertheless, as Robert N. Bellah pointed out over fifty years ago, “The historical, and indeed evolutionary, dimension is a fundamental element in all of Durkheim’s sociological work” (1959: 447). The sociologist of suicide Jack D. Douglas agrees. Of Durkheim’s publications, he notes, “His first works were historical, philosophical, and very programmatic. The *Division of Labor* was deeply concerned with the historical trends of Western societies, and with the great social problems of the day, as he saw them” (1971: 54). Aside from the “uncharacteristic” hypothesis-testing style of *Suicide*, Douglas further explains, “His earlier works, the work on *Rousseau*, *The Division of Labor*, and *The Methods*, made use almost exclusively of historical and philosophical methods. His later works on education and the professions continued this trend ...” (1971: 48, 47).³

² Translations of the works to which Mannheim is referring in this passage include Sombart (1951) and Weber (1951, 1958, 2001, 2008).

³ Douglas’s references here are to Durkheim’s works—among others *Suicide* (1951), “La ‘pédagogie’ de Rousseau” (included in translation in *Montesquieu and Rousseau* [1960]), *The Division of Labor in Society* (1933), *The Rules of the Sociological Method* (1938), *Moral Education* (1961), and *Professional Ethics and Civic Morals* (1958).

The words of Durkheim himself, here with his collaborator Paul Fauconnet, are instructive about the reasons behind this methodological tendency: “Now, whether we are dealing with social or physical phenomena, the general only exists in the particular. What is termed human association is not any specific society, but the sum total of characteristics to be found in all societies” (Durkheim and Fauconnet 1982: 187–88).⁴ It is therefore imperative, says Durkheim (see Bellah 1959: 448), that sociological scholars *both* acquire a mastery over the historical facts of their cases *and* accomplish an overview of the conceptual terrain that they intend to cover:

Because the specialist scientists have a closer acquaintance with the facts, they have a stronger sense of the diversity and complexity of things, and are consequently less inclined to be content with simplistic formulae and facile explanations. On the other hand, as they have not first surveyed overall the ground to be explored, they proceed somewhat at random, without being fully aware of the goal to be attained nor of the closeness of the links which bind them to one another and make them fellow-workers in the same task (Durkheim and Fauconnet 1982: 203).⁵

The Study of Religion

On the heels of the thorough integration of history into the foundation of sociology as a discipline, the historical perspective was claimed also as an essential component of religious studies.⁶ Perhaps nowhere is the

⁴ In the original, Durkheim and Fauconnet (2002: 15) wrote: *Or, qu'il s'agisse de phénomènes sociaux ou de phénomènes physiques, le general n'existe que dans le particulier. Ce qu'on appelle l'association humaine, ce n'est pas une société déterminée, mais l'ensemble des caractères qui se retrouvent dans toutes les sociétés...*

⁵ In the original, the quotation reads: *Parce que les savants spéciaux sont plus étroitement en contact avec les faits, ils ont un plus vif sentiment de la diversité des choses et de leur complexité, et, par suite, ils sont moins enclins à se contenter de formules simplistes et d'explications faciles; mais, en revanche, comme ils n'ont pas pris, au préalable, une vue d'ensemble du terrain à explorer, ils vont un peu au hasard, sans se rendre bien compte du but à atteindre, ni de l'étroite solidarité qui les unit et qui en fait les collaborateurs d'une même œuvre* (Durkheim and Fauconnet 2002: 26).

⁶ Much of this emphasis on the uses of history in the study of religion beyond sociology was to survive the century. Its course may be traced to the present day, for the emphasis is evident in: (a) bibliographical overviews of religious history (e.g., Carter 1968, Gaustad, Miller and Stokes 1979, Wallace 1981, Marty 1982, 1993, Dolan 1987); (b) historiographical critiques of religious studies including, e.g., in Canada (Clifford 1969, Moir 1983, Marshall 1993, 1994, Clarke 1997, Christie and Gauvreau 2003, Noll 2006, 2007), Great Britain (Thompson 1976, Thompson 1979), and the United States (Doherty 1973, Stout and Taylor 1974, Hood 1975, Dutler 1985, Marty 1986,

prominence of this incorporation more evident than in the mature work of Shirley Jackson Case (1872–1947), a Canadian-born scholar of the New Testament who arrived at the University of Chicago Divinity School in 1908, and who stayed there to teach and to write for nearly forty years (see McCown 1949). Unremarkable though it may seem in our circles today, there was much that was radical one hundred years ago in “the recognition of the fact that every individual, every event, every institution, is a social product ... Society is a historical product; history is a social product” (McCown 1949: 16, 17). For that reason, religion necessarily had to be cast anew as “a function of society, not something handed down, ready-made, from heaven,” for “ideas and rites have no existence apart from people and can be understood only within their social milieu” (McCown 1949: 18, 23).

In 1921, in the inaugural issue of the *Journal of Religion*, Case set out a rationale for history in the study of religion.⁷ He observed that “the theologian is gradually coming to recognize that religion”—and here he paused to implicate “even Christianity”—qualified as “a genuine historical phenomenon,” and so if the student of it “is to remain master in his own household he must learn the ways of the scientific historian” (Case 1921: 3). Like his Chicago colleague and dean, Shailer Mathews (1863–1941), an early exponent of conceptions of religious evolution, Case preferred to regard religion “as essentially a developmental rather than a static phenomenon.” Moreover, he stressed, “It is the business of the historian to follow the course of this evolutionary process from first to last” (Case 1921: 10).

Sociological Theory: The General Pulls Rank

No sooner was the cornerstone of history thus set for the sociology of religion in the twentieth century than the latter tilted away from a theory that was sensitive to time and contingency. Instead, around

Hackett 1988); (c) commentaries on the historical profession (e.g., Ellis 1969, Marty 1974, Zuckerman 1984)

⁷ Something of the direction of change in religious studies in the first half of the twentieth century can be seen by tracing the shifts in the title of one of the discipline’s principal journals, based at the University of Chicago. First known as *The Old and New Testament Student*, the periodical assumed the name *The Biblical World* in 1893. The publication later merged with *The American Journal of Theology* in 1921, and ultimately settled on calling itself *The Journal of Religion*, the name that it retains to this day (see Case 1921: 10).

the middle of the century, theorists embarked on a long and ultimately frustrated search for what many referred to as a “general theory of action” (see Parsons and Shils, eds. 1951; Parsons, Bales and Shils 1953), which constructed “increasingly abstract theories divorced from historical work.” Still, “the triumph of general theory over historicism is a hollow one,” contends David Zaret. “The widespread assumption ... that historicism has been irrevocably laid to rest may yet be premature” (1980: 1180, 1199).

This is not to argue that these general theories reserved no place for religion. To the contrary, Talcott Parsons, the chief architect of “action theory” in the postwar United States, was himself a keen student of American religion (see Turner 2005).⁸ Writes Hans Joas (2001: 128), “it would be wrong to neglect the fact that religion had always been an important topic for him.” Yet religion in general theories was a diffuse, vaporous and ethereal thing—more culture and consensus than consecration and conviction, a presence both everywhere and nowhere in particular. In such a bloodless form, it barely seemed capable of the specific powers that successions of historians had attributed to it.

The concerns of historical sociology, as we conceive them today, were largely framed in reaction to the dominance in the discipline at mid-century of ahistorical systems theory and the structural-functional analysis that undergirded it. So when history came roaring back into the mainstream of sociology in America and Great Britain during the 1970s, it rode a wave of interest that had begun in the student radicalism and movements for social change of the 1960s. Yet the prime theoretical influence in most of this scholarship was, if not Marxism, then a broader brand of historical materialism that was equally likely to overlook religion as just another species of ideology that obscured the reality of social interests (Gorski 2005: 161–66, 188). However, unlike the more doctrinaire Marxists who preceded them (e.g., E. P. Thompson 1964, 1976), who could be relied upon to evince a “grudging acknowledgment” of religion’s power, the intellectual

⁸ Especially in the last years of his life, Parsons published several important, if sometimes overlooked, sociological studies of Christianity (e.g., Parsons 1974, 1978; cf. Robertson 1982, Tiryakian 1982). His deepest interest, though, was not in the history of the church as a social movement so much as it lay in what Joas (2001: 131) has termed the “quasi-structuralist analysis of Jewish and Christian myths.” This project, for Parsons, formed part of a larger concern over how religious values were symbolized in modern societies.

leaders of this new wave, for the most part, “were utterly uninterested in religion, not only as a subject in its own right, but also as a factor in historical development” (Gorski 2005: 163).

Social Statistics: To Mission Fields, in Cornfields, and on Battlefields

The detailed studies of Myer S. Reed, Jr. (e.g., 1974, 1982) have documented how the sociology of religion had already gone missing from the broader discipline of sociology in the United States after the start of the 1930s. More generally, “during the period between World Wars I and II, religion,” as a major figure in the field described, it had “apparently been considered too insignificant a social force to warrant serious attention (Glock 1959: 153).” Before the re-establishment in the 1950s and ’60s of quantitative analyses of religion in university-based centers for survey research, much of what today would be called the sociology of religion bloomed most widely beyond the ivy-crabbed walls of the universities.

For Protestant Christians, in particular, the empirical study of religion in the period between the wars was occupied almost entirely with a well-intentioned concern over the viability of individual churches, the availability of services (social and religious) for members of their congregations, and the longevity of mainline Protestantism as a cultural force. For its part, the separate but unequal institutionalization of a “Catholic sociology” in the 1940s kept alive scholarly interest in a brand of “religious” sociology with a frankly confessional tinge (Reed 1982: 200). Yet these patterns of activity also cemented the estrangement of studies of religion from the sociological discipline, for “the character” of the Christian impulse to explore the social world “had been and remained defensive,” according to Reed (1982: 197). Whether Roman Catholic or Protestant, religiously committed practitioners of sociology—no matter if trained in technique and statistically inclined—were not universally welcomed in the academic centers of sociology. In the period before the 1960s, as one example, “it is quite likely,” Reed observed, “that without the participation of religionists there would have been precious little research done in the specialty” of religion (1974: 167). Apart from that somewhat marginalized academic work, the only sociology of religion in the United States to dirty its hands with real data in the interwar era flourished outside secular schools: in gatherings of clergy, the classrooms of seminaries, the meeting rooms

of foundations and local councils of churches, and in the offices of missionary societies and denominational planning boards.⁹

At the same time, in the 1930s and '40s, academic sociology was already in the process of assuming greater degrees of professionalization, a trend that was associated in the minds of sociology's most prestigious scholars with the more widespread use of quantitative methods of measurement. The motor behind the development of statistical innovation and the progress of survey methodology—and the acceptance of both in the mainstream of the discipline as the favored choices for scientific social research—was the United States government. At approximately the time, then, that sociological theory was detaching itself more and more from awareness of—and direction toward—historical knowledge, methods of research in the social sciences gravitated ever more closely to generic models that were borrowed from the natural sciences. In many areas this breakthrough was already in the offing by the early decades of the twentieth century, when the endorsement of agencies of government across the nation accelerated it.

If one were to single out not only institutions but individuals for contributing to this change, one could justifiably point to a figure like Henry A. Wallace (1888–1965), who—before he became vice president of the United States in 1941 and mounted a calamitous third- (or fourth-) party presidential candidacy in 1948—served as Franklin D. Roosevelt's secretary of agriculture. Wallace, who hailed from Iowa, considered himself to be a kind of philosopher-farmer after the model of Thomas Jefferson (see Wallace 1954). He studied and experimented, tinkered and talked agriculture for his entire life. In his role as an outspoken citizen-scientist, one of the future politician's enthusiasms was the promotion of statistically based decision-making, first back on the rural homestead and then throughout all of American society. With merely a B.S. degree, in fact, Wallace taught statistics on the mathematics faculty at his *alma mater*, Iowa State University, and co-authored an early text on the calculation of correlation coefficients (Wallace and Snedecor 1925; cf. David 1998: 70–71; Ezekiel 1966: 790, 792).

Throughout his early adulthood, as one of the editors of a family-run farm publication, the ever-inquiring Wallace closely followed scientific research on corn production. By 1915, a question that especially

⁹ For a reflection on this history, see my review (1990) of the writings of the Rev. Samuel C. Kincheloe, an urban sociologist and famed student of city churches.

appealed to the numerically-minded young man was something known as the “corn-hog ratio” (Wallace 1954: 133–34, Ezekiel 1966: 791, David 1998: 71).¹⁰ At one point Wallace learned that the United States Department of Agriculture was suppressing a “monumental” sixty-page report by its senior animal husbandman on the subject of “Corn and Hog Correlations,” or the statistical relationship between the size of corn harvests and market prices for hogs (Alwin and Campbell 1987: S143, Crowe 1988: 3).

Difficult though it is to imagine the officials of any recent chief executive becoming exercised over such content, it nevertheless was the opinion of federal bureaucrats in the early 1920s that this was an economic issue, not one of animal husbandry, and so analysis of it, they insisted, should be left to professional economists. Wallace interceded with his father, Henry Cantwell Wallace (1866–1924), who was then serving as agriculture secretary in the short and scandal-ridden presidency of Warren G. Harding. Together the Wallaces, father and son, succeeded in bringing these originally banned calculations to official release. The reversal “may well have been the zenith of the Harding administration,” noted one scientist wryly (Crowe 1988: 3). The grateful author of the suspect report, it turned out, was Sewall Wright (1889–1988), a former Illinois farm boy who, while on the federal payroll, devised (with only undergraduate-level training in mathematics) the technique of “path analysis,” or a variant of what social scientists today describe more generally as “structural equation modeling” (Duncan 1975, Alwin and Campbell 1987: S143–44). Soon after this incident, Wright left government service for a long academic career in population genetics.¹¹

¹⁰ There are, evidently, two versions of this concept. The first, in lay terms, is the amount of feed corn a healthy hog would have to eat in order to gain one pound of weight. The ultimate answer to this question—for those who, like the economic theorist John Maynard Keynes, may be raising pigs on the side (see Sorel 1987, 1996, Skidelsky 2003: 521)—hovers around ten bushels. The second version is conceived at a higher level of analysis: it refers to how many bushels of corn, on average, would have to be sold to equal the price of one hundred pounds of live heavy hogs, on the farm or at market (Wallace and Bressman 1923: 115–18, Taylor 1932: 93–97).

¹¹ Wright was only one of several prominent statisticians who shared the Department of Agriculture as a part of their professional background (Newcomb and Avery 1982: 172–75). Another was Rensis Likert, creator of the scaling technique that bears his surname. Eventually Likert, too, left the government—in his case for a position at the University of Michigan’s Survey Research Center, which he helped to found in 1946 (see Glock 1979: 33).

As secretary of agriculture during the worst years of the Depression, the younger Wallace spoke and wrote often on the need to incorporate into science a larger attention to both economic and social concerns (Sudman and Bradburn 1987: S67-S68). In turn, he sought for the social world the kind of harmony and efficiency that he attributed to the mastery of science and engineering over purely material problems. Just as modern science had developed technologies for improving the lives of humans, so too could it experiment, Wallace thought, toward the creation of “a social machinery as precise and powerful as an automobile engine” (1934: 4), a “machinery” that would organize humanity itself:

It is not the fault of science that we have unused piles of wheat on Nebraska farms and tragic breadlines in New York City at one and the same moment. Rather it is because we have refused to apply science to the development of social machinery, machinery that will regulate our economic system to the end that what we produce can be equitably divided (Wallace 1933: 479).

This advancement would not happen, Wallace believed, as long as the focus of engineering and science remained confined to the more technical spheres of existence. Yet that is exactly where he found it in his day, because scientific knowledge had become a tool of the economically dominant (“a race of men who had developed a concentrated individual will-power and an extraordinary thriftiness as a result of several generations of pioneer agricultural training and Protestant church-going,” in Wallace’s estimation), and because scientists and inventors themselves preferred to contemplate their work and not the murmurings of a social conscience (1934: 3).

Encouragement of a new course for research was therefore to Wallace an urgent necessity: “we have left Egypt,” this modern-day Moses declared to an audience of scientists in 1933, “but we have not yet arrived at the Promised Land.” Social problems such as debt “can be measured,” the Secretary observed, “and social machines can be built to deal with them” (Wallace 1934: 4). Statistics assuredly would play a role in these solutions; so would new scholars of society. “Would that we had some one with the imagination of Sir Isaac Newton,” Wallace (1934: 4–5) prayed, to furnish what he termed “the higher calculus of the engineering of life which is so necessary ...” It was no accident, then, that the U.S. Department of Agriculture acted as the leading governmental funder of social research in America from the 1920s through the first half of the 1950s, when it was overtaken by the National Institutes of Health (McCartney 1971: 390–91).

The increasing adoption of statistical routines for research in the federal government led just a few years later to a more familiar case of methodological application and transformation: the inquiries that composed the vast survey project that was known as *The American Soldier* (see Williams 1946, 1989, Lazarsfeld 1949, Clausen 1984, Sudman and Bradburn 1987: S70–71). Until 1941, no surveys of armed-forces personnel in America had ever been performed. Imbued with traditional notions of order and obedience, secretaries of war and their military commanders apparently hesitated to permit the open expression and candid reporting of opinions that were held by anonymous members of the uniformed rank-and-file (Williams 1946: 574, 1989: 164, Clausen 1984: 184).

Nevertheless, in mid-1941 the Department of War established an internal fact-finding agency and labeled it, blandly, “the Research Branch.” The very day after the Japanese attack on Pearl Harbor, the Research Branch launched just its second major survey. Yet, by the time that V-J Day arrived less than four years later, the Branch, guided by the Chicago sociologist Samuel A. Stouffer (1900–1960), had conducted approximately 260 studies based on more than 600,000 interviews with soldiers and airmen (Lazarsfeld 1949: 377–78, 391 [n. 9], 395, Sudman and Bradburn 1987: S70–71, Williams 1989: 156). The most prominent of the findings from these reports were published after the war in a two-volume set of more than 1,200 pages dubbed *The American Soldier* (Stouffer *et al.* 1949), which itself was part of a four-volume series that appeared under the title “Studies in Social Psychology in World War II” (1949–1950).

The studies in *The American Soldier* covered a wide range of topics, including analyses of cohesion in the fighting unit, problems of motivation and morale (vol. 2: 130–72), attitudes of officers and enlisted men toward those of other ranks (vol. 1: 362–410), feelings about soldiers of different races (vol. 1: 486–599), expectations of promotion and discharge, and (ultimately) the challenges of adjustment after their return stateside (vol. 2: 596–643). There were even analyses of stress during combat. (Their discovery, incidentally, that soldiers under attack frequently resorted to prayer for comfort [vol. 2: 172–88] helped to provide empirical strength to the old adage about finding no atheists in foxholes.)¹² Methodologically, *The American Soldier* researchers

¹² To be sure, not all of the Research Branch’s studies dealt with sociologically important questions. There were also those that probed such issues as “attitudes and practices associated with trenchfoot” (vol. 2: 650) and “the laundry situation in

tried out techniques—many of them original, or customized for the occasion—for applied research on mass-media audiences and studies of mobility patterns, for experimental design and interviews of elites, and for evaluating the utility of self-administered questionnaires and the validity of measures of status and authority in bureaucratic organizations.

The significance of these innovations in research methods was not lost on those who were responsible for promoting the contents of the multi-volume set. The Princeton University Press, which acted as publisher for *The American Soldier*, touted the project as “one of the most elaborate applications ever made of the new methods of objective study which are revolutionizing social science research.” The pre-publication publicity release for *The American Soldier* judged that the findings of the wartime surveys “suggest the opening of a new epoch in social studies and in social management” (quoted in Lerner 1950: 217). Favorable reviews, such as the one at the head of the reviews section in the southern publication *Social Forces*, communicated the import of these volumes not only for the social-science professions, but for all of American society. “Here is a book!” the journal’s critic, N.J. Demerath, enthused.¹³ “Not since Thomas and Znaniecki’s *Polish Peasant* has there been a socio-psychological work of such scope, imaginativeness, technical rigor, and important results.”¹⁴ Not to mention a milestone for the maturation of social science: “The first two volumes by themselves,” Demerath wrote, “mark a great achievement in social scientific development.” Social science, he hailed, “is coming of age,” and it was time, he urged, to bring similar scientific attention to civilian life in the United States (1949: 87, 90; emphasis in the original).

Panama” (vol. 2: 647), for example (Demerath 1949: 88, Sudman and Bradburn 1987: S70).

¹³ Prof. Nicholas J. Demerath (1913–1996) served aboard ship in the Navy in the Pacific theater during World War II. At the time of this review (1949), he was a member of the sociology faculty at the University of North Carolina at Chapel Hill. In addition, he was probably the first contributor to *Social Forces* ever to quote from common parlance a scatological eight-letter term that is synonymous with “nonsense” and have it printed, uncensored, in the learned journal’s pages (1949: 89). Coincidentally, Demerath was the father of my immediate predecessor as president of the Association for the Sociology of Religion, N.J. (“Jay”) Demerath III, of the University of Massachusetts, Amherst.

¹⁴ Demerath’s comparison is to W.I. Thomas and Florian Znaniecki’s five-volume classic, *The Polish Peasant in Europe and America* (1918–20).

The trailblazing empirical investigator Paul Lazarsfeld, mentioned at the outset of this chapter (see Jefábek 2001), found *The American Soldier* to be “without parallel in the history of the social sciences ... Never before,” he reflected, “have so many aspects of human life been studied so systematically and comprehensively” (1949: 377–78).¹⁵ Lazarsfeld praised the numerous breakthroughs in survey methodology that *The American Soldier* introduced, noting of survey techniques that “at the moment they undoubtedly constitute the most important and promising step forward that has been made in recent years.” Historical approaches—valuable though they may be for certain purposes, according to Lazarsfeld—stood apart because “history can be studied only by the use of documents remaining from earlier periods.” In contrast, argued Lazarsfeld (1949: 378), “survey methods provide one of the foundations upon which social science is being built.” Still he wondered why a war was necessary “to give us the first systematic analysis of life as it really is experienced by a large sector of the population” (1949: 404). Like Demerath, Lazarsfeld was eager to apply the example of *The American Soldier* to research in peacetime settings.

The groundwork for a move in that direction had been laid in the months leading up to America’s entry into the war. The American Sociological Society empanelled a special committee on “Sociologists and the National Emergency.” “Several sociologists” suggested, according to the committee’s inquiries, “that the emergency offers a valuable opportunity for general research on the social process” (Folsom 1941: 259). The committee strongly recommended that the Civil Service establish a separate job category for professional sociologists at all levels of government, and that sociologists actively pursue these positions “for the sake of greater participation in the world of affairs” (Folsom 1941: 256; cf. Queen 1941).

Despite the praise that the collaborators on *The American Soldier* received from their fellow researchers, more than a few reviewers of

¹⁵ Paul Felix Lazarsfeld (1901–76) was instrumental in the work of the Office of Radio Research, which was founded in New Jersey and, after several years, moved to Columbia University in Manhattan (Barton 1982). Beginning in 1937, this organization conducted waves of inquiries about the composition of the radio audience, the content and popularity for these appeals. In 1944, its broadening research program prompted a change in name to the Bureau of Applied Social Research; Lazarsfeld served as its director (Glock 1979: 24). Both Robert K. Merton and Charles Y. Glock were affiliated with this survey-research organization early in their careers.

the books (see, e.g., Glazer 1949) correctly viewed their publication as a sign that the leading edge of scholarship in the social sciences had moved away from a humanistic style of inquiry and toward an emulation of the variables-and-hypotheses mode of the natural sciences. Perhaps not surprisingly, a young Arthur M. Schlesinger, Jr., by this time already an award-winning historian for his book on *The Age of Jackson* (1945), reacted neither positively nor passively. In one of the more strident dissents, Schlesinger took the authors to task for their seemingly strict adherence to rationalist protocols. Schlesinger expressed a grudging admiration for the ingenuity with which the military researchers approached their assignments and for the candor with which they reported their findings; he admitted, in consequence, that the Army had probably found the results of *The American Soldier* useful in its management of the war effort. Yet, in keeping with his opinion that social scientists at large were “fanatical in their zeal and shameless in their claims,” he excoriated the collaborators on the project for their “lack of originality.” Schlesinger estimated that “in the 1200 pages of text and the innumerable surveys,” he could find little that was not conveyed “more vividly and compactly, and with far greater psychological insight” in the battlefield jottings of the cartoonist Bill Mauldin or the dispatches of the war correspondent Ernie Pyle (1949: 852–54).¹⁶ “As for history,” which was the Schlesinger’s specialty, *The American Soldier* “almost achieved the tour-de-force,” he said, of “writing about the American in World War II with practically no reference to the historical context from which he came.” Instead, contended Schlesinger, noting the technology of the time, “The individual human experience is supposed to vanish away in the whirl of punch cards and IBM machines . . . One comes to feel, indeed, that the American soldier existed, neither in life nor in history, but in some dreary statistical vacuum” (1949: 855).¹⁷

The accounts of these two governmental initiatives, of course, omit mention of activity in the private sector, where research on public

¹⁶ For the wartime works of Mauldin (1921–2003) and Pyle (1900–45), see Mauldin (1945) and Pyle (1943, 1944). For his part Demerath (1949:88) contended that “much of the reading” in *The American Soldier* “is as lively as Mauldin and Pyle,” though he added that “much is necessarily tough going, too.”

¹⁷ A thorough summary and analysis of these and other contemporaneous reviews of *The American Soldier* may be found in Lerner (1950). Later, before an audience of sociologists, Schlesinger (1962) would soften somewhat the feel, if not the weight, of his charges against quantitative social research.

opinion flourished in the first half of the century as an adjunct to campaigns to cultivate support for a range of objects, from political candidates to commercial products. Polling experts George H. Gallup and Elmo Roper each formed his own private firm in 1935, and proceeded the following year to demonstrate the accuracy of the sample survey in their predictions for the presidential election. In a 1940 book that Gallup co-authored, he trumpeted the vital civic value of the opinion poll, equating it, in the title, to taking *The Pulse of Democracy* (Gallup and Rae 1940). Like several others, Gallup traded on his successes in political prognostication, lining up scores of newspapers to print the syndicated columns that were based on his latest surveys—inquiries that, in proprietary sections, gathered data to inform the marketing strategies of the organization's long string of commercial clients.

Opinion polling in the immediate postwar period additionally helped to predict a number of mundane and wholly non-political behaviors, such as the grocery choices of homemakers. An example is the sale and purchase of margarine (see De Jonge 1952: 73). This “oleo” product, normally made from a variety of vegetable oils, had been regarded in most households as an inferior substitute for butter. Yet, out of necessity, it came into wide use during the Second World War, when many nations rationed access to dairy foods. Would consumers who had grown accustomed to the appearance and taste of margarine in wartime abandon the slick spread once hostilities ceased and they legally could buy as much butter as they wanted and could afford? The answer from public surveys was “not entirely”: some among the masses of consumers who were exposed to margarine “under the gun,” so to speak, liked what they were eating, and came to prefer it, at least at its current price, to butter. In a similar way, researchers discovered in the postwar years that some people had grown fond of weaker brands of tea because citizens on the home front had formed the habit under rationing of taking the drink without milk or cream.

Whether a fair description or not, the future of that “dreary statistical vacuum” of which Schlesinger complained was, at war's end, downright upbeat, as too was the status of formal sociological theorizing. Although critics such as C. Wright Mills (a faculty member at Columbia University, and even a sometime resident of its research bureau) would later famously warn of a split in academic sociology between what he derided as “abstracted empiricism” on one side, and “grand theory” on the other (see Mills 1959: 25–75), there was a solution in the offing for that, too. Paul F. Lazarsfeld and Robert K. Merton,

co-workers in audience research in and beyond wartime (see Hunt 1961), held out hope for a fruitful mixture of abstract thinking and applied methodology in testing so-called “theories of the middle range” (Merton 1967: 39–72). “Sociology will advance,” Merton predicted in 1948, “in the degree that the major concern is with developing theories adequate to limited ranges of phenomena and it will be hampered if attention is centered on theory in the large.” In a sidelong glance at (if not a glancing blow against) his Harvard mentor Talcott Parsons, Merton indicated that, for sociologists, “our major task *today* is to develop special theories applicable to limited ranges of data ... rather than to seek here and now the ‘single’ conceptual structure adequate to derive” all possible theories (1948: 165–66; emphasis in the original). Yet the promise of this more focused activity never fully materialized.

Postwar Positivism: Its Institutionalization

When researchers resumed attention to the sociology of religion after the war, it was as adepts of the new, statistically grounded social science. There is a history to this development as well, an account that runs through the early careers of sociologists such as Charles Y. Glock (b. 1919), who acquired university degrees in marketing and business, earned an officer’s commission, a Bronze Star, and the Legion of Merit in the Army Air Corps, and then cut a whole mouthful of teeth, uppers and lowers, as an empirical investigator on the staff of Paul Lazarsfeld’s Bureau of Applied Social Research at Columbia University, where he earned the Ph.D. in 1952 (Hadden 1973). While at Columbia, Glock put his business background in marketing to work in managing studies for a host of clients. He examined consumption of “prepared ready-to-eat cereals” for an advertising firm (Green and Glock 1948), morale and job satisfaction among firefighters for the City of New York (Glock and Lazarsfeld 1948, Glock, McDonald and Lazarsfeld 1948), and the epidemiology of high blood pressure for the state government of Massachusetts (Glock 1955). Near the end of Glock’s stint on Morning-side Heights, he and his Bureau colleagues generated nearly eighty pages of market research on the *Timing of New Car Buying* (Glock, Levenson and Somers 1957) for the Edsel Division of the Ford Motor Company. However, not even the prodigious skills of Charles Glock and his Columbia cohorts could salvage the misconceived Edsel as a consumer product.

All of this activity did not preclude research in the sociology of religion. At Columbia, Glock and a collaborator, Benjamin B. Ringer, oversaw a vast national study of parishioners in urban congregations of the Episcopal Church, an undertaking that was described three decades later (Wuthnow 1985: 23) as “one of the first large-scale surveys ever to be conducted on American religion.” Begun in 1953, the study did not receive a full treatment in print until 1967 (Glock, Ringer and Babbie 1967). Yet this project, according to Robert Wuthnow (himself a student of Glock and a veteran of important survey research), “heralded qualities that were to become the hallmark of Glock’s research style: carefully worded survey questions, indexes constructed of multiple survey items to measure theoretical concepts, clarity of argument and presentation, [and] a concern for social policy” (1985: 23).

These demonstrated abilities notwithstanding, one of Glock’s earliest academic publications, a brief paper printed in *Social Forces* in 1951, bore no direct relation to the sociology of religion. Rather, it discussed a favorite topic of his mentor (see Lazarsfeld 1962, Glock 1979,): the structure and organization of scientific research centers. What is more, Glock had a personal opportunity to put the understanding that he derived on this subject into practice when he moved in 1957 from New York to the West Coast and ultimately designed and directed the Survey Research Center at the University of California at Berkeley. Over time, the productivity of the Center’s various personnel was such that one fellow sociologist (Dynes 1973: 467) identified bohemian Berkeley as “the new Jerusalem” and the San Francisco Bay area as “the contemporary fertile crescent” for studies of religion in the United States. The Center became a place of professional pilgrimage for graduate students and mature scholars alike, and from the font of Glock flowed, starting in the mid-1960s, a series of landmark studies that were rooted in surveys, many in collaboration with a deep bench of junior authors (Dynes 1973: 467, Hargrove 1973, Mauss 1990: 362), such as Rodney Stark (b. 1934).¹⁸ The studies covered a wide range of topics, among them the beliefs of members of American

¹⁸ Aside from Stark, among the many graduates of the Berkeley program in this period who went on to distinguish themselves primarily as sociologists of religion were N.J. Demerath III (1965), Phillip E. Hammond (Glock and Hammond 1973), Armand L. Mauss, Ruth A. Wallace, and Robert Wuthnow (Glock et al. 1975).

denominations and of their local clergy, the persistence of anti-Semitism, and the so-called “deprivation theory” of religious commitment.

In one feverish decade between 1965 and 1975, Glock and his Berkeley teams, operating as the “Research Program in Religion and Society” (Mauss 1990: 364–65), published no fewer than ten books, including an array of by-now memorable titles in the field: *Religion and Society in Tension* (Glock and Stark 1965), *The Apathetic Majority* (Glock, Selznick and Spaeth 1966), *Christian Beliefs and Anti-Semitism* (Glock and Stark 1966), *To Comfort and To Challenge* (Glock, Ringer and Babbie 1967), *American Piety* (Stark and Glock 1968), *Prejudice, U.S.A.* (Glock and Siegelman, eds. 1969), *Wayward Shepherds* (Stark *et al.* 1971), *Beyond the Classics?* (Glock and Hammond, eds. 1973), *Religion in Sociological Perspective* (Glock, ed. 1973), and *Adolescent Prejudice* (Glock *et al.* 1975).¹⁹

During the same decades that empirical research on religion was growing on the West Coast, strong programs in survey-based methods took root as well in Midwestern soil, at the Institute for Social Research of the University of Michigan and at the National Opinion Research Center in Chicago (see Glock 1979: 33). Each of these institutions hosted scholars who also made signal contributions to the quantitative study of religion, such as the analysis of family patterns and achievement by denomination in the Detroit Area Study, spearheaded by Gerhard E. Lenski (Lenski 1961; cf. Wuthnow 2004) and the groundbreaking studies of the effects of Catholic parochial schooling in the United States by Andrew M. Greeley and his colleagues (e.g., Greeley and Rossi 1966, Greeley, Rossi and Pinto 1964).

Whatever the strengths of the research on religion that emerged during what, in retrospect, glittered as a “golden age” (and they are many), there was little about this approach that seemed historical. Indeed, in a critical overview of the sociology of religion that Charles Glock composed in 1957 for a volume that was edited “under the auspices of the American Sociological Society,” he indicated in a footnote that he would “bypass sociological questions bearing on the history and philosophy of religion.” He further admitted that attention to

¹⁹ Much of this research was funded through a continuing grant to the Survey Research Center at Berkeley from the Anti-Defamation League of B'nai B'rith to produce studies on the social causes of anti-Semitism.

such questions was warranted, yet it yielded precedence to his own interest in “the application of modern methods of empirical research,” out of his conviction that “the need to advance the methodology of studying religion sociologically can be more adequately satisfied by dealing with substantive problems capable of being examined empirically at the present time” (Glock 1959: 154, n. 4). His subsequent concentration on quantitative survey methodology would bear out these preferences.

So thorough had the institutionalization of survey research in the sociology of religion become by the 1960s that, toward the end of the decade, the German theorist Thomas Luckmann could contend that, “there is hardly another sociological discipline as completely dominated by a narrow ‘positivistic’ methodology as the recent sociology of religion” (1967: 21; cf. Doherty 1973: 161–62, 165, 168; Means 1970: 181–82; Stout and Taylor 1974: 29–30, 32, 37 [n. 31]). Nor has this situation changed much over the ensuing decades. About the current condition of history in the sociology of religion, Philip Gorski has written that “historical materials and methods are rarely found in social-scientific works on religion ... sociologists of religion typically prefer the present to the past and ethnography and surveys to libraries and archives” (2005: 162).

One reason for the aversion of social science to history, I believe, is mainly ideological. As numerous scholars (e.g., Susman 1964, Weinstock 2005) have admitted, history allows— and sometimes even requires—that human communities engage in forms of myth-making. “Out of fables as much as from facts,” the American historian Michael Zuckerman has noted of his “distant precursors” in the historical profession, “they shaped vast visions and fashioned faiths for a people. Out of imagination as much as by scrupulous empirical investigation, they instructed a democracy” (1984: 219–20). These practices can be ennobling, as in the popular cultivation of civic virtues, or retrograde, as with spreading chauvinistic nationalism. The creation and maintenance of group-based feelings of superiority or of grievance can inspire intergroup bigotry as readily as they might elevate a people and its actions. In either case, such movements rely upon values that depart from the humane universalism that is social science’s moral underpinning, distance themselves from the positive science that is its preferred method, and seem to relegate to a remote future the secular improvement that is its hoped-for result.

Histories, Historians, and Matters of Method

Eric Hobsbawm once contended that “if non-historical social scientists have begun to ask properly historical questions and to ask historians for answers, it is because they themselves have none” (1997: 76).²⁰ Yet the sociology of religion does not lack for footholds in historical analysis that are worthy of emulation.

Indeed, sociologists of religion are blessed with an increasing number of diverse examples of the integration of historical fact and perspective into their craft. These days they may read Lutz Kaelber (1995, 1997, 1998) on medieval religious movements, Philip Gorski (1993, 2000, 2003) on the social impact of Calvinism in early-modern Europe, Stephen A. Kent (1982, 1983) on the ideologies of the first Quakers in Great Britain, John L. Hammond’s (1974, 1979) and George M. Thomas’s (1979, 1989) studies of nineteenth-century Christian revivalism in the United States, Fred Kniss (1996, 1997) on the often sharp conflicts among “peaceful” American Mennonites, and John R. Hall (1979, 1987, 2004) on the spiraling death of the ill-fated Peoples Temple in a fetid Guyanese jungle. And one need not be a partisan of the “rational choice” approach to explaining religious behavior in order to appreciate the historical insights that surface in Rodney Stark’s studies of religious growth and change in Christian antiquity (e.g., 1996, 2006). With a moment’s further thought, one could nominate numerous others as well.

But for this progress to continue, improved clarity about disputes over method is in order. David G. Hackett (1988), for example, summarizes a great deal of the scholarly literature on the history of religion in America. But he advances the research aims of sociologists as well by noting the beginnings of a discernible shift over time *away from* treatments of religion via the protocols of intellectual history and *toward* an opening to the social sciences. What appears to worry Hackett most, nevertheless, are the vestiges of a loose regard for particularity in sociology and the sheer denigration of historical substance that it threatens.

Historians themselves, I might add here parenthetically, are ordinarily of limited help on methodological questions. However regularly

²⁰ In fairness, he proceeded to claim that in most instances neither did his fellow historians!

they may redeem the drudgery of research with a moving and enlightening account of some past experience, historians are poor tutors on method. Truth be told, most of what methodological consciousness historians possess, and sometimes ostentatiously display, is cribbed from social scientists. And there remains within the historical profession a large body of practitioners who are convinced, as was George Caspar Homans, one of the earliest and most prominent of sociologists to cross the boundary into history (1941), that the historical method is but “the commonest of common sense” (1962: 7). Jacques Barzun agreed, without apology. For the historian, he wrote, method “is only a metaphor to say that he is rational and resourceful, imaginative and conscientious. Nothing prescribes the actual steps of his work” (1974: 90).²¹ Rather, in the church of methodology, historians, like Weber’s Calvinists, “endure a feeling of unprecedented inner loneliness” (2001: 60). No sacraments of technique exist to mediate for them the saving grace of truth.

As a result, the methodological course that is plotted by most sociologists who examine historical actors and events is a somewhat haphazard one. At times historical controversy is at the center of a study’s focus; at other times it is peripheral or almost absent.²² How does one explain this seemingly irresistible impulse on the part of sociologists—and sociologists of religion are not innocent here—to lead what looks from a distance like a methodological double life? One explanation, I submit, is that we feel justified in doing it because we are up to “bigger things” than the fact-grubbing that we attribute to historians. We, the customary excuse goes, we want ... (“a hush descends”) *to generalize* (cf. Calhoun 1996: 307, 310–13). But what would happen if sociologists were to swear off that supposedly basic ambition, and the bad methodological habits to which it leads?

These two seemingly warring commitments—deference on the one hand to the particularity of any historical record, and the ambition on

²¹ I am indebted to an essay by a former colleague at Notre Dame, Philip Gleason (1987) of the Department of History, for bringing these insights to my attention.

²² Compare the similarly conflicted behavior of econometricians. One of their number, Edward E. Leamer, employs religious imagery when he confesses that: “We comfortably divide ourselves into a celibate priesthood of statistical theorists, on the one hand, and a legion of inveterate-sinner data-analysts, on the other. The priests are empowered to draw up lists of sins and are revered for the special talents they display. Sinners are not expected to avoid sins; they need only confess their errors openly” (1978: vi).

the other hand to build elegant theory—can be accommodated, *if* the individual theorist is sufficiently acquainted with the available facts of different historical cases *and* is careful and deliberate enough to search through the possible comparisons for similarities that reside above the purely nominal level. Too much of either one of these virtues can doom a historical analysis to unintended specificity or to airy generality (Bendix 1984: 17).

What this effort would involve, then, is a concentration on what Philip Gorski has called “*patterns* of historical change” in the pursuit of “the *causal mechanisms* that underlie them” (2005: 174, emphasis original). The quest to arrive at “universal laws” of history, to be explained in terms of abstract variables with unchanging meanings, would thus be sidelined in this attitude toward research. As Reinhard Bendix insisted decades ago, within a properly *historicist* sociology, “the right understanding can be made compelling only for a time.” He continued, “Historical conditions change, and that means the facts and their contexts, as well as the scholars with their interests and methods” (1984: 9; cf. McDonald 1996: 92).

So, while the particular (or ideographic) and the general (or nomothetic) may co-exist in every analysis, one need not detract from the other’s ability to illuminate. Indeed, my colleague Lyn Spillman has written recently about these problems with a more learned sensitivity than can I, staking a claim in conclusion that “nomothetic and ideographic inquiry are not opposed, but rather contribute differently to sociological understanding” (2004: 229; cf. Bryant 1994: 10–12, Fischer 1995: 5, 11, Wrong 2005: 85–98).

To absorb fully the contributions of historical and comparative sociologists would help to open our area of religious scholarship to greater stylistic and substantive diversity. As it stands now, many sociologists of religion have at their disposal numerous techniques for analysis, but most if not all of these tools are anchored within a strictly positivist conception of explanation which is itself limiting more often than it is useful (Steinmetz 2004: 373–81, 2005: 111–31). Too many sociologists, in fact, equate learning in religion with exposure to a small number of core texts and proficiency with manipulation of a general notion of causation that can be applied as readily to predicting yields of crops in seasonal cultivation as to yields of souls in conversions of the spirit. With this picture, merely to mix in some ages-old data or descriptive detail does not make historical sociology. Arthur L. Stinchcombe, whose critical judgments are nearly always as sharp as his pen, has

insisted that “the central methodological canon for historical methodology is: **Know a Lot**” (2007: 18; emphasis original). Though it may be indispensable for any historical sociologist to “know a lot” about his or her subjects, knowledge of mere facts is not by itself sufficient to advance thinking about our reality. Nor, conversely, is a simple ambition to impose social types and categories on historical data. The British Marxist E.P. Thompson couched this latter insight in material—even earthy—terms some four decades ago (Thompson 1972: 45–46):

The discipline of history is, above all, the discipline of context; each fact can be given meaning only within an ensemble of other meanings; while sociology, let us say, may put many questions to historical material which historians had not thought of asking, it is most unlikely that any “sociological concept” can be taken, raw, from 20th-century suburbia (or from Melanesia) to 17th-century England, since the concept itself must be modified and refined before it will be appropriate to the ensemble of 17th-century meanings. This should not require saying; but there are fashions around which require it. In some eyes, the “systematic indoctrination” of historians “in the social sciences” conjures up a scene of insemination, in which Clio lies inert and passionless (perhaps with rolling eyes) while anthropology or sociology thrust their seed into her womb. But the encounter between partners is going to be a good deal more active than that; and it is difficult to believe that the complacency of some anthropological and (in particular) sociological typologies will not be as much shattered by historical examination as the reverse.²³

There are vital and still-active debates among historical sociologists about how best to construct and to convey an interpretation or explanation (the names themselves are disputed) in historical terms. Philip Gorski (2000, 2004; Gorski and Altınordu 2008) has contributed extensively to these debates, as have numbers of other sociologists—for example, George Steinmetz (1998, 2004, 2005) and William H. Sewell, Jr. (2004)—who seldom orient themselves to questions in the study of religion. Sociologists of religion, for their part, with but a few exceptions—here Gorski, John R. Hall (1992, 2007), William H. Swatos, Jr. (1977, 1989; Swatos and Kivisto 1991), and more recently

²³ Thompson was reviewing a pair of new books in British history: Macfarlane (1970) and Thomas (1971). The latter was judged much better, despite its author’s enthusiasm for social science.

Craig Calhoun (1998) come to mind—have been mostly unresponsive to these parallel and simultaneous discussions of method.²⁴

Sometimes the debates over methodological propriety don familiar forms (see Megill 1989; Calhoun 1998; Hall 2007: 151–57): macro- vs. microscopic perspectives, “scientific” (i.e., positivist) vs. interpretive protocols, descriptive vs. explanatory goals, objective perception vs. empathic insight (*Verstehen*), universalism vs. historicism, the general (or nomothetic) vs. the situated (idiographic), quantitative vs. qualitative, theory-laden vs. empirically concrete, disciplinarily defined vs. inter- or transdisciplinary. In contrast, most of the newer outlooks endeavor to avoid reconstituting and rehearsing the broader battles of the nineteenth-century *Methodenstreit* in social science. In fact, key to many of their proposals for methodological reform is, *first*, a rejection of the simplistic criteria for testing hypotheses and composing causal laws that come to the practice of social science *via* the positivist philosophers of the natural sciences (for example, Carl G. Hempel, Ernest Nagel, and Karl R. Popper); and, *second*, the substitution of some version of methodological “realism” in their place.

Realism is realistic, to these writers, in at least two senses of the word: Ordinarily it describes with greater candor—and hence more clarity—the manner in which researchers actually go about their studies of the social world, and it regards the results of their inquiries as more directly the product of empirical processes than of logical relationships (Hall 1992: 170–71; Steinmetz 1998: 171; Gorski 2004: 15–20).²⁵ Accordingly, realist explanations of social phenomena invite judgment on the bases of how well they are supported by “the most direct and most continuous observations,” and by their breadth, completeness, parsimony, and range. The best models are thus those that possess “the strongest evidentiary basis, the greatest explanatory power, and the widest theoretical scope” (Gorski 2004: 21).

The virtue of realism, as Gorski defends it, is to grasp that social-scientific knowledge “progresses primarily through the construction

²⁴ Calhoun, through his leadership role in the Social Science Research Council (SSRC) in the United States, has lately examined religion on the world stage with occasional commentary and debate that is posted on the SSRC Web blog titled *The Immanent Frame*.

²⁵ To Gorski, positivist or “deductivist” methodology has a normative valence: “It prescribes what explanations *should* do.” In contrast, realist approaches are precisely that: “Actual methods,” he observes, “should be *derived* from methodology. . . . methodology is descriptive. It simply makes explicit what scientists do” (Gorski 2004: 28; emphases in the original).

of better and better explanatory models rather than the falsification of bolder and bolder theories.” The latter approach, which Gorski refers to as “deductivism,” has stranded social research, he charges, in a “methodological dead end” (Gorski 2004: 22). One can recognize clearly, from this vantage point, the readier applicability of realist models, compared to any deductivist alternatives, to the study of historical topics, with their inherently complex and multifaceted empirical presentations (see Gorski 2004: 29; cf. Hall 1992: 166–67; Calhoun 1998: 852; Steinmetz 1998: 174, 182).

Most sociologists, as part of their professional preparation, have demonstrated a mastery of various advanced techniques for analysis of their subjects. Yet the majority of these have their genealogy situated within a confining and constraining conception of explanation that itself is rooted in the positivism of the natural sciences (Steinmetz 2004, 2005; Alexander 2009). To incorporate some latter-day contributions to methodological reconsideration would free our area of scholarship to pursue a greater range and number of topics and ideas. To be more specific, studying the intricate particulars of historical cases not only imparts what Leibniz (quoted in Bloch 1953: 8) called “the thrill of learning singular things.” Findings from historical inquiries may also sharpen our understanding of patterns in human experiences, spawn new concepts and theories, and yield both practical insight and normative guidance (Mahoney 2010: 1–3).

Conclusion: Places for History in the Sociology of Religion

Historians, I believe, are fortunate in that they are largely spared the radical leveling of mind that occurs when a mechanical technique of inquiry is so widely learned and adopted in research that any competent application of it to an intellectual problem, and its subsequent publication, is equated with an arrival at knowledge. As the Beat prose poet Jack Kerouac groaned in 1959, under the weight of the conformity stunting a quite different type of publishing, “Editors and writers have been engaged on a campaign of systematic rejection of everything except the most systematic manuscripts” (Kerouac 1994: 147). Nonetheless, the wise and worldly historian has not yet gone the way of the maverick .400 hitter in baseball, whose demise the late Stephen Jay Gould (1985) so gracefully analyzed.

Graduate education for sociologists is an invaluable process in that it disabuses beginning students in the discipline of an abundance of

bad ideas and steers them away from the acquisition of numerous bad intellectual habits. However, at the same time that its undeniable rigor bats out the bad, its obsession with technique too often beats down inspiration and spirit, “all specific tendencies and tastes,” into what the nineteenth-century Oxford rector Mark Pattison (1885: 89) termed “one uniform mediocrity.” A century ago, Georg Simmel, a thinker who is known now as much for his proven ability to foresee trends in modern societies as for his status as the quintessential outsider to the German academic fraternity of his time, also noted this fact:

[W]hat could be called superfluous knowledge is accumulating in many areas of scholarship and science—a sum of methodologically faultless knowledge, unassailable from the standpoint of an abstract concept of knowledge, but nonetheless alienated from the genuine purpose and meaning of all research. ... The enormous supply of people willing to engage in intellectual production and often gifted for it, a supply favoured by economic factors, has led to an autonomous evaluation of *all* scholarly work whose value is indeed often only a convention, almost a conspiracy of the scholarly caste; all this has led to an uncannily fertile inbreeding of the scholarly mind, the offspring of which, both inwardly and in the sense of having a wider effect, is infertile. This is the basis of the fetishistic worship which for a long time has been conducted with regard to “method”—as if an achievement were valuable simply because of the correctness of its method. This is a very clever means for the legitimation and appreciation of an unlimited number of works which are invalid for the meaning and context of the advancement of knowledge, no matter how generously the latter is framed (Simmel 1997: 71).

Certainly it is difficult to generalize about the hundred-or-so universities in the United States that confer doctoral degrees in sociology. Nevertheless, it is fair, I think, to characterize graduate curricula in the discipline as centered more on formal concerns than on substantive knowledge. Graduate school, it is widely held, can make a student a sociologist; a sociologist *of what*, though, is considered to be merely a matter of the student’s personal intellectual interests. It may well be, then, that sociology ultimately qualifies as what the sociologist of religion Thomas F. O’Dea (1970: 149) labeled more than forty years ago “in a very important sense ... ‘a second-time-through’ subject.” By this designation he meant that useful and effective research in sociology assumes a high degree of existing familiarity with the contents of some substantive area. Substantive expertise ought to come first; its incorporation into some product that would be passably sociological should await an adequate honing of subject-area knowledge. Absent that preparation, O’Dea insisted, “a remarkable superficiality is

unavoidable.” To remedy this condition, he prescribed for students of religion a deep background in history. “[I]mportant both to understanding the present conditions and the historical setting” of religion in society, he wrote, “is the study of history. A good substantive historical background and some acquaintance with the methodological problems of history as a discipline are most important” (1970: 150).

Nevertheless, one of the more lamentable aspects of sociology in our age is that a tenacious parochialism, if not exclusivism, of technique manages to linger in our midst. To be sure, those individuals who are deservedly comfortable in their accomplishments, and the confident institutions that they populate, are arguably more open than ever to a variety of approaches to the study of societies and their religions. One need only look at the leaders in our specialization and at their evident ecumenism of method to witness this fact. They are satisfied, it would appear, to augment social knowledge in their own ways. The insight so generated can be taken, Reinhard Bendix (1984: 10) judged, as “a sign of cultural enrichment and a basis for understanding . . . , even if it is not considered a token of progress through knowledge.”

We were warned to be on guard against the tendency to omit history when modern sociology was still in its “classical” period almost a century ago. In the last manuscript that Émile Durkheim was to draft before his death (one that was published years later with annotations by his nephew and student Marcel Mauss), he observed that

[H]istory is not merely the natural setting for human life, human beings are a product of history. If one removes them from history, if one tries to understand them outside of time, fixed and unmoving, one has denatured humanity. This static human is not human anymore. This is not just about secondary features, about incidental considerations of his nature that he brings out over time; it is about deep and essential qualities, of ways of acting and of fundamental thoughts (Durkheim 2002: 14).²⁶

²⁶ This is my own translation. In the original, Durkheim wrote: *[L]’histoire n’est pas seulement le cadre naturel de la vie humaine, l’homme est un produit de l’histoire. Si on le sort de l’histoire, si on essaie de la concevoir en dehors du temps, fixé, immobile, on le dénature. Cet homme immobile n’est plus l’homme. Ce ne sont pas seulement des aspects secondaires, des caractères accessoires de sa nature qu’il met en relief au cours du temps; ce sont des qualités profondes et essentielles, des manières de faire et des pensées fondamentales* (2002: 14). This quotation is drawn from a short section of Durkheim’s manuscript that Mauss incorporated from elsewhere in his teacher’s notes. The section, labeled “*Deuxième rédaction*” (Second Draft), is omitted from Mark Traugott’s translation into English (Durkheim 1978), but is retained in a later translation by H. L. Sutcliffe (Durkheim 1979).

