BENEVOLENT SECULARISM: THE EMERGENCE AND EVOLUTION OF THE RELIGIOUS POLITICS OF DEMOCRACY IN IRELAND, SENEGAL AND THE PHILIPPINES

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David Timothy Buckley, M.A.

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BENEVOLENT SECULARISM: THE EMERGENCE AND EVOLUTION OF THE RELIGIOUS POLITICS OF DEMOCRACY IN IRELAND, SENEGAL AND THE PHILIPPINES

David Timothy Buckley, M.A.

Thesis Advisor: Thomas Banchoff, Ph.D.

ABSTRACT

What explains the emergence and endurance of what Alfred Stepan has termed the “twin tolerations” between religion and democracy? This question is of broad comparative importance, from religiously vibrant democracies in Asia and Latin America to newly plural societies in Western Europe and the states of the Arab Awakening still struggling to consolidate democratic politics. I argue that the institutional relationship between religion and state proves crucial in explaining why religion sometimes seems to threaten democratic politics, while at others strengthening it. One type of religion-state relationship, which I term “benevolent secularism,” has been decisive in securing the twin tolerations, even in the context of a dominant religious majority. Institutional design matters both during critical junctures, “secular emergence,” and over time as institutions confront new challenges in periods of “secular evolution.” During critical junctures, institutional design shapes the preferences of key blocs of actors: the religious majority, political elites, and religious minorities. Over time, these institutional effects within blocs facilitate coalition alliances among these groups that (1) reduce the severity of religious-secular divide and (2) improve interfaith relations. I test these hypothesized institutional effects with a mixed-methods research design that incorporates data from three least-likely cases for the twin tolerations: Ireland, Senegal, and the Philippines. Archival research documents the impact of institutional design at critical junctures, elite interviews
track coalition alliances over time, and public opinion data tests whether these alliances exist among the general public.
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# Table of Contents


1. The Twin Puzzles of Religion and Democracy ........................................... 1
2. Assessing the Outcomes of Interest .......................................................... 9
3. Existing Explanations of the Religion-Democracy Relationship ................. 15
4. Theory: Institutional Design and Coalition Politics .................................. 24
   4.1 Conceptualizing Benevolent Secularism ............................................ 25
   4.2 Coalition Effects: Shaping Preferences and Alliances .......................... 30
5. Case Selection and Assessing the Impact of Institutional Design ............... 42
6. Data Collection Strategy .......................................................................... 47
7. Outline of the Study ................................................................................. 53

Chapter 2: Secular Emergence in Ireland: Home Rule and Rome Rule ........... 56

1. Introduction ............................................................................................... 56
2. Ireland’s Religious Landscape ................................................................... 58
3. Assessing Benevolent Secularism in Ireland ........................................... 62
4. The Effect of Benevolent Secularism: Coalition Politics and Secular Stability ................................................................. 73
5. Alternative Explanations of Irish Secularism ........................................... 81
6. Hints of Instability: Principled Distance & the Mother and Child Crisis .... 85
7. Conclusion ............................................................................................... 88

Chapter 3: Secular Evolution in Post-Catholic Ireland ................................. 90

1. Introduction ............................................................................................... 90
2. Coalition Shifts in Post-Catholic Ireland ................................................... 92
3. Tracking Institutional Change .................................................................... 97
   3.1 Principled Distance and the End of Catholic Hegemony ....................... 97
   3.2 Cooperation and Patronage Reform .................................................... 103
   3.3 Differentiation and Irish Conscience Exemptions ............................... 107
4. Coalition Effects Defending Benevolent Secularism ................................. 111
5. Coalition Alliances and Anticlericalism in Public Opinion ....................... 120
6. Rationalist Accounts and Irish Secular Evolution ..................................... 125
7. Conclusion ............................................................................................... 128

Chapter 4: Secular Emergence in Senegal: Laïcité in Translation .................. 130

1. Introduction ............................................................................................... 130
2. Senegal’s Religious Landscape .................................................................. 132
3. Assessing Laïcité as Benevolent Secularism ........................................... 136
4. Institutional Effects on Coalition Politics .................................................. 145
5. Alternative Explanations of Laïcité’s Emergence ...................................... 153
6. Hints of Instability: Cooperation & the Code de la Famille ..................... 157
7. Conclusion ............................................................................................... 160
LIST OF TABLES AND FIGURES

Chapter 1. Figure 1. Benevolent Secularism and Secular Emergence .................. 42
Chapter 1. Figure 2. Benevolent Secularism and Secular Evolution .................. 42

Chapter 1. Table 1. Variation in Religion and Democracy .............................. 15
Chapter 1. Table 2. Dimensions and Indicators of Benevolent Secularism ........... 30
Chapter 1. Table 3. Institutional Effects within Coalition Blocs ...................... 36
Chapter 1. Table 4. Case Configuration at Secular Emergence ....................... 46
Chapter 1. Table 5. Case Configuration at Secular Evolution ......................... 47
Chapter 1. Table 6. Variety of Archival Sources ........................................ 50
Chapter 1. Table 7. Variety of Interview Sources ........................................ 51

Chapter 2. Table 1. Assessing Benevolent Secularism in Ireland ....................... 72
Chapter 2. Table 2. Benevolent Secularism and Coalition Effects at Critical Juncture in Ireland .............................................................. 80

Chapter 3. Table 1. Dependent Variables and Coding (Public Opinion, Ireland) 121
Chapter 3. Table 2. Public Opinion and Benevolent Secular Mechanisms in Ireland ......................................................................................... 123

Chapter 4. Table 1. Assessing Benevolent Secularism in Senegal ..................... 144
Chapter 4. Table 2. Benevolent Secularism and Coalition Effects at Critical Juncture in Senegal ................................................................. 152

Chapter 5. Table 1. Dependent Variables and Coding (Public Opinion, Senegal) 191
Chapter 5. Table 2. Mouride Pious Secularism and Interfaith Agreement .......... 192
Chapter 5. Table 3. Mourides and Interfaith Dialogue .................................... 194

Chapter 6. Table 1. Assessing Benevolent Secularism in the Philippines ......... 219
Chapter 6. Table 2. Benevolent Secularism and Coalition Effects at Critical Juncture in the Philippines ......................................................... 229

Chapter 7. Table 1. Dependent Variables and Coding (Public Opinion, Philippines) .......................................................... 279
Chapter 7. Table 2. The Philippines and Catholic Pious Secularism ............... 281
Chapter 7. Table 3. The Born Again Catholic Difference .............................. 283
CHAPTER 1
BENEVOLENT SECULARISM: A THEORY OF THE RELIGIOUS POLITICS OF DEMOCRACY

1. The Twin Puzzles of Religion and Democracy

On September 30, 2010, a prayer service at the Manila Cathedral broke with formal rites. With the mayor of Manila and bishops present, local tour guide and activist Carlos Celdran interrupted an ecumenical service to denounce the role of the Catholic Bishops Conference of the Philippines in debates on a reproductive health bill. Celdran won himself a place on the evening news and a spot in jail, for violation of Filipino laws protecting religious worship.

The incident captures the dynamic relationship between religion and democracy in the Philippines and beyond. On the one hand, Celdran played his role in keeping with long-established patterns of Filipino politics. He appeared dressed as José Rizal, the Filipino nationalist author who opposed the power of Spanish friars over a century ago, and holding a placard bearing the name of Damaso, the unsavory friar at the center of Rizal’s most famous novel, Noli Me Tangere. At the same time, his protest had an unmistakably modern feel. He was not arguing for official disestablishment of the Catholic Church; even the bishops gathered in the cathedral concede the need for church-state differentiation. Rather, Celdran protested the extent of Church influence over particular issue areas of public policy. The grounds of religion-state fights have evolved in the Philippines and elsewhere.

Celdran’s protest is just one example of a broader reality: religion and democracy continue to make tense bedfellows. Religious movements, even when supporting political participation, are often subject to suspicion from more secular-minded democrats.
Modernizing nationalists from Nehru to Ataturk have seen religion as in tension with progress and political development. Others, writing in Hobbes’ shadow, argue that religion is particularly conflict-prone, and religious actors incapable of engaging in the compromise required of democratic politics. Such dynamics came to a tragic end in Algeria’s descent into civil war in the 1990s. Unease between religion and political participation looms just beneath the surface much more broadly, from fairly successful democracies like Indonesia and India to divided societies like Nigeria and Sri Lanka. Today, the challenge may be greatest for the ongoing revolutions of the Arab Awakening, as Islamists gain influence through elections and political transitions throw institutions that structure religion-state relations into flux.

The tension between religious mobilization and democratic politics is often assumed to set a “secularism trap.” Democratization opens politics to a range of new competitors, from labor unions to women’s movements. In religiously mobilized societies, this competition raises the specter of political domination by religiously exclusive parties over dissenters of various stripes. To use United State Assistant Secretary of State Edward Djerejian’s famous phrasing regarding Algeria: “One person,

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1 For example, see John Waterbury, “Democracy without Democrats? The Potential for Political Liberalization in the Middle East,” in Democracy without Democrats? The Renewal of Politics in the Muslim World, ed. Ghassan Salame, 23-45 (London: I.B. Tauris: 1994). Waterbury argues that “pragmatic compromise will be very difficult” for Islamist groups, in contrast to more rational social actors.


3 My use of “secularism” here, and throughout the argument, refers to the institutional level of analysis, not to secularization of individual belief. My argument is concerned with state institutions, captured through constitutional documents, state regulatory law and bureaucratic practice, not with explaining individual religiosity. See Jose Casanova, Public Religions in the Modern World (Chicago: University of Chicago Press: 1994) for an extended discussion on why it is essential to distinguish institutional and individual levels of analysis in the study of secularism.
one vote, one time.” Fear of religious domination provokes a backlash, as antireligious forces exclude religious movements from public life, and in the process cut short democratic participation. The secularism trap can thus spring from either end. On rare occasions, religious actors actually manage to capture state institutions, initially through democratic means, and proceed to violate rights protections and breakdown the autonomy of state institutions. More commonly, fear of this outcome springs the trap from the other side, as authoritarian regimes use antireligious fears to clamp down on political participation. In either case, the secularism trap has short-circuited the prospect for robust democratic politics.

In spite of fears, research suggests that the secularism trap is not inevitable. From Asia to Latin America, religious majorities play public roles while protecting minority rights and maintaining distance between religion and state. Scholarship from the authoritarian Middle East suggests that, under certain conditions, participation produces moderation of religious actors. In more democratic environments like Turkey, Vali Nasr has argued that “Muslim Democracy” is coming to parallel earlier history of Christian Democracy in Europe. This research emerges at the same time that scholars are noting the diversity in institutions of religion-state relations, and the consequences this variation has for democratic politics.

mobilization and democratic politics in some settings, scholars need to get beyond the secularism trap, and explore the conditions under which religious mobilization threatens (or does not threaten) democratic politics. They can do so by analyzing the existence of what Alfred Stepan has termed the “twin tolerations” between religion and democracy, that is the mutual accommodation in which the state tolerates the private and public freedom of religious actors, while religion tolerates the authority of the state to autonomously formulate and implement public policy.  

This project takes up this task. I argue that the general question of explaining the existence of the twin tolerations is best broken into two distinct parts. One focuses on the emergence of the twin tolerations at certain critical junctures in political development. The second traces how the religion-democracy relationship evolves during more settled phases of political contestation. Distinguishing between periods of emergence and those of evolution rests on historical institutionalist insights regarding critical junctures and path dependence in institutional development. Periods of secular emergence, regularly after war, revolution or independence from colonial rule, provided unique opportunities to recast the religion-state relationship in cases as diverse as France, Turkey and India. These junctures provide unusual moments of indeterminacy in the shape of political institutions, and set enduring boundaries on the religion-state relationship. However,

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institutional legacies do not eliminate future jockeying over those boundaries. Indeed, the question facing path-dependent accounts is what mechanisms explain the endurance of institutions over time, even in the face of challengers. As institutionalist scholar Kathleen Thelen puts it, “[Institutionalist theories] contain an implicit theory of change: if institutions rest on and reflect a particular foundation… then they should change as a result of shifts in those underlying conditions.”

The first phase of this argument, then, highlights the threat posed by the secularism trap during the period of secular emergence. What explains why religious mobilization sometimes strengthens democratic politics at critical junctures like independence, while at others threatening the kind of political decay that culminated in Algeria’s civil war? This research question focuses attention on junctures like postcolonial independence when the institutional relationship between religion and state is up for grabs, and actors have significant leeway in setting institutions in founding documents like constitutions. The very indeterminacy of these junctures makes the secularism trap seem highly threatening, as political actors push their institutional preferences during fairly rare moments of institutional flux. While all countries go through such crucial periods, scholarship should focus on cases where the secularism trap seemed most threatening, and yet did not spring. Why is it, for instance, that even in the face of a politically mobilized religious majority at political independence, the secularism trap never truly sprang as Ireland became an independent democracy? Understanding

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how to secure Stepan’s twin tolerations even in these contexts is a central research task in making sense of the future of religion and democracy.

The second puzzle shifts from critical junctures to institutional evolution: how does state secularism endure over time, even in the face of challengers and institutional alternatives? The relationship between state and religion, frequently settled during early periods of state-formation, has demonstrated significant variation in recent years across a range of cases. Pluralism brought by globalization and religious mobilization through civil society reshapes existing institutions of secularism. The relative influence of religious and secular actors has shifted over time. Historical context alone cannot account for these contemporary adaptations. And yet, some states see gradual evolution in the religion-state relationship, within historical boundaries, while others see the breakdown of historical patterns and their replacement by an alternative institutional configuration. What accounts for these patterns of institutional change in the face of what Peter Berger has termed the “desecularization of the world?”

I propose an institutional theory that addresses both the emergence and evolution of religion’s place in democratic politics. At critical junctures, the institutional structure of religion-state relations plays a crucial role in determining whether states reconcile religion and democracy, and in the process avoid the secularism trap. Particularly when one religion enjoys a clear demographic majority, I argue that institutions of “benevolent secularism” can prove central in balancing majority participation with minority rights. I define benevolent secularism as a variety of institutional relationship between religion

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13 Throughout this argument, I refer interchangeably to institutional structure and institutional design. The use of the term “institutional design” should not necessarily be taken to imply that a single “institutional designer” exists in any one case. Institutional design or structure is rarely the result of one actor’s master plan, but rather the contingent bargaining among groups with distinct preferences over religion’s role in politics.
and state with three characteristics: differentiation of religious and state bodies, cooperation between religious and state institutions, and state maintenance of what Rajeev Bhargava has termed “principled distance” among all religious communities. It stands in contrast not only to forms of religious establishment, but also to more assertive forms of secularism found in France and Turkey. Institutional design has an independent impact on political outcomes at critical junctures by shaping the preferences of key actors: political elites, the religious majority, and religious minority communities.

If institutional design explains the emergence of the twin tolerations at critical junctures, the coalition politics shaped by those institutions explains the evolution of state secularism over time. Benevolent secularism endures over time by promoting two coalition effects: (1) bridging the religious-secular divide and (2) strengthening interfaith relations. Even when the twin tolerations seem threatened by changing demographics or bursts of political mobilization, these coalition mechanisms stabilize the basic institutional bargain that emerged at an earlier critical juncture. Jockeying among coalition allies can result in limited secular evolution, but within the general boundaries set by historical precedent. Where these coalition alliances weaken, institutions are more vulnerable to breakdown and replacement.

I test this argument about the effect of benevolent secularism in three cases: Ireland, Senegal and the Philippines. At the critical juncture in modern independence, each of these could have made a likely candidate for the secularism trap. And yet, after periods of contestation, each secured the twin tolerations because of the institutional design of benevolent secularism. Since these critical junctures, the cases have diverged in many regards, with distinct challenges emerging to the twin tolerations. Senegal has

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seen calls to increase the Islamic character of state institutions. Ireland has witnessed an explosion of anticlerical hostility to religious institutions. And rapid religious pluralization in the Philippines has complicated the relationship between religion and state. In each case, I first examine historical evidence of the role of institutional design in the emergence of the twin tolerations, and then turn to contemporary interview and survey evidence that coalition alliances encouraged by benevolent secularism are responsible for the evolution of religious politics over time.

This project contributes to rich recent debates in both empirical political science and political theory about the relationship between religion and democracy. As an empirical project, it builds on recent institutionalist scholarship documenting the varieties of secularism compatible with democratic governance. It breaks new ground in focusing on the coalitions that these institutions promote, and coalition alliances across religious-secular divisions and interfaith boundaries can prove crucial in securing the twin tolerations even as religious politics evolves over time. It also moves from studying these alliances among elites to testing alliances among the general population through public opinion data.

These empirical findings come with important implications for recent debates among theorists of democracy. Richard Rorty’s classic claim that religion is a “conversation stopper” has come under scrutiny from a range of philosophers and theologians in the past decade. Thinkers like Jeffrey Stout, Emile Perreau-Saussine and Abdullahi An-Naim have imagined more productive public roles for religion in

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democratic politics.\textsuperscript{16} My own argument puts these theoretical claims to an empirical test: does religion tend to break down democratic deliberation? And what concrete conditions might permit a broader role for religion in the public square while maintaining the individual rights so prized by liberal theory?

This chapter sets out my theoretical framework in more depth, and explains the research design used to test its empirical expectations. The chapter moves forward in several parts. First, I set out in more detail the relevant variation in religion-state relations that my institutional framework seeks to explain. Second, I consider predominant explanations of how to avoid the secularism trap, and briefly assess their relationships to institutional design of secularism. Third, I advance my argument, developing the concept of benevolent secularism and tracing its impact even after critical junctures through bridging the religious-secular divide and improving interfaith relations. Fourth, I set out a case-selection strategy that tests this institutional framework in three least-likely cases: Ireland, Senegal and the Philippines. Fifth, I clarify the multimethod research design, including the various forms of data used to test different stages of the argument. Sixth, I conclude with an outline of the study’s structure.

2. Assessing the Outcomes of Interest

What does it mean to assess the place of religion in democratic politics? The question is of practical importance. For instance, should the existence of religious political movements like the Nahda party in Tunisia at a critical juncture in regime

transformation be taken as evidence that the secularism trap has sprung? And once we
decide how to evaluate the status of the relationship between religion and democracy at
critical junctures, how should we evaluate the endurance of secular institutions over
time? Does the lack of any recent amendment to the United States Constitution related to
religion indicate that no institutional evolution has taken place in the past half-century or
more? These are foundational questions to scholars making sense of religion and
democratic politics. Clear understandings of the outcomes at critical junctures and the
nature of institutional change over time are needed before evaluating theories of how
secular democracy emerges and evolves.

At critical junctures, three outcomes are possible for the relationship between
religion and democracy. First, religious mobilization could coexist with democratic
politics and minority rights protections. This outcome is what Stepan defines as the twin
tolerations between religion and democratic politics. Stepan defines his tolerations as a
kind of mutual accommodation between religion and state institutions that cuts two ways.
First, “democratic institutions must be free, within the bounds of the constitution and
human rights, to generate policies. Religious institutions should not have constitutionally
privileged prerogatives that allow them to mandate public policy.” State institutions must
be autonomous and effective, able to form and implement policy without quasi-judicial
veto from religious institutions. The toleration falls on the state to the protection of
religion as well: “At the same time, individuals and religious communities…must have
complete freedom to worship privately. In addition, as individuals and groups, they must
be able to advance their values publicly in civil society and to sponsor organizations and
movements in political society." As Stepan acknowledges, there is a wide range of empirical arrangements between religion and state that meet his standards; there is no particular assumption that a strict exclusion of religion from democratic politics is a necessary characteristic of democracy.

If this mutual accommodation constitutes one outcome at critical junctures in regime formation, then political breakdown through the secularism trap provides the other two. The secularism trap can spring from the religious side, when a religious majority uses a moment of political opening to seize control of state institutions, in the process excluding religious minorities from equal protection and enshrining power for religious institutions in constitutional law that violates the twin tolerations. This dynamic took place over the course of the Iranian Revolution, with long-lasting results. This outcome has path dependent implications, by linking religious institutions to the coercive apparatus of an antidemocratic political regime.

A third outcome is important to remember as well. The secularism trap can spring from the nonreligious side, with political elites manipulating fears of religious takeover to legitimate the repression of religious institutions. This occurred most dramatically in the lead-up to the Algerian civil war, but also in the manipulations of authoritarian regimes in Turkey and Egypt, among others. In these cases, the toleration by state officials of religious institutions breaks down, resulting in violation of religious liberty, forced privatization of religious practice, or the coercive incorporation of religious institutions within the state bureaucracy. While liberal democrats tend to worry about the religious side of the secularism trap, the empirical record suggests that the twin tolerations

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regularly, perhaps more regularly, break down from the secular authoritarian side of the trap.

Assessing the existence of the twin tolerations obviously requires careful evaluation of comparative political institutions. Looking at a constitution for the existence of a state church, for instance, is only a first step. Some established state churches, for example the Church of England, are generally compatible with the twin tolerations, while some states that seem to provide for freedom of religious belief, such as China, may violate the twin tolerations in practice. This means that assessing the twin tolerations takes attention to more than the most basic features of constitutions. It also requires tracing the implementation of constitutional structures through legislation, jurisprudence and policy formation.

In contrast to the critical junctures that characterize secular emergence, secular evolution is a more gradual process by which religious and state actors push the boundaries of existing institutions, without breaking down those institutions and replacing them with an institutional alternative. After critical junctures, relevant variation lies in patterns of change to the political institutions that configure the religion-state relationship. Will those institutions evolve gradually over time, or go through a more dramatic process of institutional breakdown and replacement? Secular evolution is a process of institutional change other than formal replacement; it is characterized by variation within existing institutional boundaries, as relatively flexible institutions vary in application. Because of this flexibility, institutions that structure the religion-state relationship are prone to evolving, rather than being formally replaced by a distinct institutional alternative.
The institutional change captured by secular evolution has become a major focus of comparative institutionalist scholarship in the past decade. Institutionalist work from James Mahoney and Kathleen Thelen, Jacob Hacker and others has observed that much institutional change does not result from the wholesale replacement of an existing institution by another contender, but rather the different operation of the same formal institution within a changed social or political context.\(^\text{18}\) While *replacement*, that is the formal shift from one typological space to another, is one path of change, it is not the exclusive option, and perhaps not the most likely one. Institutions, particularly those that are fairly flexible, are likely to develop without formal replacement.\(^\text{19}\)

It is possible, of course, for states to implement a basically new configuration of religion-state relations; this kind of institutional breakdown and replacement is distinct from secular evolution. One example of this alternative outcome is Sweden’s decision to disestablish its official church in the year 2000. At that point, Sweden moved from a kind of liberal religious establishment to a secular state structure. Sweden replaced its basic institutional configuration of religion and the democratic state. Data from a leading statistical database of religion and state codes only a dozen changes globally from 1990-2002, and of these, only two were a change of more than a standard deviation (Ethiopia and Sweden).\(^\text{20}\) Standard quantitative methodologies highlight the breakdown and

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\(^{19}\) For a detailed discussion on alternative modes of institutional change, see Mahoney and Thelen 2010. While it is somewhat beyond the scope of this proposal, the kind of variation I describe in state secularism seems closest to their idea of conversion, where institutions remain formally constant but are interpreted in substantively distinct ways that alter their effect.

replacement of secular regimes, but struggle to capture the more nuanced forms of institutional change that make up secular evolution.

In practice, the precise nature of secular evolution can vary quite widely after institutions are put in place at critical junctures. In some instances, evolution may appear either more permissive or restrictive, for instance as the state allows greater or lesser public influence to religious actors as a whole. In other cases, evolution would be more accurately described as hierarchical or egalitarian, as states with privilege one religious community or take steps to treat all religious communities more even-handedly. The precise axis of evolution will depend on the institutional structure in place, and the type of challenge that arises to existing institutions. What unites these varieties of evolution is that none constitutes a move across typological space, or the breakdown of existing institutions. They are crucial to study both because they have real impact on the democratic politics of religion, and because they constitute the dominant form of institutional change in the area of state secularism. Because of these nuanced patterns of change, the study of secular evolution lends itself to qualitative analysis that places a premium on thorough evidence collection in cases over time.

Highlighting secular evolution opens a whole field of unexamined institutional dynamism to scholarship. If one simply examines institutional breakdown and replacement, secular settlements appear nearly stagnant, over-determined by historical legacies that leave no room for individual agency or institutional change. However, within these historical bounds, it is clear that meaningful institutional evolution is a regular occurrence. Actors push the boundaries of existing institutions, reshaping them to meet their changing preferences and to reflect altered demographic landscapes.
Table 1 summarizes the two types of variation in the realm of religion and democratic politics. In the theoretical sections that follow, I examine leading explanations for this variation, and then set out my own institutional framework.

3. Existing Explanations of the Religion-Democracy Relationship

The contentious relationship between religion and democracy has attracted substantial scholarly attention in recent years. Especially as the Arab Awakening has brought both excitement and anxiety among advocates of democratization, scholars have sought to explain how religious mobilization might coexist with democratic politics. In the sections below, I set out three contrasting approaches to this subject. Within each, I distinguish, as much as possible, predictions regarding secular emergence and secular evolution. While I critique each, this is not to imply that these traditions provide no help in understanding the relationship between religion and democracy. To the contrary, each
has important insights. But each is hampered by serious oversights, in particular their general inattention to the ways in which institutional design shapes the relationship between religion and democracy.

3.1 Secularization Theory and the Fading of Religion

In its purest form, secularization theory holds that the process of modernization decreases individual religiosity and weakens the hold of religious institutions over public life. As Peter Berger put it in his classic formulation, “Secularization manifests itself in the evacuation by the Christian churches of areas previously under their control or influence.”21 Expanding beyond Christian Europe, Karl Deutsch argued half a century ago that “Maharajas, sultans, sheikhs and chieftains all are quite unlikely to cope with these new problems, and traditional rule by land-owning oligarchies or long established religious bodies most often is apt to prove equally disappointing in the face of new needs.”22

Of course, as both Deutsch and Huntington observed, parts of the modernization package may not move in sync, creating gaps in which social mobilization outstrips the capacity of state institutions, and thus encourages unrest or state breakdown.23 In this scenario, the secularism trap looms when political participation expands before the breakdown of religious loyalty. The solution, then, would be the exclusion of religious actors until further secularization occurs. This argument plays quite comfortably into the hands of authoritarian regimes in economically underdeveloped societies.

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Secularization theory, like its cousin modernization theory, is generally deterministic in its predictions about both the emergence and evolution of secular institutions: development brings reduced individual religiosity and increased confinement of religion in the private sphere. The twin tolerations should emerge, then in economically advanced societies. Secular evolution should be unidirectional, with more restrictive forms of secularism emerging over time as religious institutions lose legitimacy and fade to the margins of public life.