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CHAPTER TWO

THE HISTORY OF MEANING

WILLIAM H. SWATOS, JR.

Anyone with more than a passing familiarity with the work of Max Weber will recognize that “meaning” (*Sinn*) is a crucial category for his sociology. He writes that the task of the sociology of religion is “to study the conditions and effects of a particular type of social action,” namely, religious behavior, which can be understood “only from the subjective experiences, ideas, and purposes of the individuals concerned—in short, from the viewpoint of the religious behavior’s ‘meaning’” (1978: 399). In a sense, for Weber “*meaning*” creates sociology out of history. Meaning interconnects events that would otherwise be theoretically random—which is to say, *there is no meaning in history*. Events simply happen. The “problem of meaning,” is not in events themselves at all, but in the significances that people give to events. All “action” sociologies of religion—that is, all approaches to religion that treat religion as reflecting choice-making behavior, in spite of whatever divergences they may have among them—experience this dilemma. The problem of meaning is one of the most complex problems in social science with particular significance for the study of religion because the act of defining meaning (“the meaning of meaning”) is self-referential (“Meaning ‘means’ ...”).

Other species besides humans can give meaning to events as well, but lack the linguistic skills to communicate those meanings in a systematic and continuous way to others of their kind. For example, the neighborhood cat gives meaning to our opening the back door because she is often fed a little something when that happens, but she appears unable to communicate that meaning to her friend cat from up the street, who takes off as soon as the door opens. If she could have kittens, she might be able to bring them to the door as well, at the right age. Trusting her, they would learn about the door, but it is still unlikely that the up-the-street cat would. Various animals have various amounts of learning and meaning abilities, but it is difficult to sustain the argument that significant amounts of meaning can be carried by members

of other species, and this becomes particularly marked when we move from the physical to the intellectual. There may have been the occasional cat or dog in centuries past who remained attached to the grave of his or her late master or mistress, but discussion of the significances of these people to them and others are quite something else—just as much between the one dog and other dogs as between the dog and humans (who may, indeed, have more sense of why the dog is doing this than do other dogs).

Meaning-giving and meaning-arguing play important roles in sociology because it is through meanings that we realize the specifically human. This is particularly evident in observing the extent to which humans struggle to translate words across cultures. Words are learned as a result of participation in sociocultural life-worlds; hence it is not the case that every word from one life-world will be able to translate precisely to some other word in a different life-world. “Interpreting” across languages therefore involves not just a vocabulary list but a sense of use-in-context that may in some respects be highly nuanced, while in others is simply one-to-one. Relatively small groups of humans may particularly nuance words—couples who have been together for decades, parents and children, professional work associates, and so on. These nuances are not merely evidences of dialect or technical expertise but often connect to specific shared life experiences that no amount of scholarly training in a particular formal language (e.g., French, Spanish, Swahili, etc.) can possibly fully anticipate. Indeed, in these cases, even people who speak the “same” formal language may miss the nuance that pertains to insiders.

If this is still true in societies today, it stands to reason that it is so much the more so when one tries to “understand” historical movements, trends, shifts, relationships, and so on. Both material and non-material conditions play into this, and while there is a reasonableness to giving temporal priority to material conditions, at the same time it is necessary to insist that changes in material conditions always and everywhere that human beings are found also are interpreted within nonmaterial (that is, ideational) contexts. If something should suddenly fall out of the sky and land in my yard, I am going to approach it with a mind-set shaped primarily by the last quarter of the twentieth century CE. If it had fallen in my yard fifty years ago, I would likely have seen “it” differently. So while, yes, the thing that falls out of the sky is clearly prior to my perception and assessment of it, my interpretive scheme or idea reservoir is itself prior to the material event. Trying to prioritize

material or ideational conditions across time is fruitless theoretically. Obviously if one purposely stands in front of a train that is going eighty miles an hour, one will end up dead regardless of what one thinks about it. Yet one can turn this around—and both insurance companies and heirs may—to ask whether it was an “accident” (he didn’t “think”) or a “suicide” (he did); hence even beyond the grave the question of meaning shapes many material outcomes one way or another. Out of that meaning context, for example, insurance companies, the railroad, and heirs will again argue material claims—indeed, “the body” may itself become contested.

Modern History and Modern Sociology

Just over fifty years have elapsed since Kingsley Davis delivered what later became his somewhat infamous presidential address to the American Sociological Association on “The Myth of Functional Analysis as a Special Method in Sociology and Anthropology” (1959). The speech was certainly gauged to mark the triumph of functionalism in American sociology; yet latent in its imperialistic claims lay a challenge to find something better. Rather than settling the debate over functionalism, Davis’s statement enflamed it, giving impetus to efforts to articulate more clearly the weaknesses of the functionalist model and the possibilities for alternatives. Yet there was something noble in what Davis tried to do, even if he missed the mark in his final product. Where I believe Davis went wrong was in emphasizing a particular set of theoretical presuppositions rather than a methodological orientation. What Davis should have been talking about was the comparative method or comparative sociology. I will address this particularly in the context of the sociology of religion, but I think these comments can be to a greater or lesser extent generalized further.

To consider the alternate viewpoint, I would say that a weakness in sociological research generally, including the sociology of religion, is that “the comparative method” is treated as a “special method” of sociological analysis. By contrast, I would argue that all genuine scientific analysis is in the same measure comparative analysis: we know what something *is* only when we also know what it is not. While some short-run ends may be served by a less comprehensive approach to knowledge, the ultimate scientific goals of understanding and prediction cannot be reached in other ways. With regard to the social sciences

specifically, this means that any analysis that focuses on only a single contemporary sociocultural unit is extremely limited in the kinds of conclusions it permits us to draw—and this is true for descriptive as well as explanatory analyses. To have long-run value, the sociology of religion must be cross-cultural and transhistorical in its orientation. Only from the standpoint of an overarching comparative methodological orientation can any “special” methodology—participant observation, hypothetico-deductive models, path analysis, ethnomethodology, phenomenological reduction, or survey research—be evaluated. From the viewpoint of its own developmental history, furthermore, the sociology of religion has a special “vocation” in this respect.

Historical Travel Through Sociology

To paraphrase slightly the seventeenth-century political theorist James Harrington:

No one can be a student of the social order except he be first a historian and a traveller. For if he has no knowledge in history, he cannot tell what has been; and if he is not a traveler, he cannot tell what is. But he that neither knows what has been nor what is can never tell what must be or what may be (Gooch 1927: 252).

For purposes of this chapter, I take “history” to mean the study of past human social formations as people and environment interacted in a combination of motives from survival on the one hand to personal and social betterment on the other. “Travel” can be employed both metaphorically and geographically as a kind of mental umbrella by means of which we may cover both the necessarily semi-intuitive *Verstehen* that comes through familiarity with a “place” to which one has been and, by extension from that, also the comparative method generally. History and travel are inseparable. As any traveler knows, his or her understanding of any place visited is always enriched by knowing its past (i.e., its “meaning”); likewise, the historian who travels is well aware that his or her knowledge of events in time is always enriched by being able to be in the space in which they occurred. Finally, neither of these operations should be taken naïvely or cursorily: to be genuine both involve getting “in, with, and under” the object—or subject—of study.

Early in *Society, Culture, and Personality*, Pitirim Sorokin (1947: 7) distinguishes between the task of history and other “individualizing sciences” and that of sociology as a generalizing science. He concludes

that “by virtue of this generalizing quality sociology differs profoundly from history and other individualizing humanistic disciplines.” The implication seems clearly to be that history and sociology have little to say to each other; yet anyone with even slight familiarity with Sorokin’s work is well aware that without the historian *Social and Cultural Dynamics* could never have been written. Indeed, virtually every major sociological thinker of the discipline’s first hundred years—Marx, Weber, Durkheim, Simmel, Parsons, Merton, Homans, and Lipset generate a short but significant list—has relied at one point or another in his analyses upon historical data. Numbers of significant essays have been published across the last fifty years debunking the myth of separation between the two disciplines (e.g., Cahnman and Boskoff 1964, Lipset and Hofstadter 1968, Erikson 1970, Wilson 1971); yet this false distinction continues in methods texts in sociology, where the use of historical materials is generally either ignored or degraded. Perhaps the problem is that we have spent more time developing a “theory of methods” than in studying methods-in-use, for in actual practice Tom Bottomore (1972: 77) seems much more on target:

It used to be said that the historian describes unique events, while the sociologist produces generalizations. This is not true. The work of any serious historian abounds in generalizations, while many sociologists have been concerned with describing and analyzing unique events or sequences of events. ... The more the distinction is refined to take account of the actual work of historians and sociologists, the clearer it becomes that historiography and sociology cannot be radically separated. They deal with the same subject matter, [people] living in societies, sometimes from different points of view, sometimes from the same point of view. It is of the greatest importance ... that the two subjects should be closely related, and that each should borrow extensively from the other [cf. Marshall 1964: 35].

Bottomore supplies a treatment of history and sociology here as “cultural sciences” that is essentially a restatement of Max Weber’s arguments proposing the comparative method as he did—a lasting insight of which is that differences in social systems can be understood by specifying “key historical events” that operate like loaded dice to set one process in motion in one setting and a second in another (Weber 1949: 182–84).¹ While the analytical method by which historical and

¹ Throughout my career I have viewed Weber as a Marxist “revisionist”—in the sense that he wrote after and with a consciousness of Marx—and I think it is worth noting, in view of “Marxist humanism,” that what Marx himself claimed to be doing in

sociological causality is determined in the Weberian scheme is beyond the scope of this chapter, it has been summarized carefully by Raymond Aron (1970: 234–44), who leads us properly from the consideration of historical events to the ideal type as the crux of the comparative method in social science.

There is, then, as Lipset notes in a now classic work on American society “no necessary clash between general sociological hypotheses and taking historical specificity into account” (1967: 10); indeed, *only* when historical specificity is taken into account that there is any possibility for *meaningful* generalization. Assuming that sociology is the study of human beings in interaction with each other, it is naïve to assume that “the human” is only the sum of the behavioral characteristics or values of people alive today. Not only is “man” or “woman” men and women past, but also “man alive” or “woman alive” is influenced by both a personal past and a species past. A human as he or she creates him- or her- “self” is also who and what he or she has been: “Historical events establish values and predispositions, and these in turn determine later events” (Lipset 1967: 8). This is but the Berger and Luckmann (1967) externalization-objectivation-internalization dialectic in a more primitive—but not necessarily weaker—form and represents Weber’s interactionist solution to the Hegel-Marx controversy. The dichotomy between specificity and generalization in sociology is thus groundless and counterproductive. Without generalization as a characteristic motif of its consciousness, sociology is emptied of a significant definitional component; without specifics, generalizations are unfounded.

Must the sociologist of religion then also become a historian of religion? In one sense the answer must be in the affirmative. The sociologist of religion must know religious history, whether the analytical scheme is explanatory or descriptive, “historical” or contemporary. Sociologists of religion who do not attempt to understand fully a phenomenon they are studying—which includes, then, its history—are likely to produce research naïvely conceived and riddled with biases that can render their conclusions meaningless or highly suspect. If, for example, as Louis Gottschalk has noted, “It is taken for granted

his analyses was *scientific* history. It was the scientific (i.e., empirical) quality of his work that he felt made it superior to (e.g., Hegel’s) philosophy. It is an error to oppose Marx and Weber as “humanist” and “scientist” respectively. Both thought they were doing science—and proud of it.

that the historian ought not to write about the history of theology or physics ... without knowing theology or physics" (1950: 255) should not the same be true for a sociologist, especially inasmuch as sociology is considered a "generalizing science"? How can one generalize without knowing specifics? Unless the sociologist has at least mentally traveled the terrain upon which his or her conclusions report, the sociologist has no business pretending to tell us what we should expect to see or why it is there. Specifically, the sociologist of religion has the obligation to know doctrine, practice, and religious history—or to collaborate proactively with those who do have this expertise—before proceeding to applications of concepts leading to "explanations."

I am not arguing that the sociologist of religion must become a religious person before being able to do an acceptable research project. That is as equally naïve as the cursory treatment given to religion in a great many survey analyses, including those that purport to measure religiosity and its correlates. Indeed, this is where the travel metaphor becomes most helpful. The traveler normally is not a citizen. The traveler comes not to settle but to learn about, to imbibe, to be enriched by, *to know and understand* the nature of the place that is the object of the journey, and the traveler normally brings along a guide or guides—persons or books—to aid in accomplishing the purposes that drove the adventure from the outset. From this the traveler is capable of doing several things: describe the terrain, both physical and social; test, and if need be revise, preconceptions about the nature and character of the site of the visit; compare this site to others that have been seen. On the basis of these comparisons, it is possible to review and perhaps modify more general concepts regarding those interests or concerns that motivated the travel in the first place. Of course, these things do not take place in a social vacuum; rather, they involve interactions with fellow travelers and present possibilities for creative dialogue (cf. Lipset 1968: 26–27).

Applications and their Pitfalls

As an example of what happens when dialogue ceases and sociology fails to heed the constraints of historic specificity, one may look at the unfortunate development of "church-sect theory" via those students who tried to anchor their work in the model of Ernst Troeltsch. What scholars like Paul Gustafson (1967), Alan Eister (1973), Roland

Robertson (1975), and I (1976), among others, have each tried to say in his own way in response to this is that church-sect theory in sociology of religion went sour because it failed to take into account the specifics of which Troeltsch himself was clearly aware in his work. Not only was Troeltsch's scholarship greatly misrepresented, but church-sect as a useful tool for future comparative research was considerably lessened in value as it was taken out of the *historical* framework in which Troeltsch used it. As soon as this ahistorical decontextualization and concomitant reification occurred, church-sect theory was in trouble. Only when Troeltsch is returned to his proper place as an historical theologian does his work really make a valuable contribution to our own endeavors as sociologists (cf. Nelson 1975).

The context of church-sect theory, however, can make us aware of the value of interdisciplinary collaboration. An interdisciplinary team of a sociologist of religion and an historian of religion could speed analyses tremendously. Bringing in economic historians, sociologists of culture and cultural geographers could enrich the analytical contours even further and provide results that would multiply the time investment significantly. This type of collaboration also can free sociologists from the onus of working in a "borderline area," where their expertise might be called into question. There is sometimes criticism of sociologists of religion from intradepartmental peers based upon the personal religious interests of so many professionals in the specialty; yet because of the frequent failure of sociologists, theologians, or church historians to work together in their research, sociologists who do not have a "religious interest" may be criticized on the grounds that their concepts and/or research instruments are naïvely conceived and/or applied. Might not the use of such an interdisciplinary approach as this speak to some of these problems in a positive way? Might not this approach open to general sociological theory and research a new sub-area of investigation without requiring extensive prerequisites in the sociology of religion? Might not this approach, finally, offer the possibility for insights from new sources of stimuli that are sorely need if the sociology of religion is to be considered an important contributor to understanding human behavior at the start of the twenty-first century?

A second example surrounds the role of quantification in the study of religion. There is no question that quantification simultaneously summarizes data efficiently and allows them to be manipulated by scholars at significant distances from each other. Even Max Weber

himself, for example, believed that *die verstehende Soziologie* was but second best to quantitative analysis. Yet, as one review in a *Contemporary Sociology* symposium at the height of the debate over *Time on the Cross* in the 1970s pointed out, “No methodology for developing data and no analytic tools for evaluating data can be made sufficiently automatic to obviate the judgment input” (Record and Record 1975: 363). Put differently, quantitative analysis does not in itself “unbias” research—or the conclusions drawn from research. The fact that a scholar has chosen a quantitative route to approach a problem does not by that choice make the research inherently superior to a qualitative study. *How* the researcher does the study, operationalizes the variables, chooses the sample, and so on all figure into an evaluation of the results. Quite simply, any “tool” is only as good as the person using it.

This same principle can be applied in assessing such strategies as content analyses or computer modeling. Before the widespread availability of computer technology, content analysis was an extremely tedious and time-consuming task, particularly if one wished to use it comparatively. By contrast, the ability to program a computer to select key words while “reading” materials reduces the onus of this method. But the computer, too, is a tool. What it puts out depends entirely upon what the researcher inputs and requests for output. *We* tell the computer what words and phrases are important in a document; and even when this difficulty can be overcome with further technological developments, the researcher would still be the one who would select the documents to feed into the computer in the first place—documents that are themselves selectively preserved accounts of other human’s perceptions, experiences, and so on. Content analysis serves to give a work the appearance of being the product of greater objectivity, honesty and industry on the part of its author, but without careful replication, including other sources as may become available, none of these qualities is actually guaranteed.

Most historical research is thus essentially qualitative in character—field studies in the past rather than in the present. Yet it is here that in practice sociologists have parted more significantly from historians than anywhere else, for the sociologist has a methodological consciousness that demands more explicit delineation of strategy or design than the historian is often likely to give. Just as a good sociologist would not blindly accept the conclusions of something called a “survey” without asking about such things as sampling frame, questionnaire design, the context of its administration, and methods of statistical

analysis, so the sociologist will press for an “up front” statement of method from the historian. I am convinced that professional historians are just as rigorous methodologists as sociologists, but historians often seem in their publications to take methodological concerns for granted, and this may be viewed with some skepticism by sociologists whose training often makes them obsessive with respect to questions of method.

The historian brings to the sociologist techniques of research and evaluation—not to mention data themselves—that can save the sociologist from pitfalls inherent in an overly simplistic handling of primary materials. Peter Mann observes that “It is no means uncommon for sociologists to ask statisticians for advice; unfortunately sociologists too often feel that history is a field for which no training ... is required” (1968: 79). T.H. Marshall adds that original sources are “very tricky things to use” and often unreliable or deceptive; thus “it is the business of historians to sift this miscellaneous collection of dubious authorities and to give to others the results of their careful professional assessment.” He urges us to be open to putting our “faith in what historian write,” while reminding us that “the use of secondary authorities demands skill and understanding, which cannot be acquired without some training and a fair amount of patience” (1964: 35).

Sociology of Religion and Sociology

Virtually all of the figures who are introduced as the pioneers of “modern sociology” gave considerable a considerable amount of their time to the study of religion: Marx, Weber, Durkheim, Simmel. Durkheim was admittedly confused a bit about history by not recognizing that the Australian Murngin had as much history as the rest of us, hence it was really facile to think that by studying the Murngin of the nineteenth century he was actually connecting with people of thousands of years prior. But each of them thought that religion mattered in history, and each of them saw religion as playing a crucial role in the turn toward the modern, even as they anticipated that the modern would transcend the constraints and “superstitions” of prior eras. Although in some case or other each of the founders probably got one or another part of his analysis of the role of religion in society wrong, each also made a fundamental contribution to the understanding of human social life by examining the religious dimension of one society or

another in the historical development of the species. At a later point, this issue was taken up by Peter Berger and Thomas Luckmann (1963, 1967) as they compared the status and concerns of the sociology of religion to the sociology of knowledge. They urged sociologists to recognize that the object of our research must be that which is “taken for granted” as religion in society—“pretheoretical” religion rather than the formal belief statements of any specific religious organization or interest group.

For example, in discussing the rise of national consciousness amongst a people, Karl Deutsch notes that it develops whenever there is an assertion of birthrights for everybody, “*first in the language of religion, then in the language of politics, and finally in terms involving economics and all society*” (1953: 153–4; italics mine). This empirical observation underscores the interconnections of the sociology of religion and history. While Deutsch carefully avoids saying that a people’s *motivations* are religious, he documents the religious expression that is primal in this process. Thus it would seem that if we wish to understand a people’s present, we must understand their past; and if we wish to understand how they came to this present, the past toward which we must look is religious in character. Our task is not only to explain those organizations that our society specifically dubs “religious” today. We must also accept responsibility for laying bare the foundations of social systems writ large, and this no less than the former is a historical effort.

Postmodern History and Postmodern Sociology

Is this still possible? Being of the generation whose “epochal moment” was the assassination of John F. Kennedy (and therefore, too, Robert Kennedy and Martin Luther King, Jr.), I stand at that shift-point in the display, hence the construction (or de-construction) of history, when “history came into our living rooms.” I did not myself see Kennedy shot, because I was between classes, but I did see Jack Ruby shoot Lee Harvey Oswald “live.” These events and those that followed—not least, for the next generation, 9/11—have altered the nature of how history will be recorded and perceived for and by future generations as distinct from all that preceded them.

History into the first years of the twentieth century was the recounting of prior events largely at second hand. Diaries, correspondences, formal resolutions, and so on were the primary “stuff” of history.

Photography would have a role by the U.S. Civil War, but not with action, and only after a relatively lengthy development and printing process. Newsreels came by World War I, but without sound. By World War II, sound was added, but still with heavy editing. A lot of history fell onto the cutting room floor. One argument for why American opposition to the Viet Nam/Cambodian conflict was so much more intense is that by then there were much more direct news feeds from the field into American living rooms. In the current era of Iraq/Afghanistan, we are now treated to death-as-it-happens, up-close-and-personal. With the easy availability of photographic technology and relatively little instruction, we can now send live photography around the world in just a little over an instant. As a result of this, the construction of “history” has changed dramatically in two ways:

On the one hand, students today who wish to study twentieth-century and forward have a wealth of direct-materials-contact with that period. Whereas history from the nineteenth century back depends primarily on reading supplemented by artistic renditions of “scenes,” history from this time forward increasingly becomes more and more infused by images drawn from “what actually happened.” At the same time, however, the notion of “actual” happening itself is not as crystal clear as it might seem, for we have learned that every “seeing” is seeing from one perspective and not another. This is true not only from a psychological standpoint, but also a physical one—no single person can be on two sides of a river or a street at the same time, and being in the middle of the river or street is not the same as having a perspective “from both sides.” Nevertheless, at least in some cases—and more and more so all the time—it is possible to have a “scene” simultaneously “covered from all sides” by multiple devices channeling into a multiplex screen center. Preserved, these can later be analyzed from the different perspectives. Students will more and more be able to see and hear more and more of “what actually happened” from different simultaneous perspectives.

As a result, history-as-it-happened will be more and more immediately available across the time span from when it happened until when it is accessed. Other things being equal, we should expect that a student in 2110 will be able to have “immediate” access to events in 2010. This does not mean *per se* “the end of history,” but certainly it will mean a change in “history” as we have known it. The interpretive aspect of history will take increasing primacy as history, while the factual aspect becomes primarily a catalog of actual depictions of actual events as

they took place, while virtual historical “reconstructions” will allow “entrance” into various events, places and times. As more and more data are placed on-line, the necessity to know factual information in advance in order to look up information will be less and less important, as only a word or two will open a host of leads that can then be quickly narrowed, while at the same time other search terms will present themselves for further perusal along the same lines.

This will not, of course, be totally so. Sudden explosions, for example, are not seen until some number of seconds after they have taken place. So will various kinds of sneak attacks on specific individuals, especially if those individuals are not in themselves “important” actors in history (which is to say, current events at the time). A drive-by shooting on an ordinary day in a residential block of Galva, Illinois, for example, is not as likely to be recorded by security cameras as is one in front of a federal courthouse. On the other hand, a “personal” phone, reincarnated as a cell phone, will increasingly allow anyone to become a “camera” in more and more settings. Behaviors once considered private will in this way be potentially available to public scrutiny. At this writing, there are very limited restrictions on what people in public places can visually record on their private phones—and what they can do with what they have recorded.

Heretofore sociology has valued large quantitative data sets as providing the most “objective” indicators of human social behavior and attitudes, the assumption of the normal curve working best with numbers over 1,000, and a sampling design that is constructed to catch all sectors of the population in proportion to their actual incidence within the population (unless interest is especially directed to one or another subgroup). The manifest assumption in this preference was the operation of the “law of large numbers,” but underneath this lay an assumption that society as a whole (or a large constituency as a whole, like a religious denomination) structured itself around core issues. Hence, if one did one’s sampling properly and had relative success in the distribution-and-collection (or phone-interview) process, the data would accurately represent the population. But what does “the population” become in virtual reality? There are certainly bodies out there, but virtual reality transcends space entirely and temporality somewhat. One’s “community” may no longer be the people with whom one either lives or works or worships. It is increasingly possible not only to “talk” on-line but also to shop for groceries and pharmaceuticals. Prescriptions are submitted and filled electronically. Of course, questionnaires can

be completed on-line too. That's not the point. What is at question is who constitutes the community or population in question, and whether or not that community or population has a "common sense" with the people around them. Who becomes the "opinion leaders" in a geographic, real-time community, as persons' communities increasingly take on virtual existence? It may well be that the traditional questionnaire can still measure people's satisfaction with things like sewer or garbage service, but many of the kinds of things that once were relatively geographically tied are today freed up for an ever-increasing share of people.

In these kinds of circumstances, the natures of both history and sociology become far more nuanced as time and space become far more easily transcended than our social life has ever known. The category of "meaning" correspondingly grows; hence one cannot assume that the person walking toward one on a street necessarily shares a relatively common meaning system with oneself. Since religious systems are preeminently systems of meaning, the availability of cyber worlds of meaning are particularly salient. One might contrast here two ideal-typical systems of meaning and of religion: the isolated "little community" of Redfield's work—a community relatively self-sufficient wherein everyone is either an insider or outsider and the insiders' systems of meaning and value are highly similar, while potentially differentiated from those of other groups. Persons living in extremely remote locations that continue to lack access to electric power or sufficiently dependable electric power would fall into this type. In some respects it characterized all human social worlds prior to the mid-1800s. That is, communication and the body were highly interrelated. We either spoke to each other, or we wrote to each other. Gestures mattered, of course, and we could, for example, negate a positive word-comment by a body gesture. But when we wrote to each other, the underlying process was delivery from a body by a body to a body—in many cases with other intervening bodies. If we didn't speak face-to-face, third (and beyond) parties were in one way or another bodily involved in the communication process.

In the cyber world, bodies still mediate, but only indirectly. That is, sitting at my computer, I can send an email to someone else at his or her computer, without any direct dependence on the agency of another human being. There are, of course, other human beings who have a great deal to do with the communicative process generally—for example, the persons who assembled my computer, the person who installed

my utility wiring, and so on. But these people are more akin to the people who manufactured my mailbox and built my house than are the agents who have carried mail or placed phone calls. With those people we had to share much more of a meaning system—they had to be able to read the addresses on our mail, for example, or understand our language when we had to place a call. The reverse of this still occurs for me, for example, when I have to take a return receipt written in French or Spanish and go back to the post office and explain that they were supposed to have me sign it before the mail was delivered. Because the postperson doesn't know French or Spanish, the communicative system breaks down. By contrast, if someone wants a receipt of an email by email, the whole transaction takes place without any third-party interaction.

When we come to the matter of religion, then, where meaning is not merely functional as it is with enabling the mail receipt, there is no specific reason to situate meaning in time or space. It is function, not meaning, that binds my local community together, while meaning takes place entirely elsewhere. The religious institution no longer binds physical but rather spiritual communities across time and space—moral communities in Durkheim's sense—who may live in proximity together (hence form a local religious body, but without any particularly functional association among themselves in practical affairs) or who may not. Hence in urban areas it is not unusual for a person to drive or walk past one or more church of the same denomination in which he or she worships before arriving at that place he or she calls "my church." These churches are "communities of meaning" wherein the members individually (though not without social context, of course) define what is meaningful and then seek that meaningfulness through shared experience with others. These communities of meaning are cathetic in one way or another to the participants involved such that they can engage relationally in a common experience, but not necessarily in a common life that extends beyond the experience.

The dramatic increase of both interest and participation in pilgrimage religiosity in the last quarter century also reflects this shift. Pilgrimages bring together diverse groups of people to share a common experience—and then depart. During the pilgrimage activities themselves thresholds are crossed and the phenomenon Victor Turner calls *communitas* emerges. Part and parcel of *communitas* as Turner understands it is *transiency*. In pilgrimage *communitas* "breaks out," and people have "meaningful experiences" of an extraordinary character.

This entirely upends the life of the historic parish church where, for example, the congregation was often seated by social ranking—in part because of pew fees. So whereas the historic parish church articulated the social structure of the community, pilgrimage creates a momentary community most significantly characterized by anti-structure. There is, of course, a structure, but it is a structure that deconstructs the routines of ordinary life to open alternative contexts of encounter that are at once both inside and outside of time, within our reach but not our grasp, to which “meaning” may be ascribed as a result. This meaning, however, is not at all necessarily the institutionally prescribed meaning that has been historically associated with pilgrimage as defined by the rules of religious authorities or authority structures, but rather one that is personal, developed far more in the context of self-actualization than that of institutional recognition.

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CHAPTER THREE

HISTORICAL OBSERVATION IN THE SOCIOLOGY OF RELIGION: A VIEW FROM WITHIN THE COMMUNICATIVE NETWORKS OF TWO SCIENTIFIC DISCIPLINES

PETER BEYER

This chapter rests on the observation that the reproduction of modern scientific disciplines is itself historical because at any given time current methods, research, and theories inevitably refer to and identify themselves in terms of previous methods, research and theories within a discipline. Different disciplines, even when concerned with the same object, therefore have different histories of observing that object differently. I will begin with some reflections on my own multidisciplinary situation between the sociology of religion and religious studies, contrasting a discipline that has tended to ignore historical methods and subjects with one that has been largely defined by them. From this point of departure, we will move to an analysis of why the sociology of religion has proceeded largely ahistorically and why religious studies has been dominated by historical methods. On the basis of this analysis, we can consider some possibilities for why this seems to be changing, with a side-reflection on why therefore other disciplines are letting religion back in after having dismissed or ignored it for decades. At the root of the analysis is the postulated overcoming (*Aufhebung*) of the modernization/secularization paradigm in the context of globalization.

Clio Meets Sociology: A Personal Historical Introduction

When I was a graduate student in the late 1970s, an apprentice in the scientific *metier*, as it were, my advisors told me that I could choose a very wide range of thesis topics, but that it was best that whatever I chose be connected to some ongoing “question” within the discipline of religious studies—that my thesis take as its point of departure the then current status of that question, the *status quæstionis*, and then try to make some contribution to it through my research. I was at that

time already dabbling in things sociological, having done my Master's thesis on the theories of Niklas Luhmann; so I chose to do more of the same, but this time, as a doctoral student, I had to work this into a concrete and original research project of some kind. I imagine that if I had been a student in sociology, I may have ended up doing something quantitative and survey oriented—perhaps on declining church attendance in Canada—or qualitative and ethnographic—probably, given the time period, on some new religious movement or other. Because I was taking a degree in religious studies, however, what I did do was far more likely, and that is to engage in a historical analysis on some religious question. In my case, I chose a famous figure in Canadian religious history, Louis Riel, and tried to apply the sociological theory of Niklas Luhmann¹ to this figure, his thought, and the historical movements in which he played a prominent role.² I would not rate the result particularly highly, but it did earn me my degree. What is intriguing, however, and directly connected to my purposes here, is that my jury, to a man (they were all men), had little sympathy for the sociological end of the exercise: three of them confessed or demonstrated that they were somewhat mystified by it; the fourth, himself a sociologist and a theologian, didn't like the particular theory I used. On the other hand, no one had any problems with the historical aspect, especially not in terms of method. What is more, when, during the research, I consulted a member of the local sociology department about my work, he was most concerned about my method, but did not seem willing to count history as a method. He suggested that what I was actually doing was content analysis.

From this personal vignette I want to draw the following: doing scientific work within a particular discipline brings with it a variable set of restrictions or determinations which are peculiar to each of those disciplines. Sociology, including sociology of religion, and religious studies have developed historically as different disciplines with different questions and different methodological and theoretical orientations, even when they are approaching the same "object"—here, religion. To understand them one has to a certain extent to immerse oneself in that discipline. In my case, being immersed in two disciplines at the same time had the result—and has had the result ever

¹ Since this was in the late 1970s, that theory was represented in Luhmann's earlier works, above all Luhmann 1977.

² One publication that eventually came out of this work was Beyer 1984.

since—of belonging to both, of working in both, but also feeling somewhat like a fish out of water in both. Thus, my academic position is as a sociological specialist in a religious studies department. Sociology of religion positions in North American religious studies departments were for most of the latter decades of the 20th century quite rare, but from the accounts of my colleagues in sociology, not quite as rare as sociology positions where the specialization being sought was religion and which were open to someone with a religious studies degree. I publish in both sociological and religious studies publications, and belong to both types of academic societies.

In terms of methods that I have employed in my research over the years, there has been a shift, one that would simply be a personal biographical idiosyncrasy if it were not for the fact that it parallels critical shifts in both sociology of religion and religious studies as disciplines. Thus, for much of the 1980s, I continued focusing on historical method and sociological theory (e.g. Beyer, 1989, 1994), but beginning around the mid-1990s, I have shifted somewhat to the use of quantitative and qualitative methods that have been traditionally typical of social scientific disciplines—albeit without thereby abandoning a strong historical sensibility or my obsession with theory (see, e.g. Beyer 2005b; but also Beyer 2005a, 2006, 2008, 2011).

*Method and Discipline: Sociology of Religion and
Religious Studies in the Postwar Era*

Moving this discussion from the personal to the disciplinary requires that one look at the conceptual paradigms and methodological orientations that have operated in the two disciplines. I start with sociology, restricting myself for the sake of efficient presentation to the sociology of religion. Until at least the 1980s, the subdiscipline reflected and refracted an orientation of sociology more generally: sociology was about modern societies, it based itself from the time of its classical fathers on the distinction, roughly speaking, between traditional and modern societies, and was concerned mostly with the latter (see Nesbitt 1966). The place and importance of religion under modern conditions was assumed to be from ambiguous to negative: modern societies were fundamentally also secular or at least secularizing societies (Berger 1967; but also Martin 1965, Wilson 1966). The study of religion was therefore somewhat marginal, ignored for part of the

twentieth century and revived only after the Second World War, predominantly in the form of the sociology of religion subdiscipline, which, as Jim Beckford has argued (1989), both insulated itself to a large degree from the rest of sociology and was in turn largely isolated by it. The sociology of religion was, as it were, concerned with something that belonged more to traditional societies than to modern ones; correspondingly, anthropology, the sister discipline to sociology whose purview was these traditional societies, never had any difficulty making the analysis of religion or the religious an integral aspect of all its endeavors (see, e.g., Tylor 1881, Boas and Benedict 1934).³ That was one side of the “liminal” status of the sociology of religion. The other was that it nonetheless sought to be “real” sociology, a characteristic that reflected itself in methodological orientations: historical methods, oriented as they are to the past, where traditional societies are located temporally, were mostly ignored. Present-oriented qualitative and quantitative methods like survey research, participant observation, interviews, and to a lesser degree content analysis, were the favored methods. Statistical analysis, probably because it is deemed to resemble most closely the techniques of the “hard” (read: “real”) sciences, had a very favorable position. Thus did the sociology of religion attempt to understand the present reality of religion through methods designed for the present.

The history of religion in this context was relevant predominantly through the lens of the passage from traditional to modern societies, thereby subsumed and refracted in notions such as the irrationality of religion as opposed to the rationality of modernity, the progressive secularization of modern societies, modern religion, and modern consciousness, and the locating of present religion away from the most powerful features of modernity, in voluntary organizations, in private and privatized belief and practice, among marginal (often deemed more traditional) populations, and in minority or sectarian religious movements. Historical methods, with their focus on the generation of data through the textual analysis of things written by people long since dead (and to a small degree the analysis of artifacts and archaeological data) and with their constant need to weave the facts

³ For a recent, broad and, for the present analysis, indicative overview of the social sciences more generally, see Porter and Ross 2003. The virtual absence of even discussion of religion or the study of religion is manifest. For the problematic relation of history and the social sciences, see, from that volume, Revel 2003.

together imaginatively out of very partial evidence, did not and could not have the kind of relevance of data generated from present people with hard and reproducible techniques. And in any case, what did or did not happen in the traditional past was not particularly relevant for understanding religion under modern circumstances.

As illustration of this tendency, one can look at the content of the main journals in which sociology of religion research was published. Here cannot be the place for a detailed analysis, but a summary statement of what one finds in two of the currently most well-known, the indicatively titled *Journal for the Scientific Study of Religion*⁴ and *Sociology of Religion* (previously *Sociological Analysis*), can serve as illustration. Looking at the topics, theories, and methods used, historical subjects and the use of historical methods are not absent among the various contributions to these periodicals since the 1960s, but they are rare and overwhelmed by studies on contemporary religion, using qualitative and quantitative methods that generate data from interaction with living people. The past, to the extent that it is important at all, is almost entirely so as a partial aid to understanding the “real” topic: religion in the present.

The situation was very different in the other discipline, a discipline that also had antecedents in the 19th century, but really came into self-identity and clear institutional expression as a discipline only in the post-Second World War era. I will continue to call it religious studies, but the ambiguities about its own identity can be seen in the fact that it has never had a stable title, referred to by other names such as comparative religion, the study of religion, in other languages as the “science of religion” (e.g. *Religionswissenschaft*, *Sciences religieuses*, *sciences des religions*), and notably, as still reflected in its premier international academic society (the International Association for the History of Religions/IAHR), the history of religions. In terms of methods, practically speaking, historical methods dominated, but with the significant addition of philological and philosophical/theological methods; and a relatively unsuccessful attempt to develop phenomenological method as a characteristic method for the discipline. Indeed, one could go so far as to say that, until relatively recently, religious

⁴ This journal has never been focussed only on the sociological study of religion, including other disciplines, especially psychological studies, as well. Sociology nonetheless dominates throughout the now fifty years of its publication.

studies went so far as to downplay the importance of and even deny legitimacy to religious developments specific to the, roughly speaking, present. It was almost as if religious studies shared the orientation of the sociology of religion: religion was something traditional, something that was—lamentably—in a certain amount of trouble in modern contemporary societies, to such an extent that it may not even be possible to do authentic religion in such circumstances, that real religion was mostly located in the past and located in the present only to the extent that it remained faithful to its past forms. In this respect, religious studies also betrayed its strong theological roots, a realm of endeavor where the past, in the form of tradition, is also deemed to be definitive.

This characteristic of religious studies is not difficult to illustrate. One has only to read the still best known history of the discipline, *Comparative Religion* by Eric Sharpe, especially the 1975 edition, to see how social scientific disciplines in general, and sociology of religion in particular are looked upon with mistrust, as “reductionistic.” Or, one can examine the main textbooks written for introductory world religions courses, the unquestionable core courses of almost all religious studies undergraduate programs even today. Here modern or present-day developments in the religious field have mostly been given short shrift or presented to the degree that they are deemed in good continuity with the “tradition” as authentically presented in the past.⁵

All this, of course, is not to say that these features of the two disciplines went unquestioned within them from time to time, or that there were not minority currents that sought to go in different directions. Dominance does not mean unanimity. Still, to represent these counter-currents, as it were, was to become relatively marginal in each discipline, a fact that would not be difficult to confirm, for instance, through an examination of the sorts of papers delivered at the annual conferences of each discipline’s professional associations.⁶

⁵ A number of “world religions” texts from the 1960s to the 1990s could serve as illustration. As an example, which I used in my own teaching of this course in the early 1990s, when it was typical, see Noss and Noss 1990.

⁶ I attempted such a survey on the different but related note of “religious diversity,” itself another indicator of change in disciplinary focus in recent decades (see Beyer 2000).

*Globalization and the Transformation of Disciplines and
Methodological Orientations*

Since about the early 1980s—although the process probably began already in the latter half of the 1970s—both disciplines have begun to experience what one might call a partial Kuhnian paradigm shift. To some degree, these shifts will have been the consequence of internal disciplinary dynamics, manifested perhaps by the paucity of things left to say and research if one were to continue along the received ways: modern science, after all, must constantly produce new truths, new visions, and thereby constantly revise (or, more cynically, forget and restate as new) everything that has been said within the discipline before. Much more important, however, were what one might call event stimuli from the social environment. Both religious studies and sociology of religion, after all, study what human beings do. If what these human beings do changes, including how they observe and think about themselves, then this can be expected to have repercussions in the scientific disciplines concerned with researching them.⁷

A number of neologisms have developed to express the observational turn that is at issue here. Prime among them are globalization and postmodernism, both terms that began to be used in earnest at this time. The idea of postcolonialism is also directly relevant in this context. A semantic feature of these concepts, which is directly relevant for my argument, is that they represent a shift from an emphasis on temporality to spatiality in the understanding of foundational distinctions. Specifically, in taking the place of modernization and modernity, globalization and globality replace the largely temporal distinction between the modern and the traditional—including the idea that some people today are in effect living in the past of other people—with spatial distinctions like global/local, East/West, global South/global North, core/periphery, and others besides (cf., as perhaps symptomatic, Knott 2005). The notion of postmodernity has at its core the undermining of grand narratives, the idea that we are all characters in the same overarching story; it replaces that idea with the understanding of multiple narratives, all in the present. Postcolonialism

⁷ This conclusion would also affect the non-human sciences, like physics or biology, but it is not necessary to enter into this wider discussion for the point being made here.

is a manifestation of this shift in perception: the (subaltern/colonized) person relegated to the traditional past, to the margins of the grand narrative, can actually speak in a voice equal to the voice of the modern grand narrators, but in order to be authentic s/he must insist that s/he is saying something different, even necessarily oppositional.⁸ This move away from temporally oriented foundational distinctions has had, among other effects, the recasting of the role and importance of history, both as a dimension and from the point of view of method.

The observation of religion has been critically affected by this shift in both disciplines under discussion. There are two aspects to these transformations. On the one hand, religious events have played key roles in signaling and representing the overall development, in spurring the sort of paradigmatic re-observation that words like globalization and postmodernism declare. On the other hand, how religion is understood in both disciplines has undergone or at least is undergoing a significant shift. I turn first briefly to the events, then to the semantic shifts in sociology of religion and in religious studies.

The year 1979 is not the beginning of the events, but it does feature three that, with hindsight, are symptomatic. These are the Iranian revolution, the founding of the Moral Majority in the United States, and to a lesser extent the Nicaraguan revolution. Other religious developments around the world would soon join them in creating the appearance of a seemingly sudden “resurgence” in the importance of religion in the exercise of public and present power. The Solidarity movement in Poland, the rise of Sikh nationalism in the Punjab, the prominence of an aggressive religious Zionism in Israel, the Soviet invasion of Afghanistan with its Islamist reaction, religiously demarcated civil war in Sri Lanka, and perhaps the accession of John Paul II to the papal throne. The list could be enlarged.

It is difficult to say that such events caused the rise of notions of globalization and postmodernism, just as it is difficult to establish a causal link with transformations in the two disciplines. Yet there is no doubt about the coincidence of all three of these: events, concepts and transformations. The disciplinary transformations, with hindsight, can

⁸ This may manifest itself not only in often trenchant criticism of the colonialist, the modernist, the core, the West, and so forth, but also in a characteristic “neologizing” writing style. See, as well known examples from other disciplines, Spivak 1988, Bhabha 1994.

be traced through the prominence of certain literatures and certain theories within the disciplines.

I begin with religious studies. Beginning in the 1980s with, for example, the critical positions of Jonathan Z. Smith (1982), but gaining much greater prominence in the 1990s with a series of other publications, for instance Russell McCutcheon's *Manufacturing Religion* (1997), a series of scholars in religious studies renewed the older criticism of the concept of religion itself, going so far as to suggest that the word be dropped from the vocabulary of religious studies scholars altogether (e.g. Fitzgerald, 1997, 2000). The critique applied in particular to the idea of "world religions," a foundational concept of the entire discipline in the 1950s (Masuzawa 2005). Among the intriguing features of this critique is that it was not new: Wilfred Cantwell Smith famously went in this direction already in the 1960s (Smith 1991), but the time was evidently not right for him to be heard all that well. Moreover, the critique has included a temporal reorientation: the focus of study should be more on contemporary developments, on social scientific method, with far less emphasis on textual analysis and history.⁹ Indeed a big part of the problem was perceived to be the focus on texts—the stuff of historical method after all—and the ignoring of what was actually done under the analytic umbrella of religion.

Here the greatly increased popularity of ideas like Robert Orsi's "lived religion" (2005), the increase in the popularity of studies of "popular" religion (e.g. Parker, 1996), the suddenly much greater awareness of "bodily" religion (e.g. Coakley 1997, Knott 2005), and the augmented awareness and analysis of the idea of "spirituality" (e.g. Heelas 2002, Shimazono 2004, Flanagan and Jupp 2007), all gain their paradigm-shifting relevance. Even the scholars of early Christianity and the Patristic period—a sizeable portion of the discipline even still—have added social scientific methods to their repertoire with what can only be described as enthusiasm (e.g. Esler 1994, Piovanelli 2005). History and historical method including the analysis of texts, of course, is not sidelined in all this, but there is a strong sense in which the religion of the present and the religion of the past are seen as in greater continuity—that what happens religiously in the present and

⁹ Significantly, perhaps, the more recent updating of Eric Sharpe's *Comparative Religion* (1986) betrays a much more favorable attitude to the contribution to the study of religion of sociology; the suspicion of reductionism seems to have greatly attenuated.

how religion can be studied in the present has a direct relevance and applicability for how it should be studied for all times and places. One might go so far as to say that this trend in religious studies considers the present more as the standard for the past rather than the other way around, as it used to be.

The transformations within the discipline of the sociology of religion have been equally as evident, although they have understandably taken a different form, albeit sometimes with similar shifts in emphasis. Perhaps the prime indicator is the decline, not in the secularization thesis itself, but in its seeming self-evidence: the idea that modern societies tend toward the decreasing power and importance of religion, and that therefore the study of religion in those societies will always be accompanied by the implicit question of how they manage to maintain themselves, how they handle the secularization pressure from their environment, or even why they (continue to) exist at all, has now to be demonstrated for particular circumstances. It is no longer something that applies by default with the possibility of exceptions.

In terms of theory, the rise in popularity of religious market theory such as represented in the works of Rodney Stark, Roger Finke, and Larry Iannaccone is symptomatic (Finke and Stark 1992, Stark and Finke 2000). This rise coincides with the rise of the Christian Right in the United States (although this correspondence should not be construed as a causal relation). In that context, the theory explicitly reincorporates history in its very structure: religion works basically the same in all places and times: The conditions for “vital” religion today are the same as they were yesterday. They are the same for the United States in the 18th as in the 21st century, Europe in the Middle Ages, and today in Japan, China, and the Muslim world (Stark and Iannaccone, 1994). The modern/traditional qualitative hiatus is erased.

In parallel with this American-centered development, sociologists of religion in Europe have engaged in a similar move: not that Europe is all of a sudden less secularized than it was thirty years ago, but that secularity is now seen with a different lens—as, on the one hand, an exception (Grace Davie [2003] influentially speaks of European exceptionalism where the discipline used to be obsessed with American exceptionalism)—and, on the other hand, as merely a different form of religion, for instance in Danièle Hervieu-Léger’s phrase, as a “chain of memory” rather than as something simply gone or absent (1993, cf. 1999).

In parallel—and here parallel with transformations in religious studies which indicate the shorter distance between the two that has

been a result—a third example of the transformation in attitude and approach is the great upsurge in attention paid to “non-elite” and “non-institutionalized” religion and religiosity, whether through the hypothesis of a spirituality revolution or a spiritual marketplace, through much greater attention to “popular” religion and the religion of marginalized people (including especially worldwide Pentecostalism), or through a rising insistence on the importance of “lived religion” (Martin 2002, McGuire 2008, Gooren 2010). All these matters are no longer marginal, no longer the exception that proves the rule, the sigh of the oppressed and marginalized creature, but the very stuff of a present, vibrant and vital aspect of contemporary societies. And this is without even mentioning rising theses that we are living in a period of resacralization, resurgence of religion, and even witnessing the revenge of God (Kepel 1994, Berger 1999, Zeidan 2003, Shimazono 2008).

In presenting the disciplinary transformations in this way, I do not mean to suggest that attention to these religious phenomena is entirely new in the sociology of religion. It is not. All these have been the stuff as well of an older literature (e.g. Martin 1965, Fichter 1975, Wilson 1979). The difference, rather, is the central position within the discipline that these questions now occupy, and the way that older orientations that had inevitable secularization as their implicit assumption are now in a position of having constantly to defend themselves and of becoming in their turn marginal concerns.

In this context, with the relative erasure of the temporal foundational distinction between the modern and traditional, along with its replacement with more spatial distinctions of globalization and the narrative/voice distinctions of postmodernism and postcolonialism, historical method in both disciplines can take on a different importance. In religious studies, the historical is now much more just one method among many, with far greater emphasis on especially qualitative social scientific methods of the present. The degree that we are witnessing a similar but inverse shift in the sociology of religion remains somewhat speculative, in my estimation, but at least it is now much more possible to look, for instance as Jim Spickard and Meredith McGuire have done, for models for understanding present religion not just in the immediate past, but in the observations of religion found in historical societies, among Confucian scholars in China, Ibn Khaldun in the medieval Muslim world, or the European peasant of the Middle Ages (Spickard 1998, McGuire 2003). Religious market theory has consistently looked at the historical dimension, even if at times

somewhat ahistorically, in the sense of a too ready assumption that, as it were, the past is not a “foreign country” where things possibly work differently. And perhaps most important, the religious expressions that, in previously dominant orientations, were deemed to be marginal and somehow belonging to the past are now taken much more seriously as perhaps the very stuff of what religion has always been, the modern and secularizing developments of the last centuries almost thereby being themselves relegated to the status of historically conditioned blips. In religious studies, that aspect of the shift has been most notable in studies of the concept of religion itself. It has itself become an historical topic and concept, no longer the timeless universal implicitly or explicitly judged in terms of an idealized past.

Finally, the erasure, or at least rendering contingent, of the temporal line between modern and traditional can be expected to have an effect on other disciplines and subdisciplines that have historically—at least during the 20th century—not been overly concerned with religion, often to the point of ignoring it altogether. This seems to be happening, albeit very haltingly and tentatively up to this point, in disciplines as varied as political science, international relations, geography, and ethnic studies (Sahliyeh 1990, Westerlund 1996, Stump 2000).

Conclusion

What emerges from this sort of analysis? Perhaps the most critical conclusion that one can draw is that the disciplines in which we work are simultaneously social structures that very much impinge on what it is that we as practitioners are willing and able to see—yet entities that are constantly transforming themselves in an evolutionary, if not teleological, sense. Disciplinary structures and orientations of what is now the past are not simply and not even essentially earlier stages in the onward march of knowledge and progress. We do not see better than we did before; we do not see farther because we are standing on the shoulders (read: the disciplinary realities) of past dwarfs and giants. But we do see and observe differently. If there is a lesson to be drawn from the transformations that I have been discussing here, it is that we must from time to time in our disciplinary existences stop and take stock of where we have been and how we got to where we are, and to realize that what seems obvious now is no more likely to be obvious in the future than what seemed obvious in the past. The constant incorporation of history and, in consequence, of historical method is one

way of perhaps trying to keep that changing situation constantly in mind. Changes in what we see and how we see it are themselves the stuff of history, and we are not at the end of history but merely at another one of its countless beginnings. And so, what is perhaps most intriguing is what our endeavors will look like to us and our successors twenty, fifty, and a hundred years from now, when we ourselves are history.

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CHAPTER FOUR

PAST IN THE PRESENT: INDIGENOUS LEADERSHIP AND PARTY POLITICS AMONG THE AMASIRI OF SOUTHEASTERN NIGERIA

ELIJAH OBINNA

Indigenous structures play an important role in shaping and organizing societies like the Amasiri clan, although it continues to suffer from lack of acceptance and inadequate understanding of their mechanics. During the British colonial administration in Nigeria, local governance was shaped by the shifting meaning of indigenous authorities, the perspectives of British administrators, prevailing colonial imperatives, the role of local elders, and the rapidly changing social conditions of colonial jurisdictions. The emerging colonial and post-colonial administrations in seeking to transform the meaning of indigenous authorities have, however, encouraged recurring controversies and conflicts among communities and especially among elders who historically claimed to be representing competing indigenous constituencies and interests.

The Amasiri indigenous leadership structures were governed by two dialectically related principles: kinship and social contract. Although kinship has received a great deal of attention in literature about indigenous communities, the social contract appears not to have received similar attention (Wade 2002, Carsten 2004: 20, Strathern 2005: 15). Nonetheless, it is difficult to understand kinship fully without taking into account the social contract, which is the legal charter of the kinship system. "Social contract" describes a broad class of theories that explain the ways in which people form a state or community and/or maintain social order (Edwards 2004, Pateman and Mills 2007). It draws on the notion that legitimate authority must be derived from the consent of the governed. According to Hobbes (Gauthier 1999: 59–70) human life would be "nasty, brutish, and short" without political authority. Arguing further he insists that in its absence, people would live in a state of nature, where each would have unlimited natural freedoms, including the "right to all things" and thus the freedom

to harm all who threaten their self-preservation, leading to an endless “war of all against all” (Hampton 1986: 10–15). In relation to the Amasiri, social contracts were usually recorded orally, but remained central in regulating relationships between and within groups.

Hobbes’s description not only lends itself to modern societies but is also relevant to indigenous communities like the Amasiri. The social contract defines responsibilities and rights of individuals and groups. It also defines the bonds through blood relationship on publicly negotiated systems of rules and institutions. Indigenous institutions among the Amasiri appear to be pluralistic in that they are simultaneously perceived as sacred and civil institutions. They represent a synthesis of numerous traditions that serve diverse religious and secular functions within communities. Without an understanding of these public rules of kinship and institutions, it would be difficult to grasp fully the form and content of Amasiri indigenous leadership and its contemporary patterns of negotiating modernity. This chapter maps out the complex dimensions of indigenous leadership structures and the conflicting ideologies that survived pre-colonial, colonial and postcolonial administrations. It analyzes the governing principles and significance of the indigenous leadership structures within Amasiri society as dynamic changing traditions. It examines and interprets several significant aspects of indigenous institutions and explores their contributions to local and national development. It also discusses the impact of contemporary party politics on indigenous leadership institutions.

Amasiri Organizational Structures

Amasiri is the traditional name of several autonomous village groups including: Ezeke, Poperi, Ndukwe, Ohaechara, and Ihie (Oko 1993: 22). The villages of Amasiri are compact, but with populations in the thousands. According to the 1991 Nigerian census count, the clan has a population of forty-nine thousand (Oko 1993: 15). However, Oko notes that the population is far larger. This follows Adogame’s insistence on the inaccuracy of census figures in Nigeria: “The politicization of census on ethnic and religious grounds has resulted in unreliable religious and ethnic demographic data. The official population statistics are often manipulated for political, economic and religious advantages, because these figures partly form basis for the allocation of national revenue and other resources” (2005: 133). Thus the inaccuracy of

census figures remains connected to socioeconomic, political and religious interests. Furthermore, the contest over them has engendered mistrust among the competing constituencies leading to violence. The villages of Amasiri are organized around *Umudi* (patrilineal groupings) while every individual member of the villages belongs to *Ikwunne* (matrilineal groups). Thus every individual member of Amasiri can claim a double descent. Within the contemporary Amasiri these double belongings raise enormous privileges and responsibilities, while also placing some conflicting demands on individuals as they seek to define who they are and to negotiate their varying identities.

On a smaller scale, Amasiri families generally live in *Ezi* (compounds), each a small segment of the village groups. The people born into a particular compound are regarded as *Umudi* relations, claiming descent from one of the patrilineal ancestors, while maintaining their matrilineal kinship. A compound could be occupied by more than one patrilineal lineage; where this happens each of the patrilineal families would have its family head and also abide by the leadership of the compound. The head of the compound is usually the oldest male, and within each compound are clusters of houses belonging to different domestic families. Seniority by age regulates social placement and leadership. Belonging to age grades forms a prerequisite for defining one's age group and growth into leadership. At the compound level, leadership is vested on *Uke Ezi* (the male elders), while the execution and implementation of decisions are undertaken by appointed age grades.

This idea of living and sharing together in compounds tends to provide a platform for constructing and negotiating identities; however it means that although they are neighbors, there are also cases of sharp rivalries among the constituent families. Another important facet of Amasiri organization is marriage, which appears to have remained the expected normal condition for adults. Twenty years ago polygyny was perceived as ideal, as it acted as an important indicator of social status for both the husband and wives. This was so since each wife was to be supported, and only a wealthy husband could do so. Wives were ranked according to the order in which they married their common husband. However, the first male child of the family, irrespective of the ranking of his mother, was given special status and occupied a very important position not only in his father's family, but also in his village.

Isi Ogo (the village) is the next organizational group within Amasiri. Villages are made up of their compounds, and leadership is vested in

Uke Ogo (the elders and leaders of the village). Each *Uke Ogo* serves his village for a period of seven years before being promoted to leadership at the clan level, first as *Ekpu Uketo*, later as *Essa*, and finally as *Ndie Ichie* (the retired elders). Each of these groups will be discussed further in order to demonstrate how their roles complement each other and infuse social order within the indigenous community. However, it must be pointed out that there is often some fluidity in the functions of families, compounds and villages: matters affecting families could be discussed at the village assembly. What is important in every level of discussion and decision making is the need to respect and to be fair not only to the individual members of the society but also to maintain a cordial relationship with the living dead *Nnochewo* (ancestors).

Ancestors

The influence of ancestors among the Amasiri is very persuasive such that devotional attention to them is often misunderstood as being worship. Moreover, the assumption that such a relationship has a uniform structural framework across Africa appears to undermine the huge diversity in the appropriation of symbols across different indigenous communities. These differences do not in any way underplay the central place that ancestors occupy among the Amasiri. Belief in ancestors underscores certain social ideals: the vibrant reality of the spiritual world, the continuity of life and human relationships, beyond death, the unbroken bond of obligations and seamless web of community (Kalu 2000: 55). The gifts that an elder or a ritual leader offers to the ancestors are often used as basis to argue for Africa's worship of their ancestors. On the contrary, in an interview Omezue Atu (2008) argues that such gifts are nothing but tributes symbolizing the gifts that the departed elders would have received had they been alive and which the living elders now receive. Following the completion of prescribed funeral rites, a deceased elderly male, who lived a morally acceptable life is perceived to have transformed into an ancestor. Mbiti describes such transformation as an entry into a state of "collective immortality." Mbiti further argues that such is the state of the spirits who are no longer formal members of the human families. According to Mbiti, "their names may still be mentioned by human beings especially in genealogies, but they are empty names" (1975: 26).

Although Mbiti does not deny the continuous influence of the ancestors in the daily lives of Africans, his comment appears to undermine

their significance. Furthermore, among traditional Amasiri, the names of ancestors are never empty ones, but they continue to serve as names that people (irrespective of their religious affiliation) would want to preserve through child naming. Among Amasiri child-naming is regarded as very important, thus names are not supposed to be randomly selected, but thoughtfully obtained through divination. It is believed that given names are so profound, meaningful and powerful that the names that children bear can influence their entire life cycle, integrity and profession. Name is a person's identity and a window on one's culture and self. It links individuals and families to their ancestors and forms a part of and an expression of spirituality. Belief in ancestors acts as a form of social control by which the conduct of individuals is regulated. The constant reminder of the good deeds of the ancestors acts as a spur to good conduct on the part of the living, and the belief that the dead can punish those who violate traditionally sanctioned mores acts as a deterrent. Ancestral beliefs therefore represent a powerful source of moral sanction inasmuch as they affirm the values upon which society is based.

The extent to which a person has achieved his status, age, wisdom, and maturity in society is made clear in death, beginning with the kind of funeral ceremony the person receives (Aguilar 1998: 170). The funeral rites in this case serve as a rite of passage (Gennep 1960: 153, Cox 1998a, Ray 2000, Grimes 2000). The passage enhances the spiritual powers so that one could now operate in the human environment and especially in the human family as a guardian and protective spirit. However, within Amasiri the emphasis appears not be on how the dead live, but on the manner in which they affect the living. The behavior ascribed to ancestors may not reflect their individual personalities, but rather a particular status in the sphere of influence within the indigenous leadership. Among Amasiri deceased males who meet criteria that include living long, dying a "good" death, living honorably, receiving a fitting funeral, and taking some indigenous titles are all recognized as ancestors.

The "living dead" members of the families, compounds, villages, or clan are appealed to in times of crisis (such as serious sicknesses or a series of misfortunes). Sacrifices are offered to them during ritual festivals celebrating farming, New Yam, harvesting, and more regularly, on occasions such as marriages, naming ceremonies, and the initiation rituals of both males and females. Most of these rituals are still observed in order to affirm the relationship between ancestors and their families

(Oko 1993: 89–90). Among Amasiri the general pattern is as follows: the head of families, compounds or villages along with other delegates consult with an indigenous diviner/healer who prescribes (and sometimes leads in offering) the appropriate sacrifices to the ancestors. In other cases the most elderly member of a family, compound or village could be invited to offer libation to the ancestors. This is often done by calling the ancestors by name according to the era in which they lived and the achievements they made.

In some family houses, a small hole is dug in which ritual wine and food are deposited for the ancestors. Communication with the ancestors is often a form of conversational monologue, patterned but not typecast. According to Omezue Atu (interview 2008), the conversation is done as though they were physically present:

You ... (Name of the ancestors), your children are in trouble. We do not know why, we do not know who is responsible. If it is you, if you are angry, we ask for your forgiveness. If we have done wrong, please pardon us. Do not let one of us die. Other lineages are prospering, and our people are dying.

The words typically depict complaint, scolding, sometimes even anger, and a request for pardon. The quest for explanation, prediction and control of adverse situations is apparent from this sample petition. It is often believed that there is “no smoke without fire,” and therefore such petitions are usually central. At other ceremonial events, including naming ceremonies and marriages, the ancestors of the lineages are usually informed and invited to participate in the events. Pleas are often made for their approval and their efforts in insuring the success of the newborn or of the marriage and the children that will be born through it. Furthermore, before the commencement of the farming season, words such as these are said to the ancestors:

Our great fathers please bless the efforts of your children in this farming season. It is said that he or she who does not labor should not eat. May you not allow our efforts to be wasted; may much rain and sun not destroy our crops; may neither thieves nor evil people come near our farms. May our eyes, hands and legs not suffer from injuries. May we have a bountiful harvest and all the protection (Atu interview 2008).

Ancestors are always referred to publicly by the elders and ritual leaders on all ceremonial occasions involving the lineage as a unit and also at individual levels (Cox 1998b: 199–203). The ancestors are seen as retaining their roles in the affairs of their kin-group and are propitiated

with sacrifices (Iwuagwu 1998: 100). They are seen as dispensing both favors and misfortune: thus ancestors could be accused of being capricious and of failing in their responsibilities. However, their actions are often related to possible lapses on the part of the living and are seen as legitimately punitive. In the ethnographies dealing descriptively with indigenous beliefs, it is often held that Africans see the powers of the elders as derivative from the power of the ancestors (Kopytoff 1971: 129–42). Although complex, it appears rather that the powers ascribed to the ancestors are the palpable powers of the living elders. Furthermore, among the Amasiri, elders by their position hold direct powers due to their age; this may not be seen necessarily as re-projections from the ancestors. The elders' attitudes (dead or alive) seem ambivalent. They both punish and exercise benevolence, and they play prominent roles in restoring amity within their lineage. It is therefore my contention that an understanding of ancestors as elders is necessary, and if that is the case, there should be nothing ambivalent about elders exercising authority among the Amasiri.

In regard to the processes of acquiring authority by the elders, Fortes argues thus: “the personality and character, the virtues or vices, success or failure, popularity or unpopularity, of a person during his lifetime make no difference to his attainment of ancestorship” (1965: 133). Similarly, Kopytoff (1971: 138–39) argues that none of those virtues mentioned by Fortes makes any difference in the authority invested in eldership. He insists that what matters is the status ascribed to the elders—dead or living. Fortes's understanding is that people simply acquire, upon death, the power to intervene in the life of the living. Similarly, Kopytoff argues that, rather than acquiring new powers, the ancestors continue to exercise those powers that they already had while alive. While Fortes's and Kopytoff's points are helpful, it suffices to argue that the powers acquired and appropriated by ancestors are dependent on the approved life pattern of such elders while they were alive among their kin group. Therefore among the Amasiri the right of being an ancestor depends largely on one's life in the present.

The Elders

Within Amasiri, eldership confers power upon a person over his or her junior—he or she can curse or bless in the name of his or her ancestors. In an interview Omezue Egwu (2008) argues that although women

could be recognized as elders, they are never considered as ancestors. Reasons for this, he argues, lie in the fact that women among Amasiri are often married away from their parents' compounds and therefore are not permanent residents like men. This comment has ambiguities as there are some cases where women are married within their parents' compounds, but Egwu insists that this does not make any difference. Although there are some female leadership groups especially among the elderly ones (*Osumkpa*), their leadership often applies only to their fellow women. They sometime consult with the male leaders, during which clarifications are made on village or clan issues especially as they relate to women. During such meetings women are never allowed to stand and address the males. This is often seen as disrespectful, hence could attract curses. The curse or blessing that elders place on their juniors can be formal and public, but it can also be secret and even unconscious. It is often believed that an elder's curse can be revoked only by the elder himself or an older elder offering special sacrifices to appease the gods and ancestors. The authority of eldership is most directly exercised upon the younger generation, who in turn exercise the same power over the generation below them. Thus a traditional Amasiri appears to be under the umbrella of the ancestors; removal of such protection exposes the person to the outside world, and "the world" is perceived as a dangerous place to be without a close attachment to one's kin group and ancestors.

On another level, the elders provide leadership from the family, compound, village and clan levels among Amasiri. They include *Ndi Ichie* (the retired elders), who because of their age have retired from active participation in the running of the community's affairs, but continue to play advisory roles on all matters of custom and traditions. The prestige and influence of *Ndi Ichie* derives from the fact that, among Amasiri and several other Igbo communities, wisdom and knowledge of indigenous practices and beliefs are associated with age. Thus the concept of age is constructed and interpreted within social and religious contexts (Aguilar 1998: 151–52). Physical signs of aging, such as wrinkles and gray hairs, are often reinforced by association with roles higher in the hierarchical structure of the clan. *Ndi Ichie* often invokes memories of the ancestors; among Amasiri it is said "to say that my father told me is to swear the highest oath." Thus *Ndi Ichie* often cite precedents to support a course of action, or deny knowledge of any, and thus weaken or avert a particular course of action.

When there are disputes over land ownership, *Ndi Ichie* are often consulted, and their evidence is expected to be taken seriously.

Furthermore, the *Essas* (highest indigenous leaders) form another group of elders and serve as the supreme judicial authority among the Amasiri on all matters of custom. The *Essas* run a court system and adjudicate on matters; however, their functions can both complement and run in conflict with the government judicial system. Until a decade ago several cases were withdrawn at the request of the *Essas* (from the civil courts) to be handled by them. They preside over cases involving individuals, families, and villages. Around the age of 75–80 the *Essas* retire from active roles to join *Ndi Ichie*. Next to the *Essa* is *Ekpu Uketo*, who serve as assistants to the *Essa* group. The *Ekpu* group serves as the messengers of the *Essa* and are often younger. People graduate from *Ekpu Uketo* to the *Essa* group. At the village levels are the *Uke Ogo* also called *Ochi ali* (custodians of the land). This group mobilizes their people for communal work and also serves as custodians of customs at the village levels. When they consider it necessary, they can suspend a ritual or call for a ritual performance. Next to the *Uke Ogo* is *Uke Ezi*, which serve as the assistant group; they deal primarily with sanitation, peace keeping and maintenance of order at the compounds (Oko 1993: 46).

At the *Umudi* (patrilineal) family level, the most elderly male serves as the head and is often charged with the responsibility of offering sacrifices on behalf of the other members of the family. In addition to this, he is also involved in settling family disputes, always attempting to prevent his family from taking cases to other levels that could expose their family to ridicule. As already shown, elders (by their age) rule among Amasiri. In some cases, however, Christians and uninitiated males into the Ogo society may not play such leadership roles. In such instances the next in order of seniority within the family, compound, village, or clan would lead. The Ogo society plays a central role among Amasiri; it is the group or institution into which every male is expected to be initiated. Initiation into the Ogo society serves as a form of incorporation into adulthood and basis for social mobility. Thus the uninitiated males are often looked down upon, and even Christians who may have been initiated are perceived as aliens and traitors to whom the leadership of the community may not be entrusted. This dynamic highlights the inclusive and exclusive dimensions of indigenous leadership structures within Amasiri.

Title Taking

Another dimension to the indigenous leadership is the question of title taking and its role in defining individual and group status within Amasiri. Although leadership among Amasiri is through the elders, not all the elders have an equal say. The possession of wealth, poetic gift, leadership abilities, and the talent for oratory, as well as knowledge, wisdom, hospitality, courage, tactical acumen, and personal strength define the status and extent of influence of an elder. In an interview Osuu Etta (2008) observes that the title system among Amasiri is hierarchical, with each stage considered to be higher than the one before it. Furthermore although there are no longer publicly identified *Ohu* (slaves), Etta insists that among Amasiri title taking serves as the final certification of a person. This is because no person who is considered not to be a freeborn, or of worthy character and able to defray the cost of the title, would be allowed to start the processes. While Etta's point is crucial in understanding the functional patterns of the indigenous structures, it appears that past decades have shown that often people considered to be of questionable character have taken such titles. And once some of the titles are taken, the person often becomes powerful and may not be subjected to indigenous scrutiny.

The most prestigious titles for men include *Okwa Ozu* and *Ome Omume*. For the females they are *Ogbueku* and *Utara Ogo*. *Utara Ogo* (in terms of time, cash and material requirements) has remained the most expensive and is sometimes considered to bring about gender equality. At present there is only one surviving female holder of the title. Obasi (personal interview 2008) acknowledges the expensive nature of the *Utara Ogo* title, but insists that there is no title for females that makes them equal with men, thus asserting male superiority over females. However, within both the male and female folds the same principles are visible; the delineation of titles presupposes that the higher the title, the greater the prestige, political participation and power the title-holder has. As such, the principle of superiority and status appears complex and functions at different levels. Within this context both ascribed and achieved status can be identified (Grandin 1988, Alain 2004).

The possession of any or a combination of these factors provides a potential for the exertion of power. Nonetheless, the degree of influence one has over others depends on the amount of resources one controls and commits—that is, the extent to which others are dependent on

those resources. In describing title taking among the Igbo generally, Talbot (1969: 856) asserts:

Throughout the greater part of Ibo-land ... there is a system of societies composed of men who by purchase have attained to certain "titles," as they are called—ranks or honors, which range in a regular series from one of little importance to that of chief of the town. They are not only political associations which rule the country, but great mutual benefit clubs, in which one invests a certain amount of capital, the entrance fee and from which afterwards drawn interest in the shape of a share in the fees given by later entrants, to say nothing of the various feasts and entertainments provided by them.

Title taking appears to be deeply rooted into the socio-religious life of the indigenous Amasiri and should not necessarily be perceived only as the acquisition of power with wealth. Nonetheless, title taking serves as social security: a person who takes a title certifies his or her status and belonging to the clan. Much money is spent in the process, and subsequently the holders share in the payment of later candidates. The titles also enhance the holder's place among the ancestors in life and in death. A title also serves as a means of social control: while title taking ascribes status on the holder, it also places several moral and ethical responsibilities on the person at the same time. Such title holders are often perceived as being closer to the ancestors, thus closely watched by them, ready to punish any act of disobedience or bless acts of obedience. Furthermore, a title holder (especially the *Omume* for males and *Ogbuekeu* for females) is not expected to live as a poor person. Although Omezue Izuu (2008) argues for the high expectations on title holders among Amasiri, Obasi (2008) notes the difficulties in maintaining such expectations of both self and society. The identity crisis that arises from negotiating such expectations is often difficult to resolve and remains an issue for titled men and women.

Although title taking appears central in defining and inserting people among the Amasiri clan, it is not compulsory under any law. However, anyone who does not take one may find himself or herself singled out. This is the case because during meetings of age grades, families, compounds or villages, and during communal rituals people are often addressed by their titles that appear to distinguish them from the others. Someone who successfully goes through the prescribed stages in any particular title taking, is often considered as having received a higher initiation and is related to through certain rules.

Thus title taking could be considered as giving entry into privileged societies with higher demands. So much importance is attached to membership in these privileged societies that until five years ago people would spend their last savings and even borrow money in order to take such titles. Even the highest educated Amasiri take these titles, since education alone or even wealth does not give a person as much place within the indigenous Amasiri as titles do. Title holders continue to play key roles within the indigenous leadership structures of the clan; however the power that the title confers on the holder is also enhanced by age. Although not many people have been as interested in taking titles in the past five years, the holders continue to occupy central places in the decision-making strata of Amasiri.

Age Grade

The *eburu* (age grade) appears inseparable from the life of the indigenous Amasiri. The age grade system is a cultural factor of the people that seems to constitute a way of life and a mark of identity. Within Amasiri the age grade forms the basis of belonging to and acceptance within the clan. The origin of age grade can be traced to the early days of inter-community clashes, slave raiding and kidnapping which constantly threatened the security of indigenous communities. In order to secure the clan from both internal and external aggressions, the clan divided itself into groups according to when each person was born (Nna Atu personal interview 2008). In the early days of Amasiri, the strength and prestige of any age group was based on the extent of its effectiveness in its defense of the clan against hostile neighbors.

The age grade system used to grow out of the many years of association between age mates as boys—some through group hunting, playing together, or their initiation into the Ogo society, as often those who were born around the same time were initiated at the same period. Until twenty years ago wrestling was also central in the formation of age grades. Oko (1993: 63–66) summarizes this formation process of age grades among the Amasiri thus:

Normally during wrestling contests, there is the first group called “*nchifu ogbo*.” These are children between ages of two and say seven. They will all crowd the wrestling arena. Each child is free to challenge any other child there, and before you know it, one has emerged the champion and is

carried shoulder high ... This will continue until a named age grade will begin their turn. On the above note, and without being told, one will automatically know which age grade one belongs to.

Wrestling has always served as the key sport among the Amasiri. It is usually held during the *Omoha* festival in March of every year. Those who formed a particular age grade were usually born within a period of three to five years (depending on the village involved). However, since the 1990s there has been less emphasis on wrestling, as such people born within a range of three years identify themselves and start meeting informally as an organization often called "Boys no Name." After a period of about five to seven years of such meetings, they gain recognition by the elders and are guided to choose their name. The names of age grades are usually reflective of specific historical events linked to period of their birth or a representation of the philosophy of that grade. For instance those born during the period of World War II chose the name *Ngwogu*, meaning weapon of war. Others include, *Igbemgbo* (bullet box), *Soja* (Army or Soldier). This choice of names enables the indigenous Amasiri to locate themselves within a global historical map.

The age grade is one of the oldest institutions used in the administration of indigenous communities like the Amasiri before and after the emergence of the British colonial administration. The system has been graphically described as "that method by which communities organize themselves for work, war and government" (Maduka 1993: 64). The age grades serve as the traditional "police" of each village. Furthermore, they also serve a means of allocating public duties and distributing public goods. Through its internal code of conduct, the age grade serves as a means of guarding public morality through the censorship of its members' behavior. The system has shown itself as the most potent vehicle for accelerated community development among the Igbo of Southeastern Nigeria. More than government, age grades are responsible for most infrastructural development of the Amasiri. Age grades are involved in the construction of roads, bridges, culverts, hospitals, schools, and other social amenities (Agwu 2007: 3). Thus the age grade among the Amasiri remains an instrument of local administration as well as a medium of community organization and development. The security and judicial processes are also vested in the system, and it is the pivot on which the socioeconomic well-being of the community and its members revolves. Under this system, ages grades below the age of forty concern themselves with clearing the

paths, streams and public squares and in enforcing the decisions of the elders and village assemblies.

The age grade system serves as a sociopolitical institution as well as an agent of development. Among Amasiri their activities are closely supervised by the elders. There are, however, protective attitudes by several age grades toward safeguarding their names. As such, each age grade often puts in place some rules and regulations to guide the behaviors of its members (Oko 1993: 63). The age grades also serve as a means of economic and social empowerment of their members. This is often done through the disbursement of loans to enable their members to start off or improve their trades. Furthermore, the age grade as well as one's family will often support any individuals who face abuse or unnecessary attacks from their neighbors or false accusation, especially of stealing. Thus the age grade not only provides a means for social control, but also serves as a platform for distributing public goods. Admittance to several indigenous leadership groups follows active participation in the age grade system, which is preceded by initiation into the Ogo society. Maduka (1993: 61, 65) further underscores the political role of the age grade among the Igbo thus:

In a sense, age grade is a political front without a political symbol. That is, age grade can be involved in politics without assuming a political party stand; it can also influence political direction ... When age grades pull their weight effectively and collectively, they can influence political activities of the town and reset the hands of the political clock ... Age grade no doubt is a political pressure group especially in deciding who goes for what post in politics outside or within the communities.

Maduka's comments draw attention to the complex roles of age grades within indigenous communities. As explained earlier, the grades are effective instruments for indigenous administration, and since many who contend for political posts belong to them, it would be expected that the individuals are guided by the moral codes of their age grades.

The role of age grades in deciding who represents their communities remains ambiguous, in view of the observable "God fatherism" within contemporary party politics of Amasiri. Abiola (2007: 1) describes the phenomenon of God fatherism thus:

"God fatherism" is a kind of politics whereby an influential person in a popular ruling party will assist someone to emerge as the governorship candidate of the party at all cost and either by hook or crook; he will help him to emerge victorious irrespective of whether he or she is a popular candidate or not. The elected governor on capturing the reins of power

will then be dancing to the tune of the God father that assisted him or her in winning the election because he controls the state power remotely; as they say that “he who plays the piper dictates the tune.”

Abiola’s point is crucial and demonstrates in part the clash of power between the indigenous leadership structures and contemporary politics. However, Abiola fails to underscore the complex nature of such Godfather-and-son relationships. The romance between the Godson and Father is sometimes transient because of the often overbearing attitudes of many Godfathers to office holders and attempts by some Godsons to assert themselves once elected into office. Contemporary processes of party elections have become more complex over the years among the Amasiri; however an informant affirms that elected office holders often attempt to maintain a cordial relationship with their age grades as a way of maintaining local relevance (Obasi personal interview 2008).

Arunsi and Ugoji (1993: 57) in discussing the Edda—a neighboring clan to the Amasiri—observe that members within age grades try to abide by the rules and regulations of their age grades for fear of being ostracized, suspended or fined for breach of laws. Within Amasiri, it is often said that nobody is above his age mates, implying that every member of an age grade is equal before the law irrespective of education, wealth, or public offices. Isu (personal interview 2008) insists that not even the executive members of any age grade are supposed to impose their decision on others. While Isu underscores the indigenous solidarity, such an assertion also often plays out differently in real life situations. An understanding of the power structures within Amasiri requires a grasp of the social processes of power. These include the ability of a group or an individual to exert influence over others and the status that confers influence. While there is often the pursuit of collective solidarity, yet it appears that indigenous titles and some other virtues enhance an individual’s degree of influence within the indigenous structures. Such influence is often demonstrated when villages or clans meet in their public assemblies.

Village Assembly

Davidson (1969: 91–93) argues that “if democracy meant participation, societies which were governed as the Igbo were democratic, even extremely so. Every Igbo man and woman, regarded his village

assembly as birth right, the guarantee of his or her rights, a shield against oppression, the expression of his individualism and the means whereby the young and progressive impressed their views upon the old and conservative.” As underlined by Davidson, although indigenous leadership appears to be tied to age and individual abilities, the elders seem not to rule as autocrats; rather they are expected to lead in consultation with the *oha* community (Achebe 1962: 107, Isichei 1976: 21, Njoku 2005: 78). This is demonstrated by the emphasis upon group solidarity, and cooperation often summarized in the adage, *Igwebuike* (strength lies within the community or group). Nonetheless, women and the uninitiated males into the Ogo society are hardly present in such village and clan assemblies as it is often held at the village (Ogo) square, which also serves as the sacred space for the activities of the Ogo society (Eke personal interview 2008). However, since women and uninitiated males are not allowed to speak at the Ogo square, some assemblies are held within compounds in order to include them.

The assembly is usually convened to discuss matters of clan or village interests, such as: untraced murder, land disputes, cases of theft, and external threats to the village or when new proclamations of change are to be made. To announce such meetings, the services of the village or clan *Onye ozi* (town criers) are employed. Often they go around their respective villages with a metal bell or a wooden gong to announce the date, time and venue of the assembly. When the assembly meets, the matters to be discussed are introduced by the spokesperson of the elders who summoned the assembly, after which those in attendance are allowed to respond in turn to the subject of discussion. All matters are usually debated before decisions are taken. When they consider the matters to have been thoroughly exhausted, the conveners of the assembly usually withdraw in order to consult (*okwa izu*) among themselves. After such consultations, the elders return and address the assembly through their spokesperson again. The elders are expected to speak the truth on all matters and to be full of wisdom in order to understand the thoughts represented during the discussion so as to reach a compromise, which the *Oha* (assembly) will accept.

The appointment of the spokesperson by the elders is usually based on the person's power of oratory, persuasive talents, and ability to put the decision in perspective. Such decisions are usually accepted by the assembly through a general acclamation or rejected by shouts of derision. In essence, the view of the majority at the assembly often prevails. Ideally no one is to be given advantage in the process. The assembly is

supposed to listen to the different views. The decisions of the assembly can be appealed to the same assembly by unsatisfied groups or individuals. Furthermore, while every person is supposed to be seen as equal, contemporary experiences show an increasing politicization of such assemblies by the powerful members of the villages or clan often using their connections to political powers. The decisions of the assembly are usually disseminated through a public announcement by the *Uke Ogo* shouting it aloud from one village square to the other. The services of *nde ozi* (the town criers) could be employed, in which case they move from one compound to another to announce such decisions. To do that the criers use materials like a drum, wooden or metal gong or bell to draw the attention of people at strategic places within the compound before passing on the information. This method of communication remains in use among Amasiri even in the face of modernity and more technologically advanced systems of communication.

Colonial, Indigenous Structures and Party Politics

As earlier highlighted, since the beginning of human existence indigenous groups have developed not only their own explanations of abnormal behaviors, but also culture-specific ways of organizing their communities. It has often been thought that “primitive” societies in Africa had no laws. Some eighteenth- and nineteenth-century missionaries and colonial administrators, saw “law” as a concept of western culture. Such an attitude appears to undermine the indigenous ingenuity that sustained communities like Amasiri long before the coming of the missionaries. Such dismissive approaches also appear to underplay the fact that all societies have their own laws, developed out of their experiences and for their unique needs and survivals. While indigenous communities have benefited in some ways from contact with the West, it must also be recognized that such benefits have remained mutual. Furthermore, the knowledge of law and organization had been a part of the indigenous Amasiri before their contact with the British colonial administration.

Several colonial administrators and missionaries appear not to have understood the mechanics of indigenous leadership structures. Many of them seem to have perceived the absence of one supreme ruler among the Igbo as a disadvantage. Such leadership structures are thus

often portrayed in the proverb: *Igbo Enweze*—“The Igbo have no King” (Azuonye 1995: 65–67). This saying does not imply that the Igbo do not respect their leaders, but that they do not believe that power should be vested in a single individual, rather in a college of elders and much more among the community (*oha*).

The elders who rule among the Amasiri are expected to do so in consultation with the community in order to sustain and retain their powers and claim to leadership. Bishop Crowther of the Church Missionary Society (Ekechi 1972: 46) is cited as saying: “One common disadvantage which characterizes the Ibo country is, want of a king, who is supreme head of the nation, or even of a tribe, as Yoruba, Benin, Nupe and Hausa. Instead of which, there are often more than one king to a village.” Crowther’s comment demonstrates attempts by some missionaries and colonial officers to place every indigenous community into one category. Such attempts failed to recognize the diversity of and unique approaches to governance by indigenous communities as underscored by Gwilym Jones (1957: 7):

The traditional government ... of communities in the Eastern Region (of Nigeria) depended on the general will of the component segments of the groups as expressed through their representatives at a general meeting of the tribe. This does not mean that communities in the Eastern Region have no chiefs ... It means that the functions they were required to perform differed. Each local community has some persons who they refer to by the term signifying head or chief.

A striking characteristic as highlighted by Jones of the Igbo at the beginning of the British administration was the decentralization of leadership across the area. Although the communities were independent of each other, they were also connected, and each had its structured leadership.

Writing on what she considers a lack of large-scale leadership integration, Margaret Green (1947: 3), like Crowther, asserts: “their most immediate striking characteristic is what has aptly been called their social fragmentation. This great people are broken up into hundreds of more or less independent social units.” Green highlights the independent nature of village groups as is the case with Amasiri; however her description appears to undermine the indigenous structures that have served communities over the past centuries. In the case of Amasiri, although the leadership structures may not have been written, the effectiveness of their operations is not in doubt. It was this disdainful attitude toward the egalitarian leadership structures of several Igbo

communities that informed the imposition of a system of indirect administration on the Igbo by the colonial administration. Afigbo (1981: 2) observes that several Europeans had a basic dislike for the Igbo whom they found “ungovernable.” Furthermore, the introduction of indirect administration was an attempt by the colonial administration to bridge the significant differences between the northern part of Nigeria and the south. Several northern ethnic groups already had established monarchical systems through their indigenous leaders—the Emirs.

In the case of the Igbo, the colonial administration hand-picked people they believed to represent the village groups in the court area and made them *Ndisi*, or Warrant Chiefs (Oko 1993: 49–50). The Warrant Chiefs were individuals appointed to leadership with no particular reference to their positions in their communities (Green 1947: 3–4, Oko 1993: 43–45). They were answerable to their colonial mentors, who hired and dismissed them at will. It was the warrant that these chiefs possessed that gave them authority to collect taxes and mobilize their villages to participate in colonial court activities. The formation and operations of the indirect rule system was characterized by many ambiguities. Afigbo (1981: 316–17) highlights the point thus:

The colonial government expected these courts ... to follow traditional law and practice as long as they were not in conflict with British idea of justice and natural law. But the members and their people in general tended to see the Native court as the White man's institution not necessarily bound by indigenous customs ... As a result its decisions and legislations were often seen as being necessarily in conflict with the people's cherished ways and so were resisted.

Among Amasiri, the warrant chiefs were most unpopular as they were seen as mere personnel of the British native court, whose duty it was to antagonize the indigenous structures. However, their attitudes toward the locals and the colonial administrators could be described as ambiguous, which often raised mistrust on both sides. Afigbo (1981: 314–16) lists three reasons why the warrant system failed: First, the administration failed to win over the confidence of men of influence and authority among the leaders of the indigenous groups. Second, the indigenous leadership system that already existed could not be replaced with the warrant system; as such the chiefs were without influence and credibility among the locals. Third, those who had such leadership influence (especially the elders) were reluctant to identify themselves too closely with the colonial government whose policy appeared to be antagonistic.

As pointed out by Afigbo, the project failed though it was conceived as an attempt to establish local authorities based on traditional institutions. Following the post-World War I and II period, colonial policymakers believed that the acceleration of development initiatives would make colonies simultaneously more productive and more ideologically stable. The introduction of indirect administration appeared to be a viable means of actualizing that, but it failed.

Unlike the earlier colonial period, when the emphasis was on establishing chiefs, in the 1950s efforts were made on creating alternative leadership institutions that were to be built on a “traditional” basis. Following this development, the position of *Ezeogo* (Traditional Rulers) or “His Royal Highnesses” was introduced in post-colonial Eastern Nigeria. This came into effect through the 1971 East Central Government’s Divisional Administration Edict, which stipulated that every autonomous community in the Igbo must have a traditional ruler (Olisa 1992: 165). The office of the traditional ruler is not hereditary, has no age limit, and candidates are elected from popular votes. The political role of the traditional ruler is interesting in that it is not like that of a monarch. The *Ezeogo* may not openly participate in the running of his village and community affairs, neither does he undertake any ritual duties.

At the inception, Amasiri had one traditional ruler, who was installed into office in 1976. He had a cabinet that was made up of Counselors appointed to represent their villages. The Counselors were referred to as “Chiefs.” However, it seems that there were no ceremonies to mark the appointment of the chiefs, and like the *Ezeogo* they exercised no indigenous authority (Izu personal interview 2008). The appellation “Chief” appears to be a carry-over from the colonial indirect administration and has witnessed further reconstruction in contemporary Amasiri. Following the creation of States—Ebonyi—on October 1, 1996 by the military administration led by General Sani Abacha, two autonomous communities were created in Amasiri, increasing the number to three. Each of these autonomous communities has its traditional rulers, cabinets and palaces, but the Amasiri clan remains under a unified indigenous leadership of the Essas. Nonetheless, both the indigenous leadership structures and their subsequent modification by the British colonial administration are all wrestling with modernity and contemporary party politics.

Party definitions which address the question of what political parties do can be broadly classified into two categories: normative,

which focuses on what parties can or should do; and the descriptive definitions, which address party traits, such as the collective nature of parties and the various aspects of a party's activity, including selection of candidates, participation in elections, and so on (Maor 1997: 3). Political parties are thus a combination of collective team and common impulse of passion or interest. They are systems of interdependent activities characterized by high degrees of rational direction of behaviors toward ends that are objects of common acknowledgment and expectation. Political parties seek to attain and maintain political power within government usually by participating in electoral campaigns. They are different from other social groups, such as labor unions and other associations, because of the unique functions they perform for the state. This system is also different from the indigenous leadership structures among Amasiri due to its complex inclusiveness of youths and females (Ugbo personal interview 2008). As outlined earlier, before the arrival of the missionaries and colonial administrators, the Amasiri were ruled by their elders according to indigenous laws and customs. Small cases were handled locally by the family heads. Other serious cases were referred to the village and yet more serious matters were attended to by the *Essa* and *Ndi Ichie* at the clan level. Unlike the colonial structures, these processes were rarely imposed and derived from mutual consensus.

The indirect administration by the colonial government created space for the constitutions by which Nigeria was governed. However, there was limited participation of Nigerians in the process of bringing the constitutions into being. In this category fell the Lugard's constitution of 1914, the 1922 Clifford's constitution, and the 1946 Richard's constitution (Okonkwo 1961: 243–269). The amalgamation of the southern and northern protectorate in 1914 marked the beginning of efforts in sociopolitical engineering. Furthermore, subsequent constitutional amendments saw increased political consciousness among the Igbo. The formation of The National Council of Nigeria and Cameroon (NCNC) in 1944 and other political parties, in some cases serving ethnic interests, and gave rise to Local Government Reforms in the Eastern region of Nigeria. Since the 1960s, at least several political parties have been formed and reformed. The electoral voting zones were created according to populations, forgetting the contested nature of Nigerian census counts (Baur 1994: 381, Adogame 2005: 133). Furthermore, the Igbo consensus system was affected by the British political system. Okpara (1993: 307) notes that the roles which power brokers,

contestants and electorates alike played seem to have allowed money and other forms of gratification a place within the electoral processes. Such situations trivialized the usual norms of the Igbo indigeneous leadership and also questioned the authority of the elders and community.

The formation of political parties was one of the most modern organizational changes that occurred among the Igbo before the 1960 Independence. Although the party system appears to be inclusive of women, as their vote counts, they still seem to occupy few elective political positions within Amasiri. Furthermore, the formation of political parties has resulted in complex innovation in education, modernization, and changes in infrastructure, but it has drastically changed the cultural code and moral basis of acquiring wealth for many people. Kalu (1993: 17–18) notes in regard to the change on Igbo political ethics:

Accession to leadership role has lost the stringent ethical pre-requisite. Assertiveness and wealth overawe moral values ... There is a collapse of the social control system. Western education has replaced traditional socialization process which inculcated salient values. Enlargement of social scales, distance and habit structure have weakened the power of restrictive modes of social control. Gossips and satires do not deter as effectively as in yester-years. When gods were the policemen, the political structure could effectively punish offenders ... Political parties as trans-tribal organizations ... provide avenues for the modern version of warrant chiefs.

Kalu's point is further demonstrated by the moral decline that can be traced through increasing competition for public goods through political maneuvering and gerrymandering. Titles were used as a means of reward and social control, to acknowledge those who upheld the society's salient values, but contemporary experiences among Amasiri show how the highest bidders take them all.

Contemporary Nigerian political leadership appears to be a carry over from the colonial administration. The administrators were "foreigners," had no reason to mix effectively with the locals, and did not see their destinies as being tied up with those of the indigenous communities in which they served. At independence several of those who inherited power were leaders who descended from an elite group and appear to have been distant from the people they governed (Bawaji 2003). This experience has continued to characterize contemporary Amasiri party politics. As highlighted by Kalu, their acquisition of western

education meant a disconnection from the masses, thus losing touch with indigenous heritages, values, culture, and histories. It is no surprise to see the increasing rate of strange aspirations and the inordinate quest for wealth and corrupt practices by several contemporary political elites within Amasiri and the wider Nigeria (Mbon 1991: 105).

Practices abhorrent to indigenous values appear recurrent especially because of insatiability. Their perpetrators know that their opportunities may vanish; as such they devise means of taking their share of the “National Cake” (Brownsberger 1983). This propensity is further exacerbated by the high demands that kinsmen and even religious groups place on office holders. Corrupt practices among public office holders appear recurrent due to their high status and their desire to maintain high visible standards of living. The complexity of corruption is such that even where officials are not poor, individuals or organizations seeking benefits from the government may make them offers that are very difficult to refuse. Thus many officials voluntarily or involuntarily apply public goods to personal or sectional ends.

Negotiating Power and Space

Indigenous repertoires among the Amasiri appear to establish continuities with the past as well as positioning themselves as part of the process of global modernity. While tradition can legitimate particular interests, it does so convincingly only when it invokes established trajectories of cultural practices and power. On the contrary, Rouveroy (1999: 21–47) argues that indigenous authority inevitably poses a challenge to the political and administrative processes in Africa generally. Although he does not show clearly how his argument is reflected in real life, he maintains that the state is losing ground in the conflict with indigenous power. On the other hand, Trotha (1996: 91) seems to suggest that indigenous authorities are the ideal candidates to preside over the political and social order within African states. It appears that, rather than the indigenous or the contemporary politics losing to the other, there has over the years been a reconstruction of the past in the present.

Nwaubani (1994: 347), for instance, has noted the changing face of the traditional rulers among several Igbo communities:

More important, the government also holds the “kings” in high regard. For example, it is customary these days for top government officials—Presidents, Governors, Ministers and high-ranking military officers—to

pay “courtesy calls” on the traditional rulers as an interface between the government and the people, and consequently, the extensive political power the government has conceded to them, and which they wield so brazenly over their “subjects.” With astonishing speed, these developments have created an entirely new, neofeudal political culture.

As noted by Nwaubani, several traditional rulers are increasingly gaining recognition and respect, however this is only to the extent that the political administrators permit them. Within Amasiri, traditional rulers still retain the titles “Ezeogo” and “His Royal Highness,” while in some other Igbo communities titles such as “His Royal Majesty” and the like are applicable. There is also often a widespread appropriation of monarchical attributes to the traditional rulers by themselves, the government and individual members of their communities. This contemporary phenomenon is demonstrated by taking new titles, the construction of thrones, palaces and the rest of royal paraphernalia.

Since the 1990s Nigeria has witnessed the increasing role given to traditional rulers by successive government administrations and especially during the military regime of General Sani Abacha. This development appears to suggest that the perceived dichotomy between traditional rulers and state authorities does not characterize every state in Africa. Nolte (2002: 369) notes that during the regime other forms of political expression became dangerous, “however, traditional authority remained one way in which individuals and groups ... could negotiate access to the state without directly challenging the military government.” This scenario gave rise to a situation of rivalry, competition and struggle for the positions of traditional rulers, perhaps due to the incentives attached to the office. Some government administrations have relied on some traditional rulers to legitimize their activities. This was obvious during Sani Abacha’s regime: he increased the economic opportunities associated with the role of traditional rulers. Several traditional rulers received increased allowances, cars and funds to construct their palaces. Though complex, this could explain the incredible tussle for the positions of traditional rulers, which like the contest for party political posts have often led to loss of lives and property.

Therefore within Nigeria, the state bureaucracies appear not to exist in opposition to traditional authorities, but as space for the assimilation, mediation and collaboration of elites. In this process, those whose political and social positions are legitimized by tradition try to establish or widen their access to the state. Similarly, the political power

holders attempt to utilize what is perceived as traditional legitimacy for their own ends. Nonetheless, some traditional rulers within Amasiri appear to exercise increasing influence on local politics, while relying on the government for their stipend. Their palaces have become the “anointing” space for future political office holders, thus making their positions more political. In recent times traditional rulers within Amasiri confer chieftaincy titles on members and friends of their autonomous communities. Such occasions are usually characterized by elaborate ceremonies with several highly placed elites and guests in attendance. Often such conferrals are made during some anniversary celebration of the traditional rulers (Okonta personal interview 2008).

Instead of the titles serving as a social control model as noted by Kalu earlier, many recipients pay heavily to have them and the titles are often proposed by them. Thus it appears that such titles are given to the highest bidders and not necessarily to the patriotic. It further seems a means of legitimizing ill-gotten wealth by members of the society. Several recipients of chieftaincy titles among Amasiri appear to perceive themselves as “people of a class.” In recent times such persons have constituted themselves as a pressure group under the umbrella of the “Amasiri Council of Chiefs” (Okonta 2008). Members of this group continue to assert themselves within the leadership space of Amasiri, thus posing as threats to the indigenous title-holders earlier described and the elders.

Within this contest for space and influence, the indigenous leadership institutions earlier described continue to exert themselves both on individuals and communities. The ancestors, elders, title-holders, age grades, and other institutions continue to serve as agencies for grass-root mobilization and leadership. Interestingly, several political and administrative office holders seek traditional status themselves, by obtaining as many chieftaincy titles as possible from several communities across the states of Nigeria. Some communities and traditional rulers often regard these as a means of drawing the attention of those in the corridors of power to their localities, often explained in terms of “using what you have to get what you want.” This also gives some of the traditional rulers access to the administrative and political arena of the state. At the state and local government levels the Council of Traditional Rulers has continued to serve as a rallying point for holders of the position and a means of negotiating their interests.

As noted by Vaughan (2000) the relationship between the traditional rulers and political office holder remains complex, as it has often

led to several conflicts, but it also serves as a means of maintaining social order. Some traditional rulers appear to be mere tools in the hands of the many political administrators. As part of the continuity of the colonial influence on local administration, several state and local government administrators directly or indirectly sponsor candidates for such positions. Moreover, the "staff of office" which makes an elected traditional ruler assume office, is usually presented to him by the state government. This to a large extent impedes the expected independence, apolitical and advisory role of traditional rulers. While some traditional rulers may still not be influenced even in the face of such bilateral relationship, it is the case that several of them appear to be agents for any government in power, as a way of legitimizing their own positions. The integration of traditional control with the state administration has increased steadily since the colonial era and has continued to put pressure on the role of indigenous elders, ancestors, age grades and the community, but has not displaced them. The traditional rulers and political office holders all belong to families and age grades, which often serve as local watch-dogs over their activities.

There have been in recent times increasing conflicts between the elders and the traditional rulers on one hand and between the traditional ruler with the government against the elders in contests for control over political space on the other hand. However, within Amasiri the elders continue to assert themselves in leadership, although with less judicial roles due to the services of the customary courts. Notwithstanding, several Amasiri (even educated ones) still prefer the indigenous processes of settling disputes through the elders and consultations with the ancestors and divinities. As described earlier, while the elders are expected to say and stand by the truth, the impact of modernity and the polarization of eldership positions by serving political office holders raise a concern. Often there are instances of money changing hands among some influential elders before cases are determined, which influences the outcome of the judgment. In addition, the increasing rate of sycophancy among some elders and traditional rulers within Amasiri poses a threat to indigenous power.

These complex leadership situations raise the need for concerted efforts from both the indigenous leadership and political structures in the formation of a grass-roots based leadership and the restoration of hope in governance. The Amasiri villages and clan through its assemblies continue to watch over the conduct of the ruling elders, thus being able to question some of their decisions. It is often said that no

one can deceive a community. The villages and clan often ostracize anyone who brings disaster or bad luck to the community. Such persons are known through confession or divination, and when that happens, the community avoids the person until the prescribed personal or communal sacrifices are made. Ostracism is the most dreadful punishment an individual can be given. It feels like dying, so individuals often try to avoid it as well the embarrassment it will cause other members of one's family. The elders, being aware of the possible rejection of their leadership and even sanction if some forms of irregularities are endorsed among them, also aspire to be as transparent as possible. Contemporary efforts to maintain social order may not dismiss the roles of the indigenous agents and structures highlighted in this chapter, rather there should be an incorporation and collaboration for the sake of maintaining social control and for effective distribution of public goods. Against those who claim that indigenous institutions are irrelevant in modern societies, this chapter has argued that they are dynamic and progressive structures of continuing vitality and influence.

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Informants (Pseudonyms)

- Atu, Chukwu (Nna), 07/07/08. Age 85, member of the *Ndi ichie* (retired elders) group.
- Egwu, Agu (Omezue), 15/06/08. Age 78, holder of the highest title and a member of the *Essa* group.
- Eke, Ogeri (Madam), 12/07/08. Age 73, member of the *Osumkpa* women leadership group.
- Etta, Oko (Osuu), 02/08/08. Age 65, holder of the second highest title for men and a member of the *Ekpu uketo* group.
- Isu, Agu, (Nna), 29/06/08. Age 80, village Ogo society ritual leader and a member of the *Ndi ichie* group.
- Izu, Agha (Omezue), 31/07/08. Age 80, holder of the highest title, former spokesperson of the *essa* group and currently a member of the *Ndi ichie* group.
- Obasi, Idam (Hon.) 01/08/08. Age 45, politician and immediate past political office holder.
- Okonta, Festus (Chief), 06/08/08. Age 65, retired civil servant and a member of the Amasiri Council of Chiefs.
- Ugbo, Francis, 27/06/08. Age 35, community youth leader, self-identified as a political activist.

CHAPTER FIVE

THE DEVELOPMENT AND MAJOR PROBLEMS OF RELIGIOUS LEGISLATION IN TAIWAN

PEN-HSUAN LIN

Taiwan is a multi-religious society. In addition to some temples and churches with folk beliefs, there were also nine major officially registered religions—Buddhism, Taoism, Christianity, Catholicism, Islam, Li-ism, Tenrikyo, Syuan Yuan Jiao, and Bahá'í. A tenth religion, Lord of Universe Church, was founded in 1982 and Yi Guan Dao became the eleventh religion after an embargo was lifted in 1987. The situation did not change until the late 1990s, when the Ministry of the Interior (MOI) eased restrictions on the registration of religions. Since then, the number of religions registered with the MOI and overseen by the Department of Civil Affairs has continued to increase. At present, the Department of Civil Affairs in the MOI, the department officially responsible for religions, identifies twenty-seven religions as statistical categories, which are listed in the “introduction to religions” on the official Website. The twenty-seven religions are Buddhism, Tibetan Buddhism, Taoism, Christianity, Catholicism, Islam, Li-ism, Tenrikyo, Syuan Yuan Jiao, Bahá'í, Lord of Universe Church, Yi Guan Dao, Tian De Jiao, Church of Jesus Christ of Latter-day Saints (Mormon Church), Mahikarikyo, Holy Spirit Association for the Unification of World Christianity (Unification Church), Hai Zih Dao, Chinese Confucianism, Da Yi Jiao, Maitreya Great Tao, Zhonghua Sheng Jiao, Universe Maitreya Emperor Jiao, Pre-cosmic Salvationism, Huang Zhong, Church of Scientology, Xuan-Men True Religion, and Tien Dao. Of these, some are considered traditional forms, while others are newly developed, and there are wide differences among them in terms of the amount of members to which they lay claim.

The right to hold religious activities is not just restricted to these twenty-seven religions supervised by the Department of Civil Affairs in the MOI, however. In fact, some religions are in the form of “civil organizations,” which are overseen by the Department of Social Affairs in the MOI. Depending on their exact nature, civil organizations can

be divided into professional organizations, social organizations and political organizations. Social organizations are built based on common interest, beliefs, geographic ties and consanguinity, put more emphasis on social factors, and aim at fulfilling personal interest and realizing personal ideals. Those social organizations cover the areas of academics and culture, social services and charities, medical treatment and health, religions, physical education, international and economic affairs, and clansman associations. Therefore, religious organizations can exist in the form of social organizations supervised by the Department of Social Affairs. Among these social organizations, as with the religions, some are traditional and some are newly developed.

There are 11,573 temples in total with folk beliefs, often classified as Taoist by governmental organizations. According to *The Temple Registration Regulations* passed in 1936 in mainland China, temples are to be supervised by municipal governments, and all temples are obliged to register. Those that are eligible are to receive a “temple registration certificate.” Nowadays, there are altogether 6,212 “officially registered” temples and a further 5,361 ones with “amended registration” status (Department of Civil Affairs, Ministry of the Interior 2006). In fact, there are also more unregistered temples and altars, which were found to be non-eligible to register.