Ultimately, this approach is unsatisfying in making sense of the relationship between religion, democracy and economic development. During the period of secular emergence, democracies from India to Senegal and the Philippines demonstrate that the conjunction of underdevelopment, political mobilization and high religiosity need not condemn a country to the secularism trap. And over time, secular evolution has hardly proven unidirectional. Even within highly developed states of Western Europe, for instance, sharp debates have recently broken out over the scope of accommodation to religious minorities from Eastern Europe and the Arab world. In the developing world, periods of net economic growth in China and India have heightened religion-state tensions, rather than leading to the smooth separation of the two.

A prime weakness of secularization theory is that its focus on structural changes in the economy overlooks the coalition politics that shape religion-state relations. The weakening of religious institutions in the face of economic development is taken for granted in this approach, so it is relatively unimportant to trace bargaining among coalition partners, or the ways in which institutions may shape that bargaining over time. However, the empirical record does not bear out this deterministic claim.
development has facilitated the urban preaching of Pentecostal ministers in Latin America and permitted Islamist elites to distribute their views through new technology. Development has an undeniable impact on religion-state relations. But its causal role is less deterministic than secularization theory claims.

3.2 The Undue Pessimism of Rationalist Theories

A spate of recent rationalist scholarship argues that tensions between religion and democracy are a product of the either demographic structure of the religious marketplace or of bargaining breakdowns across the religious-secular divide. The secularism trap is, in many ways, a rationalist construction at its core. It is assumed that religious actors, like others in politics, have a preference for power maximization, and even if such actors claim alternative preferences, these commitments are non-credible to smaller minority communities. The very existence of a religious majority provokes anticlericalism and the secularism trap. Religion’s relationship with democracy, on this telling, is the result of material competition among actors whose preferences closely resemble any firm or interest group.

From this basic starting point, rationalist theories of secular emergence develop in a number of specific ways. For rationalist theorists like Anthony Gill, the twin tolerations are most stable in religiously fragmented societies like the United States, where religious institutions prefer a form of state secularism that protects their liberty to compete in the private sphere, rather than any form of state religion.24 Religion and democracy most easily coexist when a sort of hurting stalemate among religious groups makes secular governance an appealing outcome. Other rationalists like Stathis Kalyvas

argue that religion and democracy coexist when hierarchical religious institutions can deliver credible commitments to secular elites. Kalyvas’s comparison of Belgium and Algeria suggests that Catholicism, with its cohesive authority structure, provides firmer grounds for harmonizing religion and democracy than horizontally-organized Islam. Of course, neither religious fragmentation nor hierarchical religious structures are subject to easy manipulation, so these rationalist theories present little reason for optimism about the relationship between religion and democracy in a wide range of cases.

Major rationalist thinkers like Gill and Kalyvas have dedicated less time to the evolution of secular institutions over time. Gill’s does argue in his framework that dominant religious majorities will respond to new religious competitors by using the state to exclude them from the religious marketplace. This is in keeping with his focus on the preference for material maximization on the part of religious institutions, and their general competition in line with firms in a marketplace. Extending this framework further, secular institutions should evolve when it suits the material interests of dominant religious community, while breakdown and be formally replaced when a hegemonic religion fades from the scene and a fragmented religious marketplace arises.

Rationalist theories make a substantial contribution in focusing attention on the role of actors in contesting institutional boundaries, in contrast to the heavy structural approach of secularization theory. In rationalist frameworks, new players in the religious marketplace destabilize existing institutions, by provoking existing religious communities to use the state to put up barriers to new religious competition. Gill points to the Russian Orthodox Church’s use of the Russian state to exclude competing minorities as

exemplifying this trend. Rationalists are right to focus on new religious pluralism as a major cause of secular evolution. However, the assumptions about the zero-sum competition between religious groups are overly pessimistic. Ultimately, this is because rationalists choose to assume largely material interests even among religious actors. This sells short the complex interests that drive the bargaining around religion-state relations. For instance, the Irish Catholic Church has responded to the growing Irish Muslim minority not as a threat for exclusion, but as a partner in Irish public life.

This lack of attention to preferences, and the way preferences may be influenced by the structure of political institutions, makes rationalist theories unduly pessimistic about how democracies can manage religious mobilization. Zero-sum completion along the religious-secular divide or interfaith boundaries is not as sharp as often supposed; a coalition that crosses this divide may not take an act of divine intervention. The structure of political institutions can further reduce this divide, and build credible commitments to secularism even in least likely cases.

3.3 The Imprecision of Religious Moderation

A final approach for explaining the relationship between religion and democracy has seized scholarly imagination in recent years: promote religious moderates. On this telling, religious actors may be capable of living with the twin tolerations, but only after adopting a set of liberal values or political theology. This discourse is prominent in discussions of political Islam, especially in light of the Arab Awakening, with commentators eager to identify “moderate Muslims” who can be reconciled to secular
state authority. These arguments bear echoes of debates about the inclusion of leftist European parties in post-World War II democratic politics.

There is a certain appeal in these arguments, and religious liberals could play a role in the emergence of the twin tolerations. And the attention to specifying actor preferences is an advance over the competition-driven bargaining of rationalist analysis. However, a comparative look at religious participants in democratic politics makes it clear that any concept of “moderation” should be used carefully. A first weakness is that one person’s moderate is another’s closet theocrat. The credible commitments problems highlighted by rationalist analysis do not disappear because religious moderates affirm liberal political theology at critical junctures of secular emergence. Events since the fall of the Mubarak regime in Egypt have crystalized this point. Muslim Brotherhood leaders have generally gone to pains to express “moderate” views on topics like protections for Coptic Christians. Yet, minorities worry that this moderation may not be genuine, or that in the future Islamist activists will have a theological change of heart.

Second, the very term moderation sheds more heat than light, as the content of moderate beliefs needs further specification. Must moderates agree to keep religion privatized within houses of worship? Or assent to international human rights standards for religious minorities and women? Or perhaps even affirm the political philosophy of liberal philosophers like John Rawls? While studying the content of theological beliefs

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26 See George Packer, “The Moderate Martyr,” *The New Yorker*, September 11, 2006 for one example. For a broader sense of the dominance of this rhetorical trope, consider that a Lexis-Nexis search of world publications containing the words “moderate” and “Muslims” returns over 3000 results just in the year 2011.

related to religion and politics is an important task, the blunt label of “moderation” only begs the question of what aspect of belief must be moderated.

Finally, even if moderates play a role in some settings, liberal religious values are clearly not the only path to accepting the twin tolerations. Those who predict that moderate religious values must precede democratization underestimate the ability of the twin tolerations to emerge even in highly orthodox societies. Religious communities have various reasons for accepting the twin tolerations during critical junctures, and even decidedly immoderate religious elites may decide that their own goals are best met by maintaining a certain distance from the political fray.

Religious moderates may also play a more complex role in the process of secular evolution over time. Theories of religious moderation seem to assume that the growth in religious liberals will tame religious passions, and stabilize the place of religion in democratic politics over time. Secular evolution will proceed less contentiously in a world where religious liberals come to enjoy more influence over time. However, this claim is open to empirical challenge. Religious liberals are frequently rivals of more orthodox religious institutions, and so it could be that the promotion of religious liberalism will actually provoke a reaction from traditionalist believers who perceive a threat in the growth of supposed moderates. Something like this dynamic emerged in the United States in the years before the emergence of the Religious Right, as communities of religious traditionalists who had traditionally shunned political life mobilized in the face of what they perceived as a growth of liberalism in both religious and social life.28 This is not to say that religious liberalism will necessarily threaten the twin tolerations.

Rather, it refocuses our attention on the broader coalition politics that stabilize the twin tolerations.

While these limits are significant, it is important to acknowledge the progress that religious moderation theory makes in highlighting the preferences of religious actors, and paying attention to the ways in which political theology shapes the bargaining among religious and state blocs. However, in spite of this approach’s strongest claims, card-carrying religious liberals are neither a necessary nor sufficient condition for building the twin tolerations or encouraging secular evolution. They are not necessary because orthodox religious groups may have sound reasons for accepting the twin tolerations, especially to preserve religion’s autonomy from the state. This anti-statist streak has caused religious groups from Rhode Island Baptists\textsuperscript{29} to West African Sufis\textsuperscript{30} to have little interest in mingling their ascetic legitimacy with the dirty deeds of day-to-day politics. Religious moderates are not sufficient because they may actually touch off counter-reactions from more orthodox religious communities, making it more difficult to stabilize the relationship between religion and democracy.

One thing shines through in each of these alternatives: the general absence of institutional design in analyzing the twin tolerations. Modernization theory pays little attention to the variety of institutional arrangements that coexist even within the developed West. Existing rationalist theories underemphasize institutional design’s impact on bargaining. And focusing on religious moderation overlooks the varied institutional settings within which actors work.

4. Theory: Institutional Design and Coalition Politics

In contrast to these alternative approaches, I argue that institutional design plays a crucial role in managing tensions between religion and democracy, even in countries with a mobilized religious majority. In making this institutional argument, I build on recent work from Stepan, Kuru, Fox and others on the multiple secularisms compatible with democratic government. Expanding on their work, I identify an institutional type, what I call “benevolent secularism,” that proves central in harmonizing religious mobilization with democratic politics in cases where leading alternative theories would predict limited the prospects for democracy. Institutional design can secure the twin tolerations and structure secular evolution over time because of its impact on the coalition politics related to religion. The configuration of benevolent secularism shapes the preferences of three groups during critical junctures: political elites, the religious majority, and religious minority communities. Over time, this institutional impact on actor preferences stabilizes secular evolution through two coalition effects: reducing the severity of religious-secular divides and strengthening interfaith relations. By shaping actor preferences and promoting a coalition that cross-cuts major religious divisions, benevolent secularism reduces the likelihood of the secularism trap at critical junctures, and structures secular evolution over time.

31 Stepan points out that much more work remains to be done, particularly in examining what he calls “benevolent accommodationist” and “respect all, benevolent cooperation, principled distance model.” Specifying benevolent secularism takes up this task. A. Stepan, “The Multiple Secularisms of Modern Democratic and Non-Democratic Regimes.”
In this section, I advance a two-part argument. First, I flesh out the concept of benevolent secularism, and distinguish it from alternative institutional configurations of religion-state relations. Second, I detail the coalitional effects through which benevolent secularism operates both at critical junctures and during periods of secular evolution. By shaping actor preferences and encouraging partnerships across the religious-secular and interfaith divides, benevolent secularism promotes the twin tolerations, not only at critical junctures, but also over time, as demographic shifts and revisionist movements bring new tensions two the relationship between religion and democratic politics.

4.1 Conceptualizing Benevolent Secularism

Benevolent secularism is one variety of institutional relationship between religion and state. I define benevolent secularism as an institutional configuration that (1) maintains differentiation of religious and state institutions, while (2) encourages cooperation between religion and state in the democratic public square and (3) establishes what Indian scholar Rajeev Bhargava has called a “principled distance” between the state and all religious communities. That is, state benevolence “must intend to help or hinder all relevant groups to an equal degree.”34 Below, I detail these three dimensions, illustrating them with comparative examples for clarity.

Benevolent secularism differentiates religious and state institutions. Differentiation rules out one officially recognized state church, as in the Church of England. It is also distinct from the concurrent establishments of cases like Germany. Differentiation comes with concrete implications in areas like employment: religious appointments are not subject to state veto and state appointments are not subject to a religious test. Because the state is not tied to one religious community, differentiation

34 Rajeev Bhargava, Secularism and Its Critics, 504.
also implies religious liberty protections. States may not restrict religious liberty of individuals or groups, because such restrictions would break down the supposed differentiation between state institutions and the religious sphere. In differentiating religion and state, benevolent secularism shares some ground with what Kuru calls assertive and passive secularism. On this dimension, benevolent secularism stands in clearest contrast with patterns of formal religious establishment.

Aside from its similarity in differentiation, however, there are serious differences among benevolent secularism and Kuru’s two institutional varieties. While his assertive secular institutions “mean that the state excludes religion from the public sphere” and passive secularism “requires that the secular state play a ‘passive’ role in avoiding the establishment of any religion,”35 benevolent secularism explicitly promotes cooperation among state and religious bodies. In practice, states of course blend these ideal types, but their theoretical distinctiveness helps clarify the impact that institutional variation will have on the politics of secularism.

Benevolent secularism encourages cooperation between state and religion in various concrete ways. One type of cooperation is largely material and financial. Unique tax structures for religious associations are a basic signal of material cooperation. Most benevolent secular states, however, go beyond this. Material support frequently takes the form of funding for religious education. Cooperation in provision of religious education is a core feature of benevolent secularism in the Philippines, for example, and the extent of religious education in state schools has recently expanded in Senegal. Similar cooperation may exist in areas of social service provision, particularly healthcare and poverty alleviation. Cooperation can also extend to religious activities such as

pilgrimages, religious festivals, and public religious celebrations. Until recent budget
cuts, Ireland provided state support to low-income families for the celebration of
religious sacraments.

A second type of cooperation moves from material support to policy influence.
Benevolent secular regimes regularly include religious institutions in formalized policy
consultation processes that signal a cooperative relationship between religion and state
actors. Family law is among the most common areas of cooperation, for example with
religious arbitrators playing some role in custody and inheritance disputes within the
Muslim community in the Philippines. Attempts to draft civil codes of family law
regularly attract the attention of religious actors, and feature prominently in each of the
cases in my argument. Areas of consultation range far beyond family law in practice,
from worker protection policy to development strategies and even electoral oversight.
Such policy consultation grants religious actors a voice in public debates without
violating the capacity of the state to formulate and implement policies independent of
religious authorization.

Finally, benevolent secularism maintains a principled distance between the state
and the various religious communities in its borders. At a fundamental level, principled
distance means that the cooperation between religion and state must be available on a
basically equal basis to all religions. As Bhargava puts it in his development of the term,
“If the Government resolves to help or to hinder the activities of one religious
community, then it helps or hinders the activities of other religious communities as well
as the community of unbelievers.”36 Thus, when the Senegalese state makes pilgrimage
funding available to Muslims, it must provide similar opportunities to its much smaller

36 Bhargava, Secularism and Its Critics, 495-496.
Catholic minority. Principled distance should show through not only in material cooperation, but also in the patterns of policy cooperation that characterize benevolent secularism. For example, when the Irish state launches Structured Dialogues between the state and religious leaders, these must reflect the diversity of contemporary Ireland, not simply the traditional Catholic and Protestant denominations. It is important to note that, in keeping with Bhargava’s understanding, principled distance is related to neutrality in purpose rather than in outcome. Some religious communities, for example, may as an outcome participate less than others in policy consultations, but all should have the opportunity provided.

Maintaining principled distance also regularly shows through in religious exemptions from more generally applicable civil laws. These exemptions may be grounded in explicit constitutional guarantees of the autonomy of religious communities, for example Senegal’s Article 19 guarantee that “religious institutions and communities regulate and administer their own affairs in an autonomous manner.” Exemptions are a matter of principled distance because they regularly protect smaller religious communities that would, unintentionally, bear the brunt of generally applicable civil laws. For example, Philippine courts have exempted Jehovah’s Witnesses from certain marital requirements, and Ireland’s Jewish community received exemption from certain commercial regulations that impacted the Sabbath. As the regulatory power of the state has grown over the past century in combination with increasing religious pluralism, claims to exemption have become a dominant flashpoint in benevolent secular evolution.37

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37 Religious exemptions are certainly not new; the recognition of conscientious objectors to military service is only one common and old example. However, as states and international bodies have become
This three-part conceptualization distinguishes benevolent secularism from other institutional configurations of religion-state relations. Differentiation of religion and state distinguishes benevolent secularism from forms of official religious establishment found in places like the United Kingdom. Cooperation between religion and state sets off benevolent secularism from passive secularism’s more _laissez faire_ approach to the religious marketplace, which predominates in the United States. Benevolent secular regimes do not simply let religious forces jockey among themselves for privately-available funding and support. Cooperation and autonomy guarantees contrast benevolent secularism with assertive secularism, which subordinates religion to state and coerces religious institutions. Assertive secularism in Turkey permitted material funding of religious institutions, for example, but there was absolutely no autonomy of these institutions from state control. This conjunction of differentiation, cooperation and principled distance forms the core of the benevolent secular bargain.

Table 2 summarizes this conceptualization of benevolent secularism. Institutional design matters, and this particular configuration of religion-state relations has unique impacts on the preferences of relevant actors both at critical junctures and over time.

Increasingly active in policy ranging from regulation of hiring practices to promotion of healthy diet, religious communities have become more engaged in seeking exemptions from generally applied laws.
4.2 Coalition Effects: Shaping Preferences and Alliances

Saying that institutional design matters begs the question of how these institutions have a causal effect on religion’s relationship to democracy. This question is implicit in path dependent accounts of political institutions, but largely unexamined in the context of religion-state relations. I argue that institutions matter because of their impact on actor preferences, and, in turn, the coalition alliances they encourage. Benevolent secularism promotes a diverse, three-part coalition: political elites, the religious majority and religious minority groups. Institutions have an independent effect on the preferences of each of these blocs, by empowering those most disposed to accept the twin tolerations. By shaping preferences within these three coalition blocs, benevolent secularism then encourages alliances across the groups, first by reducing the religious-secular divide and

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<tr>
<th>Table 2: Dimensions and Indicators of Benevolent Secularism</th>
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<tr>
<td><strong>Differentiation</strong></td>
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<td>Disestablishment</td>
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<td>Religious Liberty</td>
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<tr>
<td><strong>Religion-State Cooperation</strong></td>
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<td>Material Support (Education, for example)</td>
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<td>Policy Consultation (Family Law, for example)</td>
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<tr>
<td><strong>Principled Distance</strong></td>
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<tr>
<td>Equal Access to Public Support</td>
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<td>Religious Exemptions/Autonomy</td>
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second by improving interfaith relations. The secularism trap largely presupposes sharp divides among these groups at the elite level. However, they vary in practice, and benevolent secularism reduces their severity. Benevolent secularism takes on path dependent characteristics because these effects on actor preferences last long after critical junctures.

In the context of a single dominant religious community, we can think of three blocs bargaining about the relationship between religion and democracy: the majority religious community, political elites, and smaller religious minorities. Benevolent secular institutions give each element of this coalition a reason to stick with the twin tolerations. Benevolent secularism’s precise impact within each coalition bloc is distinct. In what follows, I trace those internal effects, and then illustrate how these within group effects shape alliances across the diverse parts of this coalition in two ways: (1) bridging the religious-secular divide and (2) improving interfaith relations.

Institutions can shape preferences because, to borrow from Stepan’s work, religious traditions are “multivocal.” That is to say, even in the context of a single predominant religious community, there are inevitable internal divisions regarding the appropriate public role for the religious community. These kinds of internal divisions also exist on the side of political elites, some of whom have anticlerical beliefs while others are more open to a collaborative role for religion in democratic life. Within each part of the secular coalition, benevolent institutions empower those willing to seek the twin tolerations. Multivocality thus provides a crucial condition for disarming the

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38 This is of course a schematic breaking of groups into blocs. Civil society organizations, for example, may play a role in any portion of the coalition. They do not form their own bloc, as they generally fall within one of the larger groups that make up the main framework here.

39 Stepan, “Twin Tolerations.”
secularism trap. Religious majorities, minorities, and political elites each face distinct material and normative incentives to accept the institutional bargain of a benevolent secularism.40

Within the majority religion, benevolent institutions shape preferences by empowering what I term “pious secularists.” Benevolent secularism preserves a role for what Casanova has called “public religion,” and reassures religious elites that state leaders will not turn anticlerical, using state power to repress religious institutions.41 In this institutional environment, formal establishment seems unnecessary even to a predominant majority. After all, religious establishment ties religious institutions to the mire of day-to-day political life, and thus poses a threat to religious legitimacy. Religious establishment comes with a range of costs, from the risk that political elites will use establishment to control religious institutions to the threat of religious complicity in corrupt state institutions. Rational choice assumptions that a religious majority will push for control of state institutions sharply underestimate these costs. Benevolent secular institutions empower those religious actors who prefer the state at arm’s length. As institutions evolve, benevolent secularism promotes a generation of religious leaders who have learned to cooperate with state institutions while respecting the twin tolerations. Thus, even if religious revivalist movements emerge, the most prominent religious elites have normative and material interests in protecting the benevolent terms of the secular bargain.

40 When describing the preferences of actors on either side of the religious-secular divide, I will use the language of “interests” for the sake of convenience. This should not be taken in strictly material terms. Religious and secular actors bring a blend of material and normative interests to debates over religion-state relations.
41 José Casanova, Public Religions in the Modern World.
Members of the religious majority do not need to be enthusiastic liberals to find this bargain appealing. A variety of religious actors may prefer a secular state to preserve the moral standing of the religious community itself. One important group could be termed pious secularists, defined as “[those] hostile to worldliness and the kinds of compromise which the established [religion] has to make with the state.” This skepticism of state authority makes formal religious establishment less appealing, precisely because state authority is likely to corrupt the all-important purity of religious practice. This religious orientation to the political exists in a range of religious traditions. As Hirschkind describes Egypt’s Muslim pietist revival, “opinions in regard to the state [range] from outright condemnation, to distrust and ambivalence, to indifference.”

David Martin points out that pietist movements are vibrant in Christian-majority states as well, with Pentecostalism “indigenizing” the pietist tradition in Latin America. Other religious elites may simply be risk averse, and realize that religious control of state institutions may quickly morph into state control of religious bodies or empower alternative centers of religious power to challenge their own clerical authority. The general point is this: benevolent secularism strengthens the hand of pious secularists within the majority faith community, by diminishing religious fears of anticlerical repression and preserving a public role for religion in democratic life.

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Benevolent secular institutions act in a different manner to build confidence among political elites. This bloc is made up of elected officials, members of the state bureaucracy, as well as policy advocates who work on areas related to the religion-state relationship, but are not themselves representatives of a religious community. These individuals are frequently state officials in some way, but may also operate in civil society. This bloc can be a center of anticlericalism, but also contains accommodationists who have no hostility to religion as such. By highlighting differentiation, benevolent secularism undercuts anticlericalism among this bloc, as the forcible repression of the religious community seems like an unnecessary expenditure of state resources. In turn, political elites more open to an accommodating relationship with religious institutions come to positions of influence.

While differentiation is partially symbolic, it plays an important role in addressing the credible commitment problem highlighted by rationalist theorists like Kalyvas. Differentiation was important to political elites drafting the 1935 Commonwealth Constitution in the Philippines, for instance, not because of its immediate material consequences, but because it sent a credible signal that the Catholic Church intended to respect the autonomy of state institutions. The cooperation encouraged by benevolent secularism commits religious communities to iterated interactions with the state, negotiating a public place for religion without seeking formal control of the policy process. Cooperation between government and religious charities can aid in the provision of social services and build effectiveness for low capacity states. As institutions evolve,

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46 I use the term “anticlericalism” throughout to mean coercive exclusion of existing religious elites from the public sphere. Because religious structures vary across religious traditions, these elites may not always be “clerics” in the Christian sense, but will share a status as leaders of existing religious social structures. Anticlerical sentiment is not simply anti-religious, but more particularly geared against an existing set of religious elites or authority structures.
the state sinks significant costs into these collaborations, so even anticlerical elites face obstacles in overturning benevolent institutional structures. Those in Ireland who wish to eliminate the religious nature of primary education, for instance, face substantial material obstacles from decades of religion-state cooperation in areas like curricular design and teacher training. With these constraints in place, gradual secular evolution is a more likely outcome than full institutional replacement.

For religious minorities, benevolent secularism engages their leaders in public partnerships, and cements their place in democratic life over time.47 The principled distance that benevolent secularism maintains among religious communities gives minorities solid footing for legal claims if discrimination arises. Discriminatory policies would violate constitutionally guaranteed rights protections, and benevolent secularism gives minorities firmer standing for appeals for justice. For example, as Muslims in Ireland push for legal accommodation, they draw on a long history of Irish rights protections to small religious minorities to make their case to both policy makers and courts. Moreover, benevolent secular institutions build the social visibility of the minority community and promote shared interests with members of the religious majority around issues like social service provision. Including minorities in state policy consultations, for example Senegal’s ongoing state-Muslim-Catholic collaborations to fight the transmission of HIV/AIDS, reinforces the place of multiple religions in the commonweal and builds partnerships among religious activists. Minorities remain in a

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47 For the purposes of this analysis, explicitly atheistic associations are generally treated as a portion of the political elite rather than a minority religious community. This is in large part because such associations frequently do not want to be identified as just another religious denomination. Insofar as they impact the religious politics of democracy, it is through the religious-secular divide, rather than interfaith relations.
vulnerable position, of course, but benevolent secularism strengthens their legal claims to protection and promotes elite interfaith cooperation.

Table 3 summarizes these institutional effects within coalition blocs. Each corresponds to a testable hypothesis about the impact of institutional design within coalition blocs at critical junctures. For instance, benevolent secular institutions should cause a decline in anticlerical sentiment among political elites. Similar institutions should correspond with the growth of pious secularism among the religious majority. These hypotheses flow in the other direction as well. For example, institutional steps away from benevolent secularism should distress minority communities, and drive them out of public partnerships into more isolated postures. The cases in this study are selected to test these hypothesized within coalition effects at critical junctures.

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<thead>
<tr>
<th>Coalition Partner</th>
<th>Institutional Effect</th>
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<tr>
<td>Religious Majority</td>
<td>Empower Pious Secularists</td>
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<tr>
<td>State Elites</td>
<td>Weaken Anticlericals/Sink Costs into Cooperation</td>
</tr>
<tr>
<td>Religious Minorities</td>
<td>Engage Elites in Public Partnerships</td>
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A key claim of my theory is that similar effects, in the context of a single dominant religious community, are not hypothesized to flow from other varieties of secularism. More assertive secularism is likely to provoke an anti-democratic reaction from the majority religious community, and thus spring the secularism trap. Even more passive takes on state secularism, however, are unlikely to have the same effectiveness.
It is the explicitly positive cooperation between religion and state that draws the religious community into supporting the twin tolerations. Furthermore, it is the entanglements between religion and state that promote a generation of both state and religious elites who have a vested interest in maintaining a cooperative equilibrium between the two spheres. Benevolent secularism plays a unique institutional role in building religious and state advocates for the twin tolerations.

These within-group effects matter long after critical junctures, as the relationship between religion and democracy moves to phases of secular evolution. These within group effects in turn encourage coalition alliances that cut across the different blocs. Two alliances are most important in stabilizing institutions as they evolve to meet new challenges: (1) bridging the religious-secular divide and (2) improving interfaith relations. While these alliances may exist in an initial form during the critical juncture of secular emergence, they are especially important in analyzing the periods of secular evolution that take place after critical junctures draw to a close. By promoting these alliances, benevolent secularism takes on its path dependent nature over time, even in the face of challenges from new pluralism, religious revivals or a burst of anticlericalism. The alliances explain when benevolent secularism is likely to evolve in the face of these challenges, rather than breakdown and be replaced by a basically new form of religion-state relationship.