Legal Status of Religious Organizations in Taiwan Today

The only laws that are directly related to religions in Taiwan are *The Supervising Temples Act* passed in 1929 and *The Temple Registration Regulations* passed in 1936. The former is a law (Qu 1989: 39–4, 1997: 439–510, Huang 2000: 87–89), whereas the latter is an administrative rule. Temples become “eligible” only after they fulfill the requirements of *The Supervising Temples Act* or *The Temple Registration Regulations* and get a registration certificate.

The Supervising Temples Act is composed of thirteen articles with a focus on supervising properties of temples. It claims that all properties are managed by the trustee monk/nun.

Generally speaking, *The Supervising Temples Act* is the product of the “period of political tutelage” during the early period of the Republic of China. “Supervising” in the sense found in the regulation suggests that the major purpose of the government in its enactment was to

prevent people from running off with temples' property. The exclusion of Christianity and Catholicism from having to have this type of supervision is indicative of the unusual status of these two religions at that time. Several major issues arose from the problematic nature of the basic principles of this regulation discussed above. According to Qu Haiyuan (1989: 42), there are four major problems identified in *The Supervising Temples Act* in terms of its basic principles. The first problem is the violation of equality defined in *The Temporary Provisions* and the Constitution because *The Supervising Temples Act* is concerned only with temples and not churches. Second, the idea of supervision over religions violates the principles of separation between religions and politics, which undermines religious freedom. Third, its focus on the properties of temples sidelines the religious aspect and even attempts to make religion a material entity, while failing to address other aspects of religions and temples. Fourth, this regulation targets Buddhist and Taoist temples exclusively, and ignores other folk religions, something that causes practical problems when dealing with certain issues and leaves it open to charges of religious inequality. Today a difficulty arises because of the different backdrop of the early period of the Republic of China as contrasted to the current social and political context in Taiwan as it affects actual situations as they occur in Taiwanese society. As a result, a great deal of religious administration is based on interpretations made by the MOI and the Taiwan provincial government. A fifth problem is the unclear legal status of religious organizations.

The legal status of temples as defined in Article 6 of *The Supervising Temples Act* is as follows: "Ownership of all property and possessions will be retained by the temple and managed by the trustee monk/nun. Trustee monk/nun refers to any monk or nun who has management authority, whatever their title or ranking may be. However, they cannot take charge as trustee monk/nun if they are not citizens of the Republic of China." That a temple is a juridical person can be inferred from the words saying "ownership of all property and possessions will be retained by the temple" because only natural persons and juridical persons can be a subject of this right and can retain property. However, the article does not clearly point out that a temple is a juridical person, as are social organizations and financial organizations. In fact, a temple is not a juridical person in a real sense and is only treated as a quasi-juridical person or a juridical person-to-be. Therefore, any temple that follows *The Supervising Temples Act* cannot enjoy the status of

a juridical person. Many large temples who can earn money from the sale of sesame oil and which retain significant possessions have registered as a “juridical Person.” In this way, they can become “juridical persons of a financial group of charity, education and culture” in order to qualify for tax breaks.

The Supervising Temples Act prescribes that all properties in temples are managed by the trustee monk/nun and the trustee monk/nun is the person responsible for temples. However, most of the temples do not have clergy as their trustee monk/nun. In practice, the Department of Civil Affairs of the Taiwan provincial government and the Department of Civil Affairs in the MOI has published many official documents to provide administrative interpretations from the 1950s to the 1980s. In those documents, it is possible for a layperson responsible for the temple to be made effectively the trustee monk/nun. Originally, the person responsible for the temple was another form of trustee monk/nun, whereas later on, the person responsible and trustee monk/nun became two separate positions in a temple, and in some cases the latter may even answer to the person actually responsible. Some documents also stipulate that a General Members Assembly must be established, which would wield overall power in temples of both folk religions and Buddhism (Department of Civil Affairs, Taiwan provincial government 1991, Huang 2000, Ministry of Interior 2005).¹ A General Members Assembly, however, is not prescribed by *The Supervising Temples Act*. In actual fact, very few of the articles in *The Supervising Temples Act* have been implemented for one reason or another, and the administration mostly followed the rules released by ministries in the government or the current interpretation for *The Supervising Temples Act*. At the present time, Buddhism is appealing to abolish this act and liberate itself from the requirements of administrative rules or interpretations concerning the General Members Assembly.

Since the act is only adapted to Buddhism and Taoism, there is a general conception that Catholicism and Protestant Christianity are not regulated by the legal system. As a matter of fact, Catholic and other Christian institutions are bound by civil law and must register as juridical persons. Only then can they be the subject of right to retain properties and qualify for tax breaks. However, civil law is designed to encompass all juridical persons and is not specifically aimed at religious

¹ In 1992, the compulsory regulations were abandoned by the MOI.

organizations. In practice, juridical persons have different business aims and are supervised by different official departments. Therefore, religious organizations are classified as religious juridical persons and supervised by the MOI. National level Catholic and other Christian organizations are, as a rule, registered as national (religious) juridical persons, while the local ones are registered with municipal governments as local juridical persons. Their existence in the form of juridical persons has caused problems: First, how can religious organizations become juridical persons? Second, juridical persons are the assembly of property while religious organizations are the assembly of both property and people. If religious organizations are in the form of juridical persons, then the people aspect is unaccounted for. In other words, our legal system doesn't cover religious organizations even though religions are operating as normal. Our legal system encompasses only juridical persons.

Besides the previous two types of forms, the Association is another legal form available to religious organizations. According to Article 4 of the *Civil Associations Act*, an association is the assembly of people with a common interest, of which there are three types: professional associations, social associations, and political associations (political parties). Local religious organizations can register with the municipal government as municipal social associations, while the national ones such as the China Buddhist Association and the Taoist Association of the Republic of China are registered with the MOI as social associations.² Before the end of martial law, the *Civil Associations Act in the Period of Mobilization for the Suppression of Communist Rebellion* prescribed that at any given level there should be only one civil association of a given type. This regulation has been replaced by today's *Civil Associations Act*, which states that different national social associations can co-exist in a society as long as they have different names. Therefore, there is more than one national Buddhist organization and more than one national Taoist organization in the society.

² Social associations such as the China Buddhist Association, the Taoist Association of the Republic of China and the Buddhist Temple Association of the Republic of China usually include associations as their members, while these are the headquarters. However, some religious organizations also include individuals as their members. Some organizations of this type are called "societies" and focus on research on religions. The name "society" can also sometimes apply to Tibetan Buddhist associations with individual members.

In all, before the establishment of new religious laws, the legal status of religious organizations can be categorized as follows:

1. Ordinary temples (folk religions and Taoism) that followed *The Temple Registration Regulations* and have a temple registration certificate. Large temples registered as juridical persons can get tax breaks according to Article 2 of *The Standards for Income Tax-free Institutions and Organizations of Education, Culture and Charity*.
2. Buddhist temples: Ordinary temples who have the temple registration certificate and large temples registered as juridical persons for the sake of qualifying for tax breaks.
3. Catholic and Christian organizations: Some individual churches registered as local juridical persons according to civil law and national churches registered as national juridical persons.
4. Social organizations of a religious nature: national religious organizations and headquarters registered as national social organizations following the *Civil Associations Act*, such as the China Buddhist Association, the Taoist Association of the Republic of China, and the Yi Guan Dao Headquarters of the Republic of China after the ban on Yi Guan Dao was lifted.

Some newly developed religions such as the Unification Church, Soka Gakkai Association, Family for Love, and others were banned by the government during the Martial Law Period (Lin 1996, 2003). In 1987, around the end of the Martial Law Period, those religions were in fact teaching in public even though they were not able to register with the Department of Civil Affairs in the MOI and therefore were not included in official statistics.

Before the late 1990s, all types of newly developed religions took the following two forms: First they applied to the Ministry of Education for registration as a foundation (financial juridical person) and were then supervised by the Ministry. This kind of organization is called a juridical person of culture and education administratively or with “culture and education” in their names because they focus on culture and education. There was one disputed case where a Buddhist monk called Miaotian first applied to the Ministry of Education for registration as the Culture and Education Association of Yinxin Zen, but it turned out to focus on religious activities.³ The second type is to apply

³ Now all religious activities held by this organization are in the name of the Taiwan Zen Buddhist Association.

to the Department of Social Affairs in the MOI for founding civil organizations under the classification of a social organization. Organizations of this type are often named as a society, association or headquarters. One example of this would be Song Qili, which founded a social organization called the Song Qili Appearance Association of the Republic of China and mainly held religious activities. Tibetan Buddhism can also be regarded as a newly developed religion in Taiwan, but many centers of Tibetan Buddhism also apply to municipal governments or the MOI as a social organization, which then holds religious activities.

In 1996, Song Qili's religious activities were found out, and the Song Qili Appearance Association of the Republic of China was exposed as a religious organization. From then on, all the religious social organizations that applied to the Department of Social Affairs were also reported to the Department of Civil Affairs. All social organizations of a religious nature would register as a new religious type after their foundation.⁴ In recent years, the MOI has adopted free policies allowing new religious organizations to register as new religious types, and this has greatly increased the number of new religions from eleven to twenty-seven. As we have stated before, the twenty-seven religions include both the Unification Church and Scientology. Not all of the new religions fall under the jurisdiction of the Department of Civil Affairs. Some are still social organizations overseen by the Department of Social Affairs.

In conclusion, some major problems of the current laws on religions are as follows:

1. Laws related to religions are out of date. *The Supervising Temples Act* was made more than 80 years ago. Most of its articles are either not applicable to the current situation in Taiwan (with some being contradictory to the Constitution) or irrelevant to the problems faced by religions in Taiwan today (Jinxin 2001).⁵

⁴ Da Yi Jiao, which had held many religious activities under its original name of Scientology, was established in this period. They then registered as a new religious type to become the twenty-seventh official religion in Taiwan.

⁵ In the past, Buddhists thought that many problems confronting all the Buddhists were caused by *The Supervising Temples Act*. As a result, they appealed to abolish this legislation and thought that all the problems would thereby be solved. However, they now realize that supervision of temples was not what they had expected. As the monk Jinxin has pointed out, this regulation did not interfere with religious preaching or the staff in temples. The problems facing all Buddhists were aroused by the administrative orders from the MOI or the provincial government.

2. Religions are treated unequally: *The Supervising Temples Act* concerns only Buddhism and Taoism, and this is in violation of Article 13 of the Constitution due to the inequality it entails.
3. The legal status of religion is unclear, in terms of whether temples are juridical persons, hence requiring them to register as juridical persons.⁶
4. According to the current situation, there are various and complicated forms of legal status accorded to religious organizations, from officially registered temples to foundations and social organizations. Different types of temples necessitate different government departments to supervise them.
5. The exact nature of religious organizations as juridical persons is not obvious: neither in the form of a juridical person nor as social organizations can religious organizations sustain their two properties as an assembly of possessions and as an assembly of people.
6. There is no legal basis for the registration process of new religions: problems remain with the establishment of new religious organizations (i.e., newly-developed religions).
7. Problems related to religions caused by social changes and related laws, such as the presence of bodhimandala in cities and ossuary towers attached to Buddhist temples, cannot be resolved under the current legal system.

Changes of the Religious Legislation in the Authoritarian Period

Religious legislation in Taiwan can be dated to several bills in the early period of the Republic of China, such as *The Temporary Act of Managing Temples* in 1913, *The Regulations of Temples Management* in 1915, *Amended Regulations of Temples Management* in 1921, *The Regulations of Managing Temples* in 1929 (Qu 1989), and *The Supervising Temples Act*, the last having caused many problems since it began to be implemented in 1929.

Available material shows that in order to solve all the problems caused by *The Supervising Temples Act*, the MOI decided to propose a *Draft of Supervising Temples and Churches Act*, in 1957.⁷ In 1961,

⁶ About 400 temples out of 10,000 in Taiwan have registered as juridical persons.

⁷ Discussion about the drafts of religious legislation for every year is based on the different versions of drafts provided by the MOI.

The Draft of the Protection of Religions Act was enacted. Nevertheless, the legislation that gave rise to heated discussion were the *Draft of Maintaining Churches and Temples Act* in 1969, *The Revised Draft of Temples and Churches Act* in 1979, *The Draft of Protection of Religion Act* in 1983, and the current *Draft of Religious Organizations Act*.⁸ Even as they were being sketched out, the first three drafts were eliminated by overwhelming objections from all religions. The *Draft of Temples and Churches Act* was approved by Administrative Yuan but not examined by the Legislative Yuan. In comparison, *The Religious Organizations Act* was not only proposed by the MOI, and approved by the Administrative Yuan, it was also handed to the Legislative Yuan for further examination. Therefore, *The Draft of The Religious Organization Act* was the first religious law to be examined by the Legislative Yuan.

There are three key points in *The Draft of Maintaining Churches and Temples Act, 1969*. First, it prescribes that all temples and churches shall register as juridical persons. Second, it deals with some regulations concerning the founding of new religions and bringing new religions from overseas. Third, property and possessions are still supervised, following the principles in *The Supervising Temples Act*, but including both temples and churches. In addition, Chapter Two, "The Establishment of a Religious Group," stipulates that "the person responsible shall apply to the central governing authority with an application form if a new religion is to be founded, no new religion can be founded without the approval of the religions committee, [and] the religions committee shall be composed of academics in the field of religion and professors of philosophy from colleges in Taiwan." This is also applicable to overseas religions introduced into Taiwan. That is to say, all the newly established religions and those from overseas have to be reviewed. In Chapter Three, "The Establishment of Juridical Persons," Article 10 stipulates that both temples and churches shall establish juridical persons according to the same process in which any other juridical persons are established. Chapter Four is about the management of property, which is the more or less the same as that found in *The Supervising Temples Act*.

The Draft of Temples and Churches Act in 1979 was applicable to both temples and churches, and stipulated that they be legally recognized as juridical persons. However, the exact nature of the juridical

⁸ In 1969, there was also a "Draft of Temples Management Act" in Taiwan. This was not, however, made general knowledge, nor was it implemented.

person they were to be was not entirely clear. The articles specified that all the approved temples and churches have to decide their own statutes and boards of directors, from which we can infer that temples and churches are more likely to be considered financial juridical persons. All the newly established temples and churches are required to seek the approval for their proposal by the department supervising them. A proposal shall include the following: purpose, religion, name, adopted teachings, doctrines, ceremonies, rituals, intended temples, the address of the headquarters, public welfare, etc., but the exact procedures of how the proposal is to be examined are not clear. The supervision of property and possessions mostly follow the principles in *The Supervising Temples Act*.

This draft was being drawn up when the Non-Party Movement (the opposition movement before the DPP) was rising and the Presbyterian Church in Taiwan (The Presbyterian Church of Christianity) was actively involved in Taiwanese politics (Qu 1982, Lin 1991). Therefore, articles in the draft convey obvious political elements (Jinxin 2001).⁹ For example, Article 7 prescribes that “preaching should be in public and in the language of Chinese, with translation needed for people who do not understand Chinese.” This article is considered as primarily concerned with Presbyterian Churches, especially those in the south, where people mostly speak Taiwanese in churches, and a small number of churches for minorities use bibles in the aboriginal language. Another example is that Article 4 declares that “temples and churches are concerned with teaching their religious doctrines and holding religious ceremonies and activities. Furthermore, no doctrines, ceremonies and activities shall violate law or public customs.” This article is just a declarative one without any substantial content and was likely to be related to the involvement of the priest or minister in social and political activities.

In addition, Articles 12, 19 and 20 are noticeably intrusive into the autonomy and freedom of religious groups. Article 12 prohibits four kinds of people from being the director of the board or person responsible for the temple or church. The first type is “those who have committed sedition or treason and have been convicted or whose arrest has been ordered and whose case is still pending.” The fourth type is “those who have violated religious regulations and been punished.” Article 19

⁹ The senior Buddhist monk Jinxin believed that this article interfered with religious activities.

states that “temples and churches which have violated laws, national policies and committed public nuisance will be punished by the supervising office via warning, retrieving the approval, rearrangement and dismissal.” Article 20 prescribes that “the director the board of the temple or the church or the trustee monk/nun and priests who violate the law or regulations and do harm to the interest of the temple or the church will be replaced or be fined from NT\$1,000 to NT\$3,000 by the supervising office.” That the supervising office can relieve the director of the board and the trustee monk/priest is a serious imposition on the autonomy of religious organizations. The most likely group to feel the force of the stipulations in these articles under the political circumstances of the day was the Presbyterian Church, with a good deal of its members and practitioners being involved in the Formosa Incident of late 1979.

The political environment was still not favorable in 1983 when *The Draft of the Protection of Religions Act* was put forward, despite the fact that this was at the end of the Authoritarian Period in Taiwan. There are more articles in *The Draft of the Protection of Religions Act* than the former two drafts. *The Draft of the Protection of Religions Act* recognizes religious organizations as public juridical persons and clarifies the procedure of building up a church. The procedure in this draft is more complicated than that defined in the former two drafts and is closer to the procedure of building up a social organization (Articles 6, 7 and 8). Article 8 prescribes that the proposal for founding a church shall include the purpose, the name of the church, the religion, beliefs and doctrines (including the classics/scriptures), the number of practitioners, religious commandments, the nature of ceremonies, blueprints for development, the total funds required, as well as where they are to be sourced. More information was required in the case of local churches, including a document of consent from the church organization it came under and any information concerning its related business affairs. Of this, the requirement for the disclosure of information concerning classics and scriptures, as well as for the number of practitioners, runs counter to the reality of how religions develop in their early stages. At this point, after all, the religion does not necessarily have either a classic or, indeed, any formal practitioners.¹⁰

¹⁰ Quite simply, for example, most of the Buddhist classics and the New Testament of Christianity came after Sakyamuni and Jesus Christ.

The stipulations in Article 13 appear for the first time in this draft. This article states that “priests defined in this regulation are those who take preaching as their professions, who have been examined and have registered in their churches, and whose information is filed with the MOI. Anyone found without being examined and registering shall not be able to preach.”

This does not make logical sense, for it is surely impossible to lay claim to any practitioners prior to the actual founding of a religion, and yet registration is required to precede the undertaking of any religious activity. Similarly, before official registration, there would be neither any priests nor religious activities, and therefore no practitioners. This is like the paradox the chicken and the egg: the legislation seems to be making it impossible for any church (religious organization) to emerge. The Protection of Religions Act seems to have opened up a horizon for long-lasting problems for the founding of new religious organizations, and its stricter procedures and requirements compared with the former two drafts have logical flaws that make the situation unworkable. In a word, all the regulations in this draft are aimed at standardizing religious organizations, institutions of a spiritual and inspirational nature, to bring them in line with other new social organizations. For example, classics often emerge following the initial founding of a religious organization or as the result of a particular inspiration. The requirement of the existence of a classic as a prerequisite for the foundation of a new religious organization, again, runs counter to religious logic. Nonetheless, the most important problem of the third draft related to the licensing system for the foundation of a new religious organization, which presents an obstacle to religious freedom (Qu 1997)¹¹.

The Draft of the Protection of Religions Act was met with strong opposition, and this was mainly because of the blatant political agenda behind it, when compared to the previous two drafts. This agenda is particularly apparent in Articles 11, 13, 14, 20, 23 and 26. Article 13 not only prohibits religious organizations from holding any religious activities without first registering in line with the legislation, but it also declares that preaching should be aimed at spreading religious

¹¹ Take Japan as an example: Before 1945, the licensing system was active in Japan, and from 1945–1951 the registration system was predominant before the *Laws of Religious Foundation*. After this law, a qualifying system was carried out.

doctrines and holding religious ceremonies in public.¹² In addition, Article 14 stipulates that “all religious activity shall be in line with basic national policy, shall not interfere with national security, and shall also be consistent with the duties of the citizen. It shall also promote public order, the established morality, and good customs and rituals, and shall co-exist harmoniously with other religious organizations, in addition to respecting the basic freedoms and rights of other citizens.” All these regulations and declarations are reasonable in themselves. However, at that time, they were obviously targeted at certain religious organizations, especially in terms of their social and political activities. The content of Articles 20 and 26 is identical to Articles 12 and 19 of *The Revised Draft of Temples and Churches Act*. Article 23 states that “religious organizations cannot distort realities or destroy national reputations,” a reference to the New Testament Church which was locked in conflict with the Kuomintang at that time. In addition, Article 11 reads “overseas and newly-founded religious organizations are to be supervised by the MOI; overseas religious organizations should provide a certificate released by the foreign national government. They shall undertake to follow Taiwanese law and refrain from non-religious activities.” What kind of non-religious activities could overseas religious organizations have at that time? They were, in fact, referring to labor movements, in which a number of foreign Catholic priests had become involved.

Current Religious Legislation

More recently, the religious community, mainly the Buddhist community, thought it necessary to establish a new religious law (Xing Yun 2001). In fact, three pieces of religious legislation were rejected in the examination stage by the Administrative Yuan because of the strong opposition that they faced. As Qu Haiyuan (1997) has pointed out, the major problems of these three pieces of legislation lay in their basic principles. The senior monk Jingxin (2001) has also explained that the opposition was to the level of interference aimed at religious and personnel affairs. In the preceding discussion we have seen the problem

¹² “In public” is a term included in all the three drafts, mainly directed at the Yi Guan Dao at the time.

with *The Supervising Temples Act* in its unequal treatment toward religions, as Buddhism and Taoism were treated differently from other religions: the act was applied only to Buddhism and Taoism, as well as to newly-founded religious organizations. What is also indicated is that other articles had strong political motives and were targeted mainly at Christianity/Catholicism. In addition, articles related to property and organizations were the target of overwhelming objections because they were not applicable to Buddhist teachings and conventions.

After the failure of all three pieces of religious legislation, the administrative offices stopped researching and sketching out draft legislation related to religion. This does not mean, however, that nothing was being done concerning legislation in this particular area. In 1988, the MOI entrusted Professor Qu Haiyuan of the Academia Sinica to work on a research project for "Research on Religious Laws." He finished the project in 1989, concluding that, given the chaotic nature of the legal system relating to religious affairs at the time, a three-way approach should be adopted: namely, the scrapping of the Supervising Temples Act, the complete revision of the current religious regulations, and the drawing up of new legislation. His suggestions, however, went largely ignored. Subsequently, Professor Wu Ningyuan of National Sun Yat-Sen University was commissioned by the MOI to conduct another piece of research, which produced a proposed 37 articles for the *Draft of Act on Religious Organizations*. Again, these were never adopted. No other progress had been made in religious legislation since.

In 1992, members in the Legislative Yuan were re-elected to form the Second Legislative Yuan. From 1993 to 1995, Xiao Jinlan and 45 other legislators proposed *The Draft of Religious Juridical Persons Act* (Second session, Second Legislative Yuan); Chen Qingbao and 20 other legislators proposed *The Draft of Religions Act* (Third session, Second Legislative Yuan); Zhang Jianhua, Hong Yuxin, Huang Zhaoshun and 32 other legislators proposed *The Draft of an Act on Religious Organizations* (Fourth session, Second Legislative Yuan); Zhang Jianhua and 32 other legislators proposed *The Draft of Religious Organizations Act* (Fourth session, Second Legislative Yuan); Chen Qingbao and 20 other members proposed *The Draft of Religions Act*; Zhang Jianhua and 32 other members proposed *The Draft of Religions Act*; and Xiao Jinlan and 45 other members proposed *The Draft of*

Religious Juridical Persons Act (Fifth session, Second Legislative Yuan). Compared with the silence of the administrative departments, the re-elected Legislative Yuan did attempt to contribute to the debate in each session, proposing a whole raft of new drafts. These attempts made no headway, however, in creating discussion or receiving any feedback among religious groups or society at large.

In September 1996, Xu Shaoping and 16 other legislators from the Third Legislative Yuan approached the MOI, urging it to revise the religious legislation. This was followed by a series of controversial events that set public opinion against religions, and the idea emerged that something needed to be done to get their house in order. On September 3rd, all the students who took part in the summer camp in the Zen temples in central Taiwan shaved their hair and became monks or nuns.¹³ On October 9th, Song Qili was sued for fraud. Nine days after that, on October 18th, the monk Miao Tian was found to be selling illegal ossuary towers. This all cumulated in a symposium named “The Common Practice of Religions and Society,” held by the Administrative Yuan on November 8th. People would continue to refer to the Song Qili affair for many years.¹⁴

One could argue that the spate of controversies surrounding religions that year was due in part to the confusion regarding whether the organizations involved actually constituted religions. It was also hoped that religious legislation would be able to clear up some of the inappropriate conduct carried out by the religions (Xing Yun 2001). The problem from the government’s perspective was that none of these organizations had registered with the Department of Civil Affairs (the supervising office of religious organizations) as religious organizations.

¹³ Although this event was very controversial, it was the latter two scandals that caused the biggest problems.

¹⁴ Song Qili, formerly Song Qianlin, was born in Gaoxiong, Taiwan. As a result of the scandal in 1996 Song Qili was accused of fraud and received a seven-year sentence. In 2003, the Superior Court thought that his thought and actual behavior were more to do with religious beliefs and had little to do with the court. The Superior Court eventually acquitted Song in the absence of any victims or evidence of fraud. On August 26, 2004, the Supreme Court withdrew the verdict (the part related to Song Qili and another defendant), and returned it to the Superior Court of Taiwan. On November 29, 2005, the Taiwan Superior Court concluded that it could not be proved whether or not Song Qili possessed special powers, and the judicial authority could not find anyone to prove the charges against him. The scandal was concerned with religious beliefs and was beyond the reach of a court. No proof had been found that Song Qili was guilty of fraud, and the two defendants were pronounced innocent.

They had, instead, registered as cultural or educational foundations (such as the Culture and Education Association of Yinxin Zen of the Republic of China) with the Ministry of Education, or as civil organizations (Song Qili's Appearance Association in the Republic of China) with the Department of Social Affairs. There were, in other words, similar government departments all dealing with the same issue. Meanwhile, vulnerability in the law made it possible for the Department of Social Affairs, which should be responsible for social and not religious organizations, to deal with the religious organizations in actual practice.¹⁵ There were, as a result, renewed calls for religious legislation to be enacted.

Despite the fact that the public was keen that the government deal with the mess, the political environment had totally changed. The Department of Civil Affairs in the MOI was engaged in the drafting of the legislation and finished the initial draft of the *Religious Organizations Act*. There were 45 articles in this draft, with Articles 1 and 2 dealing with the purpose of the legislation and the department that is to supervise the religious organizations. In addition, Chapters Two (Article 6) to Four (Article 22) dealt with regulations concerning the establishment of religious organizations. The legislation stated that there are three types of religious organizations: "temples and churches," "religious social organizations," and "religious foundations." Once established according to official procedures, they could have the status of public juridical persons. In all three cases, the procedures for establishing temples, churches and religious organizations were designed along similar lines to those for social organizations. In addition, none of the articles required the applicants to provide materials like classics, details about the ceremonies or the number of practitioners during the official process. It prescribed only that "applicants need to provide application forms, their regulations and other required forms and tables." Article 10 lists all contents that needed to be noted in the regulations, but contents like classics, ceremonies and the number

¹⁵ Before the Song Qili scandal broke out, nobody knew that Song Qili's Appearance Association in the Republic of China was a religious group, as this group was registered as a people's group in the Department of Social Affairs. However, after the scandal, many religious people rejected the idea that Song Qili's Appearance Association in the Republic of China was a religious group, believing it just to be acting in the name of a religious group. This is not to say, however, that Song Qili's Appearance Association did not constitute a religious group, or at least a "semi-religious group."

of practitioners are not in the list. Chapter Five (Articles 23 to 29) mainly allowed all religions to decide their buildings, adding that those buildings could be used for a variety of purposes. Therefore, it was allowable for only a part of the building to be identified as being for religious use.¹⁶ These were all concerned with solving problems confronting all the temples (especially the Buddhist temples) at that time.

There are two articles in Chapter Seven about dissolution. Article 33 prescribed that any religious organization guilty of the following should be dissolved on the order of the department responsible: first, those that violate laws or threaten public order or established customs; second, those that fail to conduct themselves in line with the principles under which they were founded, and fail to improve the situation within a time limit specified by the department supervising them; and third, those guilty of committing acts punishable by dissolution as defined in the regulations. Article 2 states that approval of the religions committee needs to be secured before the order for dissolution can be made. However, since administrative institutions can directly dismiss a religious organization, it is also suspected that this would still interfere with religious freedom. The first two articles, which read “violate laws or threaten public order or established customs” and “fail to conduct themselves in line with the principles under which they were founded” are not clear. This may possibly give more power to administrative institutions.

Chapter 8 (Articles 35 to 39) is about punishment to be applied to persons responsible for religious organizations that fail to declare their annual budgets, proposals and incomes from donations, or that make noise, disturb the peace, pollute the environment, occupy public facilities, dispense prescriptions, designate certain parts of buildings as religious buildings (so called “bodhimandala in the city”), threaten public security or the ordinance of environmental tranquility, and

¹⁶ Article one of *The Supervising Temples Act*, stipulates that “all religious buildings of monks, preachers and abbots all belong to temples no matter how they are named.” But an Executive Yuan interpretation defined “religious buildings” as buildings with a roof with a traditional ridge. Temple registration was impossible to achieve for buildings with non-traditional ridges. And “plotting out a part of the architecture as religious buildings” refers to mansions in cities or one floor of apartments. (As land in the cities was not easy to obtain, many Buddhist temples were situated on one floor of a building. These temples therefore were not able to gain the certificate of registration as temples or to become places where legal religious activity took place.)

those that have not applied for foundation according to the legal system yet still accept donations. Chapter Nine consists of supplementary articles. Article 40 stipulates that religious organizations have to apply to the government department supervising them when they set up religious training institutions, and Article 41 states that they are required to supply ossuary towers with the remains of the late priests, registered disciples or their relatives. Ossuary towers of this type are to be regarded as religious buildings. Article 42 stipulates that religious organizations or places providing for spiritual propitiation without approval from the government may not accept donations from their disciples or members. Article 43 states that the hiring of administrative staff by religious organizations should be carried out in line with the Labor Standards Act.

In the articles in these pieces of legislation there is far less evidence of political motives and strict controls as compared to those in the former *Draft of Temples and Churches Act* and *Draft of Protection of Religions Act*, and this is due to the end of Martial Law in Taiwan and changes in the political climate. Instead, the basic idea behind the new legislation is to clarify the legal status of religious organizations, to put all religious organizations under the supervision of a single government department, and to give religious organizations the status of “non-profit foundations.” In addition, the new law intended to solve many practical problems, such as classifying all bodhimandala in the city and ossuary towers as religious buildings. There are, of course, still some similarities between the old and new laws. For example, Articles 7 and 15 stipulated that anyone convicted of custodial sentences or who is subject to any disciplinary punishments is barred from being the originator or the delegate of a temple, a church or any religious social organization, unless said sentence or punishment has already been served. This barring also includes anyone who has been deprived of official rights that have yet to be restored. The supervising department retains the right to dissolve any religious organizations that threatens established customs or public order. The competent authorities who are actually supervising the religious organization are mainly responsible for donations and curtailing religious activities that interfere with the peace. They are also responsible for ensuring that religious organizations and places for spiritual activities cannot receive any donation if they have not registered as required by law. This draft of the law was proposed after the Song Qili event, a time when there was a push to clean up the chaos surrounding religious activity. The law had

other fish to fry, however, and also addressed some of the legislative principles more at home in the Authoritarian Period. After several revisions, the *Draft of Religious Organizations Act* by the Department of Civil Affairs became the basis for the later *Draft of Religious Organizations Act* by the Legislative Yuan.

Even so, Christian organizations such as the Presbyterian Church in Taiwan have concerns about religious legislation. A public document named "Proposals about the Draft of *Religious Organizations Act* from the Presbyterian Church in Taiwan" was released on January 25, 1999. In this document, the Presbyterian Church argued that "in order to spread religious freedom, our Church believes it inappropriate to set up legal restrictions, and unnecessary to regulate religious activities by law." The Presbyterian Churches in Taiwan put forward eight specific suggestions for the draft, including the proposal that religious organizations should be named as religious juridical persons but not financial juridical persons, and that it is inappropriate for local churches to register as religious juridical persons independently because they belong to their headquarters. The Presbyterian Church also suggested that the board of directors should be elected according to its own religious system and that the current board should not nominate the future ones. Other suggestions concerned the arrangement of land for divinity schools, the transfer of property in religions, and tax breaks for donations. The Christian churches' concerns about the draft were quite clear, but more important, they brought up the fact that there are also many issues that need to be addressed concerning Christianity, and that these require new legislation.

The idea in the past that only Buddhism needs religious legislation to solve practical problems seems problematic. In the past, Christian organizations questioned the underlying political motivation in religious legislation and robustly opposed the legislation as a result. Their attitude showed that they have never thought of dealing with their problems via religious legislation. In the past, the only law related to religions was *The Supervising Temples Acts*, which was concerned only with Buddhism and Taoism. Therefore, Buddhism has always claimed that it was unequal because Catholicism and Protestant Christianity were not subject to any restrictions. But in fact, since *The Supervising Temples Acts* is not applicable to Catholicism and Christianity, they had to be regulated by the laws for financial juridical persons. At the very least, they needed to achieve the juridical person qualification,

register their property, and be subject to punishment when necessary.¹⁷ These regulations for financial juridical persons are not suitable for religious organizations, either. As a result, Catholicism and Protestant Christianity are still facing many difficulties.

In addition to the effort made by the Department of Civil Affairs on the *Draft of Religious Organizations Act*, the legislator Xie Qida was commissioned by the monk Xingyun to sketch out the *Draft of Religions Act*. Xie worked on this draft with the prosecutors Zhu Zhaoliang and Li Zichun, as well as the legal scholar Weng Yurong.¹⁸ This project was supported by fifty other legislators. On June, 30th, 2000, in the third session of the fourth Legislative Yuan, No. 3110 Proposal of the Proposal from Committee Members, No. 1641 Proposal in the Legislative Yuan was put forward. On July 17, the proposal was submitted for review, and on July 19 a public hearing with delegates from each religious organization was held.¹⁹ Many differing views were aired during the two meetings, with no conclusion being reached, leading the president to declare that “another review shall be conducted after the MOI has come up with some solutions.”

On September 19, 2001, the *Draft of Religious Organizations Act* was approved in the No. 2752 administrative meeting of the Executive Yuan and was submitted to the Legislative Yuan for review. This marked the beginning of a new era for religious legislation in Taiwan, following the draft review by the joint committee of Civil Affairs and Ethnic Minority Affairs in the sixth session of the fourth Legislative Yuan on October 2nd. Xie Qida later failed to be re-elected as a legislator, but her draft and proposals continued to be advanced by the

¹⁷ The fact that *The Supervising Temples Act* applied exclusively to Buddhism and Taoism meant that it had violated the constitutional right of equality in religion. However, Protestant Christianity and Catholicism were actually regulated by the Civil Law and the *Monitoring Rule of Legal Entities of the Civil Affairs Ministry Business Financial Group* issued by the Ministry of Civil Affairs. Some of these rules were actually stricter than some articles in *The Supervising Temples Act*, and the article stipulating that property disposition needed to be checked and approved by the authorities concerned was the same in both *The Supervising Temples Act* and the *Monitoring Rule of Legal Entity of the Civil Affairs Ministry Business Financial Group*.

¹⁸ In the related paperwork of the bill of the Legislative Yuan, the draft of Religious Law put forward by Xie Qida mentioned that the initiation of the draft was actually commissioned by Xiyuan. Xing Yun also mentioned this point.

¹⁹ The public hearing of the Third Session of the Fourth Home and Nations Committee (on Religious Law) includes its statements in the minutes of the Home and Nations Committee of the Legislative Yuan based on the public hearing held by the *Law Governing the Legislative Yuan's Power*.

two Democratic Progressive Party legislators, Qiu Taisan and Qiu Chuangjin, in competition with the alternative draft put forward by the MOI (Lin 2001).

In the General Introduction of the *Draft of Religious Organizations Act*, it is pointed out that

[A]pplicable laws vary from different organizations and religious organizations may be supervised by the Department of Civil Affairs or by the Department of Social Affairs, so the regulating system of religious organizations is complicated and is relevant to several governmental departments. After examination, *The Supervising Temples Acts* was found to be the only law specific to religions. This law is exclusive for Buddhism and Taoism and was created within a different social climate to the present one, making it irrelevant to today's needs.

We can see from this that the facts that the same legislation was applied unequally to religions, that different government departments were responsible for different religions, and that there are differences in the past and present social context have together necessitated the creation of new legislation and have been the motivation behind the creation of religious legislation in the past. Although there have been many attempts to draft such legislation in the past, each attempt has been confounded by the difficulties surrounding whether the laws have constituted an obstacle to religious equality and the freedom of belief. The inherent differences between the different religions have also made legislation difficult.

The point here is that religious legislation is considered to violate religious freedom, which is protected by the Constitution. Since Taiwan is a multi-religious society, all religious organizations are expected to follow the same set of laws, which does, however, cause all kinds of difficulties. The latest moves in the direction of legislating religious laws were motivated by the rise of religions throughout Taiwan, certain controversies surrounding religious organizations, and the subsequent public debate that they have instigated, as well as the need to unify the legal framework for regulating religions. It was against this backdrop that the *Draft of Religious Organizations Act* was created.

The new version of *Laws of Religious Organizations* is composed of seven chapters and thirty-seven articles. There are six articles in the first chapter "General Provisions," which clearly sets out the purpose of the law, supervising departments, properties, and types of registration certificates and seals. Chapters Two to Four (Articles 7 to 17) are entitled "Temples and Churches," "Religious Social Organizations," and

“Religious Foundations” respectively. The content in these three chapters is similar to the former draft versions. There are three forms of religious organizations in Taiwan. After religious organizations are recognized as “religious juridical persons,” they will come under the supervision of the same government department. Chapter Five “Property” (Articles 18 to 26) is mainly concerned with registration of property and possessions of religious organizations and their sanctions, accounting procedures, the final calculation, and all tax-free regulations. The only two articles in Chapter Six, “Religious Architecture,” together with Articles 32 and 33 in the supplement of Chapter Seven, deal with long-lasting problems in the religious field, such as bodhimandala in the city, the multi-functions of bodhimandala, the laws for and academic certificates of research institutions of religious doctrines (like divinity schools and Buddhist schools),²⁰ and the problems of ossuary towers attached to temples.

As we have seen, the *Draft of Laws of Religious Organizations*, approved by the Administrative Yuan in No. 2752 meeting on September, 19, 2001, is based on the *Draft of Laws of Religious Organizations* proposed by the Department of Civil Affairs. What makes it different from the previous drafts was the full participation of religions in its drafting,²¹ a fact that means that it is the most highly regarded version, despite the fact that some objections remain (Lin 2001).

²⁰ Although the *Draft of Law on Religious Groups* had not been passed, the amendment of the ninth article of *Law of Private Schools* was passed on March 23, 2004. The first item of this article stipulated that “in order for private universities and colleges or religious legal entities to cultivate priests or religious workers and to award them their degrees, they may apply to the Ministry of Education based on related laws; if checked and approved, they may set up religious training schools.” This problem has been solved. In 2006, Fo Buddhist Training School of Guang University set up by Jingyun was checked and approved by the Ministry of Education. It contained the Department of Buddhist Teaching. Thus, Fo Guang University became the first comprehensive university that applied to set up a Buddhism school. On April 8, 2007, Dharma Drum Buddhist College, the first college that registered with the Ministry of Education as an independent institute was established and recruited the first batch of candidates for Master’s degrees in August 2007. Dharma Drum Buddhist College is located in Jinshan Township of Dharma Drum County, and was established by Shengyan. Its predecessor was the Chung-hwa Institute for Buddhist Studies. Chang Jung Christian University established by the Presbyterian church applied to the Ministry of Education in March 2007 and was approved to set up the Christian Training College. It began to recruit students in 2008 and became the first Christian Training College in Taiwan and included a Department of Christian Teachings.

²¹ JinXin (2001) thought that since this draft was initiated by the religious affairs committee, it should be considered a people’s draft. However, since certain views of the Ministry of Finance and the Executive Yuan had been added to the committee, it was actually half public and half official.

On September 15, 2000, the MOI established a religious affairs committee, and its first meeting was held. In the meeting, a panel of six was elected as the legislative group. They would conduct research on the necessity of religious legislation and its content. After the meeting, the panel admitted that though some problems had been solved as a result of the improved administrative policies, other problems still existed, such as land appreciation tax, Buddhist bodhimandala in the city, attached ossuary towers and so on. Further regulation was required to address these problems, and every article in the *Draft of Laws of Religious Organizations* previously proposed by the Department of Civil Affairs was discussed and revised,²² then submitted to the religious affairs committee for further deliberation. The six members of the committee examined and revised the *Draft of Laws of Religious Organizations* in meetings held on November 20 and December 12. Then the committee invited the heads of the construction and planning agencies, the relevant ministries, and the taxation agency of the Ministry of Finance to join the meeting. After the examination of each article, the *Draft of Laws of Religious Organizations* originated by the Department of Civil Affairs became the early stage of the *Draft of Laws of Religious Organizations* proposed by the Legislative Yuan. Considerable revision had been made to the two versions of the *Draft of Laws of Religious Organizations*.

At the very beginning, the *Draft of Laws of Religious Organizations* was proposed by the administrative department for the main purpose of clarifying the legal status of religious organizations and to solve practical problems in religions. However, most of the problems are related to regulations proposed by other official departments, although none of the articles is actually concerned with religious organizations or behavior. Article 30 was the only one in the whole *Draft of Laws of Religious Organizations* about crimes committed by religious juridical persons, namely fraud, intimidation, gambling, violence, interference with customs and sexual independence. Punishments for those crimes are as follows: "first, the person shall be relieved of the post of juridical person, board member, trustee and supervisor; second, the certificates of registration and foundation shall be repealed." (The actual punishments have since been revised by the Regulation

²² These amendments are generally speaking carried out in accordance with the amendments put forward by Taiwan Christian Presbyterians and the China Buddhist Temples Association.

Committee of the MOI.)²³ However, “the punishment should be approved by the religious affairs committee, and can be carried out only if more than two thirds of the committee members attend the meeting, and more than two thirds of the committee members present in the meeting approve the punishment.”²⁴

As a result, when the draft was confirmed by the religious affairs committee of MOI and sent to the same regulation committee of MOI, it was derided as “Laws of Awarding Religions” or “Laws of Religious Welfare.” The draft fell short of the expectations of both the public and the administrative department, and failed to achieve the idea of “social control” for religious groups.²⁵ Some scholars pointed out that once the *Laws of Religious Organizations* was approved, the administration of religions in Taiwan would be the same as being supervised by the Office of Commissioner, which would fail to serve the original purpose of religious legislation (Hang 1989, Jiang 1990). For this same reason, all of the amended and additional articles that came out of the discussions by the religious affairs committee and the revisions by the Administrative Yuan in March 2001, were designed to reinforce

²³ This article was added because of the following reasons: first, one of the members argued that the draft had not touched upon the religious disorder in society; second, it had been the case for a long time that disciples were trapped into losing their money and being accused of sexual offenses in so called “spiritual places.” “Fraud” here means cheating for money in the name of religions, and “interference with proper customs and sexual independence” here means offending disciples sexually in the name of religions. Gambling refers to the Mark Six and poker in some temples and shrines.

²⁴ The religious affairs committee is regarded as an organization that succors the needy, as in the Japanese *Laws of Religious Juridical Persons*. When an administrative office imposes unfair punishment on religions, it must be approved by such an organization that helps the needy. But in terms of functions, this is different from the Religious Deliberation Committee, whose approval must be gained if a new religion is to be founded.

²⁵ For example, Jin Xin (2001) claims that this draft has formulated no articles to stop activities by malevolent religious organizations and no articles concerning the separation of politics from religion. Xing Yun (2001) also agrees that the government should provide a clear definition of malevolent religious organizations. We can see here that Jin Xin’s understanding of the separation of politics and religion is flawed, because in a society in which the two were separated there would be no laws in which “malevolent religious organizations” were defined and their activities are banned. Since “A letter concerning toleration” by John Locke, the question whether it is right or wrong for government and state powers to interfere with religious beliefs has emerged, and the separation of politics and religion seems to protect religious freedom. What Jin Xin means by the separation of politics and religion refers to the popular understanding of “pay to Caesar what belongs to Caesar and to God what belongs to God.” That is to say, religious organizations should not interfere with each other or participate in political activities.

administrative supervision. For example, Article 31 prohibits religious juridical persons from benefiting from tax breaks if they have broken the law. Another example is Article 35, which stipulates that

[S]upervising offices in municipalities directly under the central government and provinces are required to list all individuals or organizations who have not registered as religious juridical persons according to the law but often participate in religious activities in the name of religious beliefs. They are also required to provide them with relevant guidance and supervision. The guidance and supervision shall be governed by regulations formulated in each municipality and province concerned.

This article is aimed at addressing the long-standing problems concerning the supervision of private bodhimandalas in all cities. The municipalities and provinces were now empowered to supervise them with regulations of their own.

*Review and Major Controversial Issues of the Draft of
Law of Religious Organization*

From the latter part of 2001, the draft of the Religious Law proposed by Xie Qida was delivered to the Legislature, and the draft Religious Organizations Act by Executive Yuan was handed over to the Legislature. The draft of Religious Organizations Act was then given priority status for review in the fourth (2001), fifth (2002–2004), and the sixth (2005–2007) Legislatures. However, it has yet to be passed, and remains at the first reading stage.

During this period, legislators Shen Zhihui of the People First Party (PFP) and Huang Shaoshun of the Nationalist Party (KMT) proposed drafts of the Religious Organizations Act, in the fourth and fifth conferences of the Legislature, respectively, although there was no significant difference between their drafts and that of the Executive Yuan. The draft proposed by Xie Qida in the fourth conference was raised by Qiu Taisan of the Democratic Progressive Party (DPP) and Qiu Chuangjin, also of the DPP, in the sixth conference. This draft was placed in competition with that of the Executive Yuan. In general terms, Xie Qida's version, as proposed by Qiu and Qiu, was simply too ambitious, seeking an overhaul of religions in Taiwan through legislation. Their version was very theoretical and advocated the "rationalization of institutional religion," the "institutionalization of folklore

religion,” and the “normalization of newly-developing religions.” Some of the articles are extremely detailed and highly prescriptive compared to those of the Executive Yuan’s draft, which were more accommodating of the status quo and more interested in practical solutions to problems faced by religious groups. The Executive Yuan version was far more amenable to tax breaks for religions than the alternative versions, and articles related to this issue were strongly contended during the review period of the fifth and sixth conferences of the Legislature, as legislators doubted the inherent fairness of excessive tax breaks for religions.

According to Article 8 of the Law Governing the Legislative Yuan’s Power:

[T]he proposal is read loudly in first reading by the chairman. The proposal proposed by government or the proposal of law by legislative committee members should be first sent to the Procedural Committee. After the House Committee has read the title, the proposal is delivered to the related committee members to examine. With the proposal by some committee members present and over twenty members’ signatures or seconding the motion, then the proposal can go to the second reading.

Article 9 stipulates that the second reading procedure should be as follows:

[T]he committee members discuss the examination of the proposal or the proposal which goes to the second reading with the permission of House Committee. In the second reading, the proposal should be read loudly and should be discussed in sequence or one article after another. The members should have broad discussions about the examination, views and the essence of the proposal. After the broad discussion, with the proposal by some committee member present and fifteen members’ signatures or seconding the motion, then the proposal has to be examined again or repealed.

The procedure for the Legislature to examine a proposal can be known through the articles. The proposal is delivered to the House Committee and the House Committee decides to hand it over to some committee member or a group of members to examine the articles one by one, and they should propose an examination report in the second reading. In the second reading meeting, they can have broad discussion about the examination report. If the report is accepted, they will discuss it one article after another. After the content of the proposal is affirmed in the second reading, the proposal is sent to the third reading in which the words are revised and the proposal is voted upon by all of the

members of the Legislative Yuan (Article 11). If the proposal passes to the third reading, then the legislative procedure is over.

On October 30, 2001, Article 13 of the Law Governing the Legislative Yuan's Power was revised and stipulated "when the term of each legislative committee member is full, with the exception of cases pertaining to budgeting, final versions and people's petitions, unresolved proposals shall not be examined by members of the next conference." This came into effect for the fourth conference, from which time, when it came to reviewing legislation, the new rule was that: "proposal reviews shall end when the term is over." That is to say, even though the proposal goes into the period of second reading, once the legislative committee members are reelected, the next term must examine the proposal from the first reading procedure rather than continue from the second or the third reading. In the third meeting of the sixth session in the fourth conference, the Executive Yuan sent letters to examine the draft of the Religious Organizations Act. The Legislative Yuan delivered it to the Interior and Ethnicity Committee to be examined together with the related proposal (that is, Xie Qida's draft of the Religion Law). However, as the Fourth Legislature was soon to be re-elected, the draft of Religious Organizations Act would have to be reexamined.

From March 2002, the Executive Yuan's version, Qiu Taisan's version, Shen Zhihui's version, and Huang Chaoshun's version gradually came into the Legislative Yuan and were examined by the joint meeting of Interior and Ethnicity Committee and the Finance Committee. The proposal was first examined in the reading procedure in the fifth conference. The different articles in the Executive Yuan version and Qiu Taisan's version immediately went into party negotiation. If no agreement was reached in the negotiation, the articles were to be kept. Among the thirty-seven articles of the Executive Yuan version, nineteen articles passed, two articles passed after revision, sixteen articles were retained. The retained articles concerned the religious affairs committee, property management and punishments. Because no results came out of party negotiation in first reading, the draft of the Religious Organizations Act came into the second reading procedure before the Fifth Conference ended. However, the results were "to dispose after negotiation."

In March 2005, different versions of the draft of religious legislation were handed over to the first session of the Sixth House Conference in succession. They were examined by two joint meetings of Interior and

Ethnicity Committee members and Finance Committee members on May 19. The examination of the proposal was more difficult in the Sixth Conference. The differences between the Executive Yuan's version and Qiu Chuangjin's version were still there without any space for negotiation. Among the thirty-seven articles of the Executive Yuan's version, only twelve articles passed, and another article passed after revision. The remaining twenty-four articles were related to the religious affairs committee, temples, property, religious architecture and supplementary articles. The drafts had an opportunity to enter the fifteenth meeting of the third session in the Sixth Conference on May 26, 2006, but the decision of the conference was "to dispose of after negotiation." After that, the Religious Organizations Act did not go into its second reading because there were too many drafts for the house to examine. In January 2008, the Legislature was reelected. On March 7, 2008, in the third meeting of the first session in the Seventh Conference, the Executive Yuan wrote letters to ask for examination of the draft of the Religious Organizations Act. The conference decided to hand it over to the Interior Committee to examine, meaning that the draft went back to the first reading stage.

As has been mentioned previously, the draft of the Religious Organizations Act was instigated by the "Song Qili Event" in 1996. Despite this, it failed to regulate against the registration and establishment of newly developing religions. Unlike the period of Martial Law, there were no articles with a political agenda. The draft, however, was not completely devoid of controversy, so it still went through several meetings in the Legislative Yuan and was not passed. With the stipulation from the Fourth Conference that "the draft will not continue to be examined when the term is over," it became even more difficult to pass the proposal. However, compared to the previous drafts, the focus of the controversy was no longer on the political level, but stemmed from the administrative level, although the controversy concerned religious freedom. This point can be found in Article 19 of the draft of the Religious Organizations Act.

Article 19 of the September 2001 version of the draft of the Religious Organizations Act stipulated that "the management of the property and funding of religious juridical persons should be supervised by a competent administrative department. The supervision methods shall be regulated by the central administrative department." Also, "the real estate of religious juridical persons cannot be dealt with, changed or otherwise decided without the permission of the competent

administrative department.” According to the regulations, if the temple or church belongs to a religious group, the real estate should be dealt with upon the agreement of those belonging to the religious group. According to the regulations, the juridical person can be classed as either a self-regulated or a regulated juridical person. Associations (organizations of people) exist as self-regulated juridical persons because they have members. Legal bodies of financial groups have no members, with the board committee being the executive department. So most of these financial groups are regulated juridical persons and receive external supervision from the competent administrative department. This draft stipulates that the property of the religious group must be handled with the consent of the competent administrative department. That means the religious group is taken as a regulated juridical person and receives external supervision of the competent administrative department so that the large property of the religious group may be used properly (Lin 1997).²⁶ Similar articles existed in The Supervising Temples Act.²⁷ The only difference was to change “church it belongs to” into “the religious group it belongs to.”