Bridging the religious-secular divide is crucial both at critical junctures and later as existing institutions must evolve to face new challenges. A range of recent scholarship has highlighted the importance of this divide, using its severity to explain anti-Americanism, authoritarian resilience, variation in social service structure, and the
emergence of religious political parties. While a sharp religious-secular divide has serious political consequences, benevolent secularism can reduce its extent over time. With pious secularists in control of the religious majority, and the most vocal anticlericals out of influence among political elites, the religious-secular divide becomes quite manageable. This alliance forms through the concrete workings of benevolent secularism, particularly in the patterns of cooperation between the religious majority and parts of the state bureaucracy. Material cooperation in the educational realm, for example, requires extensive bureaucracies that draw on both religious leaders and members of the state bureaucracy to cooperate, build confidence, and develop shared interests. Consultation in the policy realm builds networks of policy experts, drawn from both religious and secular communities, accustomed to the combination of differentiation, cooperation and principled distance that makes up benevolent secularism. Cooperation on public health projects in Senegal, for instance, built networks of religious and state experts who later put their expertise to work on newer challenges like AIDS responsiveness, and also served as voices protecting benevolent secularism when it came under threat in the past decade. In this institutional context, members of the majority religion and the state apparatus develop a range of shared preferences. Even when challenges arise, these groups have a strong interest in working together to have religion-state institutions evolve, rather than encouraging institutional breakdown and replacement.

The second coalition alliance operates in a similar, but distinct, manner to stabilize institutions during periods of secular evolution. Because pious secularists among the religious majority see differentiation between religion and state as beneficial to religion itself, they are less likely to advance state policies that discriminate against religious minorities. Pious secularists are thus preferred by members of the religious minority to more exclusivist portions within the religious majority, and minorities have an incentive to cultivate warm relations with this portion of the majority community. Cooperation in policy consultations builds relationships across religious boundaries that strengthen interfaith relations as a whole. For instance, many of the same religious actors who consult with the Senegalese state on matters of good governance are also practitioners of Islamic-Catholic dialogue outside of these state consultations. Benevolent secularism furthermore gives religious minorities incentive to seek strong interfaith relations, since allies in the religious majority can be important bridge-builders with political elites. The Irish Muslim community, for instance, has benefitted from its generally strong ties to the Catholic Church, as Catholic authorities have encouraged the state to fund Muslim education. The arrival of new religious minorities is one of the stiffest challenges to the stability of secular institutions. Strong interfaith relations encourage secular institutions to evolve and manage new pluralism, rather than allow pluralism to bring about institutional breakdown.

Of course, over time it is possible that these coalition alliances can deteriorate in spite of the general effect of benevolent secular institutions. Institutional design should fortify these alliances over time, but my argument is not deterministic. After critical junctures, forces exogenous to institutional design, such as rapid social change, the
collapse of a coalition bloc, or even interstate war could weaken coalition alliances and hamper secular evolution. If coalition alliances cease to operate, we should expect that secular institutions will not successfully evolve in the face of new challenges, but will rather be formally replaced by some other variety of religion-state relations. In this case, coalition dynamics would be causally responsible for institutional breakdown.

These claims about the role of coalition alliances in promoting secular evolution generate two testable hypotheses. First, in the presence of a minimal religious-secular divide and strong interfaith relations, challenges to benevolent secularism should result in secular evolution, rather than institutional breakdown and formal replacement. Second, the converse expectation should be true as well. If religious-secular divides grow and interfaith relations breakdown, challenges to benevolent secularism should lead to institutional breakdown and the replacement of some or all of benevolent secularism’s three component by some alternative institutional configuration. The cases selected for this dissertation provide a range of tests for these complementary hypotheses regarding secular evolution.

While the hypotheses regarding secular emergence and evolution generated from this institutional approach are focused on elite-level politics, they also imply claims about support for benevolent secularism among the general public. Each of the elite hypotheses set out in Table 3, for instance, could also come with observable implications in public opinion data, if it were available from critical junctures of secular emergence. In a similar, and more data-rich, time period, the coalition alliances by which secular institutions evolve in the contemporary period have implications for opinion among the general public. For example, the hypothesized minimal religious-secular divide could be
traced by comparing opinion on questions of religion-state relations among the devout and non-religious. Likewise, the hypothesized role of strong interfaith relations in facilitating secular evolution should show through in the general public. Religious majorities and minorities should actually share common ground in their opinion of principled distance and differentiation. Testing hypotheses against public opinion also opens up interesting avenues for research, largely beyond the scope of this study into tensions that may emerge between elite and mass dynamics.

Figures 1 and 2 summarize the theoretical account of benevolent secularism’s effect on democratic politics. From critical junctures in which the secularism trap is most threatening, elites face a choice between benevolent secularism and other institutional varieties of religion-state relations. Choosing benevolent secularism has effects within each part of the secular coalition, and in turn encourages alliances that bridge the religious-secular divide and improve interfaith relations even after critical junctures. Institutions have a direct effect on actor preferences at critical junctures, and are indirectly responsible for secular evolution over time through their impact on coalition alliances.
Given this argument, how might one assess evidence of institutional design’s importance in structuring the relationship between religion and democracy? I employ two case selection strategies to test the theory both at critical junctures and over the course of secular evolution. At the critical juncture of secular emergence, I select least...
likely cases for the twin tolerations, according to the leading alternative theories described above. Then, as secular institutions have evolved, I select cases in which the threats to the stability of secular institutions have been quite distinct. I draw on three states, Senegal, the Philippines, and Ireland to meet these two selection goals.

One further goal motivates this case selection. The Philippines, Ireland and Senegal vary in their majority religious community (Catholic, Catholic, and Muslim respectively), and yet have all managed to stabilize the twin tolerations for extended periods of time. Comparing benevolent secularism’s impact across the cases provides insight into how similar institutional design may operate across civilizational boundary lines. The comparison builds on Casanova’s suggestion that the twentieth century’s aggiornamento between Catholicism and democracy may have parallels in today’s religion-state dynamics in the Muslim majority world.49 Altinordu’s compelling argument regarding similar processes of “politicization of religion” in Germany and Turkey lends further credence to the idea that comparison of Catholic and Muslim-majority cases can deepen our understanding of the relationship between religion and democracy.50

Before more detail on case selection, a very brief orientation with these countries is in order. In Ireland, the critical juncture of secular emergence is the late-Free State period, as the country moved to full independence in the years leading up to the Constitution of 1937. During this time, political institutions of all types, including those structuring the relationship between religion and state, were in flux, and many worried that the Catholic majority would use independence to violate minority rights and enshrine Catholic power in law. The period of secular evolution in Ireland has been more

50 Altinordu, “The Politicization of Religion.”
extended, stretching from a constitutional amendment in 1972 until the present day, with a focus on institutional developments since the turn of the millennium with the rise of the Celtic Tiger and the outbreak of Catholic sex abuse scandals.

In Senegal, the critical juncture of secular emergence took place as the country moved to full independence with the breakup of France’s West African empire after World War II. Debates came to a head around 1960 as President Leopold Seder Senghor consolidated his rule. During this juncture, the Muslim majority enjoyed significant public influence, and some clerics pushed for the official incorporation of sharia into civil law. The period of secular evolution in Senegal peaked during the rule of President Abdoulaye Wade, who came to power in 2000 and ruled until 2012, during which time he challenged dimensions of benevolent secularism in an attempt to build his own political power base.

In Philippines, secular emergence focused on the late American colonial period, in particular the Commonwealth Constitutional Convention of 1934. The Catholic Church had enjoyed official religious establishment until 1898 under Spanish colonialism, and many worried that political independence would bring with it a return to the fusion of religion and state. The more gradual process of secular evolution in the Philippines began with the religious opposition to the dictatorship of Ferdinand Marcos in the mid-1980s, and continues to this day. A range of new charismatic religious movements has destabilized the stability of the Philippine religious landscape, with implications for the institutional relationship between religion and state.

At the critical juncture of secular emergence, the Philippines, Ireland and Senegal were all least-likely cases for arriving at the twin tolerations according to the three
alternative explanations set out above. They thus provide tough tests for the impact of benevolent secular institutions. For rational choice theorists, each had a hegemonic religion that could have used state institutions to freeze out potential competition.

Catholicism in Ireland and the Philippines at independence and Islam in Senegal after World War II commanded the allegiance of over 4 in 5 citizens.\textsuperscript{51} Theories of religious moderation would also point to the likelihood of the secularism trap. In each, a significant bloc of political elites worried that democracy could inadvertently lead to a kind of theocracy. Catholic elites in Ireland and the Philippines shared a pre-Vatican II skepticism of liberalism, while the Sufi brotherhoods who dominated Senegalese Islamic life were centered in rural heartlands removed from the more liberal, urbanized portions of the Senegalese population. Predictions flowing from modernization theory would be similarly bleak for these states at independence, as each struggled with under-development and limited state provision of social services. Religiosity was high in each, and economic development had made no progress in weakening the authority of religious institutions. In short, if ever the secularism trap was set, it should have been in 1920s Dublin, 1930s Manila and 1950s Dakar. The shared outcome of the twin tolerations across such an unlikely set of cases is strong evidence in favor of the effects of institutional design.

\textsuperscript{51} It should be noted that while Sufi Muslim brotherhoods dominate Islamic life in Senegal, there is diversity within the Muslim community, and even the largest brotherhoods (the Tidjanns and Mourides) do not count the allegiance of a clear majority if Senegal’s population. Still, there is internal diversity even within religious groups normally assumed to be “hierarchical,” such as the Catholic Church. On demographic grounds, one would certainly think that Senegal would have been a candidate for the secularism trap’s snare. For more detailed analysis of the religious landscape of modern Senegal, see Khadim Mbacké and John O. Hunwick, \textit{Sufism and Religious Brotherhoods in Senegal} (Princeton, NJ: Markus Wiener Publishers, 2005).
While the cross-case research design increases confidence in my hypothesized institutional effects, the causal impact of institutional design during secular emergence is tested by careful within-case tracing during the critical juncture. Archival and secondary source research into these periods can test whether institutional debates during these junctures had the hypothesized effects on each of the three blocs: the religious majority, political elites, and religious minorities. In short, as elites in each case considered alternatives to benevolent secularism during the critical junctures, we should observe the coalition effects set out in Table 3.

<table>
<thead>
<tr>
<th>Case</th>
<th>Alternative Explanations</th>
<th>Outcome of Interest</th>
</tr>
</thead>
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If the cases are all least likely for the twin tolerations at secular emergence, they have come under diverse challenges since the critical juncture came to a close. Thus, the analysis of secular evolution across these cases shows how coalition alliances across the religious-secular divide and interfaith boundaries have responded to an array of institutional challenges. Each illustrates a distinct threat to benevolent secularism that
may emerge over time. Senegal’s recent history demonstrates the challenges posed by revivalist religious movements within a religious majority. Ireland’s past quarter century, in contrast, highlights the response of a coalition to revived anticlericalism. And in the Philippines, the challenge has been a pluralization of religious leaders who have complicated the established coalition alliances. These cases, then, which shared many characteristics at independence, illustrate how coalition mechanisms have responded to diverse opportunities for institutional breakdown and replacement.

<table>
<thead>
<tr>
<th>Case</th>
<th>Coalition Challenge</th>
<th>Institutional Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senegal</td>
<td>Campaign for Religious Establishment</td>
<td>Secular Evolution (Breakdown Avoided)</td>
</tr>
<tr>
<td>Philippines</td>
<td>Religious Pluralization</td>
<td>Secular Evolution (Breakdown Avoided)</td>
</tr>
<tr>
<td>Ireland</td>
<td>Rising Anticlericalism</td>
<td>Secular Evolution (Breakdown Avoided)</td>
</tr>
</tbody>
</table>

Tables 4 and 5 summarize the place of each case in the overall argument. While a different set of cases would be appropriate to test the causes of complete breakdown in the twin tolerations, careful comparative analysis and within case tracing of the hypothesized institutional effects demonstrates the effect of benevolent secularism on the tense relationship between religion and democracy, even in the toughest of cases.

6. Data Collection Strategy

Testing the hypothesized effects of benevolent secularism takes a diverse set of empirical evidence. In brief, archival and secondary sources provide qualitative data to examine the impact of benevolent secularism at historical critical junctures, while field
interviews test the hypothesized impact of benevolent secularism over time on coalition alliances. In practice, there is of course overlap between these two categories of qualitative research. Interviews point to useful historical archives and data sources, while modern archives from NGOs provide important evidence of contemporary secular evolution. While I describe the distinct data sources below, they are used in a similar manner throughout the project: to document the effect of institutions on actor preferences and coalition alliances.

A third source of empirical data pushes these hypothesized coalition alliances to the mass level using survey research. Public opinion data tests whether the religious-secular bridging and interfaith partnerships that I argue result from benevolent secularism exist in the general public. Without this test, the theoretical framework is largely elite-focused, and does not account for the broader political environment in which elites make political decisions. Linking the elite-based account to public opinion tests whether institutional design has an effect far beyond the leaders of religious and state institutions.

6.1. Data Source I: Archival Research

Archival research aids in both coding of dependent variables, and in tracing the effect of institutional design on coalition politics. Secondary case studies provide information on the case-based histories of religion-state relations, and in particular on how the boundary between the state and religious institutions changed at critical junctures of secular emergence. While political scientists have paid less attention to religion and politics until recently, historians, anthropologists and legal scholars have written at length on the cases I consider. Primary source archival research provides important additional evidence in two ways. First and foremost, primary sources provide more detailed
documentation of relevant debates than most secondary sources. Reading debates unfold in correspondence increases confidence that institutions are having their hypothesized effect within and across coalition blocs. Second, archival research provides confirmatory evidence that plays a part in the process of alleviating selection bias concerns in secondary historical research that Lustick and others have raised. While the risk of data mining still exists, adding archival work to secondary historiography increases confidence in data reliability throughout the project.

Some highlights from archival research in the Philippines demonstrate the contribution of archival work to the study. The records of the 1934 Constitutional Convention and the 1986 Constitutional Commission document extended debates regarding the place of religion within the Philippine republic. Delegates debate the separation between the Catholic Church and the state, the place of religion in the educational system, and the freedom of individual conscience. A Jesuit priest, Fr. Joaquin Bernas, served on the 1986 Commission, and his notes on the proceedings shed light on the internal divisions among Catholic leaders on the Commission regarding the nature of secularism. Three types of archival research feature in the project:

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Data Source II: Elite Interviews

Elite interviews provide crucial data to test the coalition alliances that drive secular evolution. My field interview sample consists of three groups that roughly correspond to the three parts of the secular coalition: religious leaders from majority and minority groups, judicial/governmental officials responsible for policy development in this area, and civil society organizations that work on policy issues related to the religious community. In practice, civil society groups can fall within any part of the secular coalition, depending on their particular affiliation. Each of these groups is relevant to testing distinct hypotheses related to secular emergence and evolution. The table below summarizes the empirical contribution of each subset of interview subjects.
In addition to these particular goals, interviews aided with the general goal of gathering material to distinguish between the various alternative explanations of how institutions of secularism emerged and have developed over time. Court cases or policy decisions may give a sense of how institutions of secularism have evolved over time, but interviews provide the most appropriate strategy for assessing the causes of such institutional development. Interviews proved immensely useful in understanding how several alternative explanations may actually interrelate in a given case, for instance how the impact of economic development has actually been channeled through coalition alliances.

6.3 Data Source 3: Public Opinion Analysis

The final portion of this research design turns from structured qualitative comparison to large-n survey work. The survey analysis in each case provides a
preliminary test of whether the coalition effects traced at the elite level have any analogue among the general population. How popular are the values of benevolent secularism with the general population? Is there evidence that the coalition alliances documented in elite interviews exist within the broader public? Within the broader research design, public opinion analysis tracks the social conditions that are shaped by, and in turn exert influence on, the institutional relationship between religion and state. To address these issues, I turn to analysis of existing public opinion data from Ireland, the Philippines and Senegal. As I discuss when introducing the public opinion analysis in each case, the International Social Survey Programme and the Pew Forum on Religion and Public Life have conducted polling that directly investigates attitudes on minority rights, religious pluralism, and the appropriate role of religious actors in public debates.

Working with existing survey data has limitations. The most obvious is that it is unavailable from the period of secular emergence in these cases, so can only be used to examine coalition alliances around secular evolution. Moreover, none of these questionnaires was designed with this particular study in mind, so the relevant questions are not always ideal. For example, questions do a nice job of assessing support for the principled distance element of benevolent secularism, but provide almost no insight into support for the cooperative dimension of benevolent secularism. With these limits in mind, the contemporary public opinion data does provide a useful look at how elite coalition alliances may (or may not) appear in the general population. Findings are suggestive of future research that could more carefully test links between elite and mass opinion regarding the institutional relationship between religion and democratic politics.
7. Outline of the Study

With this research design in mind, the dissertation moves forward from here in six substantive chapters and a conclusion. Two qualitative chapters per state take up the two questions at the center of the project: how do the twin tolerations emerge in seemingly least-likely cases, and how do institutions of benevolent secularism evolve over time in the face of changing political environments? Analysis of Ireland comes first, followed by Senegal and the Philippines. The argument then closes with remarks on the future of benevolent secularism, the limits of the study’s findings, and next steps in research into religion and democratic politics.

Ireland’s period of secular emergence demonstrates the role of benevolent secularism in altering preferences of a powerful Catholic clerical elite. It was only the conjunction of differentiation, cooperation and principled distance that simultaneously reassured small religious minorities while gaining assent from politically powerful Catholic clerics. The period of emergence also highlights the difficulties in maintaining principled distance given Catholic dominance, and the implications of one episode when that distance broke down. Ireland’s secular evolution tells a dramatically different story of the end of religious hegemony and the rise of an anticlerical movement with less interest in a cooperative relationship between religion and state. That benevolent secularism has evolved in this environment, rather than breaking down entirely, demonstrates the significant influence of coalition alliances shaped during the Irish critical juncture.

Secular emergence in Senegal sets out the impact of benevolent secularism both on a group of political elites interested in political stability and on Muslim leaders
negotiating political institutions with the departure of French colonial authority. President Leopold Senghor plays a crucial role here, as both a state elite dedicated to developing laïcité, and a Roman Catholic operating in a Muslim-majority country. The period of emergence also demonstrates ambiguity in the extent of religion-state cooperation, as family law became a stumbling block even among coalition allies. Senegal’s secular evolution differs sharply from that in Ireland. After his election in 2000, President Abdoulaye Wade weakened dimensions of benevolent secularism in an attempt to win a portion of the Muslim clerical leadership over to his political camp. The evolution of Senegalese laïcité to meet this challenge is testament to robust interfaith relations, and the enduring strength of pious secularism among Senegal’s Sufi brotherhoods.

Benevolent secularism emerged in the Philippines after sequential Spanish and American colonial rule. Independence leaders arrived at benevolent secularism as an alternative to both the official establishment of Catholicism under Spanish colonialism and the rather strict separation of church and state that came along with American rule. In doing so, sharp historical debates between Masonic political elites and the Catholic hierarchy faded in importance. The critical juncture demonstrates the significant coalition impact of the seemingly symbolic debate about official religious establishment. Secular evolution has gone through two distinct stages in the Philippines. The first responded to the bid to breakdown benevolent secularism by the dictatorship of Ferdinand Marcos in the 1970s and 1980s. The second results from recent pluralization in religious leadership, particularly the explosion of lay-led charismatic Christian movements in the past decade. While secularism has evolved in some ways, the
Philippines also shows contemporary evidence of secular breakdown. Cooperation failed to resolve a recent sharp conflict over a reproductive health bill, and its core features of differentiation, cooperation and principled distance offer no clear answers for new challenges such as preachers running for president.

Assessing the relationship between religion and democracy is a pressing task for scholars of comparative politics. In the argument that follows, I build an empirical case meant to challenge assumptions about the meaning of secularism and the impact of religious mobilization on democratic politics. While serious obstacles emerged in reconciling religion and democracy in each of these states, my argument is basically optimistic about the prospects for these cases, and more broadly. Divisions between religious and secular actors, or along interfaith lines, are not inevitable. And putting religion on the democratic agenda need not sharpen such divisions and promise sectarian division. Studying the implications of institutional design makes significant progress in getting beyond the limits of the secularism trap.
CHAPTER 2
SECULAR EMERGENCE IN IRELAND: HOME RULE AND ROME RULE

1. Introduction

Among the papers of Archbishop John McQuaid in Dublin is a slim volume signed simply “To Q, From Éamon de Valera.” Many have noted McQuaid’s relationship with the Ireland’s preeminent independence leader, so the volume, among the papers related to the 1937 Constitution, is no particular surprise. What de Valera sent to his clerical colleague is more unusual: a copy of the Constitution of the United States of America. Why would a Catholic prelate compared to the Ayatollah Khameini by an *Irish Times* columnist in 2009 appreciate the gift of a secular constitution from a Protestant-majority state? A careful understanding of the secularity of Ireland’s 1937 Constitution, which McQuaid advised and De Valera counted among his greatest achievements, offers some insight into this gift. For while it would be patently inaccurate to equate Irish secularism with that in the United States, it is no more true to argue that Irish secularism was a façade for theocracy. Ireland developed a version of benevolent secularism, with its characteristic combination of differentiation, cooperation and principled distance, as it transitioned to full independence and democratic politics. The Catholic Church retained substantial influence, and one could argue that the dimension of principled distance was regularly breeched in the early years of independence. However, in spite of the potential for the religious majority to spring the secularism trap, the twin tolerations emerged at Irish independence.

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53 McQuaid Papers, *Archives of the Archdiocese of Dublin*, AB8/A/V(47-61).
The institutional configuration that emerged in 1937 cemented a diverse coalition of political elites, Catholic clerics and religious minorities that continues to stabilize Irish secularism nearly a century later. This chapter focuses on the emergence of benevolent secularism, and on how the structure of secularism in Ireland shaped preferences among a diverse coalition of nationalists, prelates and religious minorities. This was a diverse coalition, but it coalesced because of the partnerships benevolent secularism facilitates.

The period leading up to the Irish Constitution of 1937 provided a critical juncture because institutional links between religion and state were up for grabs after centuries of British rule. The British had gradually increased the freedom of the Catholic majority from the Catholic Relief Act of 1829 up to the Act for the Disestablishment of the Irish Church in 1869. Many still worried that a move to full independence would bring Catholic retribution for past British abuses, enshrining Catholicism as a state religion so that “Home Rule Means Rome Rule.” The 1922 Constitution of the Irish Free State did no such thing, but was crafted under heavy British influence. Surely, the skeptics argued, a document more reflective of the desires of Catholic Ireland would actually threaten religious minorities and breakdown state secularism. As Éamon de Valera consolidated his political power in the mid-1930s and made it clear that he and his supporters intended to draft a new constitution, these questions about the nature of religion-state relations in a fully independent Ireland came to head. How could independent Ireland possibly secure the twin tolerations?

This chapter takes up this question, and argues that the structure of Irish secularism explains why the twin tolerations emerged and the secularism trap did not spring. I focus on the period immediately prior and after the Constitution of 1937. The
chapter moves forward in five basic parts. First, I give a brief overview of the religious landscape in Ireland. Then, I describe the main institutional features of the secular institutions that emerged in Ireland around independence, and argue that they feature the conjunction of differentiation, cooperation and principled distance that corresponds to benevolent secularism. These institutions rest on the 1937 Irish Constitution, but have moved from the constitution to more specific judicial decisions and policy formation in areas like education and family policy. Third, I demonstrate the effect that this institutional design had on the coalition partners involved in religion-state relations. Benevolent secularism’s structure impacted preferences within key blocs: political elites, the Catholic majority, and Ireland’s religious minorities. Fourth, I contrast my institutional account of the emergence of Irish secularism with leading alternative explanations of the twin tolerations: modernization theory, religious liberalism, and rational choice theory. Finally, I close with an episode that revealed early tensions within the Irish secular coalition: the Mother and Child Crisis around 1950. This event demonstrated the inconsistencies within the Irish secular coalition that would later drive the secular evolution described in Chapter 3.

2. Ireland’s Religious Landscape

As any devotee of James Joyce or Monty Python can tell you, the Catholic Church is the predominant religious community in Ireland. Approximately eighty-five

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55 As with many post-colonial holdings, Ireland achieved full independence only after a protracted period that included limited local devolution of power. The Irish Free State of 1922 had a constitution, but retained a legal relationship with the British crown. The Free State Constitution was finally replaced with the Constitution of 1937, which removed references to the monarchy. The term “independence period” used throughout this chapter thus refers roughly to the stretch between 1922 and 1937, as Irish nationalists crafted the institutions of the Republic of Ireland.
percent of the general population continues to self-report as Catholic, and while weekly mass attendance has substantially declined in the past quarter century, it remains significantly higher than in most of Continental Europe. If anything, Catholic predominance during the independence period would have been a bit larger; the 1936 Census reported 93% of the population as Catholic. Data from the International Social Survey Programme’s 2008 wave shows a higher percentage of Catholics in rural areas (roughly ninety percent) than in Dublin, as well as higher mass attendance among country residents, but even in urban areas self-reported Catholics make up over eighty percent of the general population. This demographic dominance is only part of the story of Irish secularism, but it was certainly a central part in building what Tom Inglis has called the “moral monopoly” of the Irish Catholic Church in the first half of the Twentieth Century.

The Catholic Church’s relationship to the state rests not only on aggregate population numbers, but also on its vast network of institutions that penetrates the country. There are twenty-six dioceses throughout the island (including Northern Ireland), which makes Ireland’s hierarchy unusually large on a per capita basis. The Irish Bishops Conference is headquartered in Maynooth, just outside of Dublin, and speaks for the hierarchy on matters of public life. In addition to the official hierarchy, the Church’s vast network of social service branches, particularly in education and healthcare are essential to making sense of the Church’s influence over both the population and the

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58 Twenty-six bishops for roughly 4.5 million Catholics on the entire island of Ireland makes for approximately one bishop per 170,000 Catholics. In contrast, there is one bishop per million Catholics in Germany, and one per 350,000 Catholics in the United States. The large number of bishops in Ireland plays an important part in recent secular evolution, as prominent leaders like Archbishop Diarmuid Martin on Dublin cannot credibly speak for all of their brother bishops throughout the small country.
state as independence approached. As discussed in depth below, the Catholic Church controls the patronage of the vast majority of schools in Ireland. The major institutions of the healthcare sector show similar Catholic influence.\(^{59}\) In both these social sectors, religious orders both male and female play as important a role as diocesan priests. This has given associations of these religious orders, notably the Conference of Religion of Ireland (CORI) an important public role alongside the Bishops Conference. Lay associations like the St. Vincent de Paul Society and the Knights of Columbanus are a final important piece of Catholic institutional life. These groups, while related to the hierarchy, have come to play an important independent role in the religion-state relationship through the second half of the twentieth century.