On February 27, 2004, because some temples sought a ruling directed against Article 8 of the present Supervising Temples Act, the Council of Grand Justices released ruling no.573, saying:

Article 8 stipulates that temple punishment, change of its real estate and legal property not listed in Article 3 in the The Supervising Temples Act should be decided by the church and permission applied for to the Executive Yuan officer. Regardless of whether the religious organization is self-regulating or not, and irrespective of differences in their internal management models, both the right to self-govern and property handling rights have been restricted. However, the restriction of the rights of self-regulation and property management of the religious groups has, to some extent, hindered religious activity. The regulation that requires applications for the permission from the Executive Yuan officer in fact

²⁶ Before Aum Supreme Truth’s sarin gas attack, in Japan’s “law for religious juridical person,” the competent administrative rights were limited. Basically the religious groups were completely self-regulated. The goal of self-regulation was achieved through the “announcement” in the regulations of religious juridical person. After the Aum Supreme Truth incident, the law for religious juridical persons was revised and several rights were granted to the competent administrative department, giving it more powers to regulate.

²⁷ Article 8 of the The Regulation of Supervising Temples stipulates: the real estate and legal property of the temple cannot be dealt with or changed without the temple’s decision and the permission of the administrative officer.

violates the legal principle of clarity. The requirement of getting permission from the Executive Yuan officer conflicts with the principle of the people's constitutional rights of freedom. According to Article 1 and the first clause of Article 2, the objects regulated in Article 8 can be applied only to certain religions. This is contrary to the constitutional principle of separation of church and state and the principle that all religions are equal. The stipulations of Article 1 and the first clause of Article 2 will be valid from the declaration of the ruling and will be invalidated after two years.

This part of the ruling points out that the competent administrative department's examination of the property handling of the religious group has, to some extent, hampered the way that religions conduct themselves.²⁸ There are no clear regulations for the application procedure and conditions for the granting of permission. Article 13 of the draft of the Religious Organizations Act has similar problems. The ruling shows that putting control in the hands of the Executive Yuan has violated the constitutional principle of religious freedom. That is to say, although the laws and articles do not directly interfere in the spiritual aspect of religious group, interference in the secular aspect of the religious group may even threaten religious freedom. The topic of the minimum regulation of the secular aspect of the religious groups is a controversial one, and needs further exploration.

Conclusion

This chapter first discussed the current legal status of religions in Taiwan and the three types of legal status for religious groups. At present, the law governing religion is the Regulation of Supervising Temple, which was made in early Republican China in 1929. The main spirit of this act is to supervise the property of the temple and protect it from being taken by force and put to improper use. This law applies only to Buddhism and Taoism, which violates the constitutional principle of religious equality. On the other hand, there is a large distance between

²⁸ In answer to criticism of the proposal "the regulations which should be applied for the Executive Yuan officer for permission in fact violate the principle of clarity in laws," the Executive Yuan added three items to Article 19 when the draft of the Religious Organizations Act was delivered to be examined to the Sixth Legislature Conference. These included the ideas that "the voting table should be attached to the first permission, and the examination procedure and other procedures to be followed are made by the central competent administrative department."

the Regulation of Supervising Temple and the actual status of temples in Taiwan. Therefore, from the 1950s to 1980s, the Taiwan Provincial Government and the Ministry of Interior applied a number of interpretations at The Supervising Temples Act. Many of the articles of the Act were in fact not implemented. The Executive Yuan created chaos in the religious system by introducing ideas such as “managers” and “general assemblies of adherents.” Therefore, from the 1960s to 1984, in order to solve inequality among religion and apply the same law, the Ministry of Interior proposed a succession of drafts of religious laws. These drafts were full of attempts to introduce a political agenda and failed to deal with the real issues, so these efforts were frustrated and ultimately fruitless.

After that, despite that the Ministry of Interior continued investigating and drawing up religious law, commissioning academics to look into the problem, nothing really happened until the Song Qili scandal of 1996. This finally instigated a sufficient call for reforming the chaotic status of religions. The proposal of the draft of Law of Religious Organizations represents a new era in religious legislation in Taiwan. The Law of Religious Organizations succeeded in achieving the goals of previous laws—for example, ensuring that all the religions were subject to the same law, but fell short of being an overall supervising law. The Law of Religious Organizations required the three types of religious groups to identify their status as a religious juridical person. The identification of the status of religious juridical person became its main goal, and the settlement of the actual issues in temple, church and religious groups became its other goal. Therefore, those who worried about the political agenda and attempts at control found in earlier religious laws, such as Christian and Catholic organizations, were satisfied with the new legislation. Buddhist circles realized that the current problems in Buddhism could not be solved through the abolition of the Regulation of the Supervising Temple. Problems such as locations for preaching in cities and attached ossuary towers and Buddhist colleges could be solved only by the Law of Religious Organizations as a “special law.” They even believed that only the Law of Religious Organizations was capable of protecting religious circles.

Religious legislation in Taiwan is generally called “religious law,” but in fact, it can be divided into “religious law” and “law for religious juridical persons” according to the actual nature of the legislation. Religious law refers to the law that regulates the organization and behaviors of religious groups. Law for religious juridical persons gives

consideration to religious groups, which are both “assembling of people” and “assembling of property.” Law for religious juridical persons grants the status of juridical person to the religious groups and subjects them to certain rights and responsibilities. Therefore, in an attempt to separate the secular from the spiritual, the legislative goals of the law for religious juridical persons are: not to interfere in the spiritual aspects of religious groups, such as their teachings; to respect freedom of religious faith and the self-government of religions; and to set minimum regulations on the secular aspects. The draft of the Law of Religious Organizations was like the law for religious juridical persons in terms of its nature and goal, but in the chapters on “property,” “religious buildings” and “supplementary articles,” it had the air of being a special law attempting to solve problems by abolishing the current regulations in order to give religions more tax breaks. The current Executive Yuan made no attempt to regulate religions in terms of morality, seeking regulation instead through juridical means under the framework of existing legislation. This was seen in the case of the Song Qili scandal.

So far the religious circles have realized that even though the spiritual side of religion should not be regulated by secular policy or law, it is necessary to set up religious laws for secular aspects such as real estate, tax, finance, and sites for preaching their doctrines in cities, as well as ossuary towers, Buddhist colleges, and the granting of the identified status of juridical person to the religious groups. This separates the spiritual and secular aspects of religion. The legislation is only directed toward the secular aspect of religions and the regulations are kept to a minimum (Xing Yun 2001). However, the government does not interfere in the spiritual aspect such as doctrine, belief, or even the internal personnel (Lin 2001). These principles of religious legislation, originating in Japan, are the results of agreements reached between the legislators and religious circles.

During the process of drawing up the draft of the Law of Religious Organizations, the government let the religious circles participate through the Ministry of the Interior’s religious affairs committee. This had the effect of greatly reducing voices of opposition. This does not mean that there were no objections at all; rather, it means that the controversy over obstacles to religious freedom moved from the political level to that of the administrative level. However, despite the removal of the political agendas, the legislation of the Law of Religious Organizations still proved to be quite difficult. One of the major reasons for

this was change in the examination process for proposals by the Legislative Yuan. Another reason was the existence of competing versions. It is worth pointing out that the version proposed by members of the Legislative Yuan in the name of “fairness” was quite constraining in some aspects, such as property and tax, especially compared to the version proposed by the Executive Yuan. We are still faced with the fact that the legal status of temples and religious groups remains unclear. Religious policy of the government has become more open, new religious groups are more able to function, and several articles of the Regulation of the Supervising Temple have been interpreted by the Council of Grand Justices as violations of the constitution and subsequently invalidated. Hence, there are still many challenges for the religious legislation in Taiwan.

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CHAPTER SIX

DEVELOPING A HISTORICAL SOCIOLOGY OF NATIONALISM AND STATE SECULARIZATION IN LATIN AMERICA

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Debates about “secularization” have been productively revisited in recent years (Martin 1991, Casanova 1994, 2006, Dobbelaere 1999, 2002, Smith 2003, Blancarte, 2008, Gorski and Altınordu, 2008). Most of the founders of sociology believed in one or another version of secularization theory, though they differed considerably in whether they took the phenomenon to be linear and inevitable or contingent, what they took “religion” and thus “secularization” to mean, and what they took to be its main causes (e.g., Weber 1958, Comte 1998). As sociology developed in the middle of the twentieth century, most scholars continued believing in secularization (Parsons 1963, Berger 1967, O’Dea 1967), though again the phenomenon was conceptualized and explained by scholars in very different terms (the gamut running from simplified versions of “modernization theory” to complex theories of differentiation to Berger’s synthetic approach in *The Sacred Canopy*).

By the late twentieth century, a “new paradigm” drawing on rational choice theories arose (Warner 1993), rejecting secularization and arguing that increasing religious pluralism (a typical component of “modernization” as conceptualized by most) *increased* religiosity (Stark 1999, Finke and Stark 2003). Partially in response to this paradigm, but also to the failings of some earlier theories of secularization, scholars began to draw more clearly either (a) different conceptualizations of

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secularization (Casanova 1994, Chaves 1994, 1997) or (b) different *levels* at which secularization can possibly take place (Doebelaere 1999, 2002). Both of these developments led in a similar direction: the analytical separation of possibly related processes and temporary, strategic agnosticism about the relationships between those processes. A conclusion reached by many has been that a renewed focus on “macro-level” (Doebelaere) secularization or “institutional differentiation” is needed. At the same time, recent scholars (Gorski 2003, Smith 2003) have emphasized the need to treat secularization in historical terms, meaning, in part, treating it as a contingent process produced by and partially subject to the (structurally-constrained) choices and strategies of actual, empirically-discernible, social actors. What this suggests is a comparative-historical sociology of institutional differentiation, with a focus on the differentiation of the state from religious organizations.¹ As pioneering works by Martin (1978) and Casanova (1994) would suggest, this means both (a) attempting to discern general causes of institutional differentiation and (b) trying to locate and then explain distinctive paths that secularization can take in different societies and times.

Despite some discussion alongside other cases by Martin (1978, 1990) and Casanova (1994), little comparative work has been done on secularization processes in Latin America, particularly over the *longue durée*. Sociologists of religion and scholars in cognate fields who are interested in Latin America have focused on an array of questions, such as the causes and consequences of religious pluralism and the rise of Protestantism (and especially Pentecostalism) in the region (for example, see Martin 1990, Stoll 1990, Gill 1998, 2008, Smilde 2007) or on linkages between religion and economic development and/or democracy and democratization (for example, Freston 2008).² This work is very important, and it must be noted that much of it is relevant to a consideration of the question of secularization in Latin America. However, there is a need for the sociology of religion in Latin America to take a longer-range historical view and to analyze basic underlying

¹ It is of little difference whether or not this process is characterized as “secularization” or simply as the transformation of religion’s place in society (Lambert 1999, Gorski and Altinordu 2008).

² There has been a huge outpouring of writing by social scientists and historians on religion and Latin America in recent years. The vast majority of this work cannot be considered here. For an important work by an historian bearing on questions of secularization, see Voekel (2002).

processes of differentiation so as to understand the long-range horizon in which these developments are rooted.

Recently, Latin American scholars working predominantly in a different tradition—the French school of studies of *laïcité* exemplified by Rene Remond, Jean Bauberot, Elisa Cardenas Ayala, Roberto Blancarte, and others (Cárdenas Ayala 2007, Blancarte 2008)—have begun to lay the groundwork for the comparative analysis of church-state relations in the region. Importantly, Cárdenas Ayala has called for a “comparative history of secularization in Latin America” (2007: 197). This chapter aims to make some preliminary claims so as to contribute to this broader project.

*What Historical Sociology of Nationalism and State Secularization
in Latin America Must Do*

Given the relative paucity of rigorous comparative studies³—though there are many excellent historical works on religion and the state in specific Latin American countries⁴—a comparative-historical sociology of secularization in Latin America is a major undertaking. Any such effort should aim to do at least the following:

1. Explain the fact that the entire region of Latin America in the post-colonial period—much like Europe in the eighteenth and nineteenth centuries and parts of Africa, the Middle East, and Asia during the wave of anti-colonial revolts and national state consolidation in the twentieth century—sees considerable (though not total) movement toward the secularization of the state. Precisely because Latin America has not been studied as closely by most secularization theorists as the European and North American cases, this allows us an opportunity to revisit questions of causality in secularization processes, with Latin America potentially serving again as what Centeno and López Álves (2001) have called the “other mirror,” showing us some of the limitations of existing theories.

³ For a notable exception see Lynch (1986).

⁴ For examples see Blancarte (1992), Ivereigh (1995), and Donis Ríos (2007). Cf. Levine’s (1981) important comparative analysis of Colombia and Venezuela in the 20th century and Mecham (1966), an indispensable source for the comparative analysis of church-state issues, for an overview of specific countries in the region.

2. Describe and plot the various divergent paths through which Latin American states were secularized. While some scholars treat Latin America as having exhibited a single, common pattern, there has been and remains considerable variation in the timing, extent and form of state secularization in the region (Lynch 1986).
3. Attempt to explain these variations in paths of state secularization. For example, why do some cases see rapid early gains by the state *vis-à-vis* the church, and why do others see more pronounced radicalism later on in their modernization trajectories?
4. Reconcile the broader explanatory account (task 1 above) with the secondary explanatory account (task 3), either by (a) showing that empirically discernible differences in the main explanatory variables used for task 1 account for the differences between historical paths or (b) showing that some other variable(s) mediate between the core causes of state secularization and outcomes in distinct cases.

The project that I am developing aims to accomplish these four tasks as follows:

1. By testing the hypothesis that the emergence of national identity is a key cause of state secularization (Greenfeld 1996b, Eastwood and Prevelakis 2010).
2. By tracing four main stages in the history of post-independence Latin American church-state relations, and finding three main paths that cases have taken via those four stages.
3. By explaining variation in path-determination in relation to several main variables: a. the timing and intensity of the emergence of national identity, b. the organizational strength of the church,⁵ c. the organizational strength of the state, d. the nature of political alliances and conflict within the elites who control the state, the military and the church at an important “critical junctures” (Collier and Collier 1991); and e. the strategic situation created by the resolution of previous-stage conflicts in each case. In so doing, it addresses both tasks 3 and 4 above.

This chapter aims only to lay the groundwork for such a project, hence claims and arguments made here are provisional.

⁵ Lynch (1986: 562–63) is especially attentive to this factor.

The case for the plausibility of the hypothesis that nationalism is a likely cause of secularization more generally has been made elsewhere (Greenfeld 1996b, Eastwood and Prevelakis 2010; see also Zubrzycki 2006). In essence, it rests on the following assumptions, elaborated here:

- a. national identity, following Greenfeld's (1992, 1996a) definition (see also Anderson 1991, for a definition that overlaps to a limited extent), holds that "the people" are "sovereign" and thus the basis of legitimate authority;
- b. religious political societies (i.e., political societies not characterized by pronounced differentiation) rest upon a series of legitimations that resort to "transcendent" sources;
- c. political entrepreneurs in newly national states are likely to seize on this difference in legitimizing authority in efforts to "outcompete" other aspirants to power;
- d. existing relationships between political institutions and other institutions—that is, the broader network of institutions rooted in the public sphere—depend in turn on old legitimizing modes;
- e. when the relationship between those institutions and the state is historically competitive (and this is certainly the case in the history of European and Latin American church-state relations), transformations in conceptions of sovereignty change the rules of competition, allowing those who hold state power to redouble their efforts to outcompete alternative institutions.

Stages in the History of Latin American Church-State Relations

This study defines the four main stages of church-state relations in Latin America as follows: A. Initial Conflict, B. Radicalization, C. Recovery, and D. Acceptance of Pluralism.⁶ The stages are set out here as ideal types, and it is important to note that not only do different Latin American societies follow different paths through these stages, but that some also deviate markedly from ideal-typical expectations. By viewing the

⁶ The conceptualization of this final stage is much indebted to José Casanova's (1994) analysis of religion's confrontation with modernity. The approach more broadly is indebted to David Martin's path-breaking work (1978). The various paths through which the stages developed here are traversed could be considered variations on Martin's "Latin pattern" (2005: 70–73).

historical trajectories of discrete cases against this background, however, we can see the actual patterns of the paths they evidence.

There are many ways in which one can periodize the development of politics and religion in Latin America depending on one's analytical goals. Gill (1998: 19–40), for example, periodizes the history of Latin American church-state relations somewhat differently from what I do, though also in four stages: 1. "Christendom" (conquest through the early 19th century), 2. "Breakdown of Christendom" (19th century), 3. "Neo-Christendom" (late 19th century through the 1950s), and 4. "The Emergence of the Progressive Church" (1960s to the present). Dussel (1981) offers a more specifically periodized 10-stage typology. Levine (1981: 83) finds four stages in the development of Colombian Bishops' social thought in the 20th century alone.

To some extent, my conceptualization of stages in the history of Latin American Church-State relations overlaps with these, but here the purpose is to isolate the major points of conflict and resolution, viewed from the perspective of both of the major institutions involved. Any such stage theory as this runs the risk of implicit teleology. No such teleology should be seen here. It is not a given that a Latin American society would pass through all four stages. Modernity does not necessarily imply tolerance of religious pluralism. All of the cases studied have moved roughly in this direction, but not to the same degree and not in a linear fashion.

Each stage has its own conflicts that need to be worked out, and they get resolved in different ways.

The stage of initial conflict largely involves conflict over the following seven issues: 1. Will Roman Catholicism be the official religion? 2. Will the Spanish crown's rights of patronage devolve upon the national states that emerge from the wars of independence? 3. Will there be religious toleration and, if so, to what extent? 4. Will any church property be confiscated and/or will the church be forced to make loans to the state? 5. What will happen to the ecclesiastical *fueros* (the special legal privileges for church personnel)? 6. Would tithe collection continue to be allowed, and would it be optional or mandatory? 7. What would happen to the regular orders of the church and related forms of religious organization?

Upon review of the outcomes in at this stage, distinct patterns emerge. Most of the states at least nominally claim that Roman Catholicism would be the "official religion," but this meant different things in different places, and Venezuela's 1830 constitution is silent on the

question of religion's official status (Gil Fortoul 1967b: 54–55). Most states (with the exception of Mexico following the Bustamante government) claim patronage rights. Most states (with the exception of Mexico and Colombia) move toward religious toleration, though the general focus is on limited toleration of “private” Protestant worship (with “privacy” interpreted loosely in some cases), and with this taking place later in some cases (Ecuador, Peru) than others. In a minority of cases (e.g., Uruguay in 1830) one sees early a full toleration of Protestantism (Mecham 1966: 252). In most cases some confiscation of church property and/or forced loans from the church is witnessed, though not to the extreme degree that one finds in some subsequent cases during the stage of radicalization. Religious orders were often repressed during the period of initial conflict, in part because of the perception that they might be sympathetic to Spanish monarchism, and convents and monasteries experienced some limitations and closures, varying in degree and form in different cases. Tithes were abolished or made optional in a variety of cases, though in such cases the state typically picked up the tab for church operating expenses. *Fueros* encountered criticism and resistance in some cases, but endured in several largely untouched.

Within these general patterns, three main paths can be discerned. In some societies—Argentina, Uruguay, and Venezuela—one sees the state achieve relative early success in attaining its goals. It is worth noting that a. these were all *peripheral* areas in the Spanish colonial world; b. perhaps for this reason, these are societies where nationalism seems to have emerged early and forcefully (Eastwood 2006); c. *two* of the three—Argentina and Venezuela—have been singled out by Fernando López-Alves (2000: 47) as having rather strong states in the comparative context of 19th century Latin America; and d. these are all cases in which the church was relatively poor or otherwise weak (Watters 1971: 3–4, Lynch 1986: 534, 563, 568, 578). We can consider this the *Stage A State Superiority* pattern. In one major case, Mexico, a *Stage A Church Resilience* pattern is demonstrated: liberal efforts to restrict the church's organizational scope and power were, in relative terms, largely unsuccessful in the early years of independence. It is worth noting here that Mexico was, like Peru, a core society in the Spanish colonial system, and characterized by a comparatively powerful church (Lynch 1986: 534). Finally, one finds (though there is substantial variation within this group) the *Stage A Mixed Pattern* in which the church retains greater power than in cases exemplifying the first pattern but in which,

superficially at least, the state plausibly claimed superiority over the church in terms of the language of the day. Relevant cases here would be Bolivia, Chile, Colombia, Ecuador, and Peru.

The pattern in Stage A provides the context for, thus strongly influences, but does not determine, patterns in Stage B.

In general, Stage B conflict between church and state deals with a different set of issues from Stage A. Whereas Stage A revolves around general order questions of the religious nature of the society and the basic organizational points of intersection between church and state (Should they be largely autonomous powers or shall the former be subservient to the latter?), Stage B involves the state attempting to push into and gain control over a variety of secondary institutions. At issue here are the problems of secular education, civil marriage and the possibility of separation and divorce, civil registries (or civil control over registries in some cases), and civil control of cemeteries. Ongoing issues of conflict from the first stage include religious toleration in some cases as well as *fueros* (where these still exist). The stage begins auspiciously, as in the early 1850s there are a number of concordats celebrated between the papacy and select Latin American republics. But beginning in the late 1850s and through the 1880s, there is sharp conflict.

The cases that witnessed the earliest aggressive moves by the state to capture secondary institutions from religious control are Colombia and Mexico (in the 1850s, whereas in most cases this waited until as late as the 1870s and 1880s): that is, societies in which the church in Stage A was either moderately or strongly resilient. Indeed, I would argue that this very fact is what emboldens and radicalizes opponents of the Church. Interestingly, what is happening in these cases is not a state that has clearly established dominance of the church building on past gains, but efforts by reformers, once taking power, to restrict the church radically. Not surprisingly, in each society, we see a contrary counter-reaction subsequent to 1850s reforms (Mecham 1966: 125–133, 366–367).

I hypothesize that this is due to the fact that, in path-dependent fashion, both the ideological and strategic positions of church and state actors were structured by settlements of early conflicts. Path dependence (Mahoney 2000, Pierson 2000, Mahoney and Villegas 2007) is a concept used by economic historians, political scientists, and historical sociologists to refer to a particular type of relationship between historical events or processes, one in which “paths” set at

specific historical junctures change the conditions or possibilities for subsequent social developments. As Mahoney (2000: 508–509) notes, paths can be either “self-reinforcing sequences” or “reactive sequences.”

I depart slightly from Mahoney’s helpful conceptualization of path dependence. Mahoney emphasizes that path dependence as a mode of explanation is appropriate when the initial stages of an historical process are contingent and when the subsequent stages of the process exhibit determinism. He draws this conclusion from a review of the use of the concept of path dependence in economic history (e.g., North 1990). In such usage the goal is to employ the concept of path dependence to explain institutional developments that defy theoretical expectations (e.g., within the framework of classical economics, institutions that do not promote or achieve maximum utility). Mahoney (2000: 517–26) capably shows how path-dependent explanation can serve the same theoretical purpose in several major paradigmatic sociological traditions as well.

I embrace a view of human social life that requires some small modifications to this conception of path-dependence if that concept is to be used at all. Most fundamentally, I see the near infinite complexity of human societies as rendering all explanations probabilistic in character (Liebersohn and Lynn 2002). Thus in my view there is an element of contingency built into all explanations, and historical paths should not be viewed as deterministic sequences but probabilistic ones.⁷ Different elements in an explanatory strategy can provide greater or lesser degrees of certainty about the probable validity of a given explanatory element. In the case at hand, for example, there is considerable contingency built into the process of path selection (satisfying Mahoney’s first criterion). While several key variables profoundly influence the probability of path selection in Stage A (core *vs.* peripheral status in the colonial system, degree of hegemony of nationalist discourse, organizational strength of the church and the state, the political organization of landowners and the military), their relationships cannot fully explain path selection but rather leave space for the agency of political and religious leaders who make contingent choices. For example, Páez’s leadership in Venezuela (Deas 1985: 522) contrasts sharply with that of Santa Ana in Mexico, in important ways that decisively

⁷ In another piece (Mahoney and Villegas 2007), Mahoney acknowledges that a number of historical sociologists do treat historical explanations as probabilistic, even if this is not a majority view.

influence the resolution of Stage A conflict (and Archbishop Méndez's decisions in Venezuela are likewise critical here). Once Stage A conflict is resolved in one of three main ways (decisive state victory, successful ecclesiastical self-defense, or the "mixed pattern"), this exerts a strong probabilistic influence over subsequent stages. This is still very much in the spirit of path-dependence as Mahoney defines it. Without understanding the way in which the Stage A "successful ecclesiastical self-defense" pattern structures Stage B developments in a place like Mexico, it is hard to make sense out of the eventual triumph there of a French-style laicist conception of church state relations, which contrasts sharply with many other cases. In other words, initial theory would predict that the societies in which nationalism establishes itself as hegemonic earliest would be those in which the church's role in public life would be most constrained, and yet those societies (e.g., Venezuela, Argentina) by the twentieth century evidence relatively cordial relations between church and state. In short, whereas Mahoney draws a sharp distinction between the initial path determination as radically contingent and later stages as strongly deterministic, I see varying levels of contingency. What these paths do, essentially, is offer shifting structures of constraints (North 1990) that impact the strategic decision-making of individual and organizational actors. These constraints take the form of organizational resources but also discursive resources on the basis of which political claims can be made (Benford and Snow 2000).

In societies where the state was able to establish dominance, the church was less threatening to secular elites. In societies in which the church was able to defend its autonomy to a greater relative degree (even if to a very limited degree in any absolute sense), things were quite different. In cases where the state won decisive early victories in Stage A, Stage B took place later and was generally less acrimonious, not leading to out and out war (in Venezuela's Federal War, unlike Mexico's War of the Reform, religion was a relatively minor issue).⁸

The presence of clearly exceptional cases—e.g., the near-theocracy established by Gabriel García Moreno in Ecuador in the 1860s and 1870s (Mecham 1966: 141–52)—underscores the contingency of these

⁸ Although in subsequent work I intend to trace these historical paths further in time. Stage A and Stage B are the heart of the model, however, because, as Pierson (2000) and Mahoney note, path-dependent explanation puts considerable causal weight on "the early stages of an overall historical sequence," as Mahoney puts it (2000: 510).

developments. Much of the 19th century in Latin America could be characterized, in Ann Swidler's (1986) terms, as "unsettled," meaning that social structures and political institutions were not as fully formed as in other historical moments, thus more robust agency for political leaders and a greater ability of culture (religious or secular) to transform nascent and malleable structures.

I will not extensively discuss Stages C and D here due to space constraints, but will very briefly and schematically touch on the key issues so that my broader conjectural argument comes into partial focus. Both stages involve the gradual move (in most cases) from a conflictual model of church-state relations to a figurative or literal *modus vivendi*. Stage C involves the gradual relaxation of the impositions on the church imposed during Stage B. Here factors external to the narrow history of Church-State relations play an important role. In some cases (e.g., Colombia) this was a *de jure* process, as a new Concordat with the Church was reached in 1887/1888 that reversed earlier liberal assaults on that institution (Lynch 1986: 575). In others, for example Porfirian Mexico, there was *de facto* relaxation: religious orders returned, Catholic schools grew, and so forth, but without the effort to establish their return publicly and formally (Mecham 1966: 376–79, Lynch 1986: 583, Gill 2008: 151–52). In general, what one sees in the region in this period is a renewed stress on a Catholic role in education of elites (Lynch 1986: 547). One also sees through the establishment of Catholic Action, a lay movement whose purpose is to encourage Catholic social teachings' influence, the beginning of the process by which Latin American Catholics would engage with the modern, liberal state on terms that seemed to imply the acceptance of its formal neutrality.⁹ Indeed, in Stage D, which I call the "Acceptance of Pluralism Stage," we see in some cases the emergence of specifically Christian Democratic parties (e.g., Chile, Venezuela), a marked decline in the number of societies that treat Catholicism as an official religion—though in a few we do see full church-state separation, as Jonathan Fox's analysis shows (2008: 290–312)—and, in varying degrees, Protestant growth (Gill 2008: 141–46).

⁹ It is important to note that this need not imply ecclesiastical endorsement of *democracy*. In many cases, the Church is very much split on this question. What is truly in dispute at this stage is organizational supremacy (as in previous stages). On variation in national hierarchies' responses to authoritarianism, democracy and pluralism see Gill (1998).

A Closer Look at Venezuela and Mexico

As noted above, Venezuela is an exemplary case of the Stage A state superiority pattern. The state won its early struggles with the Church quite decisively (Watters 1971: 104) with important implications for later developments. Here I will present a brief discussion of Venezuela's case in Stages A and B—set against some brief discussion of the very different case of Mexico for comparative purposes—so as to flesh out the more abstract treatment of ideal-typical patterns presented in this chapter so far. Given that many readers of this volume are unlikely to be familiar with Venezuelan history, I will provide a schematic summary of the key relevant points before moving on to a more specific discussion of church-state relations.

Venezuela was among the first units in the Spanish colonial system to push for independence. After Napoleon came to dominate Spain in 1808, placing his brother on the throne, most Latin American elites declared themselves in support of the rights of their deposed king, Fernando. There was considerable confusion in the colonies about the basis for political legitimacy (McKinley 1985: 146, Adelman 2006: 143–44). Some in the Spanish-American world were perhaps sincere in their devotion to Fernando's cause while others undoubtedly used support for Fernando as a ruse through which to pursue their ambitions for independence (Gil Fortoul 1967a: 196). In Caracas, on April 19, 1810, this took the form of the deposition of the Spanish Captain-General and the establishment of a "Junta for the Preservation of the Rights of King Fernando." By July 5 of the following year, local elites declared independence and then moved to establish a constitutional republic organized along federalist lines (drawing closely on the example of the United States). At this time, they declared the patronage rights of the Spanish king to be null and void: they would not seek to claim them for themselves (Gil Fortoul 1967a: 252).

This period was dubbed by subsequent commentators that of the *patria bobia* or "foolish fatherland," largely because many came to accept Simón Bolívar's critique of it: federalism and decentralization might have worked well for the United States, but for Bolívar they were not appropriate for the conditions on the ground in Venezuela (Gil Fortoul 1967a: 324–25, Carrera Damas 2006: 98).¹⁰ By 1812, in the

¹⁰ Bolívar was not among the most important leaders at this time, these places going to older figures like the Marques del Toro and Francisco de Miranda.

face of local resistance (particularly in the city of Coro) and an invasion led by the Spanish officer Domingo Monteverde, Miranda capitulated on behalf of independent Venezuela. A tremendous and very damaging earthquake in March of that year contributed to this defeat: it was interpreted by many as divine punishment for the hubris and heresy of the republicans, an interpretation supported by many in the ecclesiastical hierarchy (Gil Fortoul 1967a: 286–87).

Subsequently the Venezuelan independence struggle would have as its greatest leader Simón Bolívar. While this is not the appropriate place to rehearse the history of these incredibly costly and bloody wars, it is important to stress that the political and ideological goals of the movement developed over time. Bolívar and his associates were ultimately supporters of a broader image of the nation (Eastwood 2006) and aimed to create a nation-state comprised of today's Colombia (then Nueva Grenada), Panama (then also a part of Nueva Grenada), Ecuador, and Venezuela. At the same time, Bolívar's thought moved in a direction that some critics then and since have seen as increasingly authoritarian. He stressed that the weak and decentralized state of the *patria boba* was inappropriate to 19th century Latin American conditions, and argued for a more authoritarian and centralized system modeled partly on the British state (Gil Fortoul 1967a: 408–13).

Colombia would be formally called into existence at Angostura in 1819 and given constitutional form at Cúcuta in 1821. Once the independence of Colombia seemed more or less secure, at least in the short term, Bolívar went on “liberate” Peru, producing the states of Peru and Bolivia. While he was away, however, the Colombian experiment began to come apart. The reasons for this were many. First, as Gil Fortoul (1967a: 612–13) stresses, Bolívar's authority (in the Weberian sense) far outshone any other and was an important component of the plausibility of the Colombian project. His temporary but extended departure left an authority vacuum that was filled by political entrepreneurs like Vice President Santander in Bogota and José Antonio Páez in Venezuela. By 1826, Páez had essentially wrested control of Venezuela from the fledgling administrative apparatus of Colombia. Bolívar returned to re-assert control, but by 1828 it was clear that the Colombian experiment was in great distress, and Bolívar's effort to shore it up via dictatorship failed. In 1830, Venezuela (and Ecuador) became independent.

The next 18 years—a period known to commentators as that of the “conservative oligarchy”—would largely be dominated by Páez.

He served the first presidential term, and then the intellectual José María Vargas (notably not a veteran officer of the wars of independence) would be elected president, taking office in 1835. He ran up against the resentments and fears of a number of independence-era heroes, particularly in the east of the country. There, figures like the brothers José Tadeo and José Gregorio Monagas as well as Santiago Mariño would lead a “Revolution of the Reforms” (Pino Iturrieta 1993: 50–51). Their program, which echoed a failed insurrection of 1831 that had been put down by Páez, included a range of inconsistent claims and constituencies: it was federalist, yet it also yearned for a reincorporation into the Bolivarian vision of Colombia and at the same time it expressed a desire to protect religion from the state. The common denominator here was a desire not to be dominated by Páez and his associates, particularly civilians like Vargas, in Caracas (Lombardi, 1982: 166). Páez restored Vargas to power, though he would resign a year later in a dispute about how to handle the punishment of the conspirators. Most of the remainder of the “conservative oligarchy” period would see either Páez or his collaborator General Carlos Soublette in the presidency. Much of this period—the 1830s in particular—was characterized by an economic boom, as coffee cultivation yielded considerable profits (Lombardi 1982: 175–76).

By the 1840s, however, two developments, one economic and one political, signaled a coming shift. A precipitous decline in coffee prices on the international market caused economic difficulties and the bankruptcies of many farmers (Lombardi 1982: 178–80, Deas 1985: 512, 522–23). This contributed to the growth of political opposition and the emergence of a “liberal” party, led by Antonio Leocadio Guzmán, editor of the influential paper *El Venezolano* and himself a former government minister under Páez, now alienated because of his marginalization at the hand of conservative government minister Angel Quintero (Gil Fortoul 1967b: 241, 247, Pino Iturrieta 1993: 53). Commentators have noted that there was little ideological difference between the conservatives and the liberals (Lombardi 1982: 179, Pino Iturrieta 1993: 24, 56–57); rather, these were parties whose primary function was to link social networks and mobilize them politically, providing ideological cover for political action.

As public dissatisfaction with the status quo grew, Páez supported José Tadeo Monagas as a candidate in the 1848 elections. Monagas was victorious, but unfortunately for Páez and his associates, the new president moved quickly toward the liberal camp, and Páez was

unsuccessful in his efforts to remove Monagas from power. This period, often called that of the “liberal oligarchy,” was one of partial democratization in the Tocquevillian sense of the term. Subaltern groups’ expectations were raised, and crowd violence was used to coerce conservatives in congress (Gil Fortoul 1967b: 305–318, Carrera Damas 2006: 163–64). There were some achievements. For example, Jose Gregorio Monagas, José Tadeo’s younger brother who succeeded the former in the presidency, emancipated the (small) remaining slave population. The Monagas brothers also reformed laws governing contracts and loans, issues important to agricultural elites who suffered from the reduced price of coffee and other commodities. However, these measures did not restore prosperity (Lombardi 1982: 183–85). Upon the completion of Jose Gregorio’s term, Jose Tadeo returned to the presidency. Barred from seeking a further term, Jose Tadeo turned to the project of creating a new constitution, replacing that of 1830 (which, to this point, both liberals and conservatives had found largely satisfactory); some commentators have lamented this as breaking the potential for the establishment of Weberian legal-rational legitimacy.

Immediate subsequent events are too complex for a full telling here. Suffice it to say that the end of the liberal oligarchy issued in a revolt with revolutionary overtones (Gil Fortoul 1967c: 141)—led by Juan Crisóstomo Falcón and Ezequiel Zamora—called the “Federal War.” Páez, who had been living in exile in the United States, returned to Venezuela as dictator in a failed effort to prevent the triumph of these more radical liberals. He was unable to defeat them; thus the next couple of decades were dominated by two liberal presidents, first Falcón and, subsequently, Antonio Guzmán Blanco (the son of Antonio Leocadio Guzmán, founder of the liberal party). Of these, Guzmán’s years at the helm of Venezuela were by far the most important. His legacy includes the beginnings of the modernization of the Venezuelan military, the building of railroads, establishment of utilities and a new, French-derived architectural style in Caracas (Lombardi 1982: 191–197). Also, as we shall see, the Guzmán Blanco years were the high water mark of Venezuelan anti-clericalism.

Guzmán Blanco was followed by other authoritarian leaders, the most important of which were Cipriano Castro and, for three decades, Juan Vicente Gómez. In many respects, Castro and Gómez extended the development of state capacity begun by Guzmán Blanco (Lombardi, 1982: 197). It was under Gómez that large-scale exploitation of Venezuelan oil, at first under the direction of foreign companies, began

(Tinker Salas, 2009). State revenues soared, allowing for the expansion and strengthening of the state, but also embedding in it a number of weaknesses as Venezuela became a classic example of oil dependence (Coronil 1997, Karl, 1997).

Venezuela's small middle class grew, and by the 1920s social conditions conducive to the development of social movement and modern party organizing had emerged despite extensive state repression. The "generation of 28" laid the intellectual groundwork for the later development of a variety of Socialist, Social-Democratic and Christian-Democratic parties that would come to flourish in the latter half of the 20th century. As the authoritarian regimes of López Contreras and Medina Angarita (following Gómez) aimed to liberalize, a *coup d'état* was brought by a coalition of officers and political organizers, bringing to power Romulo Betancourt and Romulo Gallegos in a three-year period of social-democratic government. This government, opposed by the Church (Levine 1981: 77), was itself overturned by a military coup, bringing the right wing dictator Marcos Pérez Jimenez into power. Pérez Jimenez governed until 1958, when he was himself forced from power, and preparations were made for a long period of democratic government. During this period, described by supporters of President Hugo Chávez as the period of "Punto Fijo" democracy (the major political parties had reached a power-sharing accord known as the pact of Punto Fijo), the social democratic party *Acción Democrática* and the Christian democratic party *COPEI* competed vigorously with each other but agreed to work to marginalize parties on the radical left and right. For a number of years, social scientists pointed to their success in doing so as evidence of "Venezuelan exceptionalism," since the country managed to resist the wave of bureaucratic authoritarian governance that spread through the region by the 1970s (Levine 1994, Ellner and Tinker Salas 2006). Much of this has been called into question by the decline of the Punto Fijo system and the rise of the Chávez government, but a discussion of these issues would take us well afield of our core questions.

This schematic summary of Venezuelan political history should be sufficient for readers unfamiliar with that history to turn now to the question of the relationship between church and state in Venezuela.

At the point of Venezuelan independence, there was considerable heterogeneity of views about the proper role of religion in public life. Some Venezuelans, like Bolívar, regarded religion as a matter of individual conscience: in other words, they accepted the terms of religion's

“privatization” as discussed by Casanova (1994), for example. Others were militantly anti-clerical, but these were very much in the minority. Most, however, accepted and supported Roman Catholicism’s hegemony in the spiritual field and, moreover, recognized religion as playing an important role in public life, as well as serving as an important identity marker. Even most of those who were anti-clerical likely recognized the political foolishness of a frontal assault on the church given the tenuous position of the proponents of independence (Gil Fortoul 1967a: 252). Thus the 1811 constitution was largely supportive of the Catholic Church and declared Roman Catholicism the official religion and the only one whose public demonstration would be tolerated (Gil Fortoul 1967a: 251). Moreover, this constitution declared the right of patronage null and void (Sánchez Espejo 1953: 88–90), implicitly accepting the Church’s position that this was a specific concession to the Spanish crown and did not necessarily extend to all political authority in the region. The one element of this short-lived constitution that would have been questionable to supporters of the church was its elimination of *fueros* (Gil Fortoul 1967a: 265).

At the same time, political fluctuations rendered possible many formulas. Since the political system of the *patria boba* was federalist, it required the hasty construction of provincial constitutions. The constitution of Barcelona exemplified the “religious nationalism” approach to reconciling religious and national identities. While Catholicism was, as in the broader federal constitution, declared the only religion of the state, it was stipulated that the Bishop would be elected by the population, and more generally the Church in the province was to be subservient to the civil power (Gil Fortoul 1967a: 275–276). One wonders what would have come of this arrangement had history allowed it to proceed!

The church was split over the wars of independence. In general, the ecclesiastical hierarchy leaned toward the royalists, though in Caracas the Archbishop (Narciso Coll y Prat) seemed generally less concerned with which side triumphed than with whether the Church’s traditional prerogatives would ultimately be respected (Gil Fortoul 1967a: 286–87, Rodríguez Iturbe 1968: 33).¹¹ A number of priests were, in fact, supporters of independence, perhaps most notably Ramón Ignacio

¹¹ In Mexico, by contrast, the hierarchy was consistently loyalist, though local priests were split on the issue (Staples 1994: 223).

Méndez, who would later be Archbishop of Caracas and a principal defender of the Church in Venezuela against the national state.

As noted above, Bolívar's own position for most of his political life was one of support for the state's neutrality *vis-à-vis* religion (Watters 1971: 100–103).¹² Thus his preference was that the state would take no constitutional position on Roman Catholicism's exclusivity, and Colombia did not, in part because of a desire to accommodate hoped-for Protestant immigrants. The early years of Colombia witnessed generally mild moves against the Church's hopes: for example, getting rid of the inquisition and limiting the *fueros* (Watters 1971: 87). In 1824, however, and despite some opposition, the famous law of patronage was passed.¹³ The Church's defenders argued that the Spanish king's patronage rights rested on concession. The defenders of the state's position argued that patronage inhered in sovereignty and that this sovereignty now belonged to the people or nation (Watters 1971: 96–101). Colombia at the time witnessed (limited) religious toleration.¹⁴

The decisive Stage A conflict took place during the first decade of Venezuela's independence, with Ramón Ignacio Méndez, the Archbishop (Gil Fortoul 1967b: 56–62). Méndez, who had served under Páez in the wars of independence, had been put forward by Bolívar for the office before the collapse of La Gran Colombia. He can hardly be considered to have been hostile to the idea of autonomous South American nations. Yet a closer look at both his political ideas and the stands he took in dealing with the Páez government reveals him to have been quite uncomfortable with some of the implications of nationalism itself for church-state relations.

Indeed, Méndez and the ecclesiastical hierarchy he headed (along with the Bishops of Mérida and Guayana) made every effort to carve out a position of strength and autonomy for the church in independent

¹² Rodríguez Iturbe (1968: 68) notes that nationalism was among the causes of this effort to assert patronage rights. Bolívar's relationship to the church has been the subject of considerable discussion. For a penetrating analysis of this issue with ecclesiastical history see Straka (2004).

¹³ It is important to note that not all opposition was anti-national. Andrés Rosillo (1824: 8), for example, argued against the idea of the *patronato* inhering in sovereignty itself *because* of the legitimacy of popular sovereignty as the basis for temporal power. It was the notion that spiritual power rested on the authority of the people that appeared a Protestant heresy.

¹⁴ This toleration was subject to some controversy, particularly the famous incident of the publication of the anti-toleration tract *La serpiente de Moisés* and subsequent trial for sedition of its publisher in Caracas in 1826 (Watters 1971: 113–14, Avelo 2004).

Venezuela. However, the church was largely lacking in allies in this struggle. The Monagas-led revolt of 1831 and the 1835 “Revolution of the Reforms” both paid lip-service to protecting religion (Gil Fortoul 1967b: 185), but their main architects were not, in fact, fundamentally concerned with religious issues. Some of this might have to do with the relatively low levels of religiosity in late colonial Venezuela compared to some other parts of Spanish America (Watters 1971: 3–4). Some has undoubtedly to do with the relative weakness of the Venezuelan church (Deas 1985: 515, Lynch 1986: 578). In addition to these factors, however, I would cite two additional critical ones: First, the successful handling of local *caudillos* by Páez during the “conservative oligarchy” period amounted to a kind of temporary, pseudo-state-formation: while the formation of a “modern army” to replace the system of local militias linked vertically through *caudillos* would have to wait almost a century, for a bit more than 15 years Páez’s dominance served as a functional equivalent. This closed the path of successful rebellion to those military leaders who might otherwise aspire to it, thus reducing their propensity to forge an alliance with the church (as happened in México). Landowners *without* a military background likewise were unlikely allies for the church in its efforts to resist the national state, precisely because, for at least the first decade of the conservative oligarchy, their interests seemed well served by that state. This was greatly increased by the economic boom of the 1830s. When coffee prices declined, sparking discontent, the political entrepreneurs available to frame the resulting discontent were, for complex reasons, located to the “left” of the conservative oligarchy, and called themselves “liberals.” Thus, while the liberal revolutionary banner would occasionally proclaim “*Díos y federación*,” this was mostly for rhetorical effect, and when the more radical liberals took power later in the 19th century, they would be the most vehemently anti-clerical figures in the Venezuelan political spectrum.

It would be a mistake, though, to fail to take into account another very important cultural factor here, namely the hegemony that nationalism had come to exert over elite political discourse. Virtually all political actors found themselves constrained by a political language that required them to accept the principle of popular sovereignty as the core basis for political legitimacy. As Carrera Damas (2006: 28) puts it, “the concept of the nation” was in Venezuela “the principal legitimator of the structure of internal power since this function ceased to be served by the king.” This contrasts sharply with the situation in Mexico,

which witnessed far greater ideological heterogeneity in this period, presumably because nationalism had not triumphed as completely as it had in Venezuela. There are at least two good, if imperfect, indicators of this variation. The first is that, as is well known, the independence struggle in Latin America moved from the colonial periphery to the colonial center, and Mexican independence came about not fundamentally because of a revolutionary desire among elites to remake society in the image of a sovereign nation, but rather a conservative compromise to try to defend the existing social and religious order against liberalism. More than this, one finds substantial variation in the ideology of conservative parties and their intellectual supporters in the two countries. In both cases, conservatives tend to defend the notion of “order” and to be less egalitarian than their political opponents, and in both cases they claim to be defending religion; but what they *mean* when they say they are defending religion is quite distinct.

In Venezuela, figures like Juan Vicente González, Fermin Toro, and Pedro José Rojas typically discussed religion in terms of broader social functions that it serves. Religion is conducive to the maintenance of social order, and it is this order that is paramount (González 1983a, 1983b, 1983c, 1983d, and especially 1983e: 138–46). In short, they hold much in common with the modern conservatism that develops from roots in Burke and Tocqueville. Toro goes a bit farther than some of the others (see discussion in Pino Iturrieta 1993: 32–36): his is a partial critique of liberal modernity. It is in his extended critique of usury and the 1834 law that rendered it permissible that Toro’s “theory of society” is laid out, and it is here that we can see its consistency with nationalism (Toro 1983: 118ff) and, indeed, with the specifically civic and collectivistic nationalism that had developed in Venezuela by the 1830s and 1840s (Eastwood 2006).

Things were very different in Mexico, where traditional conservatives like Lucas Alamán *attacked* nationalism’s core principles rather than redefining religion’s purpose in relation to them. There is insufficient space to lay out the details of these arguments here, but the prominent newspaper *El Universal* ran article after article specifically devoted to exposing the alleged absurdity and inapplicability to Mexico of the ideas of popular sovereignty and equality.¹⁵

¹⁵ See articles on “Sistema Electoral,” *El Universal*, December 3, 1848 and on “Soberanía Popular” (multiple installments during the month of December, 1848), likewise in *El Universal*, as well as articles under the recurrent subject “Los principios

Nationalism's seeming hegemony in Venezuela meant that defenders of the church, where they could be found at all, were deprived of a precious rhetorical resource: the ability to frame the defense of the church and its authority in an alternative political language. Rather, they accepted that nationalism's core principles provided the framework within which authority would be discussed. In Mexico, this rhetorical resource remained and was put to use by the church's defenders.

This argument, one suspects, would have been well-understood by Méndez himself, who saw more clearly than anyone that the conflict between the state of the conservative oligarchy and the church was fundamentally a debate about the nature of sovereignty and the limits of the sovereignty of the nation (Ocando Yamarte 1975b: 178).¹⁶ As we shall see, material prerogatives and rights (e.g., patronage, tithes) were an important component of the dispute, but perhaps equally important, in the Archbishop's mind, were *symbolic* matters like the precise formulation of the oath to serve the constitution, and where—in a church or in a government building—it would take place (*Documentos oficiales* 1830: 2–3, 13–14, Méndez 1830a).¹⁷

The 1830 constitution did not declare Roman Catholicism the exclusive religion of the state. This does not, however, mean that it contemplated church-state separation of the kind found in the United States.¹⁸ The state and the church would still be integrated in important ways, and indeed, the state acted as though it felt it had inherited the 1824 Colombian patronage law, though the assembly delayed a formal permanent decision on this question because of Méndez's resistance (Rodríguez Iturbe 1968: 79–80, Watters 1971: 130). Yet the constitution's very silence on the question of the formal statement of Catholicism's official status was of great concern to Méndez (1830a: 2–3, 1830b).

religiosos considerados como fundamento de la moral y de la sociedad" in the "Parte Religiosa" section of *El Universal* in January, 1849. It is worth noting that a robust conservatism survived in Colombia as well. See Deas (1985: 531–32).

¹⁶ Other defenders of the church saw this as well. See, for example, *Verdadera idea* (1832).

¹⁷ Similarly, even before Venezuela's separation from la Gran Colombia he was very concerned about symbolic conflicts concerning public processions (Ocando Yamarte 1975a: 128–34).

¹⁸ In the dispute with Méndez over the oath, Governor Ayala explains that congress decreed it should be sworn in a church because "nothing is more sacred, nothing more religious than the act of taking God, in his holy house, as a witness of compliance with the fundamental law of the state" (*Documentos oficiales* 1830: 6).

More important still, the Páez government declared, without prior consultation, that both government figures and representatives of the ecclesiastical hierarchy were to swear an oath of loyalty to the constitution in the cathedral, with a *Te Deum* also to be performed (Watters 1971: 132). Note that the formal requirement that the ecclesiastical hierarchy take the oath itself implies that the church is, in a sense, embedded in the state and its ministers also, at least indirectly, bound up in the state's organizational field (i.e., not just as subjects or citizens to be acted upon, but as themselves arms, to whatever limited degree, of the state). Méndez objected both to the way in which this was announced (decided unilaterally by the government) and, more fundamentally, to the precise wording of the oath, which he refused to take (*Documentos oficiales* 1830: 30–32, Méndez 1830a: 1–2, 1831: 3, Donís Ríos 2007: 29–30).

This became a major scandal, with political pamphlets being published arguing both for why the archbishop should take the oath and also why he refused to do so, and under what conditions he would.¹⁹ Méndez (1830a) went so far as to offer to substitute his own oath for the specific language provided by the government. The crux of the matter, in his mind, was the question of sovereignty. As a Christian and a representative of the church, he could not bring himself to consent formally to the state's efforts to assert its own predominance. Rather, the state was paramount in terms of temporal power and the church was paramount in terms of spiritual power (Méndez 1830a, 1831: 15–16, 19, 1834: 61–70). Moreover, this arrangement (as before the wars of independence) was itself to be understood in religious terms (Méndez 1830c: 13–15, 26–27, 1832).

From the point of view of the state, this was unacceptable, an act of insubordination—as Rodríguez Iturbe (1968: 94) notes, the Church and the State were essentially speaking two “different languages.” Méndez was forced into exile, along with the Bishops of Mérida and Guayana. He returned in 1832 after an agreement was worked out allowing him to swear a modified version of the oath (Watters 1971: 138). He and the other returning bishops immediately turned to the task of trying to establish organizational autonomy for the church, lobbying the government to reject the 1824 Colombian patronage law (Ocando Yamarte 1975b: 87–93). In 1833, the government formally

¹⁹ See, for example, *Documentos oficiales* (1830) and *Noticia razonada* (1831).

decided, instead, to declare it in force.²⁰ In 1834, they officially proclaimed freedom of religious worship (Mecham 1966: 100, Watters 1971: 149), in good measure because of the state's interest in bringing in immigrants so as to increase population and spur economic development. In 1834, tithes were suppressed. Méndez and others opposed these reforms vociferously, but to no avail. After refusing to accept subalterns proposed by the government under their self-declared patronage rights, he was again exiled, this time for good, in 1836 (Watters 1971: 141).