For all of the importance of Ireland’s Catholic community, small but politically influential religious minorities have been a feature of Irish life since well before independence. Early nationalists like Charles Stewart Parnell were often of the Protestant gentry, and even as nationalism became more closely aligned with Catholicism, nearly 200,000 Protestants were counted in the 1936 Census. Many continue to come from one of the traditional Protestant churches, particularly the Church of Ireland (Anglican), the Presbyterian Church in Ireland, and the Methodist Church in Ireland. In addition, a small Jewish community predated independence, and has played an important role in the jurisprudence of religious liberty discussed below. With the Celtic Tiger of the turn of the millennium, Ireland saw new religious diversity, notably a Muslim community that now approaches 50,000. These minority communities, while certainly less politically visible than the Catholic Church, have played a central role in the development of Irish

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\(^{59}\) See Inglis, *Moral Monopoly*, 39-64 for a more detailed overview of the institutional structure of Catholicism in Ireland.
secularism since independence. It is no great exaggeration to say that without Protestants both in Ireland and in Northern Ireland, De Valera’s 1937 Constitution may not have been secular at all.

A final demographic community that requires attention is the non-believing community. As will become apparent in Chapter 3, this group has come to play an unprecedented role in the development of Irish secularism, as they push not for minority denominational recognition, but a sharper separation of the religious and state spheres. Census data from 1936 do not even track any form of non-belief or atheism, although approximately 7,000 “Others” may have included some Humanists. More reliably, the International Social Survey Programme’s 2008 research identified eight percent of the population as having “No religion,” while the 2006 Census revealed 180,000 with “No religion” and another 70,000 with “None stated,” or approximately seven percent.\(^60\) This number has tripled since 1981, with the No Religion category in particular ballooning by 450%. These groups have become more publically visible through associations like Atheist Ireland and the Humanist Association of Ireland, and today serve as significant irritants to settled secular institutions.

In sum, the demographic dominance of the Catholic Church, even at independence, only begins to describe the relevant religious landscape in Ireland. As Ireland moved to independence, Protestant minorities, a Jewish community, and even Humanists were interested parties to institutional debates. Today, while Ireland remains an overwhelmingly Catholic country in nominal identification, falling attendance rates, increasing diversity and growing assertiveness from non-believers complicates the stereotype of a uniformly Catholic Ireland. Archbishop of Dublin Diarmuid Martin

\(^60\) Central Statistics Office of Ireland, *2006 Census of Ireland* (Dublin: Ireland, 2006).
shocked many when he said at Cambridge University in 2011, “The Catholic Church in Ireland will inevitably become more a minority culture.”

His statement may become more than hyperbole, but it indicates the importance of understanding Ireland’s changing religious landscape in analyzing the secular evolution set out in Chapter 3.

3. **Assessing Benevolent Secularism in Ireland**

As in Senegal and the Philippines, Ireland’s institutions of religion-state relations are a form of benevolent secularism, and reflect its three principle components: differentiation, cooperation and principled distance. Stepan’s twin tolerations are broadly upheld, with state and religious bodies accepting a level of mutual distance well short of theocracy. At the same time, the secularism bears little resemblance to the assertive laïcité of France or its Kemalist cousin in Turkey in which the state insists on its superior status, occasionally through violence. Moreover, the state does not simply remove itself from religious affairs in a passive manner. Rather, institutions of benevolent secularism actively support the practice of religion in a variety of ways, and explicitly charge the state with engaging religious institutions in public life.

While Ireland lurched to independence in the late 1920s, the official establishment of the Catholic Church as the one faith of independent Ireland was a live possibility. An initial constitutional draft “acknowledged…the Church of Christ as the Catholic Church.” As Justice Gerard Hogan points out, in 1937 the United Kingdom gave broad privileges to the Church of England, Norway forbade Jesuits from entering its territory,

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and a range of Catholic countries formally privileged the Catholic Church. Religious establishment was a very real option during this period.

In spite of the possibilities, the Constitution of 1937 affirms the basic differentiation of religion from state authority. Article 44.2.2 explicitly states, “The State guarantees not to endow any religion,” which is an intentional echo of the endowment clauses from earlier British-mandated documents like the Government of Ireland Act of 1920. In spite of the wishes of some in the Irish Catholic clergy in the 1930s, there would be no legal establishment of Catholicism as the state religion in Ireland. While the Endowment Clause is not a direct analogue to the Establishment Clause in the United States Constitution, the general effect ensures a similar basic differentiation of state and religious institutions. The Irish state provides for religious ministry in prisons and the military, but may not make “permanent financial provision out of taxation or otherwise.” This prohibition not only extends to single endowment of the Catholic Church, but also to what Supreme Court Justice Keane has called “concurrent endowment,” that is endowing a set number of different religious denominations (ibid).

A basic right to religious liberty for minorities immediately precedes the non-endowment provisions of the 1937 Constitution. Again, the language borrows heavily from earlier documents, particularly the Free State Constitution of 1922. Article 44.2.1 guarantees citizens “freedom of conscience and free profession and practice of religion [subject to public order],” and 44.2.3 forbids the State from imposing “any disabilities or

64 The details of Endowment Clause jurisprudence in Ireland are beyond the scope of this analysis, but Irish jurists have rejected a simple analogy to American Establishment Clause jurisprudence. Justice Keane wrote in 1998, “The provisions of our Constitution are, however, so markedly different that, as Costello P. found, [United States Establishment Clause jurisprudence is] not of assistance in the construction of Article 44.2.2 of the Constitution” Campaign to Separate Church and State Ltd v Minister for Education, 3 IR 321 (Supreme Court of Ireland 1998).
65 Campaign to Separate Church and State.
any discrimination on the grounds of religious profession, belief or status.” While Irish Protestants were particularly anxious to have their liberty of conscience protected in the 1937 Constitution, these protections have extended to Jews, Muslims, and others as well. As early as 1948, state orders regulating the sale of meat made exemptions for the Jewish community in consideration of kosher religious practice, and a variety of smaller minorities, including Muslims, have enjoyed religious liberty protections under Article 44.66 There is little debate that both in the letter of the 1937 Constitution and in legal practice, the Irish state has protected religious liberty for both Catholics and smaller minorities.67

While differentiation should not be taken for granted, particularly given the illiberal European climate in 1937, it only begins to capture Irish secularism. A more complete account must incorporate the other two characteristics of benevolent secularism: cooperation between religious and state institutions and the principled distance maintained between the state and the various religious communities. Cooperation between religion and state appears throughout the 1937 Constitution. In contrast to the Free State Constitution of 1922, which barely mentions religion outside of endowment and liberty of conscience, the 1937 Constitution institutionalized religion-state cooperation, in both symbolic and material ways. The Preamble invokes “the Most

66 Quinn’s Supermarket v. Attorney General, IR 1 (Supreme Court of Ireland 1972). As in many democracies, the Irish courts have not given a clear definition of which religions merit legal protection. This general challenge is part of what Winnifred Sullivan has provocatively called the “impossibility of religious freedom” that confronts all secular democracies. Winnifred Fallers Sullivan, The Impossibility of Religious Freedom (Princeton, N.J.: Princeton University Press, 2005).

67 This is not to say that religious liberty is never restricted outside of the law. In one notorious 1931 episode, Catholics in Co. Mayo prevented a Protestant librarian from assuming her post on the grounds that her literary choices would corrupt Catholic youth. John Henry Whyte, Church and State in Modern Ireland, 1923-1979. 2d ed. Dublin: Gill and Macmillan, 1980): 43-46. Anti-Semitism has likewise reared its ugly head in Ireland at times in the modern period, though this owed more to popular prejudice than any formal force of law. Dermot Keogh, Jews in Twentieth-Century Ireland: Refugees, Anti-Semitism and the Holocaust (Cork, Ireland: Cork University Press, 1998). On balance, basic religious liberty has been protected from the independence period to the present day.
Holy Trinity” and “acknowledges all our obligations to our Divine Lord, Jesus Christ.”

The Constitutional Review Group of 1996 points out that these clauses have limited juridical force (as even in 1937 Jews were explicitly recognized in the constitution, notwithstanding their beliefs about the Most Holy Trinity). However, Article 44.1’s acknowledgement that “the homage of public worship is due to Almighty God” and 40.6.i’s prohibition of “blasphemous” speech show that the 1937 Constitution’s cooperative orientation towards religion is not just a matter of rhetorical flourish in the Preamble. Judges and the President take a theistic oath of office, and “religious and moral formation” in children is a specially enumerated responsibility of the state. Religious institutions are exempted from taxation, and Article 44.2.5 guarantees, “Every religious denomination shall have the right to manage its own affairs.” The state cooperates not only with religion in its charitable forms, but even in the details of devotionalism. High Court Justice Gavan Duffy defended the tax deductible status of “a testamentary gift to found a convent for the perpetual adoration of the Blessed Sacrament” as “beyond all doubt, a gift charitable at common law, because it is a gift to God” and thus in keeping with the state’s constitutional obligations. In short, de Valera’s 1937 Constitution went out of its way to avoid comparisons with anticlerical republican documents in Continental Europe. The secular state was in part legitimized because of its cooperative relationship with religious institutions.

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69 In addition to these formal institutional links, the informal positive links between the Catholic Church and the Irish state in the 1930s were extensive. Whyte’s classic account of the church-state relationship in this period documents numerous forms of positive state support for religion, including the state assistance granted to the 1932 Eucharistic Congress, the regular role of clerics in blessing new state infrastructure projects, and extensive pilgrimage-making by Irish officials looking to build political careers (Whyte, *Church and State*, 45-50).

70 Thomas A. Maguire v. Attorney-General and Very Rev. Canon Maguire, 77 ILTR 139 (Supreme Court of Ireland, 1943).
This cooperative understanding of secularism shows most concretely in two areas of constitutional law. First of all, the educational realm in Ireland is, by constitutional mandate, deeply linked to religious communities. Article 42.4 obligates the state to provide for free primary education “with due regard…especially in the matter of religious and moral formation.” In application, this has led to a system of primary education in which the state funds religiously-owned and operated schools. While specific statistics fluctuate from year to year, over 90% of the primary schools have a Catholic ethos, with another 6% from various Protestant communities, 2% under the multi-denominational Educate Together Model, and scattered Jewish and Muslim primary schools. Religious education takes place during school hours, and teacher-training colleges like the Mater Dei Institute are largely Catholic-controlled. Primary school teachers must be willing to teach religious education, and the Employment Equality Acts 1998-2008 permit religious institutions to discriminate in hiring of teachers in order to preserve the religious ethos of the school. While Article 44.2.4 allows children to attend religious schools while opting out of religious instruction, Irish courts have consistently held that the “religious

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71 Some forms of religion-state collaboration in social services had begun to take place under British colonial rule. The process of providing for Catholic institutions included training of priests at state cost in Maynooth in 1795 (Inglis, *Moral Monopoly*, 114-117), and Catholic education with state funding by the mid-nineteenth century (Donald Akenson, *The Irish Education Experiment; the National System of Education in the Nineteenth Century*, (London: Routledge & K. Paul, 1970). As Barrington points out, a similar phenomenon took place on a smaller scale in the realm of healthcare, where orders of women religious became heavily involved in state workhouses. Ruth Barrington, "Catholic Influence on the Health Services 1830-2000," in *Religion and Politics in Ireland at the Turn of the Millennium*, ed. James Patrick Mackey and Enda McDonagh, 152-65 (Dublin: Columba Press, 2003). While these policies involved financial transfers, there were more a means of colonial control than an indication of anything approaching benevolent secularism.


73 “Information on Areas for Possible Divesting of Patronage of Primary Schools,” *Department of Education and Skills* (Dublin: Central Printing Office, 2011).

74 Whyte, “Religion and Education.”
ethos” of denominational schools may extend beyond the formal religious education sessions. The “integrated curriculum” means that religion may appear throughout the school day, as deemed in keeping with the religious ethos of the school.

Second, cooperation between religion and state in the 1937 Constitution shows through in constitutional language regarding human dignity and family law. De Valera’s constitution is “obviously marked by Catholic thought,” and Catholic social teaching has left an unmistakable mark on its provisions regarding marriage and the family.\textsuperscript{75} Article 41.1, on the family, begins by “recognizing the Family as the natural primary and fundamental unit group of Society, and as a moral institution possessing inalienable and imprescriptible rights, antecedent and superior to all positive law.” In its original form, it then went on in 41.3 to charge the state to “protect [the Family] against attack,” and forbid any law “providing for the grant of a dissolution of marriage.” Article 42’s acknowledgement of “the Family” as the “primary and natural educator of the child” protected by “inalienable right and duty” is a further example of the Catholic priority on the family that rests on natural law arguments so central to the Catholic social tradition. Whyte points out that the Constitution’s provisions forbidding marriage actually went beyond the Catholic Church’s canon law position, which allowed annulments in certain circumstances.\textsuperscript{76} While the particular provisions regarding divorce have changed (as discussed in Chapter 3), the role of Catholic thought in shaping the 1937 Constitution still sheds light on the distinguishing features of secular institutions in independence-era Ireland: cooperative in treatment of religion, though barely maintaining principled

\textsuperscript{75} Whyte, Church and State, 52.
\textsuperscript{76} Whyte, Church and State, 54-55.
distance among religious communities given significant Catholic influence over political decisions.

While constitutional provisions regarding marriage are the most obvious Catholic influence, it would be a mistake to reduce religious cooperation to contemporary culture war issues. Whyte points out that the foundations of all rights enumerated in Articles 40-45 of the 1937 Constitution “were obviously marked by Catholic thought.” This includes of course the constitutional obligation to protect human life of the unborn, but also to build “a social order in which justice and charity shall inform all the institutions of social life.” In 1937, religious debates about property rights and economic justice raged across Europe, and substantial Catholic influence shows through in constitutional provisions in areas related to economic structure of Irish society. Article 43’s treatment of private property owes much to the Catholic middle way between socialism and unrestrained liberal capitalism, with its recognition of “the natural right, antecedent to positive law, to the private ownership of external goods,” coupled with the injunction that this right ought “to be regulated by the principles of social justice” and conducted in accordance with “the exigencies of the common good.”

Cooperation with religion moves from the abstract principles of the constitution down to the patterns of policy consultation. The religious impact on economic values, for instance, flows down to the policy process with the state’s inclusion of various faith groups in its Social Partnership negotiations that set major wage and employment policy until 2009. In the early years of independence, the religious authorities exercised

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77 Ibid, 51.
78 Ibid, 53.
substantial influence on matters of policy formation related to social morality. These included the 1929 Censorship of Publications Act and the Public Dance Halls Act of 1935.\textsuperscript{80} As Hogan points out, “Despite the occasional protests of certain non-Catholic members of the Dáil and Senate” such provisions easily passed into the laws as the secular civil law moved closer to “integralism” with Catholic doctrine.\textsuperscript{81} It is important that Catholic leaders frequently made common cause with Protestant colleagues in these moral crusades. The Censorship Board, for instance, included four Catholics and one Protestant,\textsuperscript{82} and at a time of general social conservatism, the institutional Protestant churches were not about expend their limited political sway protecting pornography.

While formal differentiation and cooperation are easily traceable in the newly independent Ireland, the principled distance of the Irish state among its religious communities was more tenuous. Article 44.1 toed the line of breaking down the principled distance between the Irish state and all of its religious communities. 44.1.2 is particularly important to quote in its entirety, as those objecting to perceived sectarianism in de Valera’s constitution most typically cite it. It reads: “The State recognizes the special position of the Holy Catholic Apostolic and Roman Church as the guardian of the Faith professed by the great majority of the citizens.” 44.1.3 then goes on to “recognize the Church of Ireland, the Presbyterian Church in Ireland, the Methodist Church in Ireland, the Religious Society of Friends in Ireland, as well as the Jewish Congregations and the other religious denominations existing in Ireland at the date of the coming into operation of this Constitution.” This was de Valera’s solution to the establishment

\textsuperscript{80} Whyte, Church and State, 62-95.
\textsuperscript{82} Whyte, Church and State, 41.
puzzle: a sociological recognition of the Catholic Church that had little juridical effect (if any), but ensured that the Vatican would not oppose his constitution. While this symbolically weakened principled distance at independence, it would be a mistake to read Article 44 in its original form as covert establishment. Church of Ireland Archbishop John Gregg was consulted on the careful wording, and Rev. John H. Irwin, former Presbyterian Moderator of Ireland, was a close ally of de Valera and involved in the religion clause drafting of the 1937 Constitution. W.H. Massey, leader of the Methodist Church, wrote to de Valera that he was “quite satisfied” with the special position clause, and that later mentions of minority communities “remove any doubt on this point.” These clauses undoubtedly reflected the preponderant Catholic influence over the new state, but should not be taken as a sign of establishment or theocracy.

The development of religion and education policy indicates the real, if imperfect, nature of principled distance around independence. As High Court Justice Laffoy has noted, Article 42 “in its entirety is imbued with the concept of parental freedom of choice,” and protection of these parental choice may not be limited simply to the majority faith community. Article 44.2.4 explicitly states, “Legislation providing State aid for schools shall not discriminate between schools under the management of different religious denominations,” and Church of Ireland, Methodist, Presbyterian, Jewish and Muslim schools have all formed in areas where these minorities have sufficient critical mass to sustain a school. Of course, minorities living in rural areas receive less service

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86 O’Shei v. Minister for Education, 2 IR 321, (High Court of Ireland, 1999).
from such schools, a challenge that remains central in the education reform debates detailed in Chapter 3. Special financial support for boarding was available to Protestant secondary-school students, but at the primary level, minorities usually exempted themselves from religious instruction and hoped for flexible school administrators.

The place of religion in Irish state education remains a flashpoint for public debate, and receives significant attention in Chapter 3 as perhaps the leading site of contemporary Irish secular evolution. In spite of these recent debates, its basic place in Irish law perfectly captures the tensions that have existed with Irish secularism since the enactment of the 1937 Constitution. On the one hand, basic standards of non-endowment and liberty of conscience require differentiation between state and religious institutions, and principled distance brought relative impartiality in the provision of educational support to various religious denominations. At the same time, the state is clearly in a cooperative relationship with religious institutions. Moreover, given the predominant social role of the Catholic Church, principled distance among religious traditions was difficult to maintain, as at a practical level it was difficult to provide equal state benefits to all religious denominations. The near monopoly of the Catholic Church on teacher training typifies this challenge.

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87 Daly, “Protestant Schools.”
Table 1 provides a snapshot of the various dimensions of benevolent secularism in Ireland during the critical juncture around the 1937 Constitution. Public schools are owned and operated by religious orders. The Constitution provides Europe’s first explicit constitutional guarantee of and protection for Jewish rights. The same Constitution pays homage to the Most Holy Trinity. Such is the nature of secularism in Ireland since independence in 1937. While these institutions are benevolent in their treatment of religion, they maintain a differentiation between state and religious institutions and protect the rights of minorities in the midst of “Catholic Ireland.” At the same time, the principled distance among religious communities was imperfectly realized, with the Catholic Church formally recognized as sociologically dominant, and informally
enjoying far more influence than minority communities. As we will see, this institutional weakness provoked religious-secular tensions almost from the start of the Irish Republic.

4. The Effect of Benevolent Secularism: Coalition Politics and Secular Stability

The secularity of independent Ireland certainly would have surprised many who had opposed Irish sovereignty since the nineteenth century. Protestants in Ireland, Britain, and even the United States frequently worried that “Home Rule means Rome Rule,” and used these fears to justify delays in Irish sovereignty. However, even with centuries of religious repression and formal establishment of the minority Church of Ireland by the British, the independent state enshrined religion-state differentiation and took minority rights protections seriously. This begs the question of how Ireland’s benevolent secularism managed to avoid the traps of Catholic establishment. While the personalities of de Valera and his advisors certainly had a critical impact at this indeterminate moment of institutional flux, Dev was far from the only actor on the institutional stage.

The terms proposed by drafts of the 1937 Constitution permitted a diverse coalition to sign up to the Irish secular bargain. All interested actors, whether republican state-builders like de Valera, Catholic clerics like Dr. McQuaid, or Protestant elites like Rev. Dr. Irwin, coalesced around a shared institutional bargain: benevolent secularism and its combination of differentiation, cooperation and principled distance. This section documents how this institutional configuration impacted the preferences of elites within

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the three crucial coalition blocs: political elites, Catholic clerics, and religious minorities. Institutional design mattered in different ways within each group, laying the foundation for a diverse coalition. These communities (the Catholic Church, political elites, and Protestant minorities) can be thought of as the three parts of the Irish secular coalition during the independence period. While their interests were divergent in some areas, each came to support Ireland’s institutions of benevolent secularism in the 1937 Constitution.

Within the Catholic community, the structure of benevolent secularism empowered pious secularists who were content to support the differentiation of religious and state institutions so long as cooperation allowed religion to have significant public influence. Again, official establishment in a country of Catholic majority remained the “ideal type” of institutional arrangement, and conservative Catholic nationalists like the Jesuit Edward Cahill pushed for this option. At the same time, Cahill recognized that a “confessedly Catholic” state “may at present not be feasible,” or particularly necessary if Irish secularism would be characterized by cooperation between religion and state. 89 The Dr. (later Archbishop) McQuaid’s papers in the Archives of the Archdiocese of Dublin show a similar dynamic. He clearly prefers establishment, in one place vigorously crossing-out the endowment prohibition. 90 Yet in the scope of his substantial correspondence, this pales in comparison to his attention to enshrining a Catholic conception of natural rights, the primacy of the family, and the church’s role in education. 91 In other words, the dimension of cooperation appealed to Catholic elites even though the dimension of differentiation departed from official Catholic teaching.

90 McQuaid Papers, Archives of the Archdiocese of Dublin.
91 For the most comprehensive account of the archival materials related to McQuaid’s influence on de Valera and the drafting process, see Dermot Keogh and Andrew McCarthy, The Making of the Irish Constitution 1937: Bunreacht Na Héireann (Douglas Village, Cork: Mercier Press, 2007).
Fr. Cahill’s frequent approving references to the Polish Constitution of 1921 are telling in this regard. There too, formal establishment was eschewed in favor of enshrining Catholic social thought in various constitutional provisions. Benevolent secularism would turn even orthodox Catholic elites into pious secularists.

The most vivid evidence of the role of institutional structure in empowering pious secularists within the Catholic Church comes from a meeting at the Vatican between Irish officials and Cardinal Secretary of State, and future Pope Pius XII, Eugenio Pacelli. De Valera was worried enough about Catholic hardliners rejecting benevolent secularism and insisting on Catholic legal establishment that he dispatched a top lieutenant, Joseph Walshe, to the Vatican to make sure that Vatican authorities would not openly oppose his draft constitution. Walshe eventually received tacit approval from Pacelli precisely because the constitution took such a benevolent attitude to religion in general, even without establishing Catholicism as the state religion. Walshe’s notes record the “smiling” Pacelli as observing that, certainly, Irish secularism was heretical, but “the Church would not take the heresy too seriously.”

Walshe explicitly contrasted Irish secularism with the “continental sense” of anticlerical liberalism, and used this contrast to secure the Vatican’s acquiescence to the proposed constitution. Without the benevolence of de Valera’s institutions, Ireland would have faced a much bleaker choice between McQuaid’s initial desires for establishment or a confrontation with the Catholic hierarchy at a moment when the Irish body politic badly needed stability. With benevolent secularism as an institutional option, pious secularism carried the day, and Irish Catholic elites came to support a secular state.

92 Joseph P. Walshe, “Secretary’s Report to Eamon de Valera on His Visit to Rome,” *Documents in Irish Foreign Policy*, 5, no. 43 (April 22, 1937).
93 Ibid.
The turn to pious secularism with the Catholic camp also owed to growing Catholic distaste for partisan involvement by clergy in the early twentieth century. Whyte calls this “the traditional aloofness between Church and State in Ireland,” and it helps explain why the clergy raised “no criticism either from the hierarchy or from any other quarter” in response to the lack of formal establishment in either the 1922 or 1937 Constitutions.\textsuperscript{94} This opinion was not limited to Ireland; as Cardinal Pacelli stressed to Irish envoy Charles Bewley in 1931, “The Holy See disapproves of [priests taking part in politics] in principle,” unless threatened by anti-clerical parties as in Europe.\textsuperscript{95} Various Constitutional protections of Church institutional autonomy (44.2.5) and property rights (44.2.6) were designed to ally any concerns about Catholic autonomy. Although anticlerical republicans seemed to have lost out to Catholic nationalists like de Valera, the hierarchy continued to view a benevolent form of secularism as a protection against state overreach into religious affairs.

In a different manner, the structure of benevolent secularism shaped the preferences of Ireland’s political elites, particularly de Valera and his advisors. Benevolent secularism allowed de Valera to meet his two highest goals in the realm of church-state relations: avoiding Vatican opposition and leaving open the possibility of Irish unification with the Protestant-majority north. First and foremost, de Valera knew his constitution, and his elected leadership of an independent Ireland, would be unlikely to survive direct opposition from either the Irish hierarchy or the Vatican. Some Catholic officials, including Cardinal Pacelli, had suspicions over de Valera’s republicanism, and during the Irish Civil War Irish bishops “condemned in unequivocal terms the actions of

\textsuperscript{94} Whyte, \textit{Church and State}, 12-16.  
\textsuperscript{95} Quoted in Keogh \textit{Ireland and the Vatican}, 80.
the Éamon de Valera-led anti-Treatyites.” The suspicion stretched across the Atlantic. Baltimore’s powerful Archbishop Michael Curley warned in 1922, “There is no menace in Ireland today greater than Éamon de Valera, who seems to have completely lost his head.” The cooperation between religion and state in the 1937 Constitution thus provided a middle ground between formal establishment and an anticlerical secularism that could have plunged the country back into civil war. The state would also benefit from the low-cost labor provided by religious employees in denominational schools. Even if some republicans had more anticlerical tendencies, benevolent secularism gave significant incentives to instead promote a cooperative relationship with religious institutions.

Political elites around de Valera also settled on benevolent secularism in an attempt to placate religious minorities, both in the newly independent Ireland and in the six counties of Northern Ireland. The 1937 Constitution enshrined a legal claim to those counties, and to make that claim more plausible, de Valera knew that some form of church-state separation was necessary. Protestant nationalists had repeatedly used this argument to dissuade the most aggressive Catholic triumphalists, and W.B. Yeats’ 1925 speech before the Free State Seanad is worth quoting at length: “If you show that this country, Southern Ireland, is going to be governed by Catholic ideas and by Catholic ideas alone, you will never get the North. You will create an impassable barrier between South and North…You will put a wedge into the midst of this nation.”