The victory of the state over a relatively weak church in Stage A was so decisive that in subsequent decades there was very little real conflict. Méndez died in exile in 1839. He was replaced by Juan Antonio Ignacio Fernández Peña, who took office in 1842. Fernández Peña offered little resistance to the government. He survived in office into the beginning of the liberal oligarchy period, dying in 1849 (Watters 1971: 166). The government proposed José Antonio Pérez de Velasco, himself quite comfortable with the state's sovereignty. Pérez de Velasco was rejected by the Vatican and died in 1852, while the controversy was ongoing (Watters 1971: 166–68, Donís Ríos 2007: 83–90). The government then put forward Silvestre Guevara y Lira, and he was approved. In general, the legacy of these years of his term as archbishop was the (temporary, as it turns out) strengthening of the church without challenging the state's supremacy. One of the achievements of which he was most proud, apparently, was the creation of seminaries (Watters 1971: 175). Guevara y Lira was, however, fundamentally a steward of his church, and thus following the end of the liberal oligarchy period, he established good relations with subsequent governments, particularly the Páez dictatorship, in which he was intimately involved. Indeed, during this period the government sent Guevara y Lira to negotiate a Concordat with Rome (Rodríguez Iturbe 1968: 124–25). An agreement was subsequently reached, but after the fall of the Páez dictatorship it was rejected by the Venezuelan Congress, hence never truly took force (Mecham 1966: 105, Rodríguez Iturbe 1968: 129–30). This would have to wait for Stage D, specifically during the presidency of Acción Democrática's Raul Leoni in 1964 (Levine 1981: 71)—and on very different terms.

²⁰ The ecclesiastical hierarchy responded by again asserting that this was based on a mistaken understanding of the sources of sovereignty. It might be legitimate for a sovereign to dominate "religions de institución humana" but not the only religion instituted by God himself (*Representación sobre patronato eclesiastico* 1832: 5).

The trouble started only following the Falcón years, when Antonio Guzmán Blanco came into office. Guzmán Blanco asked for an immediate *Te Deum* to be sung in support of his successful “revolution.” Guevara y Lira demurred, arguing that it would be inappropriate to celebrate while so many of those who had lost in the conflict were suffering, and asked Guzmán Blanco to consider releasing some of them from prison (Watters 1971: 187–88, Donís Ríos 2007: 113–14). Without trial or even the citation of some law that had been violated, Guevara y Lira was immediately ordered exiled (Donís Ríos 2007: 114–15).

Over the next several years, the Guzmán Blanco administration would implement many of the anti-clerical reforms common to late 19th century Catholic societies: the closing of the seminaries so dear to Guevara y Lira, the closing of convents for women, the establishment of civil registries and civil marriage, among others (Donís Ríos 2007: 133–34). Moreover, he proposed, though never enacted, legislation to create a schismatic national church, which would have wrested control entirely from the Roman hierarchy (Donís Ríos 2007: 134–35).

Historians disagree about the degree of anti-clericalism in Guzmán Blanco’s administration. Some, like Mary Watters (1971[1933]: 183–213, cf. Rodríguez Iturbe 1968: 143–54), have depicted it as an especially ferocious assault. There is little doubt that Guzmán Blanco acted out of enmity for the Archbishop and that he was determined to establish clearly once and for all the state’s dominance. At the same time, Manuel Donís Ríos (2007: 129–30) has suggested that, when compared to the liberal assault on the church in places like Colombia or Mexico, Guzmán’s policies seem less extreme. After all, the church remained an established church, and in the years after the crisis, the Church gradually recovered, adjusting itself to its new, more limited, role in Venezuelan society. Indeed, the reforms actually implemented were no more radical than elsewhere in the region or in Europe (Donís Ríos 2007: 130). By the close of the 19th century the Church’s position was recovering somewhat (Mecham 1966: 108). The state would continue to exercise patronage until 1964, but it would also continue supporting the church.

In Mexico, the immediate political context in which the church and the newly independent state would enter into conflict was quite different. First, the Church was more powerful there (Lynch 1986: 534). Independence was achieved as a result of the efforts of a coalition of groups, many of whom had previously opposed separation from Spain. Their fundamental goals were (a) in some cases, to protect the rights of Spanish-born Mexican residents and (b) to preserve the interests of the

Church and the Roman Catholic faith. Indeed, this was perhaps the most important of the “three guarantees” of the Plan of Iguala, under the banner of which Agustín de Iturbide, previously loyal to Spain, spearheaded the final separation (Bazant 1985: 423, 428, Cumberland 1968: 126–30). It seems that many who supported Mexican independence did so not because they believed that Mexico was a nation in the sense of being a “sovereign community of equals” (Greenfeld 1992), but because they made the pragmatic choice that their way of life and their religion would be best served by a conservative and independent regime, hopefully with a European monarch at its head, though in the end, Iturbide himself was crowned Emperor.²¹ Iturbide’s government antagonized both conservative and liberal interests, though, and it fell in 1823. In 1824, a fairly liberal/federalist constitution was passed, and in 1829, the liberal Vicente Guerrero took power. He was displaced by a rebellion and then killed, leaving the conservative Antonio Bustamante in power. He was removed from office by a subsequent rebellion led by Santa Anna, who then left the liberal Gómez Farías largely in charge of government between much of the period from 1832 to 1834.

This was when the first wave of secularizing reforms was attempted in earnest (Callcott 1926: 84–100, Bazant 1985: 436–37). Thus the context is one of (a) political instability and distrust and (b) a government led by the Vice-President, a liberal whose views were not shared by perhaps the majority of the society’s members, and certainly not by other, powerfully situated actors. Gómez Farías went farther than Páez did in Venezuela, and he moved more quickly (Mecham 1966: 348–53). Like Páez, he asserted the right of the state to exercise patronage. He refused to use the state’s authority to collect tithes. He attempted to establish secular education. He confiscated some Church property and tried to restrict the political speech of priests. In short, his reforms went well beyond what many important and highly situated actors were willing to accept, and Santa Anna himself took back the reins of power in 1834 (Callcott 1926: 100–110, Mecham 1966: 353–54), reversing many of these reforms and declaring himself a defender of the church (though on his own terms). As Staples (1994: 233) notes, while the church did not always dominate the state, its views were an important factor in Mexican politics.

²¹ The question of the precise distribution of political loyalties in this period is a complex one (see Rodríguez O. 1994).

To summarize some of the important differences here, we can recapitulate these two conjectures: In Venezuela, (a) there was elite-level near-consensus about nationalism and its core principles of popular sovereignty and equality, yielding a moderately conservative government that implemented moderate and successful anti-clerical reforms and (b) in turn, a relatively weak Church could not effectively resist these reforms. In Mexico, by contrast, (a) there was less consensus in the political culture around nationalism's core principles and implications²² and (b) the government that attempted to initiate first wave reforms was "liberal" and out of step with many prominently placed actors, as a result (c) the Church and its allies had more power to resist. This means that many, though not all, of the first wave reforms there failed. Mexico for the first half of the 19th century, therefore, saw (1) considerably less differentiation of religious and political institutions and (2) continuing and perhaps growing strength of the Church as an institution. Here we have our study's main independent and dependent variables.

This difference meant that when the second stage of institutional differentiation was traversed in Mexico, the conflict was between very different parties, and the supporters of the Church (the opponents of differentiation) had a great deal more power (both material and discursive power). Stage B came earlier in Mexico as a result, during the mid to late 1850s (though it is worth noting that the issue of Church-state conflict was of perennial import throughout the Mexican 19th century, being never satisfactorily resolved). During the Álvarez and Comonfort administrations, major anti-clerical reforms were passed (and then institutionalized in a new, liberal, constitution), including the circumscription (though not the complete elimination) of legal *fueros*, the forced reduction in fees for the sacraments for those who could not afford them, the establishment of civil registries, and of special importance, the proscription on the Church continuing to hold "real property" (Mecham 1966: 360–65, Callcott 1926: 236–308). The Mexican Church was a huge landowner, and it is worth noting there that much of this property—like the common *ejido* lands on which many indigenous persons farmed (Bazant 1985: 456–57)—served a variety of social purposes. These reforms did not lead, as in Venezuela, to the expulsion of the Archbishop and whimpered protests, but to

²² Lynch (1986: 539) also notes that nationalism had not established full hegemony in Mexico and sees a connection between this and the Church's possessing defenders.

war, the infamous “War of the Reform,” which encouraged ongoing efforts by Mexican conservatives to bring a European monarch to govern the country (Mecham 1966: 365–370). These efforts—following the French invasion ordered by Napoleon III—would bring about the Empire of Maximilian (of the Austrian Hapsburgs), who would eventually be forced out of power and executed in 1867. In the “restored republic” led by Juárez and then Lerdo until 1876, some anti-clerical efforts were revived, but during the long Porfiriato, the government aimed to achieve economic modernization under the ideological framework of positivism (Eastwood 2004) and to minimize conflict with the Church. In Mexico, then, these issues remained contentious up to and still after the great Mexican Revolution (which began in 1910–1911), its 1917 Constitution and the Cristero rebellion against the revolutionary government, until a *modus vivendi* was eventually reached in the 1930s.²³ Even today, Stage D is not fully resolved in Mexico (see Monsivais 2008).

Explaining Stage A and B Paths

There is clear division in Stage A between two polar sets of cases: those characterized by profound state victory, such as Argentina and Venezuela, and those characterized by successful ecclesiastical self-defense, Mexico. There are also the intermediary cases, such as Bolivia, Colombia, Ecuador, and Peru where the picture is murkier.

Interestingly, this pattern is consistent—with the exception of the placements of Bolivia and Peru into the mixed pattern—with what one would expect given the terms of our core hypothesis. Nationalism seems to have emerged earliest and most forcefully in peripheral cases (e.g., Argentina, Venezuela) and it was weakest in the colonial core (e.g., Mexico, and especially Peru and Bolivia). Thus one would expect it to exert a greater level of conceptual hegemony in the former cases, depriving defenders of the church of their most precious ideological resource: a community of influential persons who accepted a religious conception of sovereignty (a resource still available in Mexico even in the middle of the 19th century and perhaps later). However, the seemingly anomalous early patterns in Peru and Bolivia are easily explained

²³ Many date the *modus vivendi* from 1929 but I am persuaded by Blancarte’s (1992: 21) argument that there was no real *modus vivendi* until the 1930s.

within this framework: these societies were “liberated” from without. It was precisely Argentinean and Venezuelan/Colombian nationalists who played a disproportionate role in bringing about these nations’ independence and who governed them for the first decade of their post-colonial existence. Once they were no longer in charge, religious conservatism became the norm: there is far less of a push for additional anti-clerical measures, and stage B reforms were very weak in both cases.

Thus far, I have found nothing inconsistent with the core hypotheses noted at the beginning of the chapter. However, future research faces some challenges. First, it is very difficult to disentangle some of the variables, particularly the “strong *vs.* weak nationalism” variable and the “strong *vs.* weak church” variable. In general, and for a number of reasons, those societies in 19th century Latin America with strong churches tended to be those with weaker or more attenuated nationalism. Colombia itself requires closer examination because it had a relatively strong church and a relatively strong but contested national identity, so we will see what that reveals. It also seems that these issues cannot be divorced from the question of strength of state consolidation, linkages of the state (and the church) to political parties, and parties’ linkages to the military, as analyzed by Fernando López-Alves (2000)—thus the need to analyze Uruguay in the future.

In general, though, the conjecture that the timing and intensity of nationalism’s emergence is the key variable here remains plausible. What we seem to have are variations in the timing of the diffusion of nationalism: some Latin American societies’ elites are captured by it in the early 19th century, while in others religious identity not yet transformed by nationalism competes with it, but since nationalism is normative in modern politics (not strictly inevitable, but nearly so), some level of differentiation takes place in each society. Where the state wins early, the process is less conflictual later, precisely because there is consensus about questions of sovereignty. The church either accepts this or cannot resist, thus strong nationalists no longer regard it as a major threat. Where the state loses early (e.g., Mexico and, to a lesser extent, Colombia after the breakup of La Gran Colombia), polarization ensues. Supporters of nationalism and the secular state that it implies are emboldened, define the church as the enemy, and the church does the same to them. When such nationalists next hold power (in the 1850s in both Colombia and Mexico), they attack the church, provoking a counter-reaction and violence in both cases.

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CHAPTER SEVEN

RELIGION AND DEVIANCE: THEOCRATS VS. DEMOCRATS

NACHMAN BEN-YEHUDA

Not much has been written about the interface of religion and deviance. One of the first questions we need to ask is, “What is this interface?” A few possibilities come to mind. One is deviant forms of religion itself. Another may be deviance in the actual practice of specific religious rituals. There are probably more possibilities. This chapter focuses on public constructions of various forms of deviant behavior, viewed as such by researchers of deviance and criminologists, within a specific religious community, and tries to understand their meanings and implications. The specific community on which I will focus is the ultra-orthodox—*Haredim* in Hebrew—in Israel.

The Context

The state of Israel was established in 1948 as a “Jewish democracy.” The problem created by this political characterization has accompanied the state from the day of its inception. On the one hand, “democracy” denotes a political structure associated with options, freedom to make informed choices among competing alternatives, and increasingly so with universalistic human rights. On the other hand, one of the central cultural building blocks of Judaism is religion, which—almost by definition—is non-democratic. By not separating the state from religion and declaring itself a “Jewish democracy,” an inherent structural and conceptual tension was introduced into the political nature of the state of Israel from its modern beginnings. This structural tension forms the central contextual background of this chapter. In reality, the concrete existence of a “Jewish democracy” is a viable possibility that ultimately hinges on how one defines “democracy” and “religion.” To enable this co-existence, one must define both in fairly spacious and tolerant terms.¹

¹ The analysis presented in this chapter focuses on the dominant and hegemonic Jewish majority of Israel. While Israeli Arabs constitute about 20% of the population,

The tension between conceptualizing Israel as a modern Jewish secular state and the views of the more fundamentalist religious element of its population is nothing but a new issue (cf. Samet 1979, Aran 1991, Friedman 1991, 1997, Sprinzak 1991, Caplan and Stadler 2009). The establishment of the state of Israel was the result of the efforts of the secular Zionist movement. That movement was most certainly considered by the majority of Jews living in Europe and North America prior to World War II as a small and deviant movement (see Rosenthal 1954). Moreover, many orthodox and ultra-orthodox Jewish key figures have viewed secular Zionism with distaste, scorn and hostility.

Thus, from the day the state of Israel was established, the non-Zionist ultra-orthodox challenge to the secular state of Israel was expressed in a forceful manner. Orthodox and *Haredi* Jews who embraced a non-Zionist religious ideology had a strong motivation to rationalize their stand and expose the Zionist position (and, in fact, all other Jewish interpretations) as morally inferior, dangerous and theologically wrong.²

Overall, it is possible to discern five major interpretations of Judaism. Each of these constitutes an ideological core around which scores of Jews flock and maintain different cultural and social systems: 1. orthodox, 2. ultra-orthodox, 3. conservatives, 4. reform, and 5. seculars. Obviously, these camps are not homogeneous, and there are further sub-divisions and rivalries within them. Indeed, some of the variance within these groups is rather impressive. For example, secular Jews range between those who practice a secular life style (probably the majority) and a much smaller minority which has developed a secular consciousness and ideology. The ultra-orthodox can be divided along such lines as the recognition of the Zionist idea of the state of Israel as a Jewish state and anti-Zionists, not to mention different (and competing) fractions of *Hasiduyot* (small or large groups of Hassidim weaving networks around one Rabbi or Admor). Politically speaking, at least two major—albeit not homogenous—camps can be identified among

their impact on the processes described here have been marginal. However, the processes described in this chapter threaten to erode the egalitarian base on which Arabs' participation in Israeli democracy is conceptualized. Jewish theocrats have absolutely no desire to allow Arabs to share power. (Comprehensive details and interpretations underlying this chapter may be found in Ben-Yehuda 2010)

² On the *Haredim*, cf. Friedman 1977, Katz 1977, 1986, Samet 1979, Shilhav and Friedman 1985, Levi 1988, El-Or 1990, 1991, Heilman and Friedman 1991, Heilman 1992, Landau 1993, Ravitzky 1993, Neuberger 1994.

religious Jews in Israel: the national religious, a form of the orthodox interpretation of Judaism, and the ultra-orthodox. However, the convergence between these two major camps in recent years in a few areas sometimes turns making distinctions between them into a difficult task.

Since the first day of its inception, the secularly founded state of Israel did not separate state from religion.³ One of the interpretations of Judaism—the orthodox—became hegemonic and dominant in a number of areas. Marriage, divorce, burial and kosher food control are examples. For all practical practices, and for the overwhelming majority of Jews living in Israel, no marriage, divorce or burial ceremonies take place outside the orthodox religious interpretation.⁴ Israelis who do not want to get married in a religious ceremony have to leave the country and get married abroad. Cyprus is a preferred destination because it is close by and involves relatively cheap transportation, but other European, North American or South American destinations are used as well. Food is another area. An orthodox oriented administration basically controls fairly tightly the type and amount of non-kosher food that is either manufactured or brought into the country. Moreover, as time passes, orthodoxy tends to utilize its power in one area to expand its sphere of coercive influence into another. Kosher food is a good illustration. While Kosher food has to do with the type and ways of preparation of food, restaurants, hotels and other places are increasingly threatened that if they do not observe the Sabbath according to the orthodox interpretation, they would be declared as non-Kosher places, regardless of how they actually prepare food. Likewise, using laws that have nothing to do with religion, orthodoxy is attempting to expand its sphere of influence into other areas—for example, trying to shut down businesses that stay open on Saturday, introducing religious contents into secular schools' curricula, and forcing El Al (Israel's airline) not to fly on Saturdays.

It is important to note that Israel's Jewish population (about 6 million) is divided, very roughly, into about 20–25% religious and about 75–80% non-religious. The “religious” category is composed mostly of orthodox, with about 7–12% ultra-orthodox. It is difficult to present accurate numbers because of the problematics involved in definitions

³ Which, for example, makes the application of the concept “civil religion” in the Israeli context particularly problematic.

⁴ Some tendencies to break this hegemony in some areas took place in 2001 and thereafter.

and measurements. Reform and conservative Jews, which constitute the overwhelming majority of Jews living outside of Israel in the west, are barely to be found in the Jewish state. Hence, a demographic minority dictates to the majority how some major elements of its cultural life should be. While some claim that there may be a few inherent common core elements among the major interpretations of Judaism, there certainly are some major, profound and significant differences among these groups regarding various issues concerning their world view, tolerance to those who are not like them, attitudes toward human rights, women, politics and the nature of democracy. The religious-secular conflict in Israel regarding the cultural nature of the state and its identity flares up from time to time, for example after the 1995 assassination of Yitzhak Rabin, during the summer of 2009 or in April-May 2010, but at other times it is relatively mute.

In the remainder of this chapter I will focus on the theme that Israel is facing a genuine *kulturkampf* between theocrats (a combination of ultra-orthodoxy and many members of the orthodox) and secular democrats, and that much of the media-reported deviance by *Haredim* (including the assassination of Rabin) is violent, and is used by the theocrats in a calculated, rational, goal-oriented fashion aiming to turn Israel from a democracy into a theocracy. I use the term “theocrats” deliberately because it helps me to create a generalizable concept. The fact is that the hegemonic political position of the orthodox and ultra-orthodox (the theocrats’) versions of Judaism in Israel created a situation where these interpretations of reality gain ascendancy. In the main, the political representation and leadership, as well as the theological leadership, of these versions have been trying their best to push Israel in the direction of a Halakhic state—that is, to shrink the cultural Judaic variance in Israel and make it closer to a Jewish orthodox state. In this sense, making distinctions within the different factions is almost irrelevant because the overwhelming majority of the important and decisive elites of the theocrats agree on this issue.

Deviance by Haredim

A major arena in which this cultural conflict materializes and expresses itself is the media. Luhmann’s (1995, 2000) idea that, if one is to understand the essence of social systems one needs to examine the forms types and contents of communications prevalent in these systems, is an essential analytical statement in this context.

Following the spirit of Émile Durkheim and Niklas Luhmann, I conducted a study in which my analytical framing focused on an examination of public challenges to the cultural, political and social status quo. This study examined the public construction of and debates about *Haredi* unconventional, nonconformist and deviant behavior between 1948–1998 and beyond. Much of the behavior recorded in this study has presented a constant, ongoing public challenge to state–religion relations in Israel for the period we studied and beyond (for a more complete analysis, see Ben-Yehuda 2010).

The database that we constructed for all unconventional, deviant and criminal reporting in the printed press by *Haredim* in Israel between 1948–1998 reveals that the most salient category reported is that of various manifestations of violence, mostly in the public sphere—for example, violent demonstrations, violence against seculars and among different factions of *Haredim*. I refer to this type of violence as *theocratic*. It can be roughly divided into two domains: verbal abuse and direct action.

Verbal Violence and Abuse

Orthodox and ultra-orthodox activist Jews in Israel are likely to present a self-asserted superior moral position, tending to define themselves as the only real and genuinely authentic Jews. The discourse these activists use tries to dictate “truths” such as those which would state that secular, conservative and reformed Jews are culturally inferior, lack spirituality and are in urgent need for an intense conversion into orthodox or ultra-orthodox Judaism (in Hebrew, become *Ba’alei Teshuva*). In fact, deputy minister of religion, Rabbi Aryeh Gamliel (an ultra-orthodox from the Shas party) stated explicitly that the “role of the Ministry of Religion is to encourage a return to ultra-orthodoxy” (*Yediot Aharonot*, January 7, 1997: 1, 8). This simply means that funds taken as taxes from the secular majority are to be used to encourage seculars to experience a religious conversion. For example, it was disclosed in December 1996 that religious agents wait outside secular schools for the children and flood them with cassettes, requests, demands, threats and temptations, to convert them to one of the versions of orthodox or ultra-orthodox Judaism (*Ha’aretz*, December 16, 1996: 1). One of the images theocrats like to use is that of the “empty wagon” meaning that secular Jews are traveling in an empty carriage, symbolizing a vacuous and aimless life. One of the instructive slogans used by the National Religious Party (MAFDAL) in

the 1996 election was “Judaism with a soul”—meaning, of course, that non-religious Jews have no soul. The implications of such rhetoric are obvious: Orthodox and ultra-orthodox Jews have a world full of spirituality and values that other Jews lack altogether.

These claims represent an illustration for a cultural war. In fact, secular, conservative, orthodox, reform and ultra-orthodox versions of Judaism present different cultural spheres. That is, all have the ingredients of cultures: language, values, norms, and material products that make each one of them distinct and different from the other—for example, music, history, literature, attitudes toward women and democracy, clothing, food, tolerance, etc. Clearly, contempt and scorn of Jews of one version to other versions of Judaism (and sometimes defining them as “non Jews”) is not just a matter for sterile academic discussions. On January 13, 1997, for example, ultra-orthodox parliament member Moshe Gafni threatened secular Jews openly that “if the seculars want war, we will fight them” (*Yediot Aharonot*, January 13, 1998: 7).

This position is expressed in a variety of claims-making activities, demands and assertions of which the following are examples, many on a much more practical level: Rabbi Ovadia Yoseph, for example, issued a Halakhic statement that “One should not buy Falafel from a secular Jew” (*Ma'ariv*, December 2, 1996: 20), and secular Jews are not to allowed to be employed in Israeli wineries because Israeli orthodox rabbis instructed that any employment of a secular Jew there would make the wines non-Kosher and unfit for consumption by Jews (*Ha'aretz*, February 9, 1998: 7A). Israel's Television Channel 1 told its viewers that Matti Dagan, head of religious education in the Israeli ministry of education, sent a memo to head administrators in religious education advising them that “secular teachers and guides are not to be employed in the religious education division” because they can affect the religious students badly (*Ma'ariv*, December 3, 1996: 22).⁵ While no data are available, my guess is that if there are secular teachers in religious schools, their number is negligible and they probably tend to be employed in what are considered as “technical” areas. Comparing showing movies on El Al flights to flooding the gas chambers in Nazi death camps with Zyklon B and demanding that in-flight movies be

⁵ In fairness, it must be added that next day the General Director of the Ministry of Education appeared on the same channel and stated that “Secular teachers are not prevented from teaching in religious schools.”

banned on El Al airplanes is another example (*Ha'aretz*, December 29, 1996: 7A). Moreover, under *Haredi* pressure Egged, Israel's largest public bus company, canceled its plan to show passengers video movies on its long routes. This cancellation was expensive because the *Haredi* pressure was applied after much equipment had already been installed in many of Egged's double-decker buses (*Ha'aretz*, February 20, 1995: 6A). In November 1997, The ultra-orthodox press called Jewish officers from the Jerusalem police force "murderers" and "Nazis" and their units were referred to as "S.S. units whose hands are soaked with blood" The putative reason for these attacks was police activities against violent and illegal demonstrations by the ultra-orthodox on Bar Illan road in Jerusalem on Saturdays, in attempts to shut down Saturday transportation on the road (*Kol Hair*, November 4, 1997: 26, 36).

A crucially important ideological cornerstone of the ultra-orthodox and orthodox claims-making activities is based on the doctrine of "mutual responsibility." This doctrine stipulates that the almighty makes *all* the Jews pay for the "sins" of any Jews, regardless of their identification (e.g., secular). Here are some of the accusations that have been made as a result of belief in this doctrine: Pinhas Horowitz, deputy head of the center of Agudat Israel, an ultra-orthodox organization, stated (*Ha'aretz*, December 2, 1996: 7A):

If we observe the Sabbath [i.e., in the ultra-orthodox style], the state will continue to exist, and if not, a new Hitler will rise. 95% of the Jews in Germany were Reforms and assimilationists, who were like the Germans, and precisely there rose a Hitler who murdered six million Jews. It is obvious that the responsibility for the *Shoah* is that of the Reforms. This is a fact. There were no religious Jews there [in Germany]. This teaches us, that when Judaism is ruined, the Shabbat and the belief in the almighty [ignored], a Hitler rises up.

An ultra-orthodox newspaper, *Yated Ne'eman*, told its readers that the death of Jewish soldiers in all of Israel's wars can be attributed to the reckless behavior of the secular and national religious Jews. That these Jews do not keep the Halakha as strictly as they should causes the wrath of the almighty to be released on the Jews—thus the dead soldiers (*Ha'aretz*, June 17, 1997: 4A). The ultra-orthodox newspaper *Hamodia* informed its readers that the lack of faith and partial Jewish education of the seculars cause the car accident fatalities in Israel (*Kol Hair*, May 16, 1997: 26). On March 20, 1998 during a demonstration of orthodox and ultra-orthodox Jews, secular Jews were

met the accusations that “we are all punished from heaven because of you” and “we are tired of financing your drugged sons who sit in prisons, and all the yellow secular Tel Avivians who ran to Jerusalem from the Iraqi Scuds,” and “the seculars murdered the Jews in the Holocaust.” (*Ha'aretz*, March 22, 1998: 5A). On December 1, 1996, Moshe Ehrenshtein, previous Mayor of Bnei Brak, and deputy chair of the center of Agudat Israel, stated that “Many Rabbis state that all the troubles in the country are caused because the Sabbath is not observed” (*Ha'aretz*, December 2, 1996: 7A).

Another area where we can witness numerous claims-making activities is *symbolic demands*, some successful in bringing about action, others just by making the claim itself: El Al may not fly on Saturday, not because of commercial considerations, but because of a religious interpretation. El Al is the only airline in the world which does not fly for a day and a half every week, a condition that costs the company some \$50 million a year (*Ha'aretz*, May 11, 1997: 2G, *Ha'aretz*, July 7, 1998: 3C, *Ha'aretz*, July 8, 1998: 2C). Another incident involved dinosaurs. In August of 1993 Tara, which manufactures various milk products, tried to market a new milk product and used as a promo for the product, as well as a graphic representation on the product, images of dinosaurs. Ultra-orthodox authorities raged and threatened to boycott Tara's products. The reason? The very idea of dinosaurs represents a severe blasphemy because it provides a different sequence for the dating of life on the planet from the one implied in the Bible, not to mention the implications for the despised concept of “evolution.” The result? Tara changed its advertizing for the product (*Ma'ariv*, business supplement, August 11, 1993: 2).

There are also continuous threats on the Israeli Supreme Court by theocrats. (The chief justice has 24 hour bodyguards.) Rabbi David Yoseph (son of Rabbi Ovadia Yoseph), an important religious figure, and the rabbi of Har Nof neighborhood in Jerusalem, stated that the court is the “genuine enemy of the religious people” (*Ha'aretz* April 25, 1998). Rabbi Yeshaya Rotter, a Shofar for ultra-orthodox Rabbi Shach (a very prominent *Haredi* figure) stated that “if we had the power, we would have been obligated to go to war against the secular judges... We have no positive attitude toward these judges.” He compared the Supreme Court to Sodom and added that the ability to force all Jews to behave according to the strict Halakic rules (that is, become ultra-orthodox) is indeed a test from the Messiah. In February 1998

parliament members from the ultra-orthodox Shas party attacked the Israeli Supreme Court in an unprecedented manner, accusing its judges of being biased against Sephardic Jews, its practices being primitive, dangerous and constituting “foreign work” (*Ha’aretz*, February 4, 1998: 12A). To this vicious attack, the legal adviser to the government, Elyakim Rubinstein, (himself an orthodox Jew) responded by stating publicly that this attack was “not far from being suspect as a law violation” but did nothing else (*Ha’aretz*, February 5, 1998: 10A).

On November 21, 1997 the legal adviser to the Israeli government warned the ultra-orthodox weekly *Hashavua* to stop its hateful articles. This weekly branded Rabin as a “Kapo,” while Peres and Rabin were referred to as a “Judenraete,” Chief Justice Aharon Barak as “the most dangerous enemy of Judaism,” and it told its readers that: “Meridor [a finance minister who quit Netanyahu’s government] shot Netanyahu in his back, spilled his blood, sat near his aorta and sucked and sucked” (*Ha’aretz*, June 27, 1997: 2A, November 21, 1997: 6A). In December, the same weekly newspaper accused Barak of having “a superiority craze and self feelings of being the almighty” stating that the Israeli Supreme Court is controlled by a “leftist Mafia” (*Ha’aretz* December 15, 1996: 8A). Shimon Peres was not spared either, as he was described as “a junkie running straight to hell... If Netanyahu hears a shot behind his back, he knows that 50% of it came from the barrel of Shimon Peres’s gun” (*Ha’aretz* October 20, 1996: 4A).

The worst source of agitation is probably a number of illegal theocratic radio stations (“pirate radios” in the local jargon) which, without shame or boundaries, disperse hatred, violent threats, and open preaching to convert to orthodoxy as well as delegitimizing democracy at its base. Science, academia, judges and seculars were continuously stigmatized and vilified in these transmissions. According to a 1998 report, twelve orthodox and ultra-orthodox “pirate” radio stations were busy on a daily basis stigmatizing and vilifying secular Jews and spreading vile propaganda against democracy (Beer 1998, *Ha’aretz* April 1, 1998: 2B). For example, one of the ultra-orthodox radio stations (“the voice of the soul”) told its listeners to make a holy war against the seculars, particularly the secular station Radio Tel Aviv. The result was that hundreds of threatening faxes and telephone calls (among which was a threat to burn the station) flooded Radio Tel Aviv and halted many of its activities. A complaint was filed with Tel Aviv police (*Ha’aretz* December 12, 1997: 7A, April 1, 1998: 2B).

Physical Violence

As can be expected, violence does not stop at the verbal level. Some illustrations of direct actions:

Ultra-orthodox Jews attacked conservative Jewish women who came to pray at the “wailing wall” by throwing heavy physical objects on them and calling them “Nazis” (*Ma'ariv* November 13, 1996: 10, *Ha'aretz* November 13, 1996: 9A). Almost a year later bags filled with dirt were thrown on conservative Jews who came to pray at the “wailing wall” (*Ha'aretz* June 12, 1997: 2A). Haim Miller, deputy mayor of Jerusalem and an ultra-orthodox Jew, told journalists that “conservative Jews are a symbol for the destruction of the Jewish people.... Conservatives have no place in the country” (*Ha'aretz* October 21, 1997: 7A). Indeed, repeated attacks on conservative Jews prompted their demand from Premier Netanyahu that they be given proper defense against the Jews who continuously attack them. This demand came following the painting of a swastika on a reform movement synagogue in Jerusalem and vandalism in the conservative synagogue in Kfar Saba.

Bus stops in Israel are designed in such a way that advertizing by using large posters in them is possible. In May and June 1986 (with a small repeat in May 1998), ultra-orthodox Jews began a systematic campaign of burning these bus stops so as to force “Poster Media,” the company that sells the advertizing spaces there, to censor its posters and use only what they refer to as “modest” posters. Poster Media yielded to this violence. Moreover, when international companies target Israel for advertizing campaigns for their products, they classify Israel with such countries as Iran and other extreme Moslem states, and design their campaigns accordingly (*Ha'aretz* July 6, 1997: 3B). Ultra-orthodox Jews burnt a large number of Israeli flags in the 1997 Lag Ba'omer holiday in Jerusalem and possibly in Bnei Brak too (*Ma'ariv* May 25, 1997: 1, May 30: 25, *Ha'aretz* May 27, 1997: 5A). One of the suspects who was arrested after the event in Jerusalem, a 14 year old boy, stated that “this is not my country, so I burnt its flag” (*Yediot Aharonot* May 30 1997: 4). Violence against Israeli archaeologists is prevalent among *Haredi* activists (e.g., resorting to violence against the excavations of the City of David in 1978). Violent demonstrations have also aimed to bring about the shutting down of main roads on Saturday: the Ramot road in Jerusalem in 1978–81 and the Bar Illan road in 1997.

Beginning in October 1997, repeated attempts were made, probably by *Haredi* Jews, to burn the apartment of female Arab students who rented it on the edge of a *Haredi* neighborhood in Jerusalem, between Musrara and Me'a She'arim (*Ha'aretz* December 12, 1998: 10A). The attempts to set the apartment on fire followed verbal threats ("Arabs Out"), paintings of swastikas in the staircase leading to the apartment, writing vilifying and threatening graffiti on the walls of the staircase, knocking on the door of the apartment in the middle of the night, spitting on the girls in the street, and throwing stones at them. Eventually, an improvised explosive device (a "pipe charge") was laid near the door of the apartment as well (*Yerushalayim* May 5, 1998: 18–19).

Attacking and throwing stones at cars on Saturday are common occurrences. Even unsuspecting and innocent drivers who, by pure mistake, drive into an ultra-orthodox neighborhood on Saturday are not warned politely and asked firmly to leave. These innocent drivers are typically attacked. The cars are hit, and beatings may take place. For example, in November 1996 five young people from the Tel Aviv area, with a ten-year old girl, drove by mistake into such a neighborhood in Jerusalem. A *Haredi* mob attacked the car, cursed and threatened the terrified passengers. A secular man who passed by used his cell phone to call the police. A force of border patrol officers arrived at a scene that was described later by a senior police officer as "very close to a lynching" and tried to get the passengers out of the danger zone, to no avail. Only when more police forces arrived did it become possible to yank the frightened secular passengers out to safety (*Ha'aretz* Nov. 10, 1996: 5A, *Ma'ariv* Nov. 10, 1996: 15). Moreover, ultra-orthodoxy has a private police force called the "modesty guard" that acts violently against anyone whom they feel has violated their conduct norms. This force operates completely outside any control of the state.

Deviance and violence characterize not only *Haredi* Jews. Orthodox Jewish activists, to the to the extreme right politically, are equally to be blamed. The assassin of Rabin was not a *Haredi*, but an orthodox Jew. The main activists in the "Jewish Underground" which existed in the late 1970s early 1980s and attacked Palestinians, as well as planning to blow up the mosques on the Temple Mount, were not *Haredi* but Orthodox (*Ha'aretz* Nov. 10, 1996: 5A, *Ma'ariv* Nov. 10, 1996: 15). The violence of Jewish settlers in the West Bank toward Arabs comes typically from the extreme orthodox religious right (e.g., the massacre

committed by Dr. Baruch Goldstein in Hebron against innocent Palestinians).⁶

Orthodox and ultra-orthodox religious cultural pressure manifests itself in everyday life too. For example, people on the streets of Jerusalem and in front of secular schools are stopped by ultra-orthodox Jews and asked to *Lehaniach Teffilin*—that is, to make one of orthodoxy's Mitzvos—hinting that this is the way to live. No secular Jew would dare stand in an ultra-orthodox neighborhood suggesting to Jews passing by that they should read modern Israeli poetry and literature or share any of the delightful cultural fruits of secular Judaism. Similarly, orthodox and ultra-orthodox activists tend to use “religious discourse” which forces non-religious people to share a religious universe of contents—for example, adding on letterhead lines the Hebrew words: *BESAD* (a short form of writing meaning, “With the help of the Almighty”) or interjecting into normal conversations in an almost endless way the term *BARUCH HASHEM* (meaning “Blessed be the Lord”).

Many housing projects advertize publicly that they are meant only for either religious or ultra-orthodox Jews. If secular Jews would advertize that their housing is restricted to non-religious Jews only, the cry of “Anti-Semitism” would surely follow. In Jerusalem, to pass through many neighborhoods, females are forced to dress according to the orthodox and ultra-orthodox code of dressing. Many of my secular female students tell me that when they walk in the downtown area in Jerusalem, religious women approach them and warn them with all seriousness that the way they dress endangers the fate of the Jewish people, not to mention themselves, and follow this dire warning with a “suggestion” to dress differently. Some hospitals in Jerusalem (e.g., Sha'arei Tzedek and Bikur Cholim) disconnect public phones on Saturdays and pressure patients to behave on Saturdays according to Halakhic rules (e.g., using a Walkman is discouraged). Security personnel for other hospitals (Sha'arei Tzedek in Jerusalem and Carmel in Haifa) search visitors' possessions during Passover for non-Kosher food that these visitors may carry into the hospitals (*Ha'aretz* April 27,

⁶ On February 25, 1994, Dr. Baruch Goldstein, an orthodox Jewish physician from the Jewish settlement in Hebron, entered the mosque of “The Cave of the Patriarchs” in Hebron in the midst of Muslim prayer. He carried an automatic rifle and opened fire indistinguishably on the praying Arabs. Twenty-nine Arabs were killed and up to 200 were wounded. Dr. Goldstein was killed by surviving Arabs.

1998: 6A; *Kol Ha'ir* April 25, 1998: 12). Different products in supermarket chains carry the notification that they were manufactured in a factory which "observes the Shabbat." Moreover, neighbors in building complexes find themselves bickering about the use and operation of elevators on Saturdays and similar issues.

Studies and surveys done in Jerusalem and Israel indicate that these acts of religious violence and cultural coercion have consequences. One study examined the satisfaction expressed by *Haredi* and secular Jews in Jerusalem about the possibility of living together. While *Haredi* Jews stated that they saw no problems and were satisfied, secular Jews not only expressed extreme dissatisfaction but are leaving Jerusalem to the secular periphery by the thousands (Hasson and Gonen 1997). In fact, very few secular Jews are able to live among *Haredi* Jews. Another study by Farber (1987) revealed that *Haredi* Jews display systematically high levels of violence against non-*Haredi* Jews who dwell on the borders of their neighborhoods in Jerusalem. That violence is particularly pronounced against women. Another survey by the Tami Steinmetz center in Tel Aviv University asked subjects to respond to the possibility of separating state from religion in Israel. The overwhelming majority of religious subjects expressed feelings of being comfortable and satisfied that religion is not separated from state in Israel. Secular subjects expressed their explicit wish that such a separation should take place (Herman and Yaar-Yuchtman 1998). These results seem to be typical for a situation of cultural hegemony. Members of the hegemonic cultural group (in this case of hegemony in the religious sphere, the orthodox and ultra-orthodox) feel comfortable and satisfied with their hegemonic position. Those being exposed to the hegemony (typically secular Jews) express dissatisfaction, stress and discontent.

Violence, verbal and non-verbal, as well as using religious power in the Knesset to prevent the separation of state from religion and enforce a religious lifestyle as a reality in Israel in a number of areas, has a direction and a purpose. It is not random, crazy, illogical or irrational. On the contrary, what we are witnessing here is a group of theocratic activists (some of whom, but not all, are Jewish fundamentalists), with a more or less monochromatic world view which delegitimizes—in a calculated, logical and systematic fashion—all interpretations of Judaism except its own, using the power of the state to enforce this trend. This line of activity gives legitimacy to continuous instigation, verbal and physical abuse and violence, and to direct action (*Ha'aretz* Nov. 10, 1996: 5A, *Ma'ariv* Nov. 10, 1996: 15). For example, a previous

minister of education and culture in Israel (the second largest ministry after the ministry of security) stated in an interview that he will not *push* Israel to be a theocracy, but if others will do it, he will not object. One needs to read this statement carefully to realize its manipulative nature. What exactly was the minister “inviting” here? What message does he transmit? But, one need not hide behind such evasive and concealing rhetoric. A prominent member of the National Religious Party (and, later, minister of education himself), Yitzhak Levi admitted that, given the choice, he would “certainly” turn Israel into a Halakhic state (*Ha’aretz* November 7, 1997: 3B). Indeed, in a survey, 70% of *Haredi* Jews expressed attitudes that supported the use of violence and violation of the law to achieve political goals—as compared to 40% of the secular Jews, and 45% of the orthodox Jews (*Ha’aretz* April 27, 1998: 2B)

The various forms of the theocratic violence are nothing but a new phenomenon. Some of it began already before the establishment of the State of Israel and in a slow and gradual process intensified over the sixty-two years in which Israel has existed. This violence is intended to challenge and alter the moral secular democratic basis of the state and attempts to destroy, from the foundation, the value system that underlies this democracy. It aims to modify the political institutions and decision-making processes, as well as erode the national secular symbols, toward a theocracy. Thus, using violence per se is not the goal or the outlet of the theocratic activists. It is a calculated means to force Israel to march toward a Halakhic state. Contrary to Sprinzak’s thesis (1999:115–44) that *Haredi* violence is limited by itself, my conclusion is that the patterns of theocratic violence over the 1948–1998 period reveal that to the extent that theocratic violence is limited, it is so only because it does not have enough power to go further. The assassination of Yitzhak Rabin, if anything, indicates that this violence does not limit itself. Likewise, the “Jewish Underground,” or the theocratic underground group *Brit Hakanaim* (“alliance of the zealots”) from the 1950s (who aimed to create a Halakhic state then) further illustrate this. Perhaps the most salient recent example is the *Haredi* violent underground group: *Keshet*.⁷ The theocratic activists

⁷ An ultra-orthodox violent group which was responsible for a number of violent attacks against what they saw as “anti-*Haredi*” targets. Most activities occurred between August 1988 and February 1989. For example, members of this illegal organization destroyed a kiosk that sold secular newspapers in Bnei Brak.

will not hesitate to use brute and sometimes even lethal force (as they have done in the past) if and when they feel that they stand a fairly good chance to win more popular support and move more swiftly toward a Halakhic state. The prospect of initiating a fully developed civil war in Israel at this stage, rather than a low level of continuous conflict, simply does not appeal to them because it will probably fail their goals.

Theocratic Counter Propaganda

Theocratic propaganda can be quite successful. Following the assassination of Rabin, for example, theocratic activists did all they could to disassociate and absolve themselves from any possible connection to the assassination. In this process, a rather successful attempt was made to negate the cultural interdependence theory. Amir (the assassin) was presented as a “wild growth,” somebody who is a “nut,” and not connected to any cultural element. Attempts are constantly made to confuse innocent and unsuspecting audiences that either democracy is bad or, if this does not work, that there is no contradiction between extreme forms of Judaism and democracy.

Moreover, many theocratic activists tend to present their version of culture in utopian terms. To achieve success in such a presentation, one certainly needs to deceive one’s audience. Thus, ultra-orthodox media (print and electronic) emphasize that, contrary to the seculars, it is their people’s “right not to know.” Using this value, all information about deviance, violence or other problematic behavior among them is censored heavily and denied. For example, Sheri Makover, a radio reporter for the ultra-orthodox working in an Israeli radio station (Tel’ad), refused to transmit any damaging or discrediting information about the ultra-orthodox. She thus refused to report on such issues as: sexual deviance in a *Haredi* family (a case involving a *Haredi* who raped two of his family female members) or lack of *Haredi* respect during Memorial Day. Following these refusals, Sheri Makover stated that she was willing only to discuss topics that were complimentary to the *Haredi* community and would not talk about negative topics. Following this rather strange journalistic policy, she was fired (*Yerushalayim* June 20, 1997: 33).

When the secular media report on problematic behavior among *Haredi* Jews (e.g., suicide, violence, wife beatings, etc.) these media

typically receives unsavory compliments such as “the hostile media” or “secular violence.” Worse yet, seculars are continuously accused of being involved in “wild instigations” against the ultra-orthodox, while they are the victims. Moreover, disclosures of disrepute, deviance or negative aspects of *Haredi* Jews tend to be responded to by a series of denials, counteraccusations, claims of invalidity of the news item, and sometimes even curses. Typical counter-accusations tend to utilize a large number of images from the Nazi lexicon (*Ha'aretz* April 14, 1998: 2B). Sometimes, a mix between cause and effect are presented. For example, the Bat Sheva affair: On Israel's 50th birthday celebration (April 30, 1998) at Hebrew University's Givat Ram stadium, the Bat Sheva dance group had to cancel its presentation of a part of a dance called “Anafasa” because of religious objections. The dancers partly undressed, and used language taken from the scriptures. The turmoil that resulted was attributed by most religious people to Bat Sheva. They became the target for accusations of national disunity, ruining the 50th anniversary celebrations (attended by US Vice President Al Gore and his wife). The real or potential role of religious censorship that helped bring the turmoil into being was ignored.

Secular Public Constructions

Heilman (1990: 6) points out that the secular press is not without hostilities of its own, and that the focus of interest of the secular press (for example, report the unexpected, be profitable) is different from the religious or *Haredi* press. The definition of “what constitutes news” is a debatable issue and in its quest for readers, the secular press often “distorts reality.” Focusing on the 1988 election coverage in the press, Heilman concluded that the reports in the secular press presented both *Haredi* and religious people as dangerous and splitting the nation, extortionists and purveyors of alienation, transforming democracy, encouraging violence, and aiming to “*Haredize*” the state. In short, that the “news pages in the secular press present an implicitly unflattering picture of the *datiim* [religious]” (Heilman, 1990: 55). Heilman attributes no malevolent motive to the secular press, but instead suggests that this situation originates in the fact that the secular press is oriented to the secular majority which “is not particularly interested or prepared to read about why people choose to be *dati*. ... Or what their religion means to them” (Heilman 1990:65). However, Jews in Israel

are aware of the different types of Judaism, and the problem is that of a *kulturkampf* between different factions of Judaism. In this cultural conflict, the print media play a crucial role by reflecting, creating and sustaining the conflict. In playing out this culture conflict, the media—on both sides of the conflict—do not seem to be innocent or unbiased. In this context, Hellman's conclusions that the secular press is sometimes hostile to *Haredim* and religious Jews are probably valid, and are corroborated by my study. Moreover, some secular journalism tendencies to lean toward cynicism may add to this—for example, "On Wednesday night, the *Haredim* forgot the bones of our ancient ancestors, and between setting garbage containers on fire they found the time to attack the (female) photographer of *Kol Hair*" (*Kol Hair* November 20, 1992: 60).

If we examine secular newspapers in the early 1980s, interesting discoveries emerge (Taler and Shaked 1997, Rosner and Peninit 1999). For example, *Yediot Aharonot's* reports on *Haredi* deviance tend to use terms taken from the military and war lexicon—for example, "the Religious Commando strikes" (*Yediot Arahonot* Passover supplement, March 29, 1983: 14–15), "dozens of *Haredim* stormed," (*Yediot Arahonot* January 17, 1984: 4), "*Haredi* reconnaissance units," (*Yediot Arahonot* April 24, 1984: 13), "Rabbis wanted to dictate a surrender letter," (*Yediot Arahonot* February 1, 1985: 4), "Hassidim conquered the court," (*Yediot Arahonot* March 13, 1985: 6) and "Combat over graves." (*Yediot Arahonot*, 7 Days supplement, January 31, 1992: 31). *Haredi* behavior was described in terms that projected violence, vandalism, and use of strong force: "Neturey Karta: 'We Always Get Our Way with Violence'" (*Yediot Arahonot* September 19, 1984: 24) and "A *Haredi* man beat a female driver on Shabbat." (*Yediot Arahonot* April 20, 1983: 13). *Haredi* deviance also tends to be described in terms of group activity, implying "many," such as "A large crowd surrounded the police car" (*Yediot Arahonot* January 17, 1984: 4) and "*Haredim* against the Hamam" (*Yediot Arahonot* April 18, 1984: 5).⁸ Provocative language can be found too—for example, "A *Haredi* woman was accused of biting a police officer" (*Yediot Arahonot*, 24 Hours supplement, July 19, 1983: 12) "The yeshiva student was caught with the knife in his hand." (*Ma'ariv* July 21, 1985: 12, *Yediot Aharonot* July 21, 1985: 11), and

⁸ Only one *Haredi* was suspected of setting fire to the car of the owner of the Hamam.

“The indecent act—an expression of the rabbi’s love for his male students” (*Yediot Aharonot* November 4, 1984: 4). *Yediot Aharonot* used biblical and/or religious language to describe deviancies, such as “Sodom and Gomorrah in a *Haredi* Neighborhood” (*Yediot Arahonot* January 7, 1985: 4, *Ma’ariv* January 7, 1985: 1, 11) and “Terror in the Name of the Almighty” (*Yediot Arahonot*, 7 Days supplement, June 17, 1983: 10–11). *Haredi* suspects were described in terms that made them appear guilty even before sentencing. Finally, there was a tendency to describe *Haredim* as strange, bizarre, extraordinary and otherwise unusual.

Democracy vs. Theocracy

Pure theocracies or democracies are creatures of pure imagination. In reality, the actual question is, “To what *degree* does a particular regime resemble one or the other, and in which areas?” To a very large extent, the type of violence described in this chapter is contextualized within this issue. This violence is best understood as part of a *kulturkampf* between theocrats and democrats. There have been regimes very close, on a large number of issues, to a theocracy: the Ayatollahs’ control of Iran, the Taliban in Afghanistan, the Church’s hegemony over much of Europe during the middle ages, Sudan and Saudi Arabia these days, or the Hamas in Aza. Naturally, a strong religious color to a political regime has a very powerful flavor of totalitarianism in it as well. These illustrations of the essentially religiously hegemonized political regimes that I have presented show how religious interpretations of everyday conduct can prevail. There is no reason to assume that a Jewish theocracy (Halakhic State) will look like anything different, or that Jewish Rabbis and Admors in such a state will act any differently, from religious leaders elsewhere in the past or the present. Thus, a Halakhic State will probably resemble a totalitarian regime. Moreover, Seffi Rachlevsky’s book (1998) argues that the theology of many theocratic activists stipulates that seculars serve only as vehicles (“donkeys” in the terminology he uses) to expedite the arrival of the Messiah. Theocrats can, and will, get rid of the secular donkeys once a messianic theocracy is created (cf. Greenfield 2001, although from a different angle).

Although quite a number of Israelis try to state that a “Jewish Democracy” is possible and thus harmonize extreme forms of oppressive religion and free democracy, in essence this contradiction cannot

be solved. The tension between these two blueprints for country and culture is everpresent. The only solution for this contradiction seems to be to turn thinking about “democracy” and “Judaism” from discrete, black/white-type variables into continuous variables. In this manner, it is not too difficult to realize that the orthodox and ultra-orthodox versions of Judaism are, in essence, diametrically opposed to most forms of democracy, while the conservative, reform and certainly secular forms of Judaism are much more conducive to more forms of democracy. At both ends, of course, we will find that ultra-orthodoxy and democracy simply constitute a contradiction, while in the secular-democracy combination this contradiction is attenuated quite significantly.

Trends Toward a Halakhic State in Israel

The prestigious and ambitious project of the University of Chicago Press in publishing a series of volumes on fundamentalism in the 1990s (sponsored by the American Academy of Arts and Sciences) included a few chapters about Jewish religious fundamentalism. Without exception, these focused on either ultra-orthodox or orthodox versions of Judaism as cases of Jewish fundamentalism. I find the most relevant of them in the present case to be the intriguing chapter by Hyam Soloveitchik. In it, he argues that in the second half of the twentieth century, ultra-orthodoxy has deserted its more traditional customs in favor of focusing on texts as strict codes for actual action. This transformation helped to shrink the older, larger and more flexible, variance of religious interpretation in favor of a much more extreme, monochromatic and fundamentalist interpretation. Thus, ultra-orthodoxy became more and more fundamental. Moreover, older modes of coping with the context within which ultra-orthodoxy was embedded, which consisted mostly of quietism, pragmatism and adaptation, stand a very good chance of changing into new aggressive and influential forms of action. While Soloveitchik tends to think that these old forms will persist, my observation today is that they are instead changing into the new form. Soloveitchik’s main point is that the ultra-orthodoxy that he observed had “no blueprint for running a society” (1994: 223) and thus will only constitute a pressure/interest group. He continues to point out that: “Significantly, no group has ever advocated the full application of Jewish law in the State of Israel, having it replace the

'Gentile' law currently in effect." The fact is that from the religious underground in the 1950s which wanted a Halakhic state ('Brit Hakanaim' [Sprinzak 1999: 61–66]), to present days protests, threats and demonstrations against the Israeli secular legal system (especially the Supreme Court), we have extensive empirical corroboration to testify to exactly the reverse of Soloveitchik's statement. There is no reason to suspect that as ultra-orthodoxy became more and more extreme and fundamentalist, its demands for a state that is more "religious" would not intensify. And, they did. The "blueprint" may not be presented in a fully matured utopian book, but it is expressed in each and every pressure and law that is aimed to depict Israel in more religious terms. As Soloveitchik points out, "Enforcement of religious norms in a modern secular society means the use of violence, as large segments of the population, possibly even its majority, must be cowed into obedience" (1994: 221). Indeed, the violence documented in this chapter testifies to this, as well as to the growing hatred and animosity between ultra-orthodox Jews and such other interpretations of Judaism as secular, reformed or conservative.