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96 Keogh, *Ireland and the Vatican*, 11. The Irish Catholic bishops had a tense relationship with militant republicanism, and in particular the republicans who rejected the Irish Free State and launched internal armed conflict in 1922.
Yeats agreed that basic point at least, and the secularism of the 1937 Constitution was de Valera’s way to square the circle. As he wrote to Vatican officials, “The recognition of the Protestant Churches, even though they are put in a subordinate place, will produce considerable appeasement…and secure the united influence of all the Christian bodies against Atheism.”

The turn to benevolent secularism among Irish political elites weakened anticlericalism within this coalition bloc. Most direct evidence of this is the failure of anticlericalism to gain a secure electoral foothold in Irish politics. Catholic predominance meant that even those like de Valera with reformist inclinations had no electoral incentive to adopt an anticlerical form of republicanism. The rather excitable Jesuit Edward Cahill may have fretted about the influence of “Freemasons of the very highest degrees” among the Irish judiciary, but by the standards of continental Europe, or even of Great Britain, anticlericalism was a weak political force compared to the overwhelmingly influential Catholic Church. Fianna Fáil may have had a reputation as “dangerously revolutionary” or prone to socialism, but by its rise to electoral power in 1932, its leaders were siblings of clergy, members of the Knights of Columbanus, and pals of the papal nuncio. De Valera and his main political opponent, William Cosgrave’s Cumann na nGaedheal, tried to outdo one another in piety, and Fianna Fáil’s enthusiastic performance at the 1932 Eucharistic Congress accentuated the lack of anticlericalism among mainstream Irish republicans. Even the smaller Irish Labour Party was entirely

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101 Keogh *Ireland and the Vatican*, 93-94.
content with the moral conservatism that came with benevolent secularism. With little electoral home for serious anticlericalism given the social dominance of the Catholic Church, benevolent secularism became the dominant preference of Ireland’s political elite.

Third, the structure of benevolent secularism shaped the preferences of leaders of the religious minorities. In truth, Protestant leaders had seen the writing on the wall after disestablishment in 1869 and the failure of missionary efforts to diminish Catholic numerical dominance by the late nineteenth century. When Church of Ireland Archbishop Gregg of Dublin gave vocal support to the Free State, and eventually the Republic of Ireland, he was living out his maxim, “In our prayers, above all, there must be reality.”

Clerical leaders like Church of Ireland Bishop William Plunket argued that establishment had been a “tottering wall,” and would eventually join with Catholic bishops in opposing the partition of Ireland into a smaller Free State. His brother bishop John Gregg would publically ally himself with Cosgrave’s Cumann na nGaedhal party to protect his “minority viewed with jealous hostility by elements of the population,” and exhort Protestants to avoid “a tendency towards defeatism” that would result in their withdrawal from the independent Irish state. There were fewer Presbyterians in the new Free State, and again, their decision to seek accommodation with the Catholic authorities where they could was a least bad institutional outcome. Rev. Dr. John Irwin, Moderator

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102 Keogh relates a telling story of the Labour Party amending its party constitution in 1938 at the behest of the Catholic bishops, who worried that it went a step to far towards socialism. Keogh remarks, “It must have been the first time in the history of European socialism that a party of the left changed its Constitution at the behest of Catholic bishops.” Keogh, “Constitutional Revolution,” 7.
104 Quoted in Tanner, Ireland’s Holy Wars, 284.
105 Ibid., 321-322.
for a time of the Presbyterian Church in Ireland, was a close ally of de Valera’s, traveling with him throughout the United States in 1920 to build support for Irish independence, and serving as an advisor on the religion-related provisions of the 1937 Constitution. De Valera likewise came to count Ireland’s Jewish leaders as friends, with Chief Rabbi Isaac Herzog protecting him from the British early in his career and expressing strong approval for the inclusion of Jewish communities among those constitutionally-protected in 1937. The relative benevolence of Irish secularism served these minorities fairly well, with schools funded, property protected, and communities constitutionally recognized.

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<thead>
<tr>
<th>Coalition Partner</th>
<th>Hypothesized Within-Group Effect</th>
<th>Evidence in Ireland</th>
</tr>
</thead>
<tbody>
<tr>
<td>Religious Majority</td>
<td>Empower Pious Secularists</td>
<td>Meeting with Cardinal Pacelli</td>
</tr>
<tr>
<td>State Elites</td>
<td>Weaken Anticlericals/Sink Costs into Cooperation</td>
<td>Lack of Anticlerical Political Party</td>
</tr>
<tr>
<td>Religious Minorities</td>
<td>Engage in Public Partnerships</td>
<td>DeValera ties with Rabbi Herzog</td>
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Benevolent secularism permitted the alliance between secular politicians, Catholic clerics and minority leaders that would endure long after independence. Table 2 summarizes the within group effects that allowed their alliances to form. For most of the

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106 Rev. Dr. Trevor Morrow, interview by David T. Buckley, Dublin, Ireland, May 17, 2011. Morrow, a former Moderator of the Presbyterian Church in Ireland, pointed out this important relationship between de Valera and Irwin in conversation in May 2011. While Irwin certainly did not exercise the influence of Catholic clerics like McQuaid, it is telling that Protestant clerics were involved in the drafting of the religion provisions. When de Valera wrote that the recognition of the Protestant denominations would appease their leaders, he was speaking from more than simple conjecture.

107 Keogh, *Jews in Twentieth Century Ireland*. 

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Catholic hierarchy, formal establishment was an unnecessary distraction if the religion-state relationship was sufficiently cooperative. For de Valera and other state-builders, the Church’s institutions were helpful in providing services, and helped secure their own electoral futures. For religious minorities, benevolent secularism, even with fairly weak principled distance, seemed a least bad option, and drew them into public partnerships. The 1937 Constitution remained controversial in some quarters, but this core coalition sustained it for decades to come.

5. **Alternative Explanations of Irish Secularism**

This argument, linking the institutional design of Irish secularism to the emergence of the twin tolerations in Ireland at independence through its impact on coalition preferences, stands apart from other theoretical approaches to explaining institutional religion-state relationships. How would secularization theory, religious moderation theory, and rational choice theory attempt to explain the emergence of secular Ireland?

Before these alternatives, one may simply argue that Ireland was not a secular state, and thus that the puzzle set out above is fundamentally miss-posed. However, this argument, while ideologically appealing to many who highlight de Valera’s personal piety, misreads the institutions put in place in 1937. Formal establishment was a policy option on the table, and was intentionally avoided. Early drafts of the Constitution, drafted in part by future-Archbishop McQuaid, “acknowledge[d] that the Church of Christ is the Catholic Church,” and made no particular mention of rights protections for
De Valera took serious risks in his recognition of Protestant churches, and did not simply capitulate to every piece of advice that came in from clerical advisors like McQuaid and Cahill. Minority protections, in law and usually in practice, were robust from 1937 onwards. Conservative Catholics would continue to agitate for official establishment through the middle of the twentieth century, indicating that to them anyway, the Irish state was disappointingly secular in nature.

Having addressed this point, there are still several alternative paths that could account for the twin tolerations in Ireland. First, secularization theorists could contend that institutional secularism is a by-product of economic development and the decline of individual religiosity. This theory finds limited support in independence-era Ireland. Partition into the Free State was an economic shock to the newly independent territories, and Irish economic strategy continued to struggle after 1937. Furthermore, such modernization as did take place, for instance the growth in institutions of universal education, tended to reinforce the institutional influence of religious communities. Moreover, if economic development had weakened Catholic institutions, clerical elites may have been more insecure in their social standing, and less confident that benevolent secularism would meet their needs. Regardless, the general lack of development at Irish independence should have set the stage for fusion of religious and state institutions, rather than their differentiation. Secularization theory seems correct that Ireland’s low levels of economic development at independence contributed to high religiosity and influence for religious institutions. However, this high religiosity did not doom the state to theocracy;

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in fact, it likely contributed to the Catholic Church’s willingness to accept benevolent secular institutions.

Likewise, the argument that secularism is the result of religious moderation is little help in explaining de Valera’s 1937 Constitution. In the lead-up to that document’s approval, the Catholic Church hosted a wildly successful international Eucharistic Congress, won legislative victories on any number of matters from public health to media censorship, and was far from liberal in its view of rights or state sovereignty. The reforms of Vatican II regarding the relationship between religion and state and religious liberty were still decades in the future, and the notes from Catholic leaders like Drs. Cahill and McQuaid show more attention to Thomist theology than to liberal philosophy. If religious liberalism on the part of the majority community is a necessary condition for secular institutions, de Valera’s middle path would have been rejected by all of the major Catholic voices in public life.

Rationalist explanations merit a bit more extended attention in relation to the emergence of Irish twin tolerations. Religious elites and elected officials certainly demonstrated a good bit of strategic behavior during this critical juncture. For instance, the Protestant calculation that, with English support flagging, they should extract the best deal they could from the dominant majority seems a basically rational decision rooted in self-preservation. Likewise, de Valera’s coziness with the Catholic hierarchy could be the simple result of a self-interested politician who cannily exploited the most powerful social institution in his electorate to help secure his electoral standing. And the Catholic Church’s strategy of giving up on a formal establishment fight in favor of enshrining
various privileges in law that were more practically important could also fit a loosely rationalist definition of organizational interests driving institutional development.

But most rational choice theory goes beyond the simple claim that actors pursue their preferences. Anthony Gill, by far one of the most interesting rationalist scholars of religion-state relations, proposes, “Hegemonic religious will prefer high levels of government regulation (i.e., restrictions on religious liberty) over religious minorities,” a prediction with fairly clear implications for independence-era Ireland. Gill happily points to Catholic promotion of religious liberty in Russia but promotion of religious restrictions in Latin America to prove his point that demographics are largely destiny in explaining political institutions of secularism. This is interesting so far as it goes, but it does not export so well to Dublin during this critical juncture. The Catholic Church was hegemonic by any standard, and in an atmosphere of high political competition, de Valera had every incentive to give Church leaders exactly what they wanted in institutional negotiations. Moreover, given the fact that legal discrimination from the colonial power had targeted the Catholic Church in the past, they should have been particularly keen to use the levers of state power to favor their own institutional interests in the independent Ireland.

And yet, the 1937 Constitution does not establish the Catholic Church, involved active consultation with minority faith communities, and involved issues of moral concern like defining the role of women in the family much more than securing state funds to build religious congregations. What happened? In short, rationalist arguments need to take account of the ways in which institutional structures can alter the preferences of elites, both in religious communities and state bureaucracies. In concrete terms, the

109 Gill, Political Origins Religious Liberty, 45.
Catholic Church’s priorities focused on the family and undercutting anticlericalism, and thus these areas were of more importance to Catholic negotiators in the 1937 drafting process. Catholic-Protestant relations may not have been extremely warm, but legal discrimination against Protestants would have been an unthinkable and unnecessary step backwards after the minority protections forced by the British in 1922. Institutional design impacted actor preferences, and resulted in a secular state even in the context of a demographic majority. Establishment was unnecessary, and even restrictions on minorities were overkill.

6. **Hints of Instability: Principled Distance & the Mother and Child Crisis**

The joint features of benevolent secularism (differentiation, cooperation and principled distance) allowed passage of the 1937 Constitution with support from a diverse coalition. However, one episode shortly after independence illustrates tensions within this coalition, particularly related to the maintenance of principled distance among religious communities. Known as the Mother and Child Crisis, this debate paralyzed legislation, played a role in bringing down a government, and brought Éamon de Valera back into office. More importantly for our purposes, it revealed the coalition responses as principled distance became even weaker than at independence. When the principled distance of the Irish state seemed ready to break down, in favor of exclusive influence for the Catholic minority, the Irish secular coalition weakened, with both religious-secular tension rising and interfaith relations deteriorating. Moreover, at the crisis’s end, pious secularists within the Catholic camp were left wonder if the Church’s unequal influence was ultimately damaging its own longer-term social standing.
In many ways, the Mother and Child Crisis crystalizes the generally tenuous status of principled distance between the Irish state and the various religious communities even at independence. When the state government floated plans for healthcare reform in the late 1940s, it was not entirely surprising that Catholic leaders would engage the debate; to an extent, such policy consultation is characteristic of benevolent secularism. However, the unequal Catholic influence on this legislative process was so disproportionate as to constitute a threat to principled distance.

Members of the Catholic hierarchy critiqued the public health plans as intruding on the autonomy of the family guaranteed in the Constitution, primarily through provisions related to maternal education and health screenings. After much recrimination, the plans were jettisoned along with the advocating cabinet official. Religious-secular tensions quickly peaked; the Irish Times promptly complained that the bishops “trespass on the domain and seek to usurp the powers of the legitimate civil authority.” The standoff was eventually resolved after de Valera’s return to office and some creative ambiguity in application of the legislation.

While the details of the crisis can become a bit arcane, the episode is of broader importance for setting out tensions within the Irish secular coalition. First, what constitutes an unacceptable violation in principled distance among religious communities? While state officials did take care to circulate the health proposals to “the heads of all Churches, including all bishops, both Catholic and Protestant,” there can be no doubt that this was a fight picked by the Catholic hierarchy on behalf of distinctive

110 Whyte, Church and State provides a meticulous account of the Mother and Child debates and their fallout. Anyone with an interest in how the Catholic hierarchy exercised political influence during this period should spend an afternoon with his research.

111 Quoted in Whyte, Church and State, 196-272.
features of Catholic social teaching. Unlike in debates over pornography censorship, for instance, there was little ecumenical common cause made on this issue, but instead unvarnished appeals to the principles of Catholic social thought as set out in papal encyclicals. One Catholic periodical indicted the *Irish Times* for representing “the Cromwellian traditions in Ireland [in] endeavouring to drive the Catholic Church out of the life of the country.” This unabashedly hierarchical view of Catholic standing relative to other Protestant churches characterized much Catholic press at the time. While the Catholic bishops won the right to special influence in this case, the precedent would be called into question multiple times in the debates considered in the following chapter.

Second, would a breakdown in principled distance ultimately harm the social standing of the Catholic Church? Benevolent secularism empowers “pious secularists” who see principled distance and differentiation as beneficial to the religious majority. The Mother and Child Crisis, with its breakdown of principled distance, actually threatened to show the limits of Catholic influence, and engender resentment from politicians and religious minorities. Although hierarchs like Archbishop McQuaid received special attention from nervous politicians, there is no escaping the fact that legislation eventually passed that largely mirrored core state proposals from the late 1940s. Moreover, as most of the statesmen advancing these proposals were themselves Catholic, the hierarchy and Catholic press had to confront “their evident failure to convince Catholic opinion on the mother and child issue.” Even if elites in the hierarchy opposed what they saw as the statist tendencies in the government proposals,

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112 Ibid, 291.
113 Ibid, 269.
114 Ibid, 270.
the persistence of these proposals across multiple partisan governments indicates just how thoroughly the hierarchy failed in its basic attempt to shake the core goals of the state legislators. Indeed, the Irish hierarchy withdrew a final letter objecting to de Valera’s plans due to its likely futility and adverse consequences.\textsuperscript{115} Although not fully apparent at this point in time, Irish Catholic leaders were coming to realize that breakdowns in benevolent secularism came with risks to their own religious legitimacy, not to mention to interfaith relations and provoking a religious-secular divide. That same dynamic would reemerge decades after the Mother and Child Crisis to become a key source of Irish secular evolution.

7. \textbf{Conclusion}

The institutions that emerged in de Valera’s 1937 Constitution had all the hallmarks of benevolence: differentiation, cooperation, and principled distance. This chapter documents that institutional structure, and then traces the impact of institutional design on preferences of the different blocs that would form Ireland’s secular coalition: political elites, the Catholic majority, and religious minority communities. The benevolent structure of Irish secularism explains why this case, which seemed so prone to the secularism trap, came to secure Stepan’s twin tolerations at independence. While principled distance was especially vulnerable to manipulation, it was no small achievement to secure the twin tolerations in newly independent Ireland.

As the Mother and Child debates revealed, the benevolent nature of Irish secularism was already under some challenge by mid-century. Should a more modern republic reserve a cooperative role for religious actors in democratic politics? And is it

\textsuperscript{115} \textit{Ibid}, 297.
fair that more of this influence should fall to the Catholic Church? These questions were largely tabled after the Mother and Child episode, but only for a time. By the early 1970s, as Church authority changed along with Irish politics, Ireland’s take on benevolent secularism showed unmistakable signs of evolution.
CHAPTER 3
SECULAR EVOLUTION IN POST-CATHOLIC IRELAND

1. Introduction

During a parliamentary debate in July 2011 over the Catholic Church’s handling of sexual abuse allegations, Ireland’s Taoiseach, Enda Kenny, railed against the “dysfunction, disconnection, elitism and narcissism” of the Vatican. These are strong words from any head of government -- and unprecedented in Ireland. Amid declining church attendance rates, increasing diversity, and ongoing revelations of sexual abuse in state-funded Catholic institutions, the nature of religion-state relations in contemporary Ireland is in flux. The Irish press generally praised Taoiseach Kenny’s anti-Vatican outburst, and the World Atheist Convention held its global convocation in Dublin this June, with Irish Senator Ivana Bacik warning of “creeping fundamentalists” in Irish life. Catholic commentator George Weigel recently called Ireland “the most stridently anti-Catholic country in the Western world.” The stage seems set for a breakdown of benevolent secularism.

And yet, on May 19, 2011, just two weeks before the atheists came to town, a range of faith leaders met with Taoiseach Kenny and other elected officials at Dublin’s government buildings. The agenda included consultations on economic recovery, European integration, and immigration policy. Over 95% of Irish primary schools continue to be denominational in ethos. The constitution still forbids blasphemous speech and charges the state to “respect and honour religion” (44.1). RTE continues to broadcast the angelus, and the new Irish president swore a theistic oath of office after the

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117 David Quinn, “Atheism a stranger to reason,” The Irish Catholic, June 29, 2011.
October 2011 election. In these ways and others, Irish church-state relations seem broadly constant since Éamon de Valera guided his constitution to ratification in 1937.

In reality, religion’s place in Irish politics is changed utterly in the past two decades. In particular, the unequal influence enjoyed by the Catholic bishops through mid-century is a thing of the past. Irish benevolent secularism now maintains a more robust principled distance among its religious communities. At the same time, this strengthening of principled distance has not required a breakdown and replacement of benevolent secularism. Ireland continues to feature its other two core elements: differentiation of religious and state institutions and cooperation between religion and state. Secular evolution has taken place, not a turn to strict laïcité or the institutionalization of anticlericalism.

This pattern of institutional evolution owes to the coalitional mechanisms promoted by benevolent secularism, particularly the minimal religious-secular divide and strong interfaith relations. The minimal religious-secular divide and strong interfaith relations exist because even Catholic clerics came to desire institutional evolution, particularly the strengthening of principled distance, in the past quarter century. Pious secularists within the Catholic community worked with political elites and religious minorities to dismantle Catholic privileges to strengthen principled distance. As Ireland became more religiously diverse in the wake of waves of immigration, faith groups worked together to bring new minorities into the state’s benevolent bargain. The clerical sex abuse scandals of the past decade have solidified this trend, but it began much earlier, with Catholic politicians like Taoiseach Garret FitzGerald and his calling of the New Ireland Forum in 1983. Tracing religious-secular alliances and interfaith relations from
that time to the present shows the role of coalitions, encouraged by the configuration of benevolent secularism, in stabilizing those institutions over time.

This chapter is structured in three main parts. First, I document the coalitional changes that have swept Ireland in the past quarter century; the growth in non-believers and collapse of Irish Catholic dominance could have constituted major threats to settled patterns of religion-state interaction. Second, I trace changes in institutions of benevolent secularism, across the three components of differentiation, cooperation and principled distance. Here, the most significant institutional evolution is in principled distance, which has become much more robust since independence. Third, I argue that this evolution in benevolent secularism, rather than its replacement by more revisionist challengers, owes to the coalition alliances encouraged by benevolent secularism: strong interfaith relations and a minimal religious-secular divide. Fourth, I turn to public opinion data to document the fact that these coalitional mechanisms are reflected in the general population as well as in the elites interviewed for this project. Finally, the chapter closes with an extended look at the role of rational competition among religious bodies in explaining recent institutional variation in Ireland.

2. **Coalition Shifts in Post-Catholic Ireland**

Like Senegal and the Philippines, significant demographic shifts have challenged the religion-state bargain institutionalized in Ireland at independence. Ireland has experienced the collapse in the social hegemony of the Catholic majority and an undeniable uptick in nonreligious affiliation and religious minority communities. These demographic shifts pose distinct challenges to benevolent secularism. With the
weakening of Catholic Ireland, Irish institutions face the possibility of more assertive secularization, closer to Paris than Dakar. In this section, I document the coalitional shifts, before testing their impact on state institutions.

While anticlericalism has a long history in Ireland, the size and volume of the Irish nonreligious community has grown significantly in the past decade. The 2011 Census showed 270,000 Irish who listed no religion, in addition to over 70,000 who did not respond to the question. Self-identifying atheists are a much smaller community of 4,000, but the rapid growth of those without a religion just in the past five years is remarkable. Nearly 50% more Irish identified as nonreligious in 2011 as did in 2006. Religious attendance rates have similarly cratered, which may indicate that the tide of non-affiliation in Ireland has not crested.

While all of these non-believers are not specifically anti-religious, a vocal minority has come to play an important role in Irish public life. A civil society association called Atheist Ireland distinguishes itself in this regard. Among its campaigns: public blasphemy to intentionally violate Ireland’s protection of religious sentiment, and a “Be Honest to Godless!” campaign encouraging Irish to declare their non-theism on the census. Atheist Ireland’s leader, Mick Nugent, explicitly rejects the patterns of cooperation between religion and state at the core of the Irish tradition of religion-state relations. As he put it to me in an interview, “We don’t want a slice of the religious-ceremonial pie.” Rather, they seek to overturn the cooperation between religious and secular elites that characterized benevolent secularism. While Nugent does

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120 Michael Nugent, interview by David T. Buckley, Dublin, Ireland, May 16, 2011.
not speak for all Irish nonbelievers, there is little doubt that anticlerical atheists have challenged the institutional boundaries of Irish benevolent secularism.

The most important development within Irish Catholicism since the days of Archbishop McQuaid is the predominance of pious secularists within the Catholic community. Irish Catholic leaders came to believe that their own institutional legitimacy was undermined by the older forms of Catholic domination over state authority. This change in elite opinion was itself a result of developments both in the political theology of the post-Vatican II Catholic Church and in the public appetite for Catholic political influence. As Archbishop McQuaid aged and divorce debates raged, the Catholic Church in Ireland increasingly saw its legitimacy as best served by a move to more evenhanded treatment of all religious communities by the state.

By the late 1970s, Catholic theology of church-state relations had been transformed by Vatican II and Irish popular sentiment. Dignitatis Humanae, the council’s declaration on religious freedom, not only affirmed the basic human right to religious freedom, but also made no effort to insist on any kind of legal establishment of Catholicism even when in the majority. The change was so thorough-going that Bishop Cahal Daly would sound classic pious secularist themes before the New Ireland Forum in 1983, testifying, “The Catholic Church totally rejects the concept of a confessional state…We believe that the alliance of Church and State is harmful for the Church and

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121 There was some hint at the level of popular dissent to the Church’s unequaled political influence as early as the Mother and Child crisis of 1951. While cries of protest from the Protestant-owned Irish Times may have been easily ignored at Maynooth, there was obvious opposition from within the ranks of lay Catholics as well. As a writer for Christus Rex, a conservative Catholic journal, lamented: “[The Irish people] do not seem to understand our language. That was very clearly illustrated during the present year when a great many well-disposed Catholics just could not understand what was the central objection to the Mother and Child Scheme” Quoted in Whyte, Church and State, 269. After all, the politicians wrangling with the bishops over this and other issues were overwhelmingly Catholic, and yet continued to push the plan over episcopal objections.
harmful for the State.”

This trend to pious secularism continues with the current Archbishop of Dublin, Diarmuid Martin. Archbishop Martin acknowledges that an “unhealthy closeness between ecclesiastical and political figures” in Irish history contributed both to the tragedy of child abuse and the broader process of weakening the public credibility of the Catholic Church.

Pious secularists also drew strength from public dissatisfaction with clerical influence over politics. As Sr. Ethna Regan of Dublin’s Mater Dei Institute put it, Catholic domination of the early Irish state gave rise to an “underlying resentment” that in time served to discredit Catholic teaching authority, particularly around issues of sexuality and the family. By the time Irish politicians debated divorce, Catholic leaders were less confident that their own flocks wanted them to play the role of political policemen. As Prof. Linda Hogan of Trinity College Dublin summed up, the Church became more reluctant to make explicitly theological interventions in public because “they could not be confident that these values were shared in their congregations.”

The ongoing fallout of sexual abuse scandals in some ways seals the Catholic argument in favor of pious secularism. The unquestioned authority of Church clerics that developed in the decades after independence ultimately contributed to the abuse and its cover-up. As Fr. Gerry O’Hanlon SJ of the Jesuit Centre for Faith and Justice put it to me, “State used the Church, and the Church allowed it.” O’Hanlon is certainly not one to make excuses for the hierarchy, but he makes a frequently heard point among Catholic

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124 Sr. Ethna Regan, interview by David Buckley, Mater Dei Institute, Dublin, Ireland, May 12, 2011.
125 Linda Hogan, interview by David Buckley, Trinity College Dublin, Dublin, Ireland, May 12, 2011.
126 Fr. Gerry O’Hanlon, interview by David Buckley, Jesuit Centre for Faith and Justice, Dublin, Ireland, May 19, 2011.
leaders: unequal Catholic influence over state power in the early decades of independence was in the end damaging to the Church’s public witness.

Catholic pious secularists strengthened principled distance among religious communities in order to preserve the overall benevolence of Irish secularism. Indeed, the basic bargain Catholic theologians have advanced since Vatican II is that establishment, whether formal or informal, is far less important than the freedom of the Church to impact public debates with its witness. As Archbishop Martin put it in a March 2011 lecture, “The State would not be enhancing freedom if the believer were forced to leave aside his conviction to be allowed enter into the public square.” Martin went on to emphasize, “The Church respects the autonomy of the secular sphere…[provided] Caesar does not play God and does not try to banish God out of the reality of society.”

While minorities as a whole continue to make up a relatively small slice of Ireland’s religious landscape, 2011 Census data show that the nature of those minority groups has changed substantially in the past quarter century. Non-Catholic Christians now include a substantial Orthodox community, numbering over 45,000 in the 2011 census, as well as 14,000 Pentecostals and over 40,000 non-denominational Christians. The Hindu community now exceeds 10,000 members, and the Buddhist community is nearly as large. Each of these demographics saw substantial growth just in the 5 years since the last census, particularly the Orthodox and Pentecostal Christian communities.