Continuing this line, we need to note that there are a few strong trends prevalent in Israeli Jewish culture now that are acting toward pushing Israel into the direction of an extreme Halakhic State. The theocratic violence on which this chapter has focused must be understood within these trends:

First, the number of visible, and publicly identifiable, religious members in the Israeli Parliament, the Knesset. In the Knesset in 1998, there were 23 such parliament members. (In 2006 the number was 26.) This number constitutes about 19.1% of the number of parliament members in the Knesset which was elected in the May 1996 general elections. By comparison, the proportion in the 1984 general election was only 9.8%. A large number of these politicians state explicitly and publicly that, at a minimum, they will not object to, or stand in the way of, turning Israel into a totalitarian Halakhic State. The presence of such a large number of politicians in the parliament means that a strong affinity exists in the Knesset toward laws that are favorable to religious issues. The fact is that the political structure in Israel (split votes and traditional coalitional governments) enables rather small parties to exert disproportional power and influence. A large majority is not required to turn a multi-party democracy into a totalitarian regime. A determined minority of 30–40 percent in a parliament can indeed

take over. Once done, more changes can follow—the solidification of their rule among the first.

Second, despite the democratic system in Israel, there are large sections of the population who are willing to state openly and explicitly that they want democracy abolished and a Halakhic State instituted instead. Surveys indicate that 64% of the *Haredim* feel that Israel should become an Halakhic state, and 90% of them express anti-democratic stands. Anti-democratic stands seem to characterize more *Haredi* women than men. Tolerance is an extremely important index for democracies. However, 70% of *Haredi* Jews expressed non-tolerant positions (66% of secular Jews presented tolerant positions). By comparison, 73% of secular Jews prefer a democracy. Among the 51% secular Jewish respondents to Peres and Yuchtman-Yaar's sample (1968: 165), not one person stated that Israel must be a theocracy. Moreover, 71% of the combined "religious" group in their sample stated that there should be *more* religious legislation. Not one secular respondent thought so. *Haredi* Jews are first in the country to oppose democracy, followed by orthodox Jews (*Ha'aretz* June 2, 1998: 2B). This large number of citizens who enjoy the benefits of a democratic regime but want to replace it with a totalitarian theocracy should be a genuine cause for concern.

Third, the existence of different groups and individuals in Israeli society who are willing not only to state in public that they want a Halakhic State, but are more than willing to use means of "direct action" (including violence), verbal and non-verbal, to achieve this goal. *Haredi* violence, the "Jewish Underground," the Modesty Guards, threats on Supreme Court judges, as well as the assassination of Rabin illustrate this vividly. Another alarming example is, to the delight of quite a number of tourists and journalists, that there are groups and institutions in Israel now that re-create the tools of the Jewish temple(s), its structures, and are engaged in searching and training special Jews ("Kohanim") to serve in such a temple (*Yediot Ahronot* June 23, 1997: 7, *Kol Hair* April 16, 1998: 23, *Yerushalayim* [Bonus Supplement] April 29, 1998: 3). One must be reminded that one of the plans of the "Jewish Underground" in the 1970s was to explode the mosques on the Temple Mount. Clearly, no Jewish temple could be re-built without causing the two major mosques that exist now on the Temple Mount (Al Aqsa and the Dome of the Rock) somehow to vanish into thin air. Thus, creating and supporting expectations for the re-building of a new Jewish

temple is introducing extra-high explosives into a delicate and complex situation. Furthermore, one must be reminded that we do not present a loaded a gun in the first act if we do not expect it to fire in the second or third.

Fourth, there is a political and ideological process of convergence within the divergent *Haredi* community (*Yediot Ahronot* June 10, 1997: 5) and between ultra-orthodox and orthodox Jews on issues relating to the Halakha and a Halakhic State. That is, while differences still exist between these groups, on the issue of theocracy they seem converge. Moreover, the convergence between these groups is significantly reinforced by the fact that an almost perfect identity exists in Israel between being orthodox and ultra-orthodox and taking political positions on the right (and extreme right) side of the Israeli political map (*Ha'aretz* December 1, 1997: 3A, March 11, 1998: 2B).

Fifth, orthodox Jews, as well as the ultra-orthodox Jews, have separate educational systems. While the resources for financing these systems are being pumped from the democratic state, these educational systems emphasize religious values and produce strong pressures to remain religious as the morally superior way of life. There can hardly be a doubt regarding the role of these state-funded educational systems in helping to shape anti-democratic stands among those who are exposed to them.

Sixth, the state of Israel provides economic incentives to high birth rates via both direct payments and indirect tax breaks. Both orthodox but certainly, and much more significantly, ultra-orthodox Jews have higher birth rates. This demographic trend means that there is a significantly higher birth rate among segments of the Jewish population who explicitly and systematically want a theocracy. This problem is so acute that a publicist in 1998 stated in a major article that the secular sand clock in Israel is ticking slowly against secular democracy (*Ha'aretz* May 8, 1998: 2B). Similar concerns were raised in the media in the spring of 2010.

Seventh, Israel's political structure requires a coalition government because traditionally no one party has been able to win the elections in a landslide fashion. This situation, as noted previously, gives small parties (e.g., ultra-orthodox or orthodox) disproportional powers.

Eighth, the Knesset is always coping with suggestions for laws that are religious in nature and aimed to limit citizen's rights in a theocratic direction. For example, one of the laws that has been considered on and off is a prohibition against any mention in public of any form of

negative behavior by ultra-orthodox Jews (e.g., no public discussion or talk about *Haredi* deviance unless the perpetrator has been convicted in court). This suggested prohibition does not originate from genuine concern for human rights but is aimed to deceive the public by presenting the ultra-orthodox community as deviance-free and utopian (e.g., see Ben-Yehuda 1997).

Conclusion

The structural and conceptual tension that the concept of a “Jewish Democracy” yields has given rise to an Israeli *kulturkampf* whose expression can be found in the printed press. The assassination of democratically elected premier Yitzhak Rabin, a clear act of political violence by an orthodox theocratic Jew, focused and sharpened Israeli secular consciousness in the 1990s on state/religion relationships. This was no coincidence. Jewish theocratic violence in Israel is political in nature and is nurtured by strong cultural trends to replace democracy with a totalitarian theocracy. This violence is planned and geared to achieve a clear goal—transforming Israel’s tense and stressed democracy into a theocratic Halakhic State. This goal is the rationale behind the theocratic violence that is calculated, continuous and will probably not cease. Both manifestations of this violence, verbal and physical, are intended to introduce into Israel an atmosphere and daily conduct that are religious, thus slowly to choke and eventually to destroy democracy. This activity assumes that democracy is not a value or end in itself but rather a means to be used in order to achieve a totalitarian theocracy.

In fact, it is interesting to read, in this context, the personal report by Racheli Aidelman about one of her conversations with Shai Agnon, an orthodox Jew himself and Israel’s winner of the Nobel Prize for literature. Aidelman recalls that prior to 1967 Agnon told her that “the greatest disaster for Israel in the future can be expected from the religious zealots, that they are full of hatred” (*Ha’aretz*, Literary Supplement, May 22: 2A). In answer to Racheli’s question of how he knows that, Agnon replied that he visited their synagogues and thus knows them.⁹

⁹ The research upon which this chapter is based was funded by grants from the Silbert Foundation.

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CHAPTER EIGHT

ON THE PROCESSES AND PROBLEMATICS OF REPRESENTING DIVINITY: DIO CHRYSOSTOM (ca. 40–120) AND THE PRAGMATIST MOTIF

ROBERT PRUS

Although some scholars in the sociology of religion adopt interpretivist or pragmatist viewpoints of the sort associated with symbolic interactionism (Mead 1934, Blumer 1969) and social constructionism (Schutz 1962, 1964, Berger and Luckmann 1966), while others turn to Émile Durkheim (1912) as a central source of reference, the notion that religion represents a humanly contrived realm of endeavor has a much more enduring philosophic base. Indeed, although Durkheim generally is envisioned in more distinctly positivist or structuralist terms, his work on religion displays an array of pragmatist emphases that contrast notably with the structural tendencies associated with his earlier, best-known works (1883, 1895, 1897).

Pragmatist claims pertaining to religion may in fact, however, be traced to various classical Greek scholars including Protagoras (ca. 490–420 BCE), Herodotus (ca. 485–425 BCE), Democritus (ca. 460–357 BCE), Plato (ca. 420–348 BCE), Aristotle (384–322 BCE), and Epicurus ca. 341–270 BCE). Still, among the classical scholars, it is the Roman, Marcus Tullius Cicero (ca. 106–43 BCE) who provides the most sustained analysis of religion as a humanly accomplished essence. Cicero may be best known as a rhetorician, but he is also a highly competent philosopher and religious studies scholar. Cicero's most consequential texts in religious studies are *On the Nature of the Gods*, *On Ends*, *On Fate*, *On Divination*, and *Tusculan Disputations*. Notably, Cicero subjects religion to a dialectic analysis of the sort Plato generally encourages but which Plato largely avoided as a theologian. Dio Chrysostom's (ca. 40–120) statement on religion is by no means as extensive or rigorous as are Cicero's materials. Still, as the following discussion will show, Dio Chrysostom provides a rather explicit and instructive consideration of what presently may be referenced as a pragmatist or constructionist emphasis.

A Greek educated author from the broader Roman era, Dio Chrysostom is often considered part of “the Second Sophistic” movement (ca. 60–230 CE). Beyond his general roles as a Greek philosopher and rhetorician who was also involved in the affairs of state, we know little of Dio Chrysostom’s background. Given the various political, religious and intellectual disjunctures as well as the natural ravages of time over the intervening centuries, our access to preserved texts from this era is notably limited. Still, Dio was not alone in addressing religion in more pronounced pragmatist terms. Thus, somewhat related considerations of religion may be found in the texts of Plutarch of Chaeroneia (ca. 46–125), Clement of Alexandria (ca. 150–215), Lucian of Samosata (ca. 120–200), and Sextus Empiricus (ca. 160–210). Like Plato, Clement of Alexandria exempts Christian theology from a more extensive constructionist analysis; however those who read both Clement and Dio Chrysostom will recognize similarities when discussing people’s conceptions of the gods. Whereas Lucian is best known as a satirist, several of his texts address the pragmatist, constructionist, or relativist paradigms with respect to religion. Following in the tradition of the Pyrrhonists who claimed that nothing is self-evident, Sextus Empiricus advanced a totally skepticizing viewpoint, refusing to make judgments on anything. Minimally, although this chapter concentrates on one of Dio Chrysostom’s texts, it should not be assumed that “the constructionist standpoint” developed herein is especially unique to him.

In order to establish a contemporary pragmatist or constructionist frame for the chapter, I will briefly outline the premises and methodological emphases of symbolic interaction.¹ Representing a sociological extension of the American pragmatist philosophic tradition, symbolic interactionism developed through a synthesis of this tradition and ethnographic research at the University of Chicago with Herbert Blumer (1969) as the principal architect. These eleven premises or assumptions may establish the conceptual parameters for the present consideration of religion as a humanly engaged process.²

¹ The present statement on the eleven premises or assumptions of the symbolic interaction, building most centrally on Mead (1934) and Blumer (1969), very much resonate with and are informed by Schutz (1962, 1964) and Berger and Luckmann (1966).

² These have been adapted from Prus 2007a: 8–9.

1. *Human group life is intersubjective.* Human group life is accomplished (and made meaningful) through community-based linguistic interchange.
2. *Human group life is knowingly problematic.* It is through symbol-based references that people begin to distinguish realms of “the known” and (later) “the unknown.”
3. *Human group life is object-oriented.* Denoting anything that can be referenced (observed, referred to, indicated, acted toward, or otherwise knowingly experienced), objects constitute the contextual and operational essence of the humanly known environment.
4. *Human group life is (multi) perspectival.* As groups of people engage the world on an ongoing basis, they develop viewpoints, conceptual frameworks, or notions of reality that may differ from those of other groups.
5. *Human group life is reflective.* It is by taking the perspective of the other into account with respect to one’s own being that people become “objects unto themselves” (and act accordingly).
6. *Human group life is sensory/emodied and (knowingly) materialized.* Among the realms of humanly knowing “what is” and “what is not,” people develop an awareness of the material or physical things that others in the community recognize. This includes appreciations of the sensory/body/physiological essences of human beings (self and other), acknowledging capacities for stimulation and activity as well as denoting realms of practical (enacted, embodied) limitation and fragility.
7. *Human group life is activity-based.* The emphasis is on human activity as a meaningful, purposive, formulative, multifaceted process.
8. *Human group life is negotiable.* Because human activity frequently involves direct interactions with others, people may anticipate and strive to influence others *as well as* acknowledge and resist the influences of others.
9. *Human group life is relational.* People do things within group contexts; people act mindfully of and in conjunction with specific other people.
10. *Human group life is processual.* Human lived experiences (and activities) are viewed in emergent, ongoing or temporally developed terms.

11. *Human group life takes place in instances.* Group life is best known through the consideration and study of the particular occasions in which people engage things. Conceptions of human experience are to be developed mindfully of and tested against the particular occasions or instances in which people attend to and otherwise act toward things in the humanly known world.

When one approaches the study of religion in these terms, it becomes apparent that religion is most productively viewed as a *collectively developed, humanly engaged process*. Rather than being one thing, religion becomes a term of reference for all manners of involvements that people envision in sacred, supernatural, mystical, or theological terms. This is not to deny people's capacities to develop and/or otherwise engage notions of religion "on their own," but rather to emphasize the underlying intersubjectivity of people's individual conceptualizations. This indicates the necessity of a shared language for people conveying notions of religion (or other matters) to others. Religion is therefore experienced in the *instances* in which people engage one another and the particular objects to which people ascribe extraordinary qualities, as matters worthy of focused collective devotion, in both the shorter and longer terms.

In addition to informing the broader discussion, these premises also will provide us with a set of criteria for considering whether, in what ways, and to what extent, the text developed by Dio Chrysostom might qualify as a pragmatist analysis in a more contemporary sense. These premises also represent a base on which to judge the potential of texts of this sort as resources in developing a more generic conceptualization of people's religious beliefs and practices.³ For purposes of this presentation, I will provide a "chapter and verse" synopsis of Dio Chrysostom's text. This way, readers can better appreciate the overall flow, as well as the conceptual sophistication of his statement.

Conceptualizing Divinity

Indeed, the race of men is more likely to run short of everything else than of voice and speech; of this one thing it possesses a most astounding

³ For some instances of ethnographic research on religion with more of an interactionist emphasis, see Lofland (1966), Prus (1976), Jorgensen (1991), Van Zandt (1991), and Shaffir (1993, 1995, 2004).

wealth. At any rate it has left unuttered and undesignated no single thing that reaches our sense perceptions, but straightway puts upon everything the mind perceives the unmistakable seal of a name, and often even several vocal signs for one thing, so that when man gives utterance to any one of them, they convey an impression not much less distinct than does the actual thing itself. Very great indeed is the ability and power of man to express in words any idea that comes into his mind (Dio Chrysostom 1932: 69).

Although *On Man's First Conception of the Gods* [hereafter *MCG*] is only one of a wide array of topics discussed by Dio Chrysostom,⁴ this statement deals not only with (a) the ways in which people may develop constructions of divinity but also (b) the manners in which they might represent divinity to others and (c) the implications of these representations for people's subsequent notions of reality (including representations of these latter notions of reality).

After a lengthy introduction in which Dio (in Socratic fashion) claims, "not to know things," Dio (*MCG* 22) more directly begins to consider the ways in which the poets Hesiod and Homer depict the gods and then (*MCG* 26) suggests that this topic might be approached in philosophic terms. Subsequently, Dio (*MCG* 27, 35) considers (1) the argument that an awareness of divinity reflects an *innate or intrinsic human tendency* on the part of Greeks and barbarians alike. In the process, Dio references (a) the wonders of creation, (b) the apparent regularity or order of the universe, and (c) the source that provides benefits that people, as intelligent creatures, could appreciate. Still, in pragmatist fashion, attending to people's use of symbols in developing knowledge about the world and divinity, Dio is also cognizant of people's tendencies to assign human-like intelligence to their notions of divinity:

While they themselves uttered a most pleasing and clear sound, and taking delight in the proud and intelligent quality of the human voice, attached symbols to the objects that reached their senses, so as to be able to name and designate everything perceived, thus easily acquiring memories and concepts of innumerable things. How, then, could they have remained ignorant and conceived no inkling of him who had sowed and

⁴ The fuller title of this text is *The Twelfth or Olympic Discourse: Or, On Man's First Conception of the Gods*. The specific numeric citations to Dio's text, *MCG* refer to standardized notations in the Greek text that accompanies Cohoon's translation in the Greek-English Loeb edition. The present statement builds centrally on Cohoon's translation.

planted and was now preserving and nourishing them, when on every side they were filled with the divine nature through both sight and hearing, and in fact through every sense? [MCG 28–29] ...So experiencing all these things and afterwards taking note of them, men could not help admiring and loving the divinity, also because they observed the seasons and saw that it is for our preservation that they come with perfect regularity and avoidance of excess in either direction, and yet further, because they enjoyed this god-given superiority over the other animals of being able to reason and reflect about the gods [MCG 32–33].

Dio (MCG 36–37) then asks (2) if it might be appropriate, as some (notably Epicurean philosophers) have suggested, to consider the idea that the universe known to people is without purpose or a ruler. Instead of a divinely enabled and ordered essence, they contend, the universe is a *random process* in which things naturally assume patterns of sorts.

After reiterating the viewpoints just introduced, Dio (MCG 39–43) explicitly considers (3) the possibility that people's notions of the gods are mythical, human creations:

As the second source we designate the idea which has been acquired and indeed implanted in men's souls through no other means than narrative accounts, myths, and customs, in some cases ascribed to no author and also unwritten, but in others written and having as their authors men of very great fame...Of this acquired notion of the divine being let us say that one part is voluntary and due to exhortations, another part compulsory and prescriptive (MCG 40).

Sociologists familiar with the objectification process (Schutz 1962, 1964, Berger and Luckmann, 1966) will recognize the consistency of Dio's position with sociology of knowledge, or a social constructionist viewpoint. Further, Dio explains, (4) some of this may be voluntary and reflect the encouragement that people (as poets and other spokespeople) give to one another, but these notions also may (5) assume the more proscriptive dimensions signified by legislation and penalties. After noting that people generally do not appreciate highly detailed explanations, Dio hopes that the better educated people will strive to follow his statement. Dio next identifies three *sources of people's notions of divinity* (innate human tendencies to seek understanding for things, poets, and lawmakers). Dio (MCG: 44) then adds a fourth source of people's conceptions of the gods—the craftspeople who construct statues or generate other physical representations of deities.⁵

⁵ In developing this text, Dio provides an early and explicit appreciation of linguistic or verbal versus plastic or material artistic expressions. For some related

Acknowledging a wide range of media (including drawings and sketches, colored art, stone, wood, metal and wax castings) that people use to represent things in the visual or material arts, Dio notes that a great many artists or skilled craftspeople have developed representations of divinity. However, he observes (*MCG* 45–46) that even though the products of these artisans differ in certain respects, they all appear to have been developed in ways that acknowledge images of the sort generated by the poets and the lawgivers. While constituting rivals to the poets in some respects, these artists were preceded by and dependent upon the articulations of the deities generated by the poets. Still more is involved. Thus, in addition to the poets, the lawgivers and the creative artists, Dio (*MCG* 47–48) acknowledges the roles that philosophers have played in affirming the gods.

Putting the lawmakers aside, Dio (*MCG*: 48) then asks whether the poets, artists, or philosophers have contributed anything of value to people's conception of divinity. After noting that these three sources of theological representation exhibit considerable agreement on these matters, Dio plans to ask how an outstanding representative of each of these practitioners would explain their representations of the divine.

Dio (*MCG* 49) begins with a consideration of the Greek sculptor Pheidias (or Phidias) who has become rich and famous for the many representations of divinity he has created across the Hellenic terrain. Then, imitating a public trial, Dio (*MCG* 50–54) challenges Pheidias to defend his productions. Dio stipulates that he is not asking Pheidias to account for his wealth, time, assistants, materials, or his workmanship (of which Dio expresses the highest regard), but instead for the adequacy of his representation of divinity.

Then, shifting roles and speaking on behalf of Pheidias, Dio (*MCG* 55–84) develops a defense that not only is extensive, noble, eloquent, and thoughtful but also is highly instructive in its content. In addition, thus, to depicting some noteworthy differences between (linguistically-enabled) poetics and physical artwork, Dio also illustrates noteworthy interconnectedness between the two modes of representation.

The artist (*MCG* 55) begins by asserting that the issue of representing divinity is of the greatest consequence imaginable. Still, Pheidias notes that he was not even born when the Greek states were founded and that poets and other artists developed representations of divinity

contemporary considerations of art as a social construction, see Dewey (1934) and Becker (1982).

long before he ever did. As well, the artist observes (*MCG* 58), all the features of (physical) nature, which in themselves are easy for an artist to represent, provide better images of divinity than any more direct representations of divinity that human artists might generate. One can compare human art with other human art but not with divinity in any genuine sense. Nevertheless, Pheidias (*MCG* 59) explains, people want representations of divinity beyond the things that they find in nature. Although they have no idea of what God might be like, people commonly assign god a human body to contain the intelligence and rationale that they do not better know how to symbolize. This way, Pheidias observes, people move from invisible to visible manifestations of divinity.

Again, while noting the heavens better attest to divinity than any human (artistic) representations, Pheidias (*MCG* 60–61) says that people want objects that they can more directly and readily access. This enables people to honor divinity as well as facilitating the task of persuasion (making requests of god). The artist likens this desire to make contact with god to the intense anxiety that children feel when they are separated from their parents. Pheidias adds that, lacking artistic resources, barbarians are more likely to resort to symbolizing divinity through aspects of nature such as mountains, trees and animals.

Then, in a shift of emphasis, Pheidias (*MCG* 62) states that instead of criticizing him for his representations of god in human form, the fault really lies with Homer (ca. 700 BCE). He states that it was Homer (in *Iliad* and *Odyssey*) who portrayed the gods in human-like terms—as beings that hold meetings, have disputes, sleep, drink, engage in sexuality, wear clothing, and maintain other mortal affinities. Pheidias asks if there can possibly be a greater imitator of the gods than Homer, who widely is viewed as godlike in his literary accomplishments. After observing that voice, speech and naming tendencies are the most abundant and enduring of human qualities, Pheidias (*MCG* 65) not only acknowledges the advantages that poets have in being able to express verbally any ideas that come to mind but also states that poets have the advantage of assuming exceptional freedom of speech as well as access to all manners of frankness. Pheidias also observes that, as the most accomplished of all poets (*MCG* 66–69), Homer built on a wide range of Hellenic diction and traditions as well as notions from foreign sources. Moreover, Pheidias adds, Homer was even more compelling because he not only created new words and imitated the sounds

generated by nonhuman objects, but Homer also created new terms to describe a wide range of naturally occurring physical effects.

By contrast, Pheidias (*MCG* 69) observes, the visual artist is limited to physical materials that have some endurance as well as a viable plasticity. Furthermore, more substantial artistic productions often require a large number of assistants. While the material artist is limited by the challenge of producing a single overall image, poets can include as many forms and emphases in their representations as they desire. Further, Pheidias stresses, poets can change all manners of components of their work, disregarding and adding elements of movement, time and action at will, as well as introducing varying combinations of narratives and speech. As well, Pheidias adds, while poets may write quickly and extensively amidst impassioned inspiration, the work of the artist is typically slow and laborious. Indeed, Pheidias states, it can be immensely challenging for the artist to maintain a viable image of the eventual product over the time, possibly years, that particular projects may take to develop. Pheidias (*MCG* 72) continues, observing that poets can size objects entirely at will whereas the (plastic) artist faces definite physical and material constraints in the representations they develop. Thus, noting the limitations of the artist's craft, Pheidias (*MCG* 73–79) observes that he does his best to represent divinity and does so in direct consultation with those requesting his services. Still, in contrast to the poets, the material artist must work without words and names. Addressing those who think that the materials that he uses are inadequate to represent divinity, Pheidias (*MCG* 80–83) says that he concurs fully with their viewpoint. Concluding his defense, Pheidias states that only God could be capable of representing God.

After attesting to the highly commendable speech that he has fashioned on behalf of Pheidias, Dio (*MCG* 84) reminds readers of the more fundamental issues he has introduced with respect to human involvements in religious matters and the poetic and artistic representations of divinity. Although Dio has addressed artistic representation through the speech of Pheidias, Dio does not engage a poet or a philosopher as he said he would. Still, he may well contend, such is a poet's prerogative. Concluding his text, Dio (*MCG* 85) notes that the images generated by Pheidias and affirmed (objectified) by others seem so realistic that Dio can almost hear God speaking. To paraphrase his text more extensively: It is as if God is saying something to this effect: "All the rites that you Hellenes so intensely pursue in the form of sacrifices, Olympic contests and festive occasions will ensure that you preserve

the images, celebrations, devotional practices, and other related customs that you have inherited from your predecessors. Nonetheless, I am deeply troubled by your lack of concern for your own neglected and wretched condition.”

In asking about the origins and continuities of conceptualizations and representations of divine essences, Dio not only provides readers with an extremely thoughtful statement on religion as a socially constructed and socially sustained phenomenon but also generates an insightful commentary on art as a collectively developed venture. While attending to arguments for the existence of god based on the divine ordering of the universe and the wide-sweeping tendencies of peoples to invoke deities of all sorts as well as the innate proclivity of people to seek religious emphases in their lives, Dio also asks about the roles that humans assume in conceptualizing, representing, maintaining, and perpetuating particular notions of divinity. Noting that people’s notions of religion are linked to their capacities for speech and their tendencies to anthropomorphize or attribute human qualities to other essences, Dio draws particular attention to the roles played by the poets (Homer and Hesiod) in articulating Greek conceptions of divinity and the plastic or material artists in giving these notions other sensate dimensions. At the same time Dio is aware of the tendencies of lawmakers and philosophers to invoke images of divinity as a means of fostering social order and justifying particular versions of morality.

We would be remiss were we not to appreciate the specific attention Dio gives to the collectively formulated images that people develop of divinity. While drawing attention to the earlier sources of inspiration with which material artists work, Dio is not only mindful of the material resources and limitations with which various artists work but also provides an instructive account of the ways in which other people enter into the creative process in a more comprehensive enacted and experiential sense as sponsors and other participants. In his consideration of artistic representations of divinity, Dio is attentive to people’s traditions, aesthetic judgments, localized tastes, financial inputs, concerns with regional prestige, and quests for divine considerations.

Even as he develops his material, however, Dio is mindful of other ways in which people attend to divinity and of their relevance for perpetuating particular notions of religion. Thus, while acknowledging sacrifices, festive occasions and other collective ventures, Dio also takes account of the ways in which people incorporate notions of religion into their physiological sensations and imaginations, as well as

integrate religion to their hopes, fears and other experiences of emotionality. While there is yet more that Dio seems able to offer to the broader study of religion, his analysis ends here.

In Perspective

Although the materials developed by Dio Chrysostom and other scholars in the classical Greek and Roman eras largely have been ignored by those in the social sciences, as well as by those in the field of religious studies more specifically, many of these statements represent valuable cross-cultural and transhistorical resources for developing theory about the nature of human knowing and acting more generally (see Prus 2004) and people's experience with religion more specifically. Whether there is or is not a divine essence that transcends all things (and regardless of other related issues), we can examine the ways in which people experience "matters of divinity." The objective, thus, is to consider the ways that people develop, make sense of, act toward, affirm, promote, and contest notions of divinity. Another set of consequential issues revolves around the way that people's involvements in and experiences with religion are synthesized with their conceptions and broader practices pertaining to the moral order of the community.

If an analysis of religion is to be pursued in terms that more adequately reflect human lived experience, it will be necessary to study people's involvements in religion in much the same way that one might study people's involvements in education, recreation, or deviance. From a pragmatist or interactionist viewpoint, this means examining people's experiences with religion as *realms of activity that are accomplished in the here-and-now, instances in which people do things and yet are enabled, informed and transformed by a humanly known past, a collectively managed present, and a reflectively envisioned future*. This means attending to the historical legacies (linguistic accounts, instituted routines, activities, resources, and interchanges) that people acquire from earlier generations and the ways in which the people involved deal with and experience these continuities. It also means focusing on the ways in which people engage notions of religion in "the here and now"—how people incorporate aspects of religion into their day-to-day activities and the ways in which they involve others in these matters. Further, it means being mindful of the things people do

to maintain (articulate, protect, preserve, promote) their notions of religion with respect to the elements (uncertainties, fears, detractors, competitors, resources) that they associate with both the present and the future, as well as their notions of lessons from the past.

Additionally, regardless of the authenticity ascribed to people's claims about divinity, it is important to recognize that people's religious beliefs and practices serve (as Dio notes) as enabling devices in a variety of realms of human group life. As focused realms of endeavor, religious beliefs and practices represent mechanisms that not only cater to people's imaginations and curiosities but also provide mechanisms with which participants may deal with a wide variety of aspects of the human condition. Likewise, as Dio indicates, people may develop a variety of viewpoints and practices in sustaining particular versions of religion in their community—as in attending to concerns with political advantage, philosophy, well-being, and recreational endeavors, for instance.

On another related, but conceptually more abstract plane, it also is highly instructive for analysts to ask about the similarities and differences between people's experiences in religious arenas and people's involvements or activities in other contexts. By embarking on a sustained comparative conceptual analysis of the sort suggested by Glaser and Strauss (1967), Blumer (1969), Prus (1996, 1997, 1999), Prus and Grills (2003), and others who encourage the development of generic conceptualizations of people's activities (regardless of the particular substantive emphasis in this or that setting), researchers should be able to arrive at increasingly viable understandings of the more unique as well as the more basic features of people's religious experiences. Approached thus, one may ask if there are parallels in other realms of people's involvements (e.g., politics, family life, and sports) to the objectification practices (Berger and Luckmann 1966) that Dio Chrysostom details in his depictions of people's religious practices.

While the texts developed by Dio Chrysostom, Lucian and others from the classical Greek and Latin eras may be intriguing in several respects, the major value of these works to those in the social sciences (as with all instances of contemporary ethnography) pertains to the observations these authors make about human group life and the broader comparative analysis to which their works contribute. Because they afford us windows through which to view instances of human group life in places and times that otherwise would be inaccessible, classical Greek and Roman authors provide extremely valuable links to

the past. Ironically, however, it is by looking past these studies as “uniquely classical statements” that they achieve the greatest value for the study of human knowing and acting.

In concluding, one more resource may prove helpful in contextualizing the statement Dio develops as well as for envisioning studies of people’s involvements in religion on a more contemporary plane and possibly framing some of the readers’ own inquiries. I conclude with a brief consideration of religion as it might be approached in comparative, process-oriented analytic terms. Readers may find it worthwhile to locate Dio Chrysostom’s materials from within classical Greek and Latin scholarship as well as situate their own experiences with and research on religion in these terms. In contrast to other instances of moral viewpoints and more focused collective involvements, the people involved in religious movements generally attempt to explain central human experiences (conditions, viewpoints, practices, and futures) by reference to outside (usually nonhuman) “agencies” and “supernatural” interventions. Still, our primary concern is not whether something is “truly religious” or not, but rather with depicting the ways in which people develop life-worlds around “phenomena” that they deem worthy of devotion in more enduring respects. While addressing these processes in highly compacted terms, we turn to the matters of people (a) experiencing the supernatural, (b) developing religious interpretations and associations, (c) attaining cultic dimensions of association, (d) participating in collective events, (e) recruiting and maintaining followers, (f) experiencing cultic and religious involvements as careers of participation, and (g) dealing with outsiders. These have been given an order for purposes of presentation, but these processes are much more interrelated than this listing suggests.

Experiencing the Supernatural

Three sets of activities seem particularly consequential with respect to people’s experiences of the supernatural: (1) observing (and defining) “exceptional objects” (also, experiences and events); (2) envisioning objects in religious (sacred) or other (secular) terms; and (3) sustaining fascinations with particular objects.

Developing Religious Interpretations and Associations

Although much more is involved in developing interpretations of situations and achieving organizational contexts in which religious

matters may be articulated and sustained, it is instructive at least to consider the matters of: (1) expressing and elaborating perspectives on sacred objects (including supernatural agents); (2) recognizing spokespeople, interpreters, mediums, ministers, or other promoters of particular beliefs and claims thereof; (3) providing evidence regarding supernatural agents (as in outcomes, claims, testimonials); (4) sustaining religious associations, assemblies, and practices; (5) transmitting religious or mystical content and practices to others (sharing memories, teaching, training); (6) acquiring funds, properties, and/or resources to sustain devotional programs; and (7) monitoring and regulating member behavior.

Attaining Cultic Dimensions of Association

Drawing conceptual inspiration from Orrin Klapp (1969:138–201), six aspects of cultic ventures are identified here. Although these notions may be applied to other focused realms of endeavor, they are particularly pertinent to religious ventures. They include: (1) achieving an intensity of enthusiasm or emotional involvement on the part of members; (2) displaying a mystique and inner knowledge; (3) reaffirming group perspectives in regularized gatherings; (4) organizing members' lives around group routines; (5) emphasizing identity change on the part of members; and (6) attaining solidarity through in-group association.

Participating in Collective Events

Referring to the more dynamic or emergent features of human encounters, assemblies, episodes, occasions and the like, collective events focus on the processual aspects of people's experiences with others in the more highly situated or particularized instances in which human group life takes place. Participating in collective events involves: (1) becoming aware of, and involved in, collective events; (2) coordinating and sustaining collective events; (3) making sense of collective events; (4) becoming caught up in collective events; (5) assuming more central roles in collective events; (6) avoiding, minimizing participation in, or withdrawing participation from, collective events; (7) opposing or resisting collective events (also particular themes, activities, and others within specific events); (8) concluding collective events; and (9) reviewing, reliving, redefining, and readjusting to collective events.

Recruiting and Maintaining Followers

Because all subcultures (i.e., associations) revolve around the membership (and their activities within), it is important to attend to the matters of people locating and maintaining a membership. Expressed in summary terms, this involves: (1) engaging in proselytizing (recruitment, promotional) activity; (2) providing instruction and encouragement for newcomers; and (3) dealing with questions, doubts, and resistances.

Experiencing Cultic (and Religious) Involvements as Careers of Participation

In contrast to the earlier notions of recruiting and maintaining followers, the emphasis here is on people's careers of participation within particular religious contexts or subcultures. Thus, attention is directed toward the matters of people: (1) becoming initially involved in cultic movements; (2) sustaining involvements; (3) becoming disinvolved; and (4) being reinvolved in those groupings.

Dealing with Outsiders

While some of the outsiders whom participants in religious associations may encounter are people from other communities, it also is important to recognize an assortment of other people with whom those involved in specific religious associations deal in their home or local communities. Depending on how they envision either set of "outsiders," members of particular religious associations may define themselves as encountering and dealing with (1) prospective members; (2) supporters; (3) detractors; (4) competitors; (5) adversaries; and (6) vandals, among others.

Although Dio Chrysostom's text does not address all of the themes (and subprocesses) introduced here, his statement seems to fit remarkably well with the conceptual materials outlined here and could be employed more systematically and specifically to dialogue with, assess and possibly extend the process-based concepts outlined here. Indeed, if we are to develop a more viable approach to the study of religion as a thoroughly engaged process, it is important to examine as many of these processes as possible on a contemporary plane as well as in transhistorical terms—to assess their viability through more sustained comparative analysis.

Thus, whereas we can benefit from a closer, comparative examination of Dio Chrysostom's text on religion, it is apparent that this text, especially when combined with those of other authors from this and other eras, can provide particularly instructive insight into the roles that poets, philosophers, lawmakers, and artists may play in generating and sustaining the (pragmatic) realism of religion. These include images, representations, beliefs, practices, sacrifices, and moralities pertaining to religion that people have developed over time.⁶ The pragmatist emphasis associated with a symbolic interactionist approach provides a particularly vital medium for developing a coherent "sociology of religion." However, more viable analyses of religion require attentiveness to the humanly engaged nature of religion, i.e., religion as a socially constituted process.

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⁶ For a fuller consideration of memory as a socially engaged process, see Prus (2007b). I would like to thank Beert Verstraete for his helpful comments on an earlier draft of this chapter.

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CHAPTER NINE

THE GENRES OF RELIGIOUS FREEDOM: CREATING DISCOURSES ON RELIGION AT THE STATE DEPARTMENT

RICK MOORE

Despite the obvious resurgence of interest in religion, sociology has yet to give adequate attention to the public discourses used to discuss it. Instead, social scientists examine situations where religion or religiosity can be argued to be causally significant without addressing the constant struggle by individuals and groups to determine the boundaries of what constitutes religion and its appropriate space in society (Bourdieu 1993, McGuire 2003). Many studies treat religion as a predefined analytical category, and struggle over the definition of the “field” is virtually ignored (Beaman 2003). Analyzing the discourses used by actors to bind religion in particular ways offers insight to the processes involved in the ongoing creation of religion as a real world category. A series of government reports on the status of international religious freedom gives us the opportunity to examine these processes at work within the confines of American politics and international relations.

Each year the U.S. State Department writes a report on the status of religious freedom in every country in the world (U.S. Department of State 1999–2009). These reports have become the starting point for anyone who wants to learn about religious freedom in a given country. Easily accessible online, the reports are used by activists, foreign governments and others who have an interest in the issues surrounding religious freedom (Hertzke 2004, Yelensky 2008). Many observers have sharply critiqued the document over a range of issues, however, usually pointing to omissions, errors and perceived biases of varying degrees (Wales 2002, Cozad 2005, Pastor 2005, Marshall 2008). Others find that the reports, while not perfect, accurately depict the status of international religious freedom and serve an important function in the promotion of universal human rights (Gunn 2000, Hertzke 2004). Some sociologists are in this later camp and have begun treating the report as a relatively unbiased source of data for research on

religious persecution (Grim and Finke 2005, 2006, 2007, Grim and Wike 2010).

Upon examination, the reports draw upon a set of pre-existing genres that often influence how international religious freedom is talked about in the United States: universal human rights and idealized religious pluralism. Building on the writings of Mikhail Bakhtin (1981, 1986), I will show how these two interrelated genres work together to structure the yearly reports. Through the use of these genres, the State Department promotes particular versions of religion and religious freedom, illuminating one way that the category of religion is created in practice.

Background: International Religious Freedom Reports

The State Department first began writing reports on international religious freedom after being required to do so by the International Religious Freedom Act of 1998 (IRFA).¹ This legislation grew out of the movement against religious persecution in the 1980s and 1990s. Its main purpose was to make the active promotion of religious freedom an official part of U.S. foreign policy (Hertzke 2004, 2008, Hanford 2008). Besides mandating the so-called “IRF Report,” the law created an Ambassador at Large for International Religious Freedom, required the State Department to designate especially severe violators of religious freedom as Countries of Particular Concern (CPCs), and compelled the administration to take action against CPCs ranging from a private demarche to serious economic sanctions. It also created the United States Commission on International Religious Freedom (USCIRF), which is an independent bi-partisan body charged with making policy recommendations to both Congress and the administration regarding international religious freedom.

The State Department released its first IRF Report in 1999 and has continued to release one annually each fall. The reports include Preface, Introduction, Executive Summary, and individual country reports describing the status of religious freedom in every nation in the world, plus some territories with nation-like standing (for example, Taiwan). An Executive Summary focuses on highlighting key problem

¹ The full text of IRFA and the IRF Reports can be found on the website of the State Department’s Office of International Religious Freedom: www.state.gov/g/drl/irf.

areas, in both CPCs and non-CPCs, and devotes a large section to describing the most important U.S. government actions in promoting religious freedom abroad. The individual country reports provide more detailed information on the particulars of religion and religious freedom around the world, usually listing series of violations or other related events in a bullet-point fashion. The lengths of the individual country reports vary widely and, to a certain extent, match the State Department's measure of concern with religious freedom in the country, although this is not true in all cases (for example the reports on Eritrea, a CPC, are relatively short compared to those of France and Germany, which are not CPCs).

The creation of the reports at the State Department is complex. No section of the report has a single author, but is rather written through a process involving numerous people in different areas of the organization, all with varying interests, experience and influences (Farr 2008). The authors of the reports draw heavily on past reports, often recycling sentences or whole paragraphs verbatim or with only minor changes from one year to the next. Disagreements are common among the individuals and departments involved in the writing, editing and approval process. Arguments concern the choice of words, inclusion of countries within the Executive Summary and general disagreements over the concept of religious freedom (Farr 2008). Thrown into this mix are other groups and individuals outside of the State Department who have a stake in the reports. USCIRF, activists, religious groups, other government agencies, Congress and its staffers, foreign governments and the American public all participate in the negotiation with individuals at the State Department that results in the bureaucratic bricolage that is the annual IRF Report.

The reports thus offer an important and unique opportunity to study questions of how religion is produced as a real world category. When religious freedom is evaluated one is forced to confront both the idea of religion (i.e., deciding what is and what is not religion) and its freedom (i.e., deciding what constitutes religion's appropriate space in society—what defines “good” vs. “bad” religion). The IRF Reports provide an unparalleled volume of text concerning an organization's assessment of religious freedom around the world over a period of several years. It is also significant that the reports are written by a government organization like the State Department. As such, the reports are not just harmless documents; they have real consequences, which include justifying possible sanctions and other diplomatic activity.

They reflect the manner in which religion is conceived at the institution responsible for implementing American foreign policy, demonstrating governmentality in practice (Foucault 2007).

Speech Genres

How can we best understand the way that the category of international religious freedom, including value judgments of what constitutes “good” versus “bad” religion, are produced in the State Department reports? A useful place to start is Mikhail Bakhtin’s concept of speech genres. According to Bakhtin (1986), all utterances, both spoken and written, fall within one of an infinite number of speech genres.² Speech genres are the broad frameworks for communication that we learn as we learn language. They help shape what is said by providing generally accepted structures for how conversations proceed. Example speech genres include, but are not limited to, greetings, commands, novels, scientific papers, and letters. While they do not actually determine what is said, speech genres have been described as the “form-shaping ideology” that help guide a conversation (Morson and Emerson 1990). Genres are not absolute constraints and cannot be reduced to a simple set of rules. Instead, they influence speech by roughly directing it toward its targets in a particular way. For example, when I am in a university classroom I speak using academic language, or genres, and expect that others do the same. The use of a particular genre does not control what I say but it does mean that I will probably construct my speech consistent with the genre. It also makes me more likely to talk about some subjects and less likely to discuss other topics. In this example, the genre of an academic discussion guides the conversation in the classroom.

Existing speech genres, although theoretically infinite, in practice offer a limited repertoire of forms of discourse appropriate in a given situation. Although a speaker may consciously decide to employ a particular genre, genres are often used automatically and constitute a part of our habitus (Hanks 1987, Garrett 2005). Once a genre has been chosen by an author, either consciously or otherwise, it then centers the

² In Bakhtin’s theory, an utterance is the basic unit of communication and is marked by a change in speaking subjects. An utterance encompasses everything someone has to say before pausing to give someone else a chance to respond. It can thus be a single word or an entire novel.

conversation loosely on its framework. This does not mean that a speech genre is absolutely deterministic—authors may move outside a given genre although this may affect how their statement is received by those who were expecting a different genre. It is useful to think of genres as constraints that take the form of “structuring points for conversation” and that offer “expectations for how a conversation might proceed” (Bender 2003: 93). Genres are contextual. A particular genre is chosen by a speaker according to the audience being addressed. They are forward looking in that they anticipate a certain response (for example, think of the expectations a professor has of how a student will respond to a question in class). At the same time, genres are based upon their own past usage and are socially constructed. While they are relatively stable, genres do change over time (Olick 1999). “Genres are the residue of past behavior, an accretion that shapes, guides and constrains future behavior” (Morson and Emerson 1990: 290).

The concept of speech genres moves beyond ideas of frames, scripts and other ways of describing patterns of speech or action in several useful respects. Genres emphasize the socially constructed, contextual and dialogical aspects of the way we communicate. They highlight our usage of cultural repertoires (Swidler 1986, 2001), while providing a framework for creativity and change. From Bakhtin’s perspective, genres are not only concerned with expressing our pre-existing thoughts but are also intimately intertwined with ideology and our very conception of reality. We think in genres (Bakhtin and Medvedev 1978). The stress on genres’ social creation and relationship to fundamental thought processes lends them to analyses of hierarchical social situations where recognition of power is important, such as in the dominant discourse on religious freedom by the United States.

Data and Methods

In this project I draw upon a variety of sources including the IRF Reports; State Department press releases and press conferences; proceedings from academic conferences where religious freedom activists, State Department officials and congressional staffers were present; newspaper articles; and other publications by relevant actors involved in the promotion of international religious freedom. I include these outside sources in the study because part of my argument is that the State Department itself drew upon *pre-existing* genres in producing

the IRF Reports. In particular, it made use of the genres employed by supporters of the International Religious Freedom Act of 1998 (IRFA), which mandated the State Department write the reports. Many of these outside sources also supply us with crucial information on the internal processes within the State Department that are a part of the production of the IRF reports.

The State Department reports themselves are very extensive. Over the eleven years that the report has been released to date their combined length adds up to several thousand pages of data. Since a detailed qualitative examination of such large amount of information was impractical, I focused on each year's Introduction, Executive Summary, and a sample of key country reports. I chose to examine countries that were designated by the State Department as Countries of Particular Concern, or CPCs, (for example, Eritrea). I also looked at other nations where the State Department was critical but stopped short of naming a country a CPC (such as France and Germany). Finally, I investigated some of the shorter reports for countries where the State Department found little to criticize. My aim was to achieve a balance that would enable the discovery of overall patterns unrelated to the State Department's evaluation of religious freedom in a specific country, local religious demography or geographical location.

One practical difficulty in using the concept of speech genres is identifying what actually constitutes a genre and its boundaries in the real world. It is not enough to rely simply on the formal structure of an utterance, the environment in which it takes place, or the linguistic code used. In keeping with the nature of the concept, there are no absolute rules as to what constitutes a genre and what does not. Some have suggested taking the speaker's stance (Garrett 2005) or the purpose of the utterance into account (Orr 2007), while others focus on the expectations that the genre sets for conversation (Bender 2003). While all of these criteria are potentially helpful, they offer limited guidance in analyzing a government report written by multiple authors. The stances of the writers of different sections of the report can vary. There is not always a clear or unified purpose, and the multiple concurrent audiences for the reports make defining expectations problematic. Therefore, I primarily classified genres in the reports by their structural and thematic similarities. If there was a more or less consistent use of certain rhetorical strategies and reoccurring themes for a given topic over time, I considered it to be evidence supporting the presence of a speech genre. It is possible that other researchers reading the same

material might recognize other genres, but I believe that the empirical evidence presented below supports my claim for the existence and influence of the genres I identify in this chapter.

Universal Human Rights

The IRF Reports are written around the genre of universal human rights discourse. Echoes of this genre can be found not only in the reports but also in documents used by the activists who lobbied for the passage of IRFA, statements from politicians who supported the law and in the language of the law itself. The genre is defined by its clear thematic use of human rights, as well as particular rhetorical strategies (synecdoche, metonymy, naming, shaming), quasi-performative definitional work, and an emphasis on universalism. The genre is clearly used and easily recognized in a variety of human rights documents such as the annual reports of Amnesty International (AI) or Human Rights Watch (HRW), as well as most other examples of human rights discourse. The reader knows that the genre is being used when the topic of an utterance is described in terms of human rights that are universal, and when the utterance makes use of certain rhetorical strategies and undertakes performative definitional work. However, it is important to understand that not every document written in the universal human rights genre displays all of the genre's features, displays them to the same degree, or has the same content. Rather, the genre works like a set of family resemblances (Wittgenstein 1953) that signal to the reader not only the mere presence of the genre but also, and more important, the expectations and assumptions that accompany it, as will be seen below.³ In this section I will point to the common structures, language, rhetorical strategies, and themes found in both the IRF Reports and much of the human rights literature. I argue that presuppositions of the genre affect how the IRF Reports are received by their readers and that they speak to some of the particular ways that the State Department conceives and develops the category of religious freedom.

³ This does not mean that statements made in the genre by different parties will necessarily agree with one another. Human rights documents often sharply disagree about the specifics of particular violations as well as on the gradients of human rights more generally.

To understand better the feel of the genre it helps to study an example of the genre antedating the IRF reports themselves, such as the AI reports written since the 1980s. Like the IRF Reports, the AI Reports begin with ideological introductory and summary material, proceed with individual country reports and conclude with several appendices including the texts of various international human rights treaties. The AI reports clearly signal that their content is to be understood under the rubric of human rights, and they have a heavy emphasis on universalism, making use of several other of the generic features listed above. For example, the 1998 AI Report starts with an essay entitled “All Human Rights for All” celebrating the 50th Anniversary of The United Nations Universal Declaration on Human Rights and focusing on the universality of that proclamation and the ideals within it. In that essay, the reader is also confronted with metonymy (e.g., long lists of example human rights abuses used to signal the presence of abuse generally), naming and shaming (e.g., passages emphasizing the effectiveness of public reporting), quasi-performative definitional work (e.g., descriptions of economic and women’s rights that serve to create the rights), and most obviously, the universalism of human rights (e.g., sentences like “*all* human rights should be enjoyed by *all* people” [1998: 3, emphasis in original]). When reading the AI report, the genre of universal human rights leaps from the page.

Within the IRF reports, the universal human rights genre is used most heavily in the Executive Summaries and in the individual country reports, although it is echoed in other sections as well. The reports make many direct references to universal human rights, and religious freedom is explicitly defined as a human right. The linking of human rights and religious freedom clearly signals to the reader the use of the human rights genre and prepares the reader to engage the themes of the document in a way consistent with the genre’s framework. This signaling occurs with sentences like the following from the 2007 Executive Summary, “The United States seeks to promote freedom of religion and conscience throughout the world as a *fundamental human right*” (2007: xiii). Phrases like this one are typical and are found throughout the reports. The use of the genre’s standard rhetorical strategies reinforces this kind of thematic indication and fully signals the presence of the human rights genre.

While the language of the individual country reports does not always spell out the link between religious freedom and human rights, it does so implicitly in several other ways common to the genre.

First, the reports use metonymy, or the practice of using a word to stand for something else to which it is related (e.g. “crown” in “lands that belong to the crown”). Violations of human rights are listed out of context and without details to stand in for the larger category of persecution (Castelli 2005). Violations and potential violations of rights are cataloged in a laundry-list fashion with limited commentary and analysis. The 2007 report on India serves as an example. The “Abuses of Religious Freedom” section of the Indian report is made up almost entirely of short 1–3 sentence paragraphs documenting specific violations. Many of the paragraphs begin with a date and then follow with a brief summary of an incident. There is little or no attempt to place the events in context or provide any analysis of possible causes of or reasons for the violations.⁴ The examples below are quoted in the order they appeared in the actual report and are typical in length and style not only for the reports on India but also for the IRF Reports in general.

In the state of Karnataka, Christian and human rights groups reported increased attacks and harassment following the formation of a coalition government that includes the BJP.

On February 20, 2007, a local BJP leader, Panat Ram, and his followers allegedly attacked three pastors of the Believers’ Church while they were holding a prayer meeting in Raigarh district Chhattisgarh. Elisha Baker, Balbir Kher, and Nan Sai were slightly injured. Panat Ram also tried to register a complaint against the pastors for engaging in conversion activities. Police investigated the complaint but found it unsubstantiated, and did not register a First Information Report (FIR) against the pastors.

On November 9, 2006, a local BJP politician and party workers allegedly attacked six Christians at a village meeting in Bastar, Chhattisgarh. According to the Christians, police refused to file an FIR against the attackers.