The most obvious example of this new diversity is the growth of Islam in Ireland. While Ireland’s Muslim community has existed for decades in the form of medical students who came to Dublin for schooling, it has grown into a public presence only in the past twenty years with the rise of the Celtic Tiger economy. Even with that Tiger’s

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127 Martin, “The Relationship between Church and State.”
humbling, the 2011 Census counted nearly 50,000 Muslims in Ireland up from approximately 30,000 in 2006. This community is small by continental European standards, but is noticeable on the streets of Ireland’s larger cities, where mosques and halal butchers are a common sight. The response of state institutions to this new religious minority is one of the clearest examples that benevolent secularism is still alive and well in Ireland.

3. Tracking Institutional Change

These combined demographic changes could have easily marked the end of Irish benevolent secularism, and its replacement by more strictly separationist institutions like those found in France or the United States. And yet, the basic outlines of benevolent secularism (differentiation, cooperation and principled distance) still exist in Irish constitutional law, legislation and patterns of political life. In this section, I document the evolution of benevolent secularism in Ireland in recent decades. As I show, the most dramatic evolution in the institutional relationship between religion and state has not been a breakdown of benevolence, but the more robust practice of principled distance among religious communities. This change is in fact a sign of the overall health of the benevolent bargain in Ireland, in spite of the rapid coalitional shifts of the past quarter century.

3.1 Principled Distance and the End of Catholic Hegemony

The most substantial change in institutions of Irish religion-state relations has actually moved it closer to the ideal type of benevolent secularism. While the early Irish state treated all religious communities generously, there is no disputing the fact that the
Catholic Church enjoyed unique influence. The 1937 Constitution recognized the sociological fact of its “special position” as the majority faith in Ireland, and constitutional restriction on divorce owed primarily to Catholic influence. While de Valera consulted widely with religious leaders, only a Catholic hierarch like Archbishop McQuaid could have brought down a governmental initiative like the Mother and Child proposals. Rabbi Herzog may have been a friend of Dev’s, but friendship only carries one so far.

These privileges for the Catholic Church have almost entirely disappeared, replaced by a more robust principled distance. This has been a gradual process of institutional evolution, and taken on a number of judicial, legislative, and popular fronts. While the large size of the Catholic community still secures it substantial access to political leaders and informal social influence, the Irish state now maintains a more genuinely principled distance among its religious communities. This institutional trend does not weaken benevolent secularism; instead, it brings Ireland closer to the ideal type set out in Chapter 1, and makes benevolent secularism more sustainable even in post-Catholic Ireland.

The most obvious indication of a move to more principled distance was the removal of the “special position” clause from Article 44 in 1972. Recall that this clause had been de Valera’s way of acknowledging Catholic influence without resorting to formal establishment. By the late 1960s, however, even this recognition of Catholicism seemed unnecessary and sectarian. With tension escalating in Northern Ireland, Irish leaders were particularly eager to deconfessionalize the Republic of Ireland’s institutions. The Committee on the Constitution reported in 1967 that “[Article 44] gives offence to
non-Catholics and is also a useful weapon in the hands of those who are anxious to emphasise the differences between North and South.”

They thus proposed both removing the special acknowledgment of the Catholic Church, as well as the recognition of various Protestant and Jewish communities. The initiative went to a popular referendum (a common theme in modern Ireland), and passed comfortably. Today’s constitution does not mention any religious communities by name.

The old version of Article 44 was, however, just one part of the privileged position afforded to Catholicism by the Irish state. The more concrete Catholic influence was seen in constitutional prohibitions on divorce, and legal restrictions on contraceptive sales, homosexuality, and adoption by “mixed” religious marriages. When reformers complained about Ireland’s sectarian legal system, it was with these provisions in mind. One by one, these largely Catholic provisions have been weakened over the past quarter century. While the process has been less decisive than the changes to Article 44, it is arguably more important in documenting the changed nature of Irish secularism. As Rev. Dr. Trevor Morrow, former Rector of the Presbyterian Church in Ireland, told me, “It would be anathema to run to the bishop’s palace before legislating in the Dáil.”

The first major break occurred with restrictions on contraception. The sale of contraception had been illegal since before 1937, and while creative couples could circumvent the law through importation, discussion of liberalizing state law received sharp rebuke from an aging Archbishop McQuaid as “a curse upon our country.”

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128 Quoted in Whyte, *Church and State*, 349.
129 In fact, Irish High Court Justice Gerard Hogan, writing in a non-official capacity, points out that the old version of Article 44 actually had limited judicial impact. Hogan, “Law and Religion.” Even early pro-Church judges like Justice Duffy were hesitant to use Article 44 to grant particular privileges to the Church.
130 Rev. Dr. Trevor Morrow, interview by David Buckley.
131 Quoted in Whyte, *Church and State*, 406.
However, in *McGee v. Attorney General*, the Irish Supreme Court begged to differ. In the process, it marked another stage in restoring principled distance among religious communities in Ireland. The 4-1 decision, which rested largely on the marital right to privacy that was so prominent in American jurisprudence of the period, invalidated the 1935 restrictions on contraception. Importantly, Justice Walsh argued, “In a pluralist society such as ours, the Courts cannot as a matter of constitutional law be asked to choose between the differing views, where they exist, of experts on the interpretation by the different religious denominations of either the nature or extent of these natural rights as they are to be found in the natural law.”

Contraception was in many ways just the opening skirmish in what late-Taoiseach Garret FitzGerald termed his “constitutional crusade” to strengthen principled distance through legal reform. In the wake of the *McGee* decision and in response to the deteriorating situation in Northern Ireland, FitzGerald set out to review Ireland’s laws, and particularly its constitution, to excise its more sectarian features. His New Ireland Forum was the centerpiece of this effort, and its records provide unique insight into the process of undoing the hierarchy among religious communities in Ireland that existed from independence. The Forum’s report acknowledged, “Despite the implicit separation of Church and State in the 1937 Constitution, many unionists hold the view that the Catholic ethos has unduly influenced administration in the South and that the later, in its laws, attitudes and values has not reflected a regard for the ethos of Protestants living

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132 Mary McGee v. Attorney General and the Revenue Commissioners, IR 1 (Supreme Court of Ireland 1974). Even Chief Justice Fitzgerald, who dissented from the majority decision, went out of his way to insist, “the issue to be determined is not based, and was not argued, on any issue related to any particular religion” (*ibid*).
there.” In testimony from both Catholic and Protestant leaders, the Forum probed the possibilities of changing laws related to divorce, education, and even abortion. When the Forum’s report insisted, “Civil and religious liberties and rights must be guaranteed…and government must be sensitive to minority beliefs and attitudes and seek consensus,” the clear implication is that a growing segment of Irish political elites thought that Irish institutions fell short of this standard.

The New Ireland Forum did not have authority to change Irish laws, but its proceedings document just how quickly the Irish state was developing a more principled distance among Irish religious communities. FitzGerald’s constitutional crusade was, in the short-run, derailed by partisan politics. In the longer term, however, the more principled take on religion-state relations that comes through in the Forum’s recommendations has carried the day in Ireland.

This general trend of limiting the veto of the Catholic hierarchy continues to this day. In January 2011, a new Civil Partnerships Act entered into force. It provides rights similar to marriage to homosexual couples in areas such as inheritance, tax filings, and property ownership. This marks the latest stage in the process of overcoming legal discrimination against homosexuals, which has progressed since the legalization of homosexuality under European Court of Human Rights pressure in 1990. What was most

134 Ibid, 27.
135 No issue better captures this development than divorce. Unlike contraception, divorce was a constitutional prohibition, and thus required a popular referendum for any change. Two referenda, in 1986 and 1995, eventually settled the matter in favor of liberalized divorce laws. The 1937 Constitution’s divorce restrictions were clear and, as Hogan points out, “drafted so widely as to bring [the Constitution] into potential conflict with the canon law of the Catholic Church,” which allows for the dissolution of marriages in limited circumstances. Hogan, “Law and Religion,” 84. In spite of polling indicating initial support for the divorce referendum of 1986, it went down to broad defeat, and passed by less than one percentage point a decade later. Clearly, popular sentiment was more resistant to change than the Supreme Court majority that decided McGee. Still, the outcome of this extended and contentious process was a liberalization of laws, and the further strengthening of the principled distance between state institutions and various religious communities.
notable from the Civil Partnerships debate, however, was the general lack of outrage or mobilization from the hierarchy or conservative Catholic lay associations. In repeated interviews, both with liberals and conservatives, the general lack of Catholic opposition was a consistent theme. Church leaders could not even convince Fianna Fail leadership to allow a “free vote,” without punishment for dissenting from the party line. Even the mention of religious objections caused the leader of the Green Party, John Gormley, to retort, “I thought we had left the era of Church interference behind.” Indeed, one Catholic cleric argued to me that in fact the civil partnerships legislation was not anti-Catholic, as it struck a balance between European human rights standards and maintaining the marriage provisions that remain in the Irish constitution. This is an interesting angle on the debate, but shows just how thorough the victory for principled distance has been in contemporary Ireland.

The amendment of Article 44, the McGee decision, the New Ireland Forum, the divorce referenda, and civil partnerships legislation all add up to important evolution in Irish benevolent secularism. The formal recognition and informal legislative power of the Catholic Church no longer exercises such unique influence in Irish life. It is telling that while more recent constitutional reviews have taken up matters of religion-state

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137 Some may point to ongoing abortion restrictions as an indication that secularism in Ireland still tilts to Catholic interests. To an extent, this is true, as Catholic leaders have resolutely opposed advocates of abortion provision in Ireland, as they have around the world. Prof. Linda Hogan, former member of the Irish Council for Bioethics, pointed out in conversation that other areas at the intersection of science and religion likely to provoke the Catholic hierarchy, particularly reproductive assistance, are largely unlegislated (Linda Hogan, interview by David Buckley). However, chalking up enduring Catholic influence in these areas to some impurity in Irish state secularism is off the mark. This is no repeat of the Mother and Child interventions by Archbishop McQuaid. Indeed, as Emily O’Reilly documents at length, the forces that opposed abortion were primarily lay Catholic associations, not the hierarchy. Emily O’Reilly, Masterminds of the Right (Dublin: Attic Press, 1992). Moreover, Catholic leaders who opposed abortion generally ground their arguments in natural law appeals to human dignity that are not necessarily sectarian. Indeed, evangelical and Muslim communities have generally agreed with the Catholic position on abortion; as Hogan put it, “on values issues, these communities are happy to let Catholic groups do the lifting” (Linda Hogan, interview by David Buckley).
relations, particularly in the realm of education, their primary focus is no longer on the particularly Catholic character of state institutions.  

3.2 Cooperation & Patronage Reform

With principled distance fortified in the closing decades of the twentieth century, education reform is the active institutional battleground in contemporary politics. Ireland’s primary schools, as described in Chapter 2, are the most dramatic example of the cooperation between religion and state institutions characteristic of benevolent secularism in Ireland. Amid increased religious diversity, the Department of Education convened the impressively-titled Forum on Patronage and Pluralism in the Primary Sector to gather input for patronage reform. While the outcome of these reforms remains to be determined, indications are that the cooperation at the core of benevolent secularism will endure the process. True, the former unequal privileges given to the Catholic community are much diminished. However, reformers are basically advocating a continuation of the denominational system characterized by cooperation between religious and state institutions in educating the republic’s citizens.

Patronage reform marked a serious challenge to benevolent secularism. A strict separationist position calling for the end of denominational education does exist in Ireland, and attracted some attention and support. As Dr. Eoin Daly argues, “The concrete effect of the patronage model is that families in many areas of the State have little choice but to avail of denominational primary schools which are committed to beliefs contrary to their own.”

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138 Catholic ideas, particularly regarding economic planning and family life, still appear throughout the constitution, but these abstract ideas are a weak form of privilege compared with the close integration of Catholic teaching and civil law that characterized Ireland in the mid-twentieth century.

denominational system, particularly in rural areas, is practically impossible to square with today’s pluralism.\textsuperscript{140} Michael Nugent of Atheist Ireland repeatedly stressed that while dissenting students may be exempted from formal religious instruction, the “integrated curriculum” allows for the religious ethos of a school to permeate the school day, and so there is no real neutrality shown to children of atheist parents.\textsuperscript{141} Daly, Nugent, and others from Atheist Ireland and the Humanist Association of Ireland rightly point out that this kind of trade-off would not be acceptable to courts operating with an American understanding of secularism.

Minister for Education and Skills Ruairí Quinn, TD launched the Forum on Patronage and Pluralism in the Primary Sector with this charge: “I see the objective for this Forum as being a very simple one. As a society, the patronage of our primary schools should reflect the diversity within our population.”\textsuperscript{142} This seemingly clear goal, of course, is complex in application. At the primary level, there is only a small handful of what might be considered “secular” schools, that is those not under the patronage of a religious institution.\textsuperscript{143} At a time of declining religious attendance and increased religious diversity, patronage reform is, at its core, an attempt to move schools away from Catholic control. The Forum on Patronage has gathered input from teacher’s unions, religious institutions, parents’ associations, and a range of other interested stakeholders.

\textsuperscript{140} Eoin Daly, interview by David Buckley, Dublin, Ireland, May 26, 2011.
\textsuperscript{141} Michael Nugent, interview by David Buckley.
\textsuperscript{142} Ruairí Quinn, “Launch of Forum on Patronage and Pluralism in the Primary Sector,” Department of Education and Skills, April 19, 2011.
\textsuperscript{143} There are basically two types of non-denominational primary schools. The first is controlled by a group called Educate Together, which promotes a multi-religious curriculum. They are discussed in some depth below. There are approximately 60 Educate Together primary schools, with 13,000 students, across Ireland (John Holohan, interview by David Buckley, Dublin, Ireland, May 19, 2011). The second group of schools is controlled by Vocational Educational Committees (VECs), which control a range of secondary schools, but only a small handful of primary schools.
Minister Quinn now turns to his task of formulating a concrete proposal for how many schools should be transferred, and how these schools might be selected.

He must balance various constitutional interests throughout this process. On the one hand, there is a strong tradition of parental choice hard-wired into Article 42 of the 1937 Constitution. In keeping with that document’s Catholic-inspired priority on family autonomy from the state, Article 42.3.1 forbids the state from “oblig[ing] parents in violation of their conscience and lawful preference to send their children to schools established by the State, or to any particular type of school designated by the state.” Article 42.4 goes on to guarantee free primary education “with due regard for the rights of parents, especially in the matter of religious and moral formation.” This deference to parents’ preferences is increasingly difficult to implement in pluralist Ireland. Moreover, the state does not have the option of simply removing itself from moral instruction, as is the case in the United States. Article 42.3.2 requires “children receive a certain minimum education, moral, intellectual, and social,” while Article 44.2.4 requires, “State aid for schools shall not discriminate between schools under the management of different denominations.” These dual obligations, to respect parental choice while providing moral formation, have traditionally been met through an overwhelmingly denominational system at the primary level.

Professor John Coolahan, Chair of the Patronage Forum and noted education researcher, has insisted, “Pluralism is not a threat to existing practice.”\(^{144}\) Cooperation can endure through the reform process. Minister Quinn, a well-known ex-Catholic, points out that none other than Archbishop Diarmuid Martin has called for patronage to

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\(^{144}\) John Coolahan, “Address for the Launch of the Forum on Patronage and Pluralism in the Primary Sector,” Clock Tower, Department of Education and Skills, Dublin, Ireland, April 19, 2011.
more accurately reflect popular demand, and indeed, the Catholic Schools Partnership has thus far collaborated with the Forum. Indeed, patronage reform is best understood as the latest stage in maintaining benevolent secularism in Ireland. In response to diminished Catholic numbers and increased diversity, the Irish religion-state relationship must be pluralized and Catholic dominance reduced. However, these reforms are unlikely to basically alter the denominational nature of Irish primary education. They are, in fact, a way to bring Irish institutions into line with European Union human rights standards without being forced by an international court into a fundamental re-examination of the existing collaborative religion-state relationship.

The underlying continuity within these reform efforts shows through in the remarks of Prof. Coolahan and others at the Forum on Patronage’s public consultations in June 2011. Coolahan remarked that “[Changing context] does not mean that we neglect our national culture and heritage.”\textsuperscript{145} He went out of his way to note, “The Education Body of the Church of Ireland is conscious and proud of the pattern of diversity which exists in many of their schools” and “[The Catholic Church], while concerned to uphold the denominational character of their schools, have a diverse pupil population and seek to be as inclusive as possible.”\textsuperscript{146} Patronage reform is a significant addition to ongoing Irish secular evolution. But it is not an overturning of the benevolence of Irish secularism.

Even the non-denominational schools favored by more secular-minded reformers reflect the Irish benevolence in treatment of religious institutions. Educate Together (ET) schools, which have expanded rapidly in recent years, serving 13,000 primary pupils with a multi-denominational curriculum, can hardly be called anti-religious. The ET schools

\textsuperscript{145} John Coolahan, “Address at the Opening of the National Forum on Patronage and Pluralism in the Primary Sector,” Clock Tower, Department of Education and Skills, Dublin, Ireland, June 22, 2011.
\textsuperscript{146} \textit{Ibid.}
themselves grew out of believers who desired multidenominational education to promote broader social integration in Ireland in the late 1970s. An extensive interview with John Holohan, Head of Communications for Educate Together schools, outlined the place of religious education, as opposed to faith formation, in the ET curriculum, and the fact that faith formation still takes place, but outside of official school hours. As Holohan put it, “There’s not much appetite for a totally secular state school in Ireland.”

Educate Together officials have worked to build relationships with local bishops, particularly to ensure that their Catholic students can still receive the sacraments after faith formation at the ET schools. ET officials clearly hope to take on a large share of schools that change patronage; Holohan pointed out “we are one of the few games in town” that can step in quickly to take on primary schools. Even as they expand, they preserve something of the cooperation between religions and state that characterizes benevolent secularism.

3.3 Differentiation & Irish Conscience Exemptions

The politics of conscience exemptions garner less public attention than patronage reform or clerical sex abuse. Yet they provide an important window into the continuing benevolence of Irish secularism, and interesting insight into the implications of the differentiation of religious and state institutions. In the interest of the “free profession and practice of religion” protected by Article 44.2.1, Irish courts have consistently carved out religious exemptions from certain generally applicable laws. These exemptions are frequently contested, but their existence is best understood as recognition of the differentiation of religious and state institutions, and the distinct legal standards that ought to apply to the two distinct spheres. These conscience exemptions frequently relate

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147 John Holohan, Interview by David Buckley, Dublin, Ireland, May 19, 2011.
to areas of ritual observance and family policy that are such a regular feature in religion-state debates on a comparative scale.

Exemptions in deference to religious free exercise and ritual observance are not entirely new in Irish jurisprudence or legislation. As discussed in Chapter 2, the Quinn’s Supermarket decision of 1972 held that Jewish butchers should be exempted from general restrictions on opening hours that would have unfairly burdened their businesses. As Justice Walsh wrote, “Any law which by virtue of the generality of its application would by its effect restrict of prevent the free profession and practice of religion by any person or persons would be invalid…unless it contained provisions which saved from such restriction or prevention the practice of religion.” These kinds of exemptions continue to be made in various ways to protect religious free exercise. The Supplement to Postal Voters (Special Difficulty) Order of 2002 allowed special voting by mail to accommodate religious voters who may be unable to vote on a Friday. The High Court held in Fitzpatrick v. K in 2008 that religious exemptions to blood transfusions must be honored, provided that the patient has the mental capacity to make such a decision for herself. It is interesting to note that the religious communities in question for these recent cases are Jehovah’s Witnesses (transfusions) and Muslims and Jews (Friday voting). This provides another indication of the increasingly robust principled distance among religions in Ireland.

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148 Quinn’s Supermarket v. Attorney General. This approach to exemptions featured in statutory law as well, such as the Health Act of 1953, which guarantees exemption from “a health examination or treatment that is contrary to the teaching of [one’s] religion.”
149 Thanks to Prof. Gerry Whyte for pointing me to this exemption. Gerard Whyte, interview by David Buckley, Trinity College Dublin, Dublin Ireland, May 18, 2011.
150 Fitzpatrick v. K, IEHC 000, (High Court of Ireland, April 2008).
While partially justified as a means to protect individual free exercise, exemptions are also structured on institutional grounds, allowing religious communities to preserve their “ethos.” Such exemptions all hang on the basic differentiation of state and religious institutions. Among the most substantial, and controversial, exemptions currently afforded to religious communities comes in the Employment Equality Acts of 1998 and 2004. These bills, which prohibit discrimination across nine categories and are designed to enshrine various international non-discrimination instruments in Irish law, explicitly exempt religious institutions. Section 37 of these Acts states “religious, educational or medical institutions” are not engaged in discrimination if they give “favourable treatment” or “takes action which is reasonably necessary to prevent an employee or a prospective employee from undermining the religious ethos of that institution.”

While religious institutions are only exempted insofar as necessary to maintain their “religious ethos,” this provides a good deal of flexibility to institutions to engage in otherwise prohibited discrimination. As Peter Mullan, Communications Director for the Irish National Teachers Union, put it to me, “A lot of our members live in fear” that Catholic authorities may decide to release them from employment because of homosexuality.

Interestingly, institutional exemptions, which rest on differentiation, have proven more robust than some individual claims to religious conscience. In the Dáil debates regarding the Civil Partnerships Bill of 2010, conservative legislators raised the possibility of conscience exemptions, primarily for civil magistrates who objected to

152 Peter Mullan, interview by David Buckley, Dublin, Ireland, May 24, 2011. Whyte points out that any such broad discrimination may run afoul of broader European Union regulation, but the fact remains that in the interest of maintaining a “religious ethos,” schools and hospitals are allowed broad exemption from general non-discrimination regulations (Whyte, “Religion and Education,” 5).
certifying homosexual partnerships for religious reasons. Their point failed to carry the day. David Quinn, columnist for the *Irish Independent* and Director of the traditionalist Iona Institute, argues that refusing such exemptions, and related ones dealing with pharmacists who object to dispensing certain contraceptives, in effect amounts to hanging a “No Christians Need Apply” sign on certain modern professions. Quinn’s rhetorical flourish aside, it is important to note that the exemption sought by Quinn and others was not primarily a communal one, but an individual matter. If the Catholic Church as an institution mounted a legal claim under Section 37 of the Equal Status Act that its communal ethos was threatened by somehow having to participate in civil partnerships, the Irish courts would at the very least take such ethos-based claims seriously.

Conscience exemptions, both at the individual and communal levels of analysis, are an increasing feature of religion-state debates on a comparative level. The prevalence of exemptions, particularly at the communal level, reinforces the differentiation of religious and state institutions in Ireland, while also serving as a reminder of their fundamentally cooperative relationship in public life. These exemptions are frequently tied to debates about family law and legal protections for homosexuality. Today, rather than control those laws, religious leaders in Ireland increasingly push for exemptions from their provisions, grounding their claims on the differentiation between religious and state that is a core feature of benevolent secularism.

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154 David Quinn, interview by David Buckley, Dublin, Ireland, May 25, 2011.
4. Coalition Effects Defending Benevolent Secularism

The major dimensions of benevolent secularism (differentiation, cooperation and principled distance) have become more robust in Ireland in the decades since independence. This has taken place in spite of massive changes to the Irish religious landscape, including the collapse of Catholicism’s social dominance, the growth of anticlericalism, and the arrival of new religious minority communities. What accounts for institutional evolution in an environment that seems so ripe for more dramatic change? As I argue in Chapter 1, benevolent secularism proves so stable in part because of the coalitions that it encourages. Two particular coalition alliances have been crucial in stabilizing benevolent secularism in Ireland in the past quarter century: generally warm interfaith relations and a minimal religious-secular divide. The strength of these two sets of partnerships also helps explain the failure of a counter-coalition that attempted to form around education reform in the past two years.

One reason benevolent secularism has endured in spite of religious turbulence is the active interfaith alliance between the Catholic majority and various religious minority communities. Interfaith relations have improved markedly in the past quarter century, as the ecumenical movement within Christianity has encouraged dialogue, and laid the groundwork for more interfaith dialogue efforts in the recent past. Robust interfaith relations help explain the Catholic Church’s support for the growing principled distance of the Irish state among its religious communities. When the New Ireland Forum took on the task of building true principled distance, it did so with the general support of the Catholic hierarchy. As Cardinal Daly testified, “What [the Catholic bishops] do here and now declare, and declare with emphasis, is that we would raise our voices to resist any
constitutional proposals which might infringe or imperil the civil and religious rights and liberties cherished by Northern Protestants.”

Daly went on to “support the determination of most of the Protestant communities in the Republic, particularly the Church of Ireland, to retain their own denominational schools, and urge that the State should give these schools even more preferential treatment than they already receive.” Daly’s testimony reflects the generally strong state of ecumenical relations by the early 1980s, and the role this played in building meaningful principled distance into Irish benevolent secularism.

Warmer interfaith relations have more recently played a role in preserving cooperation between religion and state. This shows through most clearly in reforming school patronage without entirely ending the system of denominational education. As Daly’s testimony in the early 1980s indicates, Catholic leaders have supported Protestant education long before patronage reform kicked off in the past few years. The shared goal of preserving denominational education extends to this day, and even beyond patronage reform itself. Another important piece of education reform is teacher training, which also takes place largely through denominational structures. In Dublin, Catholic, Church of Ireland and secular university officials are moving forward with a merged training institute “within a pluralist model that respects diversity of traditions.” This type of collaboration, enabled by warming interfaith relations in the past half-century, is crucial in understanding why benevolent secularism remains viable even in a more pluralistic Ireland. Moreover, the teacher training collaboration reflects the role of benevolent

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155 New Ireland Forum, “Public Session: Thursday, 9 February 1984.” Daly’s quote referenced Protestants in Northern Ireland, but the substance of his testimony applied much more broadly to ensuring equal protection for Protestants across the island of Ireland.

secular institutions in perpetuating themselves over time. It is only because of the cooperation at the core of benevolent secularism that such teacher training programs exist in the first place, and over time, leaders of these institutes develop shared interests in sustaining the benevolent secularism that gave them social influence in the first place.

The central importance of interfaith relations in driving secular evolution shows through most clearly in the state’s incorporation of its growing Muslim minority into the principled distance model. This is especially visibly in education policy. At the community level, recall that various Protestant denominations and the Jewish community run schools with state financial support, and that Article 44.2.4 of the Constitution forbids state “discriminat[ion] between schools under the management of different religious denominations.” With this firm legal footing, Muslim leaders began negotiations with the Department of Education in 1988, and the first state-backed Muslim primary school opened in 1990.¹⁵⁷ As Claire Hogan, an attorney with expertise in Islam and Irish law, put it to me, “state neutrality needs to be credible.”¹⁵⁸ This school has since moved to Clonskeagh, home of the Islamic Cultural Centre of Ireland, and welcomed President Mary Robinson for its reopening. She remarked that it was “only natural” that Muslims would desire schools in keeping with the Irish denominational model.¹⁵⁹ Ali Selim, an official with the ICCI, stressed the importance of this school as “showing a level of trust” from state authorities in the Muslim community, and pointed out that many school teachers and administrators are actually non-Muslims.¹⁶⁰

¹⁵⁸ Claire Hogan, interview by David Buckley, Dublin, Ireland, May 20, 2011.
¹⁶⁰ Ali Selim, interview by David Buckley, Islamic Cultural Centre in Ireland, Dublin, Ireland, May 23, 2011.
Of course, most Muslim children cannot attend these schools, and find themselves in other, predominantly Catholic, primary schools. In contrast to much of continental Europe, such participation has not generated substantial controversy about female veiling. In 2008, a principal in County Wexford did request more guidance on the matter from the Department of Education, while he decided to allow the *hijab* in the particular case in his school. The Department of Education declined to give a definitive ruling, instead stressing the importance of local school autonomy and the obligation not to exclude certain students by constructing a restrictive uniform policy.\(^{161}\) A standing-room only consultation on the issue held by the Irish Council for Civil Liberties in May 2011 set out very limited circumstances where the *hijab* could be restricted, such as physical education classes if necessary for health and safety of the student. To this point, the *hijab* non-controversy provides more evidence of benevolent secularism evolving fairly smoothly in response to the Muslim minority.

The Muslim minority has received similar accommodation areas beyond education. Provisions have been made for Muslim women to wear the hijab in passport photos, and a Muslim burial area has been reserved within a Dublin cemetery. Hospitals, many of which are denominational, will make provision for Muslim ministry, although worship spaces are not as inclusive as the Health Research Board would like.\(^{162}\) Ali Selim of the ICCI pointed out that state officials are “doing the best they can” in more complex areas such as Islamic lending.\(^{163}\) Imams can conduct marriages, Muslim institutions have tax-exempt status, and halal butchering is legal and thriving, to judge by

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\(^{161}\) Patricia McDonagh, "Muslim Anger at Opposition Calls for School Ban on Hijab," *Irish Independent*, June 2, 2008.


\(^{163}\) Ali Selim, interview by David Buckley.
the signs on Dublin’s grocery stores. Muslim leaders are a part of government consultations, and regularly submit briefs on issues ranging from abortion policy to education reform. Muslim groups’ submissions to the Forum on Patronage and Pluralism in the Primary Sector, for example, was made alongside those from the Catholic Church and the Church of Ireland. As Dr. Oliver Scharbrodt, Director of the History of Islam in Ireland Project at University College Cork, put it to me, all these accommodations flow “without controversy as a consequence of the denominational model [of religion-state relations] in Ireland.”

Interfaith alliances played a crucial role in driving this institutional evolution. When Irish Muslims began a serious campaign to open a primary school, one of the most important markers of inclusion within the Irish religion-state relationship, they found active supporters in the Catholic hierarchy. When the Muslim national school at the Islamic Cultural Centre of Ireland expanded in 1996, leading Catholic and Church of Ireland clerics were in attendance for the festivities. More recently, Archbishop Diarmuid Martin of Dublin has visited the same school, and suggested “mutual visits [of religious leaders] to offer mutual support [as a means of] strengthening interfaith relations.” This kind of interfaith cooperation, from both Protestant and Catholic leaders, helps to explain why Ireland’s newfound religious diversity has not destabilized benevolent secularism. Strong interfaith relations help integrate new communities into the benevolent bargain.

164 Oliver Scharbrodt, interview by David Buckley, May 16, 2011. While Islam has been generally incorporated within Irish secularism, with all of its typical benevolence, there have been limited areas of friction. For instance, An Garda Síochána, the Irish police association, has ruled that Sikh headscarves are not permitted within its uniform code, and applies that same standard to headscarves.
Religious pluralism has actually brought stronger interfaith relations to Ireland, and in the process helped to strengthen benevolent secularism. Muslims and non-Muslims regularly cited the benevolence Irish secularism as a reason for the generally positive relations between Islam and the Irish state. Polling of Irish Muslims is very limited, but a 2006 survey carried out by the *Irish Independent* and *RTE* found that nearly 80% of Irish Muslims considered themselves fully integrated and felt accepted in Irish society.\(^\text{167}\) Ali Selim spoke at length about how Ireland has “learned from Europe’s mistakes” in managing relations with Muslims, and how the general social respect shown to religion in Ireland contrasted sharply with anti-religion, and anti-Islam, sentiment on the continent.\(^\text{168}\) As Patsy McGarry, the *Irish Times*’ religion reporter, put it in recently, “The great monolith that was the Catholic Church in Ireland now seems more content to take its place as a partner among other Christian denominations and faiths, while Protestants feel more confident in the Republic than at any time since the foundation of the State.”\(^\text{169}\) This interfaith cooperation is both a result of benevolent secularism, and an explanation of institutional stability even in the face of rapid religious change.

The second mechanism by which benevolent secularism stabilizes itself over time is also apparent in recent Irish history: minimizing the religious-secular divide. While it is true that anger at the Catholic hierarchy has peaked in Ireland in the wake of sexual abuse scandals, it is important to note that much of this criticism comes from within the Catholic community itself; many Catholic leaders are just as irate as the non-religious at the conduct of the Irish hierarchy. Moreover, even commonly cited evidence of rabid anticlericalism, such as Taoiseach Kenny’s lambasting of Vatican arrogance that opened

\(^{168}\) Ali Selim, interview by David Buckley.  
this chapter, is not necessarily evidence of a vast religious-secular divide. Kenny is himself a Catholic, and mere months after his famous remarks in the Dail, he reported to the legislature on the importance of the “structured dialogue” process with religious leaders “to achieve mutual respect and understanding between the civil authorities and those who lead our churches, faith communities and non-confessional bodies.” In fact, in the face of unprecedented demographic changes, state and religious elites have redoubled efforts to minimize the religious-secular divide, and in the process fortify benevolent secularism.

The growth in “Structured Dialogue” between religion and state traces to longer patterns of religion-state cooperation, but saw a distinct uptick under the leadership of Taoiseach Bertie Ahern. Their particular timing shows the efforts of religious and secular elites to maintain benevolent secularism in the face of growing diversity and secularization. As Ahern put it in his remarks launching the structured dialogue in 2007, “It would be an irony of history if Catholic, Protestant and Dissenter, having each experienced exclusion at some phase in our history, should now be bound together in a shared feeling of indifference from a secularized state…There is a form of aggressive secularism which would have the State and State institutions ignore the importance of this religious dimension…It would be a betrayal of the best traditions of Irish Republicanism to create such an environment.” In another address, Ahern went on to state that the cooperation through Structure Dialogue would include not only policy discussions, but also state support for “high-quality theological reflection on many of the

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issues that are central to public debate in the Ireland of today.”172 In precisely the years of greatest threat to benevolent secularism, political elites and religious leaders rallied to its defense through this process of mutual engagement.

Evidence of such religious-secular partnerships shows through in patronage reform debates as well. The Irish Human Rights Commission’s May 25, 2011 hearing on religion and Irish education highlighted the religious-secular alliances that have preserved benevolent secularism in this turbulent time.173 While the IHRC’s report constantly notes the need for policy evolution, its “overarching recommendation: diversity in provision of school type…which reflects the diversity of religious and non-religious convictions now represented in the State” is hardly a call to secularist arms to overthrow the existing denominational system.174 In short, the IHRC report, while technically neutral on denominational education, clearly assumes that reform within the exiting collaborative religion-state model is both possible and desirable. The launchers of the report personify religious-secular alliances. It was also launched with enthusiastic support of Prof.

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173 Although broader in focus than simple reform of primary school patronage, the IHRC report is clearly timed to shape the patronage debate. The IHRC is a semi-governmental agency tasked by the Human Rights Commission Act of 2000 with providing the Irish state with report on the state’s compliance with a range of international human rights documents. While Minister Quinn is not bound by the IHRC recommendations, they certainly reflect a kind of consensus on the direction that pragmatic reform should take. The report’s launch at the Dublin City Council attracted a large crowd and substantial media attention as a window into the likely shape of future education reform in Ireland.
174 The report’s recommendations go on in some detail to describe how this denominational system might be brought in line with human rights standards, including reforms to curriculum elements that may violate the rights of non-believers, the expansion of Ombudsman bodies to oversee denominational school compliance, and moving religious instruction to the beginning or end of the day to facilitate students who wish to be exempt from this portion of the day. Irish Human Rights Commission, Religion and Education: A Human Rights Perspective, (Dublin: IHRC, 2011), 104-106.
William Binchy, a leading Catholic conservative thinker from Trinity College Dublin who could never be accused of being anticlerical.  

Similar religious-secular partnerships show through even in a much darker period of recent religion-state relations: the response to massive sex abuse and cover-ups, primarily within state-funded Catholic institutions. Education Minister Ruairi Quinn is Ireland’s most prominent political non-believer, and would seem to fit the bill of an anticlerical. One might expect that such a minister would use this crisis and his influence to cripple the financial standing of the Catholic community. However, Quinn is far from the Jacobin that could have emerged at such a moment. He was careful to insist in July 2011, “I’m not in the business, nor is the Government, of trying to bankrupt any religious congregation…they gave an awful lot of care to all of us growing up, and I’m one of them.” In conversation with me, Quinn stressed his gratitude to the clerics who shaped his own education, and his fascination with Catholic theological debates between thinkers like Joseph Ratzinger and Hans Kung. The crisis of sexual abuse presents precisely the

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175 Binchy played a leading role as a well-respected conservative spokesman during the contentious referenda debates of the 1980s and 1990s (O’Reilly, *Masterminds of the Right*). Even those who disagree with him on all issues spoke warmly of his intellect. Binchy’s role as launcher of the IHRC report is perhaps the strongest, if subtle, sign that patronage reform in Ireland is not likely to fundamentally overturn the existing benevolent relationship between religion and state in Ireland.

176 By way of brief overview, the Irish state has both limited the financial exposure of Catholic institutions to lawsuits and taken some of the financial responsibility on itself in paying compensation to victims. Under an indemnity agreement in 2002, Fianna Fail Taoiseach Bertie Ahern indemnified eighteen Catholic religious orders from future victim litigation in exchange for €127 million in payments and property transfers from the orders that oversaw the facilities in question. The state set up a Residential Institutions Redress Board which was tasked with paying out compensation to victims. The estimates were that this board would pay out €254 million to victims, thus splitting the costs evenly between the state and the religious congregations. This figure turned out to be woefully underestimated, and the Redress Board closes its work in October 2011 with roughly €1.3 billion in awards made. The religious congregations have upped their contribution to over €450 million, but are noncommittal to calls for further payment. It is unclear whether they are legally liable to maintain the 50-50 split with the state that was the spirit of the 2002 bargain. See extensive coverage from Patsy McGarry of the *Irish Times* for these and other details.

kind of opportunity for sharp religious-secular divisions that could overthrow benevolent secularism. Yet those secularists in power are constrained by the legacy of benevolent religion-state relations, whether due to their own preferences or popular constraints.

In short, even in a time of great religious turbulence, religious-secular alliances have acted to stabilize and even fortify benevolent secularism. Catholic elites showed a greater sensitivity to secularist positions, and even seemingly anticlerical politicians generally respected the rules of the benevolent secular bargain. This change in the style of engagement tied to the growth of pious secularism, signaled the generally warm religious-secular relations that have helped to stabilize benevolent secularism over time.

5. Coalition Alliances and Anticlericalism in Public Opinion

The evidence above documents the role of elite partnerships in preserving benevolent secularism in Ireland, even in the face of significant changes in the Irish religious landscape. Strong interfaith relations and a minimal religious-secular divide have encouraged institutions to evolve without leading to the collapse of benevolent secularism. One might wonder whether these elite coalition mechanisms have any analogue among the Irish general public. Does evidence exist in public opinion of a minimal religious-secular divide, and of strong interfaith relations? Turning to data from the International Social Survey Programme’s Religion and Politics module allows us to examine these mechanisms as they relate to two of the features of benevolent secularism: differentiation of religious and state institutions and the principled distance of the state among religious communities.\(^{178}\)

In the analysis that follows, I focus on two questions as dependent variables representing two of the three core features of benevolent secularism: differentiation and principled distance. Question 1 from Table 1 captures public attitudes to differentiation. The question asks about religious leaders impacting election decisions; while this is an admittedly blunt measure, it provides some insights into public support for distinctions among state and religious spheres. Question 2 examines attitudes to principled distance, by asking whether respect is owed to all religions. While the idea of principled distance as developed by Rajeev Bhargava is more complex than this survey question, it at least gives some sense of respondent attitudes to religious pluralism and the place of diverse religious communities in public life. Unfortunately, existing polling is particularly weak in assessing attitudes towards cooperation between religion and state. Whatever the reason for this oversight, it is a major shortcoming; it is important to poll attitudes related to the rather extensive material ties between religion and state in various parts of the world. Because the questions representing this dimension of benevolent secularism are limited, analysis focuses on questions related to differentiation and principled distance.

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<th>Variable</th>
<th>Question Wording</th>
<th>Source/Country</th>
<th>Coding</th>
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<td>Differentiation</td>
<td>1. Religious Leaders Elections How much do you agree or disagree with the following: Religious leaders should not try to influence how people vote in elections.</td>
<td>ISSP: Ireland; Philippines</td>
<td>1 (Strongly Agree)</td>
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<td>5 (Strongly Disagree)</td>
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<td>Principlered Distance</td>
<td>2. Equal Respect How much do you agree or disagree with the following statements: We must respect all religions.</td>
<td>ISSP: Ireland; Philippines</td>
<td>1 (Strongly Disagree)</td>
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<td>5 (Strongly Agree)</td>
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I report two sets of regressions for each question. First, I report the simple
religious identification models, with the Irish non-religious community and Irish religious
minorities compared to the Catholic majority baseline. Second, I control for a small
range of demographic factors, including religious attendance. The most important results
in these more complex models are still those that compare the group of respondents with
no religious tradition and members of religious minority groups to the Catholic baseline
category. Catholic respondents are the omitted reference category in these models, so the
coefficients for the nonreligious and the religious minorities should be interpreted relative
to the Catholic majority. The results are shown in Table 2.

When asked a question related to differentiation in the context of elections
(Models 1 & 2), two findings stand out. First, the nonreligious in Ireland are in fact
statistically distinct from Irish Catholics and Irish minorities in the simplest models with
no controls. This would seem to indicate that the nonreligious in Ireland could lay the
groundwork for an end to the cooperation between religious and state institutions that is
characteristic of benevolent secularism.

However, more complete models support a second conclusion, which gels with
the elite partnerships across the religious-secular divide in reforming benevolent
secularism. Once we control for religiosity and for the confidence that an individual has
in Irish religious institutions (Model 2), there is no longer any difference between the
non-religious and the Catholic majority when it comes to support for the differentiation
of state and religious institutions. This finding indicates that among the general public, as
among the elites interviewed above, both Catholic and non-religious support the clear
differentiation of religion and state institutions. This demonstrates that the desire within
the Catholic Church for reform in benevolent secularism that showed through at the elite level around the New Ireland Forum and the school patronage debate is in fact mirrored in the general population. The general religious-secular agreement on the principle of differentiation shows through in spite of the theological differences that might divide those groups.

Table 2: Public Opinion and Benevolent Secular Mechanisms in Ireland

<table>
<thead>
<tr>
<th></th>
<th>Differentiation</th>
<th></th>
<th>Principled Distance</th>
<th>Respect All Religions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Religious Leaders Impact Vote</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No Religion</td>
<td>-0.27***</td>
<td>-0.088</td>
<td>-0.349***</td>
<td>-0.288***</td>
</tr>
<tr>
<td></td>
<td>[0.0933]</td>
<td>[0.104]</td>
<td>[0.0909]</td>
<td>[0.102]</td>
</tr>
<tr>
<td>Religious Minority</td>
<td>0.0785</td>
<td>0.103</td>
<td>0.213**</td>
<td>0.193*</td>
</tr>
<tr>
<td></td>
<td>[0.0977]</td>
<td>[0.0995]</td>
<td>[0.102]</td>
<td>[0.103]</td>
</tr>
<tr>
<td>Sex</td>
<td>-0.0897*</td>
<td></td>
<td>0.144***</td>
<td></td>
</tr>
<tr>
<td></td>
<td>[0.0487]</td>
<td></td>
<td>[0.0497]</td>
<td></td>
</tr>
<tr>
<td>Age</td>
<td>-0.0117</td>
<td></td>
<td>0.0031</td>
<td></td>
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<td></td>
<td>[0.009]</td>
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<tr>
<td>Education</td>
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<td></td>
<td>0.0667</td>
<td></td>
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<td></td>
<td>[0.0415]</td>
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<td>[0.0423]</td>
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</tr>
<tr>
<td>Religious Attendance</td>
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<td></td>
<td>-0.00247</td>
<td></td>
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<tr>
<td></td>
<td>[0.0132]</td>
<td></td>
<td>[0.0134]</td>
<td></td>
</tr>
<tr>
<td>Confidence in Churches</td>
<td>-0.04**</td>
<td></td>
<td>-0.0379**</td>
<td></td>
</tr>
<tr>
<td></td>
<td>[0.0179]</td>
<td></td>
<td>[0.0183]</td>
<td></td>
</tr>
</tbody>
</table>

N                     2049    2040    2049    2040

All Coefficients Standardized. *** p<0.01, ** p<0.05, * p<0.1
Ordered Probit Models with Robust Standard Errors in Brackets.

If Model 2 demonstrates religious-secular agreement on preserving differentiation, Models 3 & 4 turn to the question of maintaining the principled distance.
among all religious communities. Here, the elite evidence indicated that interfaith
relations had proven central in maintaining principled distance, particularly in the
integration of the Irish Muslim minority into benevolent secular institutions. Support
from the Catholic bishops, for instance, helped the Irish Muslim community open its
state-supported schools. The findings in Models 3 & 4 show that religious minorities are
only modestly more supportive of respect for all religions than the Catholic majority.
This is quite a striking result, since one would suspect that religious minorities have a
stronger reason to respect all religions than the predominant Catholic majority. The
relatively strong Catholic support for equal respect demonstrates that the strong interfaith
relations discussed by both Archbishop Diarmuid Martin and Ali Selim of the Islamic
Cultural Centre in Ireland actually show through among the general population as well.

The most dramatic difference regarding support for principled distance comes
through in examining the nonreligious respondents. Here, we see that the non-religious
are significantly less supportive of a key principle of benevolent secularism than both
religious minorities and the Catholic majority. This is an interesting finding, and
suggests that the relatively smooth adaptation of principled distance to Ireland’s growing
Muslim, Orthodox and Pentecostal minorities rests on strong interfaith grounds, rather
than on alliances between the non-religious and the minority communities. Among the
general population, anyway, there seems to be raw material for the religious-secular
mechanism to break down in this area, but the interfaith mechanism still appears to be
relatively robust. This raises the interesting prospect that the two mechanisms traced
throughout this argument may at times come to work at cross-purposes.
These public opinion results suggest that the elite mechanisms I observe above exist to an extent among the general Irish population. Religious-secular divides are minimal on matters of differentiation, and interfaith similarities show through when looking at questions related to principled distance. This provides another part of the explanation of why benevolent secularism has proven durable even in the face of Catholicism’s ongoing collapse in Ireland. On questions of differentiation, many Irish Catholics have become deeply disenchanted with their own church, and actually share the views of the nonreligious. In contrast, on matters of principled distance, Ireland’s religious minorities are actually quite close to the Catholic majority, and certainly unlikely to find common ground with the non-religious community.

6. Rationalist Accounts and Irish Secular Evolution

Recent evolution in Irish secularism provides an opportunity to carefully trace the claims that flow from one more purely rational choice approach to explaining religion-state relations. While rational choice accounts are a diverse lot, one of the most influential attempts to explain institutional outcomes through a rational framework comes from Anthony Gill’s comparative work on religious liberty. Gill is admirably clear in his predictions of religious behavior in the kind of environment that confronted the Irish Catholic Church in the second half of the twentieth century: “Hegemonic religions will prefer high levels of government regulation over religious minorities,” to deter competition and protect their place in the religious marketplace.”

179 I focus on rational choice as an alternative explanation here in depth, rather than briefly touching on modernization theory and religious moderation again. I take up those alternative explanations in more depth in considering secular evolution Senegal and the Philippines, respectively.

180 Gill, Political Origins, 45.
points to the Catholic Church globally as exemplifying this hypothesis, as it has lobbied for liberty when the minority in Eastern Europe, for instance, but supported restrictions when in the majority in Latin America.

Leaving aside his hypothesis’s accuracy across Latin America, it is clearly limited in making sense of secular evolution in Ireland. If anything, competition facing the Catholic Church has been stiffer since the last quarter of the twentieth century than at any time since Catholic Emancipation under British rule. And yet, Catholic elites have not pushed for restrictions on new minorities. They made little effort to oppose judicial protections for minorities back to the *Quinn’s Supermarket* decision related to Jewish grocers, and have similarly encouraged the state to accommodate the Muslim community through educational provision and symbolic recognition. This begs the question of why Catholic elites chose to respond to the increase in nonbelievers and more competition from religious minorities by conciliation rather than by clinging even tighter to unequal state support for their community. The need to get beyond simple material interests is further highlighted by the fact that similar Catholic leaders responded differently to the same set of interests in the last decades of the twentieth century. While Dr. McQuaid remained dedicated to pushing Catholic teaching aggressively into civil law, his immediate successors were much more willing to step away from Catholic primacy so long as the state remained generally benevolent in its treatment of the religious community.

This behavior, and the institutional evolution that it drove, is intelligible only once accounting for the coalition alliances promoted by the structure of benevolent secularism. In promoting cooperation between religion and state institutions, and principled distance
among religious communities, benevolent secularism impacted the preferences of Catholic elites, specifically by promoting the dominance of pious secularists over more exclusivist Catholic voices like Archbishop McQuaid. This in turn explains why Catholic clerics came to play a part in promoting principled distance in the face of new religious diversity. Pious secularism carried the day within Irish Catholicism, and in turn drove institutional evolution, because of the configuration of benevolent secularism, in combination with the theological developments of Vatican II. Faith leaders have decisions to make about how to respond to changing religious landscapes. These decisions are incomprehensible without attention to coalition partnerships across faith lines and the religious-secular divide.

Rational choice theories of political behavior, from Gill and others, have made substantial contributions to our understanding of religion’s political role in a range of applications. My own case is at least loosely rational, as religious and political elites make calculations of what institutional evolution will best meet their preferences. There is an element of learning involved as well, as Catholic leaders perceived, for instance, through the divorce referenda that over time they were less able to deliver votes in favor of Church teaching. Perhaps Catholic hierarchs in the early 1970s were even anticipating the social scientific arguments about self-defeating religious monopolies that would emerge in the sociology of religion two decades later.\footnote{Finke and Stark, \textit{The Churching of America.}} Moreover, the public opinion analysis above suggests that popular attitudes may put boundaries on the rational calculations of religious elites. With broad support for differentiation and principled distance, even among Irish Catholics, any clerics who desired to push evolution in a more exclusivist direction would be facing significant opposition from within his own pews.
However, Irish secular evolution demonstrates that these models are hopelessly underspecified unless they take more explicit account of the institutional environment that structures relationships among religious and secular elites. A focus solely on rational competition would overpredict conflict in the newly pluralistic Ireland, and underestimate the relative stability of benevolent secularism. Partnerships across the religious-secular divide, and between faith communities, shed light on why the collapse of Catholic Ireland has not led to the collapse of benevolent secularism.

7. Conclusion

This chapter demonstrates the role of coalition partnerships in stabilizing Irish benevolent secularism. The collapse of Catholic Ireland made conditions seem open to a major revolution in religion-state relations. One could easily imagine the overthrow of benevolent secularism by more anticlerical forces. However, developments from the New Ireland Forum to the Forum on Patronage demonstrate that the core principles of benevolent secularism, differentiation, cooperation and principled distance, endure in Ireland. In fact, insofar as there has been institutional evolution, it has strengthened principled distance and made Irish religion-state relations even closer to the ideal benevolent secular type. This evolution in Irish institutions has been driven by the coalition alliances that benevolent secularism promotes: strong interfaith relations and a minimal religious-secular divide. These mechanisms are observable at the elite level around debates like patronage reform and the Irish Muslim minority, and in the general population through public opinion analysis.
The relationship between coalition alliances and institutional structure demonstrates my general argument concerning the path dependent nature of benevolent secularism. In Ireland, the critical juncture around the 1937 Constitution established the basic rules by which religion and state interacted with one another. Patterns of cooperation and principled distance under these institutions encouraged the formation of a diverse coalition of political elites, Catholic clerics, and religious minorities in favor of benevolent secularism. That coalition has now become the source of benevolent secularism’s stability, even in the face of rapid decline in Catholic dominance. Key partnerships across the religious-secular divide and bridging interfaith gaps have undercut attempts to overturn benevolent secularism, and instead encouraged Irish institutions to evolve a robust principled distance in a more pluralistic republic.

Ruairi Quinn famously called Ireland “post-Catholic” over a decade ago. Time may prove him right on the demographics, but he has already been vindicated in the realm of state secularism. The unequal advantages of Catholicism from the independence era are a thing of the past, worn away by changes in demographics and discontent with the political role of the clergy. What has evolved, however, retains the basic benevolence in treatment of religion that has characterized Irish secularism since the independence period. These institutions continue to be contested by an array of actors, both religious and political, some of whom want to replace Ireland’s tradition of secular pluralism with a more anticlerical form of religion-state separation. However, these revisionists face stout coalition resistance, from both religious and secular parties to the benevolent Irish bargain.
CHAPTER 4
SECULAR EMERGENCE IN SENEGAL: LAÏCITÉ IN TRANSLATION

1. Introduction

“La République du Sénégal est laïque, démocratique et sociale.” From the first words of Article 1, Senegal’s constitution foregrounds the religion-state relationship. The wording has remained largely unchanged since the immediate post-colonial period, in spite of substantial constitutional developments through that same time. How did Senegal, a highly devout Muslim-majority country, emerge as a secular democracy after independence from France? And what does laïcité mean in its Senegalese translation?

This chapter sets out the institutions of state secularism in Senegal and their role in shaping the preferences of a diverse coalition of supporters. The institutional design of benevolent secularism played a central role in securing the twin tolerations during the critical juncture as Senegal reached independence. Religion would play a substantial role in public life, without provoking either pole of the secularism trap.

This chapter focuses on the critical juncture around Senegal’s independence from French Sudan in 1960, President Léopold Sédar Senghor’s political victory over Mamadou Dia, his once partner and later rival, in 1962, and Senghor’s reelection as President in 1963. This period parallels the end of the Free State in Ireland; colonial imposition of political institutions drew to a close, and local elites had the opportunity to set new institutions in place to configure the relationship between religion and state. This window of indeterminacy in Senegal attracted a wave of bargaining, with groups like the Conseil Supérieur des Chefs Religieux pushing for a state that enforced Islamic law. With Senghor’s victory, institutions of benevolent secularism had won out over alternatives.