On October 10, 2006, the Chhattisgarh BJP government reportedly closed a government-financed, Christian-operated child nutrition services center in Raigarh, Chhattisgarh. The government fired 17 employees of the center on suspicion of engaging in conversion activities (IRF Report 2007: 641).

In the actual report there are five more paragraphs listing similar violations of religious freedom in the state of Karnataka. Again, notice how reported violations of religious freedom are listed as single itemized

⁴ This is not to suggest that the human rights genre never allows context to be presented, but simply that a lack of context in some circumstances is a common and defining feature of the genre.

events that mainly serve to emphasize the presence of some kind of religious freedom violation but do not explain the situation in any depth.

This approach of listing violations out of context is more than just simply reporting on facts. Rhetorically it has the effect of creating a sense of urgency and embattlement (Castelli 2005): religious freedom is something serious that must be addressed immediately. At the same time, by only listing “facts” without any context, the apparent severity of potential violations as understood by the reader can be adjusted up or down. For example, the country reports on Germany from 1999–2004 all contained a statement saying that the German government was considering adding chaplaincy positions for Islamic clergy in its military (there were none at the time). Presented without any further context, the information appeared to be a new development each year with the reports neglecting to state that the proposal had been under consideration for several years in a row. Absent this important background information, a person reading the German report in any particular year would likely interpret the statement on Islamic chaplains as a new positive development. However, if the reports had included the larger context that the German government had been talking about the issue for five years without any resolution, the same statement might actually indicate a possible violation of religious freedom to the same reader. The fact that the reports do not provide this kind of context, but instead just catalog events, can dramatically affect their interpretation by their readers.

The basic strategy of listing multiple abuses out of context was also used by activists and politicians leading up to the passage of IRFA. For example, one supporter in a *Wall Street Journal* editorial drew attention to the plight of persecuted Christians by listing bullet point examples of their mistreatment in Muslim countries (Horowitz 1995). Nina Shea (1997), a religious freedom activist, also employed a similar strategy in her highly influential book on Christian persecution, *In the Lion's Den*, and the same tactic was used by her fellow activist Paul Marshall (1997) in his book *Their Blood Cries Out*. This generic feature was not limited to activists but was also employed by congressmen during the many hearings and debates leading up to IRFA (Castelli 2005). Speaking on the floor of the House of Representatives congressmen read lists of atrocities as a part of their efforts to secure the passage of the bill. While it may be that in these last examples religious freedom was really being addressed in terms of religious persecution

and not in terms of human rights, this practice of publicly reporting fact after fact in a metonymic fashion is a shared practice within the larger human rights discourse, whether the focus is on rights or persecution. This rhetorical feature later became one of the defining characteristics of the IRF Reports, where there is little effort to place events in context or provide any analysis of possible patterns or reasons for violations. Another practice associated with the genre of universal human rights is the argument that reliable information, when made public, will motivate people to act. This general strategy has been referred to as the “human rights methodology” and has often been used by transnational networks of human rights activists (Keck and Sikkink 1998). Of course, the State Department is not an activist in any conventional sense of the term. In spite of this the agency at least partially subscribes to this method of “naming and shaming” even as it often argues for quiet diplomacy. For example, as stated in the Introduction to the 2003 report, “In seeking to prevent or remedy abuses [of religious freedom], the first and often the most vital step is to ensure that the stories are told, the abuses revealed, the restrictions exposed. This report attempts to do just that” (xvi).

The State Department’s attempts at revealing abuses of religious freedom are always done under the pretense not just of rights but of *universal* human rights. Claims of universality are prevalent in virtually all reports, press conferences and other comments made by the State Department in regard to religious freedom. They played a large role in the arguments for the passage of IRFA and are enshrined in the text of the law itself. The second paragraph of the “Findings” portion of IRFA begins: Freedom of religious belief and practice is a *universal human right* and fundamental freedom *articulated in numerous international instruments*, including... [a list of six instruments follows]. (IRFA 1998: 2788 [emphasis mine]).

Similar arguments linking universality to international human rights instruments are frequently repeated in the IRF Reports. Although the examples are far too numerous to list here, the passage below from the 2004 Executive Summary is typical of the rhetoric used.

Religious freedom is a *universal value*, and almost all of the world’s nations have signed one or more international agreements committing them to respect individual freedom of thought, conscience and belief. Beginning with the 1948 adoption by the United Nations General Assembly of the Universal Declaration of Human Rights and continuing with the *nearly global ratification* of the International Covenant on Civil

and Political Rights, the nations of the world have affirmed the principle that governments have a fundamental responsibility to protect freedom of religion.... Ultimately, each nation's policies and practices regarding religious freedom must be measured against *international norms* (IRF Report 2004: xix [emphasis mine]).

This quotation stresses the universalism of religious freedom not only by expressly naming it a “universal value” but also by using such phrases suggesting its universal nature such as “nearly global ratification” and “international norms.” Further uses of the word “universal” along with other cognate phrases pepper the reports.

So far we have seen how the reports signal the genre of universal human rights to the reader by directly referencing the concepts of human rights and universalism, as well as using metonymy and the practice of naming and shaming. Yet beyond just situating religious freedom firmly within human rights discourse, the use of the genre also begins to tell us more about the particular shape of religious freedom through the quasi-performative acts that the State Department deploys. For example, all of the Executive Summaries in the reports have used the same five categories for violations of religious freedom: 1) Totalitarian or authoritarian attempts to control religious belief or practice; 2) State hostility toward minority or nonapproved religions; 3) State neglect of discrimination against or persecution of minority or nonapproved religions; 4) Discriminating legislation or policies disadvantaging certain religions; 5) Stigmatization of certain religions by wrongfully associating them with dangerous cults or sects.⁵ By declaring violations to fall within one of these five categories, the State Department is also drawing boundaries around a particular definition of religion and religious freedom. I call this a “quasi-performative” act because saying, for example, that wrongfully associating a religion with a cult is a category of persecution does not make it so in the same way that a traditional performative utterance is an example of doing something by saying something—e.g., “I now pronounce you husband and wife.” (Austin 1962). When the State Department announces such a category in a public document, however, it does have a performative quality about it. Falsely associating a religion with a cult becomes a violation of religious freedom simply because the State Department

⁵ The only exception is that the first report (1999) did not include a separate category for the present category 5.

has uttered that to do so is such a violation. From 1999 through 2005 the reports used synecdoche, or the use of long lists of atrocities that come to be a part of the general category of persecution, to place countries and their violations within the categories (Castelli 2005)—in essence creating the categories of violations from the lists of their typical cases. For example, the treatment described in the report on Scientology in France and Germany serves to define what it means to associate a religion with a cult “falsely” and therefore helps flesh out the boundaries of religion as a category.

Together these five groupings of violations of religious freedom tell us much about the notion of religion used in the reports, especially the relation between religion and the state. As a whole, the categories suggest that there are multiple acceptable religions through their use of the plural “religions” instead of the singular “religion.” The juxtaposition made in the descriptions of the categories between religion and the state indicates that the two objects are not the same for the State Department and suggests that they should in practice be separated, at least to a degree. Category 1 (totalitarian control) makes the common distinction between religious belief and practice as separate aspects of religion and tells us that it is wrong to attempt to control them overzealously. By extension, however, the prohibition on *overzealous* domination implies that there is a level of control that may be acceptable. Category 2 (hostility to non-approved religions) lets us know that not all religions are on equal footing in practice. Some religions have more adherents and others are “not approved.” It is not entirely clear if it is the state or others in society who do not approve of these religions, nor is it clear why they do not approve—but the state must tolerate these non-approved and minority religions nevertheless. Category 3 (neglect of persecution) elaborates on this theme and places the state in a position where it must actively protect religions from other areas of society in order to stop any discrimination against them. Category 4 (discriminatory policies) reiterates the notion of state protection of religions and prohibits the state from treating separate religions differently. Equality is emphasized in that it is only a problem if “certain” religions are disadvantaged, although presumably if all religions were equally and severely disadvantaged it would still be considered a violation of the prohibition against excessive control of religions. Finally, Category 5 (cults) introduces the idea of sects and cults that are identified to be different from religion and potentially dangerous. The state must not wrongfully label a religion a cult because that would result in its stigmatization.

However, Category 5 still leaves open the possibility that some groups may actually be cults and therefore be properly labeled as such.

In summary, these categories tell us that religion is made up of both belief and practice. While for the State Department religion and religions are relatively independent from other areas of life and cannot be entirely controlled by the state, there is room left open for some “appropriate” state control. But control has its limits. The state may not overstep its bounds by meddling unequally in the affairs of religion or by banishing a religious group from the official category of religion altogether by categorizing it as a cult. Not only must the state tolerate religion, it must actively protect religious practitioners from societal discrimination and avoid creating state sanctioned discrimination. The model for religion and its relationship to the state resonates with that of free market liberalism where the state ensures that there is a level playing field. This market view of religion also implies an understanding of religion as a free choice that people make within this market.

The universal human rights genre also works within the reports rhetorically to support the claim made by the State Department that the IRF Reports apply universal, non-American standards equally across the various cultures of the world instead of relying on U.S. understandings of religious freedom. State Department officials also use this genre when asked about possible U.S. bias in the reports, and this language echoes that used by supporters of IRFA in the fight to ensure its passage. Additionally it begins to lay out specific properties of proper religion and religious freedom through its performative work.

But, not surprisingly, interpretations of religious freedom that differ from the American perspective are common. For example, Germany actively promotes religious freedom and other human rights by relying on many of the same international documents that the State Department refers to in the IRF Reports. Despite this fact, the United States criticizes Germany for its treatment of Scientologists because the United States views Scientology as a religion deserving of protection under the concept of religious freedom while Germany does not. According to the German government Scientology is not a religion but rather a subversive commercial enterprise.⁶ The dispute between the two nations

⁶ For the U.S. position on Scientology in Germany see any of the IRF Reports on Germany. For the official German position see the most recent Annual Report of the Office for the Protection of the Constitution (Bundesamt für Verfassungsschutz 2008), http://www.verfassungsschutz.de/en/en_publications/annual_reports.

exists even though both countries claim to adhere equally to the UDHR and other human rights instruments. If religious freedom were as clearly defined or universal as the State Department claims, such fundamental disagreements between supposed human rights partners would in theory be far less common than they are. But instead of being rare, differing interpretations are the norm. As the example illustrates, disputes happen not just between the widely acknowledged supporters of human rights and the usual suspects of violators, but also among the supporters themselves. Countries negotiate the proper space for religion based not only on international norms but also in light of their own historical experiences and practice. Nations with different religious histories from the United States often understand religious freedom in different ways, especially with regard to controversial topics like proselytism, conversion and the space of religion in public life (Smolin 2001, Gunn 2006).

But the genre of universal human rights, as expressed in the State Department reports, does not allow such differences. When international religious freedom is presented as a universal human right, religion is fixed as a constant unchanging category and not viewed as a reflection of a particular historical and cultural context. In essence, this stance denies that its understanding of religion and religious freedom are anything but clear empirical facts. However, in practice, many conflicting versions of this “universal” exist.

As will be seen in more detail, universal claims are effectively used in the reports to hide the next speech genre introduced below. Speaking of religious freedom in the language of universal human rights partially masks that it is almost always spoken of in terms of *the American particular*. This works to conceal the way in which the reports are socially constructed and favor certain groups, drawing attention away from how structures and discourses influence interpretations and actions. Thus constructing the IRF Reports around a speech genre of *universal* human rights helps defend them against accusations that they reflect a particular, not universal, way of thinking about religion and religious freedom.

Idealized Religious Pluralism

While the speech genre of universal human rights frames discourse on religious freedom as universal, another genre organizes dialogue on international religious freedom around concepts of a mythic American

past and an idealized religious pluralism based on a distinctly U.S. model. The genre I call idealized religious pluralism is defined by its rosy picture of American religious history that ties the United States to the invention of religious freedom and for the most part ignores American violations of religious freedom. It is also characterized by the way it prescribes a perfected form of engaged pluralism, based on a largely American Protestant understanding of religion, as the proper model for the presence of religion in the public sphere as well as for the interaction among different religious groups. The emphasis on pluralism tends to obscure the fact that in practice the reports sometimes favor certain groups over others. The notion of pluralism in the genre is specific to particular conceptions of “correct” religious practice and excludes any possibility for non-pluralistic engagement. This genre can be seen in most statements made in the United States concerning religious freedom abroad, including those made by activists, political leaders and those found in the State Department’s IRF Reports.

The first defining feature of the genre is the *presence of a particular narrative that tells a story explaining why the United States is the leader in religious freedom today*.⁷ This narrative signals to the reader the presence of the genre and sets up expectations for how the utterance will proceed. Although not all versions of this story are exactly the same, working again from a set of family resemblances, a similar narrative of American religious history can be found in statements by activists leading up to IRFA, the text of the law itself and in the IRF reports. The story usually begins with European settlers fleeing religious persecution to the colonial United States. Religious freedom is then established legally, enshrined as a part of our national identity. Often the settlers are privileged with a unique understanding of religious freedom because of the persecution they suffered. Eventually this early manifestation of religious freedom leads to present-day religious pluralism and the United States’ promotion of religious freedom around the world.

Many ideal-typical instances of this narrative structure can be found in the rhetoric leading up to the passage of IRFA. For example, religious freedom activist Nina Shea states early in her book that was published shortly before passage of IRFA:

⁷ Following Polletta (2006), I am using the words “narrative” and “story” interchangeably.

More than 350 years ago the Puritans journeyed to these shores in search of religious freedom. Sixty years later the Quakers settled Philadelphia as a haven for persecuted sects.... The right to worship God according to one's conscience is recognized in our founding documents as a basic, inalienable human right. So if Christians in America stand by and do nothing as their brothers and sisters in other parts of the world suffer, they are abandoning the proudest heritage they have as Americans (1997: xi).

Later, the first paragraph of the "Findings" section of IRFA begins with a strikingly similar statement:

The right to freedom of religion undergirds the very origin and existence of the United States. Many of our Nation's founders fled religious persecution abroad, cherishing in their hearts and minds the ideal of religious freedom. They established in law, as a fundamental right and as a pillar of our Nation, the right to freedom of religion. From its birth to this day, the United States has prized this legacy of religious freedom and honored this heritage by standing for religious freedom and offering refuge to those suffering religious persecution (*IRFA* 1998: 2788).

Finally, the same basic version of American religious history can be found in the IRF reports themselves, primarily in the Introduction to each year's report but also in other sections as well. When it is used in the Introduction, the narrative often encompasses most of that section of the report. The basic narrative also appears to a certain degree in most Executive Summaries, with a greater emphasis on it in 2003, 2004 and 2008, while it is downplayed somewhat in 2006, 2007 and 2009. The 2007 report offers a prototypical example of the genre. The first few sentences of the Introduction read:

Our founding fathers established religious liberty as the cornerstone of America's constitutional system by enshrining it in the First Amendment of our Bill of Rights. Many of our nation's early settlers fled religious persecution to come to America; hence they vividly understood the importance of religious freedom...[today] the heart of our foreign policy encompasses the protection and promotion of fundamental freedoms, starting with freedom of worship (*IRF Report* 2007: xi).

While these examples illustrate the basic plot structure of the narrative, there are many different variations to be seen in any particular telling of the story. The most common ones connect the United States and its history to the invention of religious freedom and human rights in general, as well as directly linking religious freedom to democracy. This again serves to tie the universality of human rights to the American

experience in particular. The use of historical persons, especially those “mythic” characters of early American history like Washington and Jefferson, aids in this endeavor. The story also usually contains an us/ them dichotomy that is brought out with the use of first person plural pronouns (we, us, our). At times the pronouns clearly refer to the State Department itself (“We do not confine our reporting to the negative.”), but more often they seem to stand in for the American people as a whole (“Our own nation’s founders...”) (both examples from the 2004 Introduction). Infrequently the pronouns are slightly ambiguous and could also be understood as referring to all of those in the world who support religious freedom (“We on the right side of freedom’s divide...” 2005 Introduction). The story thus normally emphasizes a split between the United States, which respects and promotes religious freedom, and the rest of the world, which does not correctly understand or practice religious freedom in the same way as the United States. It presents the U.S. as having a single common identity in respect to religious freedom that has been developed over the course of its history.

Of course, these narratives offer a very simplified picture of American religious history that has little to do with historical reality. The United States has denied religious freedom to countless groups and individuals, and historical evidence does not support the statement that it was founded on an ideal of religious freedom as we know it today (e.g. Peters 2000, Eck 2001, Gordon 2002, Hamburger 2002, Sullivan 2005, Gunn 2006). Yet in spite of this and despite the fact that one might think that the genre of universalism would discourage references to American history, similar statements to the ones above appear frequently in the IRF Reports.

That is not to say that the State Department in its reports and other comments completely rewrites history to remove any challenges to religious freedom in the United States. Officials occasionally acknowledge that religious freedom in the U.S. has been far from perfectly implemented (e.g. in the 2004 Introduction and the remarks by Ambassador Hanford quoted in the previous section). Yet there is the presupposition, often stated almost directly, that even with these lapses the United States is one of the leaders in religious freedom, if not *the* leader, in the world today. As put succinctly by Shea, “I believe that religious freedom is universal...but at the same time I find that religious freedom is only fully understood in this country, not even in the west, but in this country” (Cozad 2005: 79). Religious freedom then, as the narrative of its genre prescribes, is not just any version of religious

freedom but rather one modeled after an American separation of church and state and, as will be seen below, a celebrated expression of religious pluralism based on the United States's unique history.

As such, *pluralism is the second defining feature of the genre*. The concept of pluralism as expressed in the reports is not synonymous with mere diversity itself but is rather an active strategy of mutual engagement similar to that described in academic literature promoting pluralism. It is not the same as models like the familiar "melting pot" where immigrants come to the United States but then shed part of their identities in order to become one with the American whole. Pluralism is different in that individuals are instead encouraged to keep their distinct identities and are expected to interact with each other across lines of difference. Scholars promoting pluralism see reactions to difference, especially religious difference, along a continuum from less desirable (exclusion and toleration) toward more desirable (pluralism and participation) (Eck 2001, Hutchison 2003, Connolly 2005). These scholars agree that throughout its history the United States has been moving toward a more pluralistic mode of handling diversity even if there have been setbacks along the way. They argue that, while the United States has not yet reached its ultimate goal of participatory pluralism, because of the realities of an increasingly diverse society there is no turning back. The following quote illustrates an ideal-typical description of this kind of religious pluralism:

Pluralism is the dynamic process through which we engage with one another in and through our very deepest differences.... Pluralism does not mean abandoning differences.... The language of pluralism is that of dialogue and encounter, give and take, criticism and self-criticism. In the world as it is today, it is a language we all will need to learn (Eck 2007: 266).

The language of pluralism has become so embedded in the story of religious freedom in the United States that, while some participants might not even fully support pluralistic projects of dynamic engagement, the idea that each individual has a right to religious freedom within a pluralistic society saturates the discourse, even if it is not always put into practice.

Compelling evidence of the importance of religious pluralism can be found in the country reports themselves. It is here, although it is rarely stated explicitly, that religious freedom is most closely associated with religious pluralism. States are expected to ensure an environment where all individuals and groups can fully participate in society in a

pluralistic manner. The only exception to this is when a group becomes exclusionary toward others. At that point any exclusionary bodies are criticized for their position and their lack of willingness to accept other viewpoints. The apparatus of the state is then held responsible to rectify the situation.

It is important to note that the story of American religious history described above is absent in the country reports. Keeping with the idea of reporting events without any commentary, the country reports do not explicitly situate their findings within a larger ideological framework. The absence of narrative itself is not particularly surprising when one considers that the use of stories, including when and where they are considered appropriate, is often institutionally defined (Polletta 2006). Here the State Department has confined direct narratives to other sections of the report in order to preserve an appearance of impartiality. However, if one considers the use of the standard narrative in the Introduction and Executive Summary as the preamble to the findings of the country reports, then the country reports can be interpreted as the culmination of the story. The standard narrative usually ends in the present day with U.S. efforts to promote religious freedom, and this is exactly what the country reports are an attempt to do. In this context, the emphasis on pluralism can be considered an elaboration of the ideas of pluralism alluded to in the more detailed general narrative found elsewhere.

While most of the individual country reports demonstrate this assumption of pluralism, it is easiest to view in the context of those countries that are normally considered supporters of human rights. France, for example, strongly supports religious freedom and other human rights, yet the United States frequently criticizes the country for its treatment of minority religions such as Islam and religions defined by the French government as “cults.” In 2004, in response to a growing controversy over the wearing of headscarves by Muslim women and girls, France passed a law that banned any conspicuous religious symbols in public schools. The 2005 IRF Report lists instances where students were expelled for ignoring the law as violations of religious freedom, but also mentions that the European Commission on Human Rights upheld the law as not violating the concept of religious freedom. In this example, the role of religion in public life was negotiated differently in Europe from what it has been in the United States. What would normally be allowed under American concepts of religious pluralism was prohibited under the French model of *laïcité*, which proscribes

virtually any space for religion in the public sphere. This illustrates how deviance from an engagement of religious pluralism as understood in the United States often becomes defined as a violation of religious freedom, even when multilateral bodies do not view it as such.

Other examples explicitly tie violations or support of religious freedom to pluralistic notions of engagement among religious groups. A common sentence found in many country reports is: “The generally amicable relationship among religions in society contributed to religious freedom.” This stock phrase is revealing in the way that it links positive relationships across different religions to freedom of religion more generally. We again find a rhetorical connection between how people of different religions engage one another and the status of religious freedom.

Proposed solutions in the reports to religious freedom problems begin to point overtly toward a direct connection between American religious pluralism and religious freedom. The following passage from Section IV of the 2007 report on Jordan describes some of the activities of the U.S. Embassy in that country:

The U.S. Embassy sponsored many individuals on exchange programs related to *religious freedom and tolerance*.... [T]he Embassy also sponsored the second annual International Visitor Program designed to expose Shari’a judges to *the diversity, religious tolerance, and freedom of U.S. society*, including by meeting religious leaders from several religious groups and U.S. officials who raised religious freedom concerns.

In the summer of 2006 a Fulbright scholar studied for six weeks at the University of California at Santa Barbara on a U.S.-funded project entitled “*Religious Pluralism in the United States*.” This scholar, a dean at a major Jordanian university, returned to his faculty and students with an appreciation of *how American society, culture, and institutions allow varied religious beliefs to coexist* (IRF Report 2007: 562 [emphasis mine]).

As can be seen in the italicized passages, religious freedom is directly linked not only to concepts associated with pluralism in general, such as tolerance and diversity, but also to how these concepts are actualized in the United States. Key words and phrases include *tolerance, diversity, pluralism, and allow varied religious beliefs to coexist*, demonstrating how the reports exhibit a commitment to the ideal of pluralism. In another example, the 2007 report on the United Arab Emirates lists twenty positive developments in religious freedom in that country. Over half of them are concerned with constructive dialogue among

groups, while one quarter use the word “dialogue” directly. The State Department praises examples of interfaith dialogue, seminars on cultural diversity and meetings among diverse religious groups. Overall, these passages suggest that the State Department, in the reports on religious freedom, is encouraging a kind of engaged pluralism and deep discussion. Religious diversity is celebrated, and religious groups are encouraged to engage one another through dialogue. While the separation between religion and the state is still considered the correct model, religion is not banished from the public sphere, and the only stance not tolerated is intolerance.

The rough boundaries of the role of religion in public life can also be observed. On the one hand, the IRF Reports criticize countries like Saudi Arabia for their distinct lack of a pluralistic concept of religious freedom and for taking the mixture of religion and politics too far. On the opposite end of the spectrum, countries considered highly secular, such as France, are also criticized for their implementation of religious freedom. As can be seen in the headscarf debate mentioned above, the IRF Reports took France to task for not allowing enough religion in the public sphere. Religious freedom in the reports has therefore become synonymous with an American understanding of the appropriate public space for religion and religious freedom, as opposed to a universal pluralism simply found in the United States. The genre of idealized religious pluralism defines a specific space for religion in public life where the mixing of religion and politics is accepted, but where this interaction is also limited. As is common in the United States, the genre of the reports expects that religious actors can be political up to a certain point. Many passages in the executive summaries draw connections between religious freedom, American style democracy and functioning nations. America does not attempt to remove religion from politics but rather strives to create a religious subject compatible with its specific vision of a democratic society (Mahmood 2006). Like all nations, the United States has its own history of negotiating a space for religion in public life, and this history is reflected in the reports.

Similar to the genre of universal human rights, the genre of idealized religious pluralism favors certain conceptions of religion over others. Religion still has some of the same characteristics found in the universal human rights genre, namely that it is based on a free market model where religion is understood to be a freely chosen entity separate from the state, which in turn regulates religion only to ensure a level playing field through the separation of church and state. But the

pluralism genre goes beyond this model of religion in several respects. First, the genre is not only concerned with the relationship between religion and the state but also the relationship between various religions and between their practitioners. Engaged pluralism, understood in its idealized American version, is seen to be the only “correct” way to practice religion. The genre takes this position as its starting point and uses it implicitly to sort religions into categories of good and bad. Good religion is tolerant and strives toward the ideal of engaged pluralism, while anything less becomes a substandard version of religion that is seen as incorrect. Of course, such a stance insisting on open and dynamic pluralism, the kind that potentially puts one’s own religious dispositions at risk, does more than just promote religious tolerance; it also presents a framework favorable to proselytizing traditions in their efforts to engage potential converts.

Second, as previously suggested, the pluralism genre defines the correct style of relationships between religions to be modeled heavily on the American case. Correct religion is therefore tied to the United States and its specific past, leading the narratives of the genre to resonate with common hagiographical understandings of U.S. history. As the Puritan leader John Winthrop preached in 1630, America is seen to be a “city on a hill” offering an example for the rest of the world to follow, in this case in regard to what religion should look like and how religious freedom should be implemented. The 2005 Introduction to the IRF Report quotes President George W. Bush speaking along these lines:

“Our Founding Fathers,” [President Bush] said, “knew the importance of freedom of religion to a stable and lasting Union. Our Constitution protects individuals’ rights to worship as they choose. Today, we continue to welcome the important contributions of people of faith in our society. We reject religious bigotry in every form, striving for a society that honors the life and faith of every person. As we maintain the vitality of a pluralistic society, we work to ensure equal treatment of faith-based organizations and people of faith” (IRF Report 2005: xv).

In this passage the United States is held up as the shining example of what religion should look like to the rest of the world—which is then critiqued in the reports.

There is also a strong sense in the reports of a manifest destiny in respect to religious freedom as well as passages that resonate with the idea that America is God’s chosen land. The same introduction quoted above begins with several paragraphs that walk the reader through the

history of religious freedom in the United States. Believers flee persecution in the seventeenth century, the legal foundations for religious freedom are laid in the eighteenth century, American presidents strive to protect religious freedom in the nineteenth century, the twentieth century sees American leaders celebrating religious liberty, and America promotes that liberty abroad in the twenty-first century through IRFA and its provisions. The reader is left with the sense that this march toward liberty and progress was not only inevitable but also tied to the divine. "As the United States advances the cause of liberty... we remember that freedom is not America's gift to the world, but God's gift to each man and woman in this world" (IRF Report 2005: xvi) America is the city on a hill that was chosen to receive god's gift of freedom and disseminate it widely. Religion in the reports is thus intertwined with and shaped by mythical understandings of American history (Gunn 2006).

Again, as with the speech genre of human rights, what makes the genre of idealized religious pluralism so important is how it is actually used in the IRF Reports. Unsurprisingly, considering the Christian focus in the version of history from which the report draws, the genre of idealized religious pluralism tends to emphasize Christian religious traditions over others when put into practice by advocates of religious freedom. As seen in the examples of the main narrative, the majority of passages relating the United States to religious freedom do so using examples of Christian, and usually Protestant Christian, groups. Even when speaking of religious freedom in general terms or in regard to non-Christians, the language used often has highly Christian overtones with words like "faith" appearing frequently. With its emphasis on belief, the use of the word "faith" as a stand-in for religion has strong Protestant connotations (Lopez 1998) and often occurred during the debates leading up to IRFA (Castelli 2005). The reports therefore sometimes clash with alternative religious paradigms like those built around the idea of protection *from*, rather than protection *of*, proselytizers, and instead focus on the rights of groups, usually Christian, to try to covert others (Cozad 2005). Some scholars have also pointed to factual inaccuracies in the reports that at times minimize the religious persecution of Muslims (Wales 2002), while others see a general tendency to focus on religious groups that are more familiar to the majority of Americans, especially various Christian denominations (Gunn 2000). I do not mean to suggest that religion is talked about only in relation to Christianity. The reports describe many religions and in

some country reports non-Christian religions figure more prominently than Christianity, but the overall tone of the reports has a slight Christian flavor that reflects the dominant discourses on religion within the United States.

The fact that the genre of idealized religious pluralism favors Christianity is significant because it helps explain the perceived biases that critics of the reports have pointed out (e.g. Wales 2002, Cozad 2005, Pastor 2005, Marshall 2008). The United States is notorious for many of its citizens having a generally limited understanding of religion, especially non-Christian religions (Prothero 2007). People familiar with only their own religion often see the religions and religious freedom problems of others fairly narrowly and therefore sometimes miss potential violations of religious freedom (Gunn 2003). While these facts cannot automatically be generalized back onto the authors of the IRF Reports, it seems likely that the use of the idealized religious pluralism genre combined with a reported lack of training at the State Department (Farr 2008) contribute to the way in which religious freedom issues are presented. At the same time the links between religious freedom and the U.S. in particular tend to remain below the surface because the pluralism genre, through its very language of inclusiveness, denies that these kinds of issues would surface in the reporting. This is similar to recent findings on how people talk about diversity. The language of diversity obscures deeper structural problems dealing with race “in the way in which it appears to engage and even celebrate differences, yet does not grasp the social inequities that accompany them” (Bell and Hartmann 2007: 910). Here the language of religious pluralism obscures structural issues regarding the construction of religious freedom as a concept. Religious freedom is seen to be universal but is in practice based upon an American concept of pluralism that favors some groups over others. This favoritism remains unnoticed partially because the story of religious freedom told in the genre excludes the possibility.

Conclusions

Countless volumes have been written on academic definitions of religion. Social scientists have taken nearly every position from concluding that universally defining religion is impossible (Asad 1993) to assuring us that universal definitions are necessary for analysis

(Riesebrodt 2008, 2010). Instead of concentrating on the debate concerning how scholars should define religion, I would like to shift the focus to investigating how people on the ground create and use varying versions of religion as a category. That is not to say that we should stop engaging scholars' use of definitions of religion, since definitions, both explicit and implicit, naturally inform our understandings and interpretations of our objects of study. However, the most pressing matter is to look at how categories of religion, as defined by those using them, are employed by ordinary people in practice. The State Department's reports on international religious freedom provide such an example of one way that international religious freedom—and, by extension, religion itself—are socially constructed as categories. In the case of the State Department reports, critics have pointed out that the reports tend to favor religious groups likely to be more familiar to the majority of Americans. Other groups are not always reported in the same way unless they have especially strong ties to the United States or the ability to lobby successfully on their behalf. This perceived "bias" is due at least partially to the speech genres that are used to write the reports, which encourage certain types of discourses and certain understandings of religion.

The discourse of religious freedom found in the reports is arranged around two major speech genres, universal human rights and idealized American religious pluralism. The genre of universal human rights is defined by the use of certain rhetorical strategies, naming and shaming, quasi-performative definitional work, and an emphasis on universalism. Idealized religious pluralism is defined by the presence of a narrative linking U.S. history and understandings of religion to the promotion of religious freedom today—along with a heavy emphasis on the concept of pluralism. These two genres were also used by those involved in creating the legislation that mandated the IRF Reports. Later, the authors of the reports drew upon these pre-existing ways of organizing discourse in their writing. In lieu of any substantial training on religious freedom that might have led to the use of other, less Ameri-centric genres, the genres used by the supporters of IRFA prevailed. The continued use of pre-existing genres by the State Department resonates with the hypothesis made by Snow *et al.* (1986) that early social movements sometimes provide "master frames" that are picked up by movements that emerge later. The end result is also a clear demonstration of culture interacting with other institutional spheres. Borrowing from Jeffrey Olick (1999: 399), I argue that,

“it makes little sense to say that either political context or discursive history was decisive. Instead, it is the inextricable interplay of past and present, discursive history and contemporary context,” that has here led the State Department to talk about religion in the way it does.

In particular, religion in the reports is seen to consist of both belief and practice. The concept of religion presented resonates with free-market liberalism in that religion is seen to be a personal choice with the state serving to keep a level playing field among religions. In doing so the state must not only treat religions equally but is also charged with protecting individual religions from societal discrimination. On one hand, this version of religion is portrayed as a universal ideal based on the idea of human rights, but at the same time it is described as something uniquely American. The linkage between the United States and religious freedom in the reports suggests that correct religion, according to the State Department, embraces an engaged pluralism as found in mythologized versions of the story of religion in America. Idealized religious pluralism, as theoretically found in the United States, serves as the example to the rest of the world of how religions are supposed to relate to one another. This version of religion is represented as inevitable and in itself quasi-divine in origin. It tends to resonate most closely with Christian traditions, which may explain some alleged discrepancies in the reports when reporting on religions patterned after different models. This process of creating and recreating the category of religion at the State Department draws attention to the authorizing discourses (Asad 1993) used by the U.S. government to promote its version of religion and religious freedom. It demonstrates how a form of governmentality (Foucault 2007) is used by the U.S. to exercise the power of the state over an international population through the IRF Reports and thus in essence creating a particular version of religion.

Additionally, the questions discussed in this chapter highlight the importance of thorough qualitative analyses. Many of the key issues dealing with how the State Department talks about religious freedom could be easily missed in a purely quantitative study that simply counted types of events reported. This serves as a note of caution to those who would use the IRF Reports and similar documents as unbiased data. The use of the report as objective data is problematic, not only in light of the issues raised by critics, but also because it does not take into account the way the reports' production leads to its conclusions in regard to the fundamental questions of what constitutes

religion(s), religious freedom and the appropriate spaces for religion(s) in a society. While I do not argue that my findings suggest that treating the IRF reports as data is impossible, researchers must be alert to how culturally structured discourse can affect reporting on “facts.” Quantitative measures used to test whether or not a document is biased often do not take form and style into consideration even though these factors are extremely important to real-world readers interpreting a document. Readers do not simply count and categorize events; they interpret texts based on a combination of content, form and their own experience. In the case of the IRF Reports, interpretation matters even more because the reports are not only used internally by the State Department but, as public documents, are also read by activists and foreign governments (Hertzke 2004, Yelensky 2008). Of course, it is unlikely that any documents would ever be the impartial sources that they are often claimed to be. As one human rights researcher wrote in reference to quantitative measures built upon qualitative sources, “Even more disturbing than the deficiencies of these data resources is the fact that social scientists have treated them as though they are methodologically sound quantitative data” (Goldstein 1986: 620). Due to the inherently slippery nature of their subjects, researchers on religion and religious freedom must be prepared to confront their sources seriously in this respect before considering quantifying their data for use in other analyses.

Finally, this study can only begin to point to ways in which the field of religion is defined by the struggles of the actors within it. Further research should aim to flesh out how this occurs in practice. For example, ethnographic work on how people talk about religious freedom would help illuminate the various speech genres described here and explore how they are used in daily life. To what extent can they be considered part of our standard cultural repertoire? Are there major differences between how the genres affect writing and how they are used in actual speech? What is the relationship, if any, between use of the genres and other actions? How does the use of the genres participate in struggles over defining religion as a field? Including, but not limited to, ethnographic work, more needs to be done in exploring the language and assumptions present in the discourse on American religious pluralism. To what extent, if any, is the idea of religious pluralism dependent on particular understandings of religion? How does America’s historically Protestant dominated culture influence the pluralism debate? I hope that this chapter will help to provide a basis from which to begin to answer these and other related questions.

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AFTERWORD WHAT IS HISTORY?

JOHN H. SIMPSON

[S]he was the compleat intellectual—i.e. she went always and as rapidly as possible for the great synthesis and her human understanding, painfully limited, could not support the might of historical analysis...

— Saul Bellow (2010:391) on Hannah Arendt

In the first chapter of this volume, Kevin Christiano makes a case for embedding the sociology of religion in a strong sense of history, a sense that recognizes the significance of events, precedence, sequence, and stages in the human passage through time. By forgetting or never considering such matters, he contends, we throw up knowledge that is limited by the narrow gauge of “presentism.” It is unable to account for itself because it lacks a realization of whence it came.

Memory and meaning are the materials of history. Enmeshed with who we are and can be, they operate at individual, group, societal, national, cultural, and civilizational levels. They underwrite the institutions of human life—the various ways that human life is accomplished and cared for. Levels (or structures) and institutions are precipitates of meaning and memory in the flow of time. In that sense *everything* is history—history *omnia*. History *proper*—the subject of Christiano’s intervention—is an observation within the flow of time using selected procedures to tell a story about how some particular got from there to here. It provides an answer to the question: “What happened next in the case of...?” The answer is an abstraction from the stream of memory and meaning—an island in the sea of history *omnia*.

This afterword justifies the claim that everything is history.¹ If everything is history (including the *claim* that everything is history), history

¹ The difference between “everything” and “all” is critical where the claim that “everything is history” is made. Everything connotes many different things each with a history. The claim that all is history lacks distinctions. If all is history, is it impossible to distinguish between the histories of different things. The claim that everything is history is then the claim that every (particular) thing has a history. Furthermore, the claim that every particular thing has a history as argued herein includes the claim that “manyness” is not illusory, that manyness is not something that can done away with, as

can never be avoided. Even forgetting, neglecting or censoring history is history! And where that happens, following Christiano, knowledge lives on a dead-end street.

The argument ventures into the contemporary theory of evolution using the bedrock of Darwinian theory—descent with modification—to describe history. By the end of the day (hopefully) a frame will have emerged that enables us to see our work in the sociology of religion as a unity of differences where each way of producing knowledge (qualitative, quantitative, theoretical, historical, etc.) has its own integrity, but none is able to tell the whole story about what religion is and does on the human passage through time.

Evolutionary Theory and History

Much is promised in the section title. Using the analogy of a multi-course meal—dining at the table of theory—only an appetizer is (and can be) served here. Most of the full meal is found in the work of Marion Blute, a sociologist whose expertise, research and publications span the disciplines of sociology, biology and anthropology.² Her recent book (2010) brings her theoretical and empirical contributions and a critical analysis of the work of others together to form a guide to the contemporary theory of Darwinian evolution.

There are three distinct areas in contemporary Darwinian evolutionary theory: biological evolution, sociocultural evolution and gene/culture co-evolution. Although they share the core assumptions of Darwinian evolution, these areas are not reducible one to another. In particular, a theory of sociocultural evolution cannot be reduced to biological evolution. Biological evolution may provide models that can be used to think about sociocultural evolution by an analogy of form, but the theory of sociocultural evolution does not share the substantive or material elements of the models used by the theorists of biological evolution.

in the Buddhist claim and ritual practice consistent with the claim that “all is one” which is “a direct rejection of the [idea of] distinction” (Luhmann 1998: 42 [emphasis added]).

² Marion Blute is Professor Emerita in the Department of Sociology, University of Toronto. I thank her for her comments, critical suggestions and corrections to this piece, all provided in the spirit of generosity. I bear full responsibility for the content of the chapter and any problems that may remain in it.

There are several things that the theory of evolution as described and developed by Blute and others is not or opposes in terms of basic assumptions. These things are mentioned because the word “evolution” has lingering connotations that may set up roadblocks to understanding the objectives of evolution as a perspective and formal science. The first matter is creationism and intelligent design. All forms of Darwinian evolutionary theory reject the notion that a supernatural entity or extra-natural force is behind or the cause of the universe and life within the universe in any real, objective, or non-metaphorical sense. The universe and life are purely immanent natural phenomena. Having said that, the theory of Darwinian sociocultural evolution would not deny the fact that the idea of creationism and intelligent design exist as beliefs in segments of the human population. It would account for the presence of these beliefs in terms of “social construction” within the process of sociocultural evolution.

The idea of survival of the fittest acquired a deformed meaning in the wake of Darwin’s path-breaking publications in the 19th century. Some interpreted it as a justification for the class structures of industrial capitalist societies, the rule of Western colonialism in the non-Western portions of the world and the domination of non-whites by whites. These political and ideological uses of the idea of fitness are not part of Darwin’s work or the development of his work based on the observations, principles and assumptions that are found in his work. There fitness simply applies to biological reproduction. Individuals, populations, and species that survive and reproduce are fit. Fitness indexes the likelihood of survival and reproduction. It is not a justification for patterns of intra-species domination or ideologies that promote invidious distinctions between individuals or within populations or species.

The way stages or period-specific cultural tendencies are used to describe historical change as in Auguste Comte’s theological, philosophic and positive stages (1974 [1855]) or Robert Bellah’s analysis of religious evolution (1964) is rejected by the Darwinian theory of sociocultural evolution. The diffuse labels that are applied to a period of history tend to obscure the multiplicity of properties, features and characteristics that obtain within a strip of time assigned to an expanse of space and the human endeavors therein. Things are more complicated than they appear. As well, labeling a stage and its successor provides no description of the passage from one stage to another.

History becomes a set of unconnected transitions and upheavals—things that have no genealogy or source in the past.

Finally, sociocultural evolutionary theory is not a version or extension of sociobiology. Blute (1976) made this clear in her review of E.O. Wilson's *Sociobiology* (1975). Sociobiology assumes that human culture and culturally related behavior (for example, action related to norms) are causally anchored in the human genome. In other words, there is a gene or set of genes that cause behavior X. Darwinian sociocultural evolution does not (cannot!) deny the link between genes, protein expression, development and, for example, various autonomic processes such as digestion. It does deny a direct link between genes and learned things, such as how to draw a picture or drive a car. For those things, genes, protein expression, etc. provide a substrate or neurochemical base that can be inscribed via learning with the "how to do" (Kandel 2006).³ In the theory of Darwinian sociocultural evolution, there is no necessary relation between a gene or set of genes and a behavior that is culturally specific.

Descent with modification is the core idea of Darwinian theory and research. As found in the theory of evolutionary biology its elements are: (a) the classification of living and once living (extinct) things into groups based on similarity and difference; (b) the "charting" of groups into nested, branching lineages where (c) a common ancestor is the source of similarities and (d) differences are attributed to modification. Where the classification of living things and those things that exist in the fossil record as well as the known heritability of characteristics attributable to human intervention in breeding all predate Darwin, he was the first to give a satisfactory answer to the question regarding how modification in descent occurs in the absence of direct and purposeful human intervention. His answer was natural selection. Natural selection is the major agent of evolution. Why does natural selection occur? The short answer is that it occurs to ensure fitness, that is reproduction within a group given variation in things such as competition for resources, the impact of disease, and in the case of sexual reproduction

³ The nature/nurture distinction rests on a false division of things. There can be no nurture without something to nurture—that is the brain-body substrate. Sociologists who think and write as if socialization were something that is independent of the brain-body substrate and its variation at the individual level have their heads in the clouds. Descartes's dictum, "I think therefore I am," should read: "I am and can think because I have a brain-body that is what it is on account of evolution."

intra-species competition for partners. Successful adaptation to these and other things underwrites fitness.⁴

Since Darwin's writing there have been many discoveries and conceptual advances that have enlarged knowledge about biological evolution and the things that drive it. They include the discovery of the form and content of the human genome, population genetics, genetic drift, molecular cell biology, evolutionary ecology, ways of classifying organisms (cladistics) that delve beneath the surface of the visible phenotype—what Darwin observed—and greater understanding of the development and maintenance of the organism, especially in terms of gene-protein expression. All of these have contributed to the rise of biology, including evolutionary biology, to a position on the leading edge of contemporary science.

That edge is far from the certainty—the security—of “normal” science if the model for normal science is found in the laws and principles of classic physics and chemistry. No biologist would deny that his or her subject matter is constrained by the laws of physics and chemistry. At the same it would be strange for an evolutionary biologist to assert that her or his field is settled in the same way that the understanding of physics as presented in any introductory physics text is settled.⁵ The classification of organisms is a case in point, as Blute's description (2010: 41–45) of its complexities and the reconstruction of Darwin's tree of life makes clear. One hastens to add that the complexity of things at the cutting edge of the biological sciences does not provide any support for the certainties of creationist/intelligent design arguments. The uncertainties in evolutionary biology are revisable. They are subject to the methods of science. The certainty of the creationist/

⁴ The theory of Darwinian evolutionary biology today is a highly specialized, complex branch of knowledge with many technical niches that are sources of information and development for what may be viewed as a general theory. This paragraph represents my reading, abstraction and summary of Blute's (2010) detailed, critical report of her own work and the work of others in order to present what I call “the elements” of Darwinian biological evolution. Zimmer's (2011) lavishly illustrated discussion of the evolution of bird feathers (“one of evolution's most durable mysteries.”) provides a current example in a popular magazine of contemporary Darwinian analysis.

⁵ Were biology—including evolutionary biology—as settled as classic physics and chemistry are, cures would exist for all forms of cancer and dementia, among other things. The probability that this will happen depends on understanding genetic/epigenetic interaction and protein expression, and applying that knowledge to the unique genome/cell structure/immune system (etc.) of an afflicted individual. The science of that possibility involves theoretical statistics, genetics and genomics—“the study of how genes interact, in all their mindboggling complexity” (Picard 2011).

intelligent design argument in the minds of its believers is not revisable using the methods of science.

Physics, chemistry, and evolutionary biology are distinct areas of scientific knowledge each with its own ways of obtaining knowledge and each with a base in socially organized human groups—professional organizations, etc. Despite differences, these disciplines have something fundamental in common. *They all reference time.* The knowledge that each discipline constructs embeds time, a series of interconnected events that is the object of knowledge. The laws of physics and chemistry expressed in symbolic forms are time based. Evolutionary biology constructs the sequence of life on the scale of time. In physics, chemistry and evolutionary biology something goes from there to here and that going takes time. In a word, *everything is history.*

What of the other branch of evolutionary science, sociocultural evolution? Here we are dealing with things that are inscribed on and done by a “product” of the evolution of the material world, the body/brain of the human species. We call these inscriptions and doings “culture.” All culture is material. There is no culture apart from sights, sounds, touch, smell, taste, and the ways in which they are combined and expressed in “lived” lives.

The theory of sociocultural evolution provides a way of thinking—a material process itself—that frames culture within descent with modification. A way of doing something/making something is passed from one individual, group, or generation to another individual, group, or generation—sometimes with little modification, sometimes with significant modification, sometimes with the surprise we call “creativity”—a recombination of things that overcomes and transforms all the antecedents in a lineage. Something new appears.

The distinction between biological evolution and sociocultural evolution depends primarily on two things: the difference between (a) reproduction based on genetic recombination and expression (biological) and transmission based on learning (sociocultural); (b) selection processes that embed a particular genome arising from recombination in a body (biological) *vs.* selection processes that cause continuity or change in a cultural thing that is part of a social context (sociocultural).

Classic conditioning and operant or instrumental learning can induce and modify behavior in many life forms. They shape behaviors including human behaviors that are part of a reinforceable repertoire. Where the environment provides a new stimulus or a new presentation of an “old” stimulus, response patterns can be varied and changed.

The processes of classic conditioning and operant learning play a role in describing how humans learn some things and behave accordingly. The discovery of social learning (Bandura 1977) was a great leap forward in understanding transmission in sociocultural evolution. Conditioning and operant learning depend on the reinforcement of a stimulus. Social learning occurs where something in the environment is successfully imitated having been observed by an organism. (Monkey see. Monkey do.) Transmission (successful imitation) follows from cognition.

The acquisition of language—the kind of languages that humans acquire—secures the complex, plastic nature of human culture and its transmission via sight and sound. The process of transmission is biased in the sense that within a context or frame something is selected non-randomly from a very large, but nevertheless finite, set of possibilities. Constraints that affect selection include the capacity of the human organism and available time (only so much can be said or done within a given strip of time), the nature of the context in which transmission takes place (how to race a car is not taught in high school driver education courses), and the amount and nature of topically relevant information that is available to teachers (agents of transmission) and social learners (self-reflexive agents of transmission.)

The common element of the various ways that culture is transmitted is time. Conditioning, operant learning and social learning occur in time. Each runs on a time line. Something follows something. There is, in other words, a history of sequential events in the transmission of culture and behavior as there is in biological evolution, and in both cases there is a varying likelihood that change (modification) will occur. Again, in a word, *everything is history*.

Proof of the theory of sociocultural evolution lies in the empirical pudding. Blute (2010: 45–50) summarized a short list of publications that use the theory of Darwinian sociocultural evolution to historicize some aspect of culture. The emphasis in most of the publications she cites is on the reconstruction of phylogenies using cladistic methods—in other words, the application of the neo-Darwinian tree of life to cultural things. These things include organizational forms in ancient Mesopotamia, the archeology of prehistory, Indo-European and Austronesian languages, kinship descent systems, chain letters, and musical instruments. Darwinian descent with modification has been used extensively in the study of modern organizations.

Regarding religion, Mindell (2006) employed the cladistic logic of constructing phylogenies to the Abrahamic religions, and David Sloan Wilson, an evolutionary biologist, used the (controversial) model of

group selection in an analysis principally of John Calvin's Geneva, but also of Balinese religion, Judaism, and the early Christian church (2002). Wilson cites the work of Rodney Stark (1996) in describing how early Christianity functioned as a way of producing effective groups that could deal with the life-threatening contingencies of the ancient world and, thus, survive as groups. Early Christianity, in other words, was adaptive at the group level, according to Wilson.

The available evidence warrants the conclusion that the contemporary theory of sociocultural evolution has secured a niche in the environment of theoretical social science. It is no longer an "untried theory" as Blute (1979) once described it. It is a proven way of organizing and understanding cultural lineages and, more broadly, history *proper*—the thing that Christiano argues should be used more often than it is in the contemporary sociology of religion.

Whether sociocultural evolution will become a widely accepted, theoretically informed methodology as, say, the social survey (based on statistical and measurement theory) is today remains to be seen.⁶ Blute (2010:50) writes:

I can do no better in concluding this discussion of "where does something come from" than to quote the late Charles Tilly (2006), one of the twentieth century's great historical sociologists. Less than two years before his death, in a didactic seminar on historical methods delivered to the American Sociological Association, he declared: "I predict a revival of epochal synthesis in sociology as biology's evolutionary *models* and findings become increasingly dominant in public discourse: why should sociologists let the world's Jared Diamonds monopolize the discussion?" (emphasis added).⁷

Conclusion

Methodologies and the theoretical perspectives that underwrite them come and go as popular modes in the practice of social science—be

⁶ See for example any recent issue of the *Journal for the Scientific Study of Religion* (JSSR), where a substantial majority of the articles are based on an analysis of quantitative data (and more specifically, Cornwall [2010] and Smith [2010]). Submissions to any journal compete for publication. Cornwall and Smith lay out the selection criteria used to judge whether or not a submission is fit for publication in JSSR. Competitive selection processes produce winners and losers. It is not difficult to find latencies in Cornwall and Smith that favor quantitative analysis.

⁷ See Diamond (1997, 2005).

they quantitative, qualitative, theoretical, historical, etc. Success (defined by publication) is not bereft of the vagaries of fad, style, imitation, and choice based on taste—all justified by the finding of “real” truth when one’s chosen methodology is employed. Opposed academic armies often line up and do battle in the most elegant ways and for the most reasoned reasons in pursuing “real” truth.

If one has chosen sides, the spectacle of the battle can be exhilarating or depressing depending on who wins this or that skirmish or full assault, whose line holds and whose doesn’t, whether one side or the other is said to be winning or losing in asymmetric entanglement. But note this: All of the methods we employ entail time. There is a timeline on which something is done. There is no method that does not involve a *sequence* of doing things—be it experimental, quasi-experimental (retrospective surveys), ethnographic, focus groups, historical, etc. Something is done before something else is done in each case. In that sense, all methods are historical. Each can be described in terms of a history of doing something.

History *omnia* is the unity of the difference between different methodologies. Methodological differences “produce” the difference of perspective, and no method uncovers everything there is to know about a sociocultural phenomenon. If it did, it would be an omniscient method. To claim that one’s chosen method is omniscient—the only way to find all of the truth—would seem to be what in another context is deemed to be idolatry. There is no room for true believers here.⁸

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⁸ Paul Valery—quoted in Luhmann 1998: 29—underscores the “mischief done by those who are right” or as Luhmann puts it “the trouble that comes from rational reckoning and best intention.” The problem is not rationality itself, but the fact that “[w]e have not yet been able to grant the status of cognitive recognition to the interest in the observation of what a [rational] observer cannot observe.” (1998: 29).

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