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offered by other parties. Its major features, differentiation, cooperation and principled distance, moved from constitutional language to more concrete patterns of policy formation in daily politics.

The Senegalese constitutional text quoted above offers a almost direct parallel to Article 1 of France’s 1958 Constitution, which declares France a “République indivisible, laïque, démocratique et sociale.” As with many political institutions promoted by Senegalese President Léopold Sédar Senghor, elements of the religion-state relationship were indeed influenced by patterns from French history. However, as I demonstrate throughout this chapter, while some formalities of constitutional wording echo French documents, from its earliest days laïcité was substantially different in the Senegalese context. French Third Republic statesman Léon Gambetta quipped that anticlericalism was not an item for export, and this showed through in the Senegalese configuration of laïcité. Laïcité in France is a version of what Ahmet Kuru has called “assertive secularism,” subordinating religion to the state and forcibly cleanses the public sphere of religious influence. Laïcité takes on a different institutional shape in Senegal, exemplifying the three characteristics of benevolent secularism: differentiation, cooperation and principled distance.

This chapter moves forward in four parts. First, I set out the basics of Senegal’s religious landscape. Second, I document the benevolent nature of Senegalese secularism, and trace the presence of differentiation, cooperation and principled distance in Senegalese political institutions. Third, I demonstrate the impact of this institutional design within the coalition blocs that bargain over the place of religion in democracy: the

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184 Kuru, “Passive and Assertive Secularism.”
Muslim majority, state bureaucratic elites, and the Catholic minority community. After considering alternative explanations of the twin tolerations in Senegal, I close by examining an episode of instability in Senegalese secularism around the Code de la Famille. Resolution of this crisis was deferred during the critical juncture of secular emergence, and demonstrates the coalition tensions that would later drive secular evolution.

2. Senegal’s Religious Landscape

It is easy enough to see that Senegal Muslim-majority country. Any walking trip near downtown Dakar’s mosques on a Friday afternoon encounters streets blocked with prayer mats. Along with Sub-Saharan neighbors like Niger and Mali, Islam reached Senegal only in the second millennium CE, well after the initial waves of Islamic conversion in North Africa. Wholesale conversion did not take place until the nineteenth century. The country has since largely converted, with 90-95% of the population currently identifying as Muslim. The coexistence of such an overwhelming Muslim majority with religious liberty and secular democracy sets Senegal apart from Muslim-majority dictatorships in the Arab world, although, as Stepan and Robertson have convincingly argued, not from other Muslim-majority democracies like Turkey, Indonesia and Bangladesh.\(^{185}\)

While it is tempting to see Senegal as a homogeneously Sunni Muslim society, this in fact misses the substantial diversity within Senegalese Islam. As in Turkey and Indonesia, Sufi brotherhoods predominate in Senegal. While this is not the place for an

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extended discussion of Sufism, it is generally characterized by devotional religious practice and membership in an organized brotherhood, or tariqa. Sufi brotherhoods in Senegal are characterized by close relationships between adepts, known as taalibes, and Sufi leaders, known as marabouts. The taalibe-marabout relationship may be less constraining since large-scale urbanization, but continues to exercise substantial influence on personal behavior. Because this relationship is individualized, membership in Sufi brotherhoods is not precisely analogous to that in a Mainline Protestant denomination. There is division among the brotherhoods, but also within them between different groups of marabouts.

While demographics would tell you that Senegal is over 90% Muslim, this masks the relative balance among a range of Sufi brotherhoods in the country. Two deserve particular attention here: the Mouridiyya (Mourides) and Tidjanniyya (Tidjanns). Mourides make up a bit more than 30% of the overall population, while the Tidjanns are nearly 50%.186 The Tidjann tariqa began in North Africa and spread to the area of contemporary Senegal under the leadership of Al-Hajj Umar Tall in the mid-nineteenth century. While Umar Tall adopted a largely hostile pattern of relations with animist and French forces, later Tidjann leaders, notably Al-Hajj Malik Sy, were less militant.187 The Tidjanns spread through the country, notably in the area around Tivaouane, and had an urban presence across the Quatre Communes cities at the heart of French Senegal before the Mourides. Political life in the early twentieth century centered on these communes, and thus the Tidjanns acquired significant influence among the emerging political class.

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In part because of this social prominence, the *tariqa* became a tempting target for internal factionalization, and rivalries between distinct lines within the Tidjann community became pronounced. This remains the case to this day, and is frequently cited in conversation as a reason that the Tidjanns have seen their political influence wane relative to the newcomers to Senegal’s Sufi landscape, the Mourides.

The Mourides are the youngest of the major Sufi *tariqas* in Senegal, and yet have rapidly acquired symbolic and material power. Sheikh Amadu Bamba Mbacké, founder of the Mourides, is a national symbol of independence and uprightness. Amadu Bamba was twice exiled by French colonial authorities, who feared his rising social influence in the late nineteenth century, and even after his return in 1907, lived under French suspicion. The Mourides grew rapidly as independence approached, drawing many members from the Quadari and Tidjann communities. The Mouride focus on the link between religious discipline and physical labor has promoted commercial success in the peanut-based rural economy and in various urban commercial enterprises such as bus transportation and even manufacturing. By reputation, the Mourides are more united than the fractious Tidjanns, and Mouride marabouts are assumed to have a particularly powerful sway over their followers. The Mouride heartland is Touba, now Senegal’s second largest city, which is entirely owned by the family of the current caliph of the order. As I discuss at length in the sections that follow, the Mourides have translated the wide social respect for Sheikh Amadu Bamba into wide influence on politics and even symbolism of Senegalese nationhood.  

While the Muslim community predominates, Senegal is also home to a small but

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influential Christian minority. This group, overwhelmingly Roman Catholic, is approximately 5% of the population, and reflects the lingering influence of French colonial rule. Various Catholic religious orders played a prominent role in health and education during the French period, and the Cathédrale du Souvenir Africain, French West Africa’s first cathedral, remains a downtown Dakar landmark. Perhaps most importantly for the study of Senegalese secularism, Senegal’s post-independence leader, Léopold Sédar Senghor, was a practicing Catholic. Senghor’s personal views on relations among religions and the relationship between religion and state remain central to understanding laïcité in this state, and receive extensive attention below. The Catholic community is spread across lines of family and ethnicity, which may help explain the generally peaceful state of interfaith relations. Both formal and informal interview subjects routinely referenced families that contained both Catholic and Muslim members. Catholic educational institutions like the elite Cours Sainte-Marie de Hann are another crucial site of interfaith integration. Smaller Protestant communities do exist as well across Senegal, particularly in Dakar, but play a less prominent public role than do Catholic clergy and laity.

This brief overview of the religious landscape of Senegal raises a number of theoretical themes that will remain central to my analysis of laïcité. First, any account of religion in Senegalese life must acknowledge the diversity among the Sufi brotherhoods, and the real rivalries that thus shape religion’s public influence. A shared pattern of religion-state relations has emerged over time, but the level of contestation among the brotherhoods is a consistent feature of Senegal’s religious landscape. It is indeed Muslim-majority, but any expectation that this would lead to cohesive religious monopoly is put
to rest by the reality of competition among the many brotherhoods. Second, the relatively recent predominance of the Sufi brotherhoods means that traditional African religions had substantial social influence in the recent past, and continue to shape Senegalese norms regarding tolerance and pluralism. More than one conversation about religion in Senegal started with, “We are 95% Muslim, 5% Christian, and 100% animist.” Accounting for traditional African religion remains a challenge to institutions of benevolent secularism.

3. **Assessing Laïcité as Benevolent Secularism**

As sketched in the introduction, Senegal has substantially altered the understanding of laïcité associated with the state-religion relationship in France. The institutions of secularism in Senegal, from the independence period to the present day, demonstrate the characteristics of benevolent secularism: (1) differentiation of religious and state institutions, (2) cooperation between religion and state in the public square, and (3) principled distance of the state among religious communities. As Senegalese scholar Djibril Samb puts it, “Laïcité essentially signifies separation, but not antagonism, of political and religious power.” While basic equality among religious traditions is a key value, there is no assumption that substantive state support for a religious community

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189 Senegal is not the only case where French colonial religion-state policy did not bear a resemblance to laïcité in mainland France. As Daughton points out in his excellent study of religion in French colonial Indochina, Madagascar and Polynesia, even at the height of anti-clericalism in mainland France, colonial administrators frequently found a place for religious communities in public functions like education and healthcare. J. Daughton, *An Empire Divided : Religion, Republicanism, and the Making of French Colonialism, 1880-1914* (Oxford ; New York: Oxford University Press, 2006). One French administrator in Senegal remarked that anticlerical laïcité would be counter-productive, as the Muslim leaders and population “were happy to see that the whites had religious leaders of their own” Elizabeth Foster, "An Ambiguous Monument: Dakar's Colonial Cathedral of the Souvenir Africain," *French Historical Studies* 32, no. 1 (2009): 85-121.

need violate that neutrality. Below, I set out the basic institutional features of Senegalese secularism, or what former president Abdou Diouf has called *laïcité bien comprise*, laïcité properly understood.\(^{191}\) This includes evidence from central documents like the constitution as well as the implementation of those documents in policy formation and less formal patterns of elite behavior.

Senegalese laïcité stands in sharp contrast not only with advocates of laïcité in early twentieth century France, but also with American separationism that views even non-preferential state support for religious institutions as an inevitable source of discrimination (Nussbaum 2008). In typological terms, Senegalese secularism closely resembles benevolent secularism. In contrast to assertive secularism, it does not allow for the coercive priority of state priority over religious communities, as in French laïcité or Kemalist Turkey.\(^{192}\) In contrast to passive secularism, Senegal does not feature a “wall of separation” that is so familiar in American political discourse and jurisprudence. Cooperation between religion and state is extensive, and takes place in both material and policy consultations. Whereas “passive secular” regimes like the United States limit such cooperation to avoid discrimination, Senegal’s benevolent secularism permits it, provided the state maintains a principled distance among the diverse religious communities.

The basic differentiation of religious and state institutions feature prominently in the constitution. Religious and state institutions are constitutionally distinct, and, because the state is not representative of any one religion, religious liberty is protected for citizens. As noted above, the republic is described as laïque even before it is described as


\(^{192}\) Kuru, “Passive and Assertive Secularism.”
democratique, and there is absolutely no attempt to establish an official religion along the lines of Muslim-majority republics like Egypt or the established churches that endure across much of Europe. Article 6 does declare the sanctity of the human person, but gives no exclusively religious basis for this statement. Sovereignty rests with the people, not any religious community, and when Article 1 Section 2 reference “one faith (une foi)” there is no particular linkage to a religion. Free exercise is just as prominently declared as disestablishment. Article 1 guarantees equality under the law regardless of religion, Article 4 prohibits religious discrimination, and Article 19 guarantees “liberty of conscience, the profession and the free practice of religion.” There are no religious tests for office, and, as discussed at length below, Leopold Senghor was a Catholic. Loi 65-60 of the 1965 Penal Code set out a range of specific punishments for inhibition of free exercise, including steep fines and prison sentences for interrupting religious services (Article 231) or preventing a minister from completing his worship functions (Article 233).

Differentiation shows through in electoral institutions as well, through a formal prohibition on religious political parties. Senegal explicitly outlawed religious political parties in the 1978 constitutional revisions, which “forbids political parties identified with a race, ethnic group, sex, religion, sect, or region.” This general prohibition has been in place since the post-independence period, when political competition was broadly constrained. The most important Sufi leaders did not support forming religious

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194 It is important to acknowledge that, while Senegal did move steadily towards consolidated democracy after independence, there were still real constraints on political competition throughout Senghor’s terms in office. Political parties were strictly limited by the executive. The basic features of laïcité, then, emerged during a period that was imperfectly democratic. See Leonardo Alfonso Villalón, "Negotiating Islam in the Era of Democracy: Senegal in Comparative Regional Perspective," in *Tolerance, Democracy and Sufis in Senegal*, ed. Mamadou Diouf, 239-68, (New York: Columbia University Press, 2013).
political parties, although less prominent Muslim leaders did push the boundary.

Maintaining differentiation in party politics proved challenging in practice. As multiparty competition has expanded in the past quarter century, a range of marabouts politiques has entered the partisan fray, notably Kara Mbacké’s Parti de la Vérité pour le Développement (PVD). State authorities have hesitated to ban parties, so long as they do not formally limit their membership on religious grounds. The PVD and other parties like it receive extensive attention in Chapter 5. For the purposes of documenting differentiation, it is enough to note that the ban on religious parties contributed to sharpened distinctions between state and religious institutions.

While differentiation is central to Senegalese secularism, its benevolent structure comes with two other dimensions: the cooperation between state and religions and the principled distance among religious communities. As Samb puts it, “The Senegalese secular republic does not isolate God nor condemn God to exile.” As is common in benevolent secular states, material cooperation shows through in education. The explicitly acknowledged role of the religious community in education (Article 17) reinforces the non-hostile sense of disestablishment in the Senegalese setting. The state provides bursaries in support of religious education, most of which are paid to Muslim parents sending their children to Catholic schools. Cooperation in education extends beyond the primary level. The state has also funded foreign study at major Arabic educational centers like Cairo’s Al Azhar.

This pattern of religion-state cooperation extends beyond education to what Donal

195 Samb, Comprendre la Laïcité, 115.
Cruise O’Brien has termed the “contrat social Senegalais.” Here, cooperation moves from constitutional language to daily interactions to implement policy. Cruise O’Brien’s “social contract” involves mutual exchange between political elites and the various Sufi brotherhoods, and touches on matters as diverse as development planning and agricultural policy. The Sufi brotherhoods encourage electoral participation and the collection of tax revenue, in exchange not only for relative autonomy from the state, but also for receiving substantial material concessions from the state in the form of tax exemptions, land grants, and development assistance. As Cruise O’Brien points out, this cooperation extends to symbols of endorsement, such as political attendance at religious festivals. While these patterns of exchange led more than one interview subject to remark that Senegal is not really a secular state, they are in fact in keeping with the dimension of cooperation that characterizes benevolent secularism.

State cooperation with religious institutions extends to policy consultation in addition to these patterns of material exchange. At secular emergence, family law was the epicenter of this consultation. As in Ireland and the Philippines, religious elites had a special interest in law related to family law, particularly marriage and inheritance, and political elites at independence realized that this area required careful consultation with a variety of elite marabouts. In 1961, Prime Minister Dia convened a commission to study the matter, including sending hundreds of questionnaires concerning existing personal law customs throughout Senegal. While other consultations have been a bit less thorough, the basic consultative pattern existed more broadly. This has included

agricultural policy related to the pricing of the key peanut crop, meeting key development milestones such as the Millennium Development Goals, and cooperative strategies to limit the spread of HIV/AIDS. These consultations are not without controversy, and do not necessarily resolve all differences. The family law consultations, as described below, remain contested. However, the existence of these regular consultations indicates the cooperative relationship between religion and state, and the benevolent structure of secularism.

The final feature of benevolent secularism, the principled distance of the state among religious communities, also shows through in Senegal. Article 1, Section 1 closes by stating that the Republic “respects all beliefs,” regardless of particular religious identification. Khadim Mbacké, a Mouride scholar at the Institut Fondamental d’Afrique Noire, pointed out that while laïcité means “equal support for all religious communities,” in proportion to the demands that the communities make of the state. In the area of material support, the state provides funds for construction and maintenance of houses of worship on an interfaith basis. The massive mosque in Touba, the spiritual capital of the Mouride brotherhood, was completed in 1963 with state support, and CFA 10 million supported renovations of the Cathédrale du Souvenir Africain at nearly the same time. Such support also extends to the realm of pilgrimages and festivals. The state pays for a large hajj pilgrimage each year, and, in the interest of maintaining a principled distance, funds a Catholic pilgrimage to Rome and the Holy Land as well. The state provides substantial infrastructural support for the grand Sufi festivals, particularly the magal pilgrimage that brings more than a million pilgrims to the Mouride heartland each year.

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200 Khadim Mbacké, interview by David Buckley, Dakar, Senegal, June 30, 2010.
201 Joseph-Roger de Benoist, Histoire De L’église Catholique Au Sénégal: Du Milieu Du Xve Siècle À L’aube Du Troisième Millénaire (Dakar: Karthala, 2008), 431.
While no similarly large Christian festival requires state support, there are a range of Christian state holidays, including a popular Pentecost celebration that brings a large pilgrimage to the Marian prayer site at Popenguine.  

The principled distance of the state from its religious communities also motivates a set of exemptions from generally applicable laws. These exemptions rest on Article Nineteen’s guarantee that religious institutions may “regulate and administer their affairs in an autonomous manner.” President Senghor and his marabout allies interpreted autonomy broadly, including land concessions and regulatory exemptions for the Mourides in the agricultural realm. Abdou Lahatte Mbacké, Caliph General of the Mourides from 1968-1989, obtained his two thousand acre personal farm from government protected forest, and turned it into a flagship of agricultural ingenuity. Mouride peanut producers were allowed exemption from state-controlled price cooperatives, and thus receive a higher price for their peanuts by selling directly to Dakar-based merchants. This basic pattern has continued even after urbanization in Touba, as various trade and taxation laws do not apply there, making its markets a key driver of Mouride international commerce. These exemptions can be quite controversial, and the sense that they no longer maintained a principled distance among religious groups spurred the secular evolution analyzed in Chapter 5.

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202 It is important to note that the principled distance of Senegalese secularism is imperfectly realized. Fatou Kiné Camara argues that traditional African religions remain slighted by the secular state. Fatou Kiné Camara, interview by David Buckley, Dakar, Senegal, June 23, 2010). While Muslim and Catholic groups clearly are within the bounds of contemporary principled distance, it is less clear how smaller Christian or other religious communities fit within this lasting pattern.

203 These land concessions were in fact another pre-independence legacy, indicating the strong path dependent character of religion-state relationship in Senegal. In 1928, the French granted land ownership over Touba’s Grand Mosque and 400 hectares around it to the family of the Khalife General, and the brotherhood has built on this general pattern ever since to consolidate its influence. Cheikh Guèye, Touba: La Capitale Des Mourides, (Dakar: Karthala, 2002), 286.

204 Cruise O’Brien, Symbolic Confrontations, 35.
It is worth noting that laïcité is largely a matter of executive practice in Senegal. Souleymane Bachir Diagne, Senegalese philosopher and former political advisor to President Abdou Diouf, frames laïcité as more of a “system of practice” than a “bureaucratic code,” from its earliest days under Senghor to the present. In contrast to the kinds of judicial battles over religious parties that have regularly occurred in Turkey, for instance, or subnational efforts to promote religion in public schools in a federation like the United States, the institutions of laïcité in Senegal are largely controlled and applied by the executive branch. Since President Senghor’s triumph over Prime Minister Mamadou Dia in 1962, Senegalese political institutions have strongly favored the executive over the legislative and judiciary. Because of this, decisions regarding religion-state relations are closely linked to the political calculations of the current president, and less strictly codified through rigid jurisprudential decisions. As presidential interests and ideologies have shifted over time, so has the application of laïcité. In some ways, this makes the analyst’s job easier. While political struggles may lurk in the jurisprudential weeds in the United States, for instance, the politics of secularism are more apparent in Senegal.

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205 Souleymane Bachir Diagne, interview by David Buckley, New York, NY, March 2010.
In sum, Senegal’s institutional relationship between religion and state demonstrates the three core characteristics of benevolent secularism: differentiation, cooperation and principled distance. Table 1 summarizes these dimensions. This configuration maintains the differentiation between religion and state while actively promoting a high level of political engagement on the part of major religious institutions. These three features emerged at the critical juncture of independence, and, as analyzed in Chapter 5, endure to this day. After a period of indeterminacy, the rule of President Senghor firmly established these institutional rules, in both constitutional law and the practice of everyday politics. As in Ireland, principled distance is not always perfectly realized in

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Evidence</th>
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<tbody>
<tr>
<td><strong>Differentiation</strong></td>
<td></td>
</tr>
<tr>
<td>Disestablishment</td>
<td>Article 1, Section 1, Constitution of Senegal: “The Republic of Senegal is laïque.”</td>
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<tr>
<td><strong>Religion-State Cooperation</strong></td>
<td></td>
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<tr>
<td>Support Religious Education</td>
<td>State bursaries to attend religious schools.</td>
</tr>
<tr>
<td>Institutionalize Religious-State Policy Consultation</td>
<td>State survey of religious elites around development of family code.</td>
</tr>
<tr>
<td><strong>Principled Distance</strong></td>
<td></td>
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<tr>
<td>Equal Access to Public Support</td>
<td>Funding of hajj for Muslim majority, and Holy Land pilgrimage for Catholic minority.</td>
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<tr>
<td>Provide Religious Exemptions from Generally Applicable Law</td>
<td>Article 19, Section 2, Constitution of Senegal: “Religious institutions regulate their affairs in an autonomous manner.”</td>
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Senegal. Fairness among the Sufi tariqas has long been a source of contestation, and the involvement of traditional African religions in this balance has proven particularly problematic. Still, the expectation of impartial treatment is clearly expressed. Laïcité in Senegal took a benevolent form, quite distinct from its French namesake.

4. Institutional Effects on Coalition Politics

Senegal’s transition from colonial rule to independence presented a critical juncture, a window of institutional indeterminacy during which the current regime of laïcité emerged. As political factions jockeyed for position in the coastal urban centers, they had every incentive to seek the favor of Sufi brotherhood elites. At the same time, some Muslim leaders sensed an opportunity to bring Muslim doctrine into state law, as the departure of colonial authorities would allow the Muslim majority to unite political and religious authority in a way not possible under French rule. A group of clerics united across the Sufi brotherhoods to demand some kind of formal constitutional establishment of religion, including reserved legislative seats for the Muslim community. And yet, out of this period of flux, the twin tolerations emerged, rather than either extreme of the secularism trap. What explains this outcome? In short, this institutional configuration of laïcité secured the twin tolerations because it impacted the preferences of the key blocs bargaining over the relationship between religion and state. Institutional design thus encouraged a diverse coalition of support, notably Sufi Muslim leadership, state political elites, and the Catholic minority. This section traces the diverse ways in which institutions shaped preferences within these groups, and tests the hypothesized institutional effects within each coalition bloc set out in Chapter 1.
I hypothesize that benevolent secularism shapes preferences of the religious majority by empowering pious secularists and diminishing the appeal of calls for merging religion and state institutions. Pious secularists came to predominate among the Muslim majority in response to the emergence of benevolent secularism under Senghor’s rule. This group’s preferences were not for official religious establishment, which could sully the purity of the religious community, but rather for the combination of differentiation and cooperation that make up two dimensions of benevolent secularism. Pious secularism drew on Senegalese Sufi history, exemplified by Mouride founder Amadu Bamba, whose dedication to peaceful confrontation with state authorities continues to exercise tremendous influence even among non-Mouride tariqas. As Robert Fatton argues, “Their legitimacy as spiritual and moral patrons of the peasant taalibe relies on their capacity to be perceived as the sacred symbol of protection from and opposition to the state.” On a more material level, the cooperative dimension of benevolent secularism not only benefited the marabouts, but also their broader circles of followers, who were installed as clerks, bureaucrats, and interpreters for the administration. Even if this cooperation was not rooted in any great love between the brotherhoods and the state, shared interests developed over time.

The triumph of pious secularists within the Muslim majority during the period of secular emergence shows through in the failure of Islamic alternatives who called for a fusion of religious and state institutions. This point of view was alive and well as Senegal moved to independence, but lost ground as the benevolent structure of laïcité emerged. The most prominent Muslim calls for an alternative to pious secularism came

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206 Robinson, *Paths of Accommodation*.
from the Conseil Supérieur des Chefs Religieux, and later from the Parti de la Solidarité Senegalaise (PSS). Disaffected Mouride and Tidjann leaders founded the Conseil Supérieur in 1958 to push for a more explicit Islamic identity in the post-colonial state. Its charter declared its intention to “maintain the dogmas of Islam in their true sense,” and “to secure acceptance for any constitution which conforms to the interests of Islam.”  

The organization also demanded that Senghor set aside half of the seats in the proposed national assembly for Muslims, to be selected by the Conseil Supérieur. Cheikh Tiadianne Sy, a leader of the Conseil Supérieur, would go on to found the PSS, a political party to serve as the “champions of Islam” against the “Catholic menace.” In addition to the Conseil Supérieur, which still drew largely on clerics from within the major Sufi tariqas, an Islamic reformist movement began to gather steam in Senegal in the 1950s under the leadership of Cheikh Touré. His Union Culturelle Musulmane (UCM) was founded in 1953 to revitalize both the public square and the faith community. As Loimeier points out, other reformist groups had previously existed, but the UCM “was not only critical of the French colonial administration but also attacked the Senegalese Sufi orders, in particular marabouts who cooperated closely with the colonial administration.” The UCM challenged the pious secularism of the Sufi orders, and rejected the kind of material cooperation and pious withdrawal that characterized mainstream Sufi practice.

Ultimately, these movements lost out to pious secularists within the Muslim

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community. Pious secularists carried the debate because of the benevolent structure of laïcité, in particular its combination of differentiation and cooperation. Attempts to resist pious secularism floundered primarily because the leading Sufi elites were pleased with the benevolent secular bargain, and had their own personal authority undermined by critics of this institutional arrangement. The Khalifes of the major Sufi orders had little interest in becoming an official part of the state bureaucracy, and saw differentiation as important to maintaining their institutional autonomy. With Senghor’s skillful consolidation of support from the diverse Sufi tariqas, the Conseil Supérieur disbanded without success in opposing a secular constitution. The PSS found almost no electoral support in 1959 and thus disbanded. Reformist movements in the tradition of these bodies continued on, but as the critical juncture of secular emergence drew to a close, pious secularism held sway among the most prominent Sufi clerics.

Benevolent secularism had a distinct institutional effect among political elites. The testable hypothesis from my theoretical framework is that institutions of benevolent secularism should undercut more anticlerical voices among political elites, in part by sinking costs into cooperation between religion and state. The government official most clearly empowered by the benevolent design of laïcité in independent Senegal was President Léopold Sédar Senghor. Senghor, a Catholic, understood the effect that the institutional relationship between religion and state could have on his own political authority. While a state official, Senghor was no anticlerical. He developed a serious interest in the writing of Jesuit anthropologist Pierre Teilhard de Chardin; finding there

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211 Senghor’s personal skill also takes at least some of the credit for this outcome. When the Conseil Supérieur demanded reserved seats under its control, Senghor cleverly said that half of the seats would be too few for Muslims given Senegal’s general population, and proposed a larger number that would not be controlled by the Conseil. Mbacké, Sufism and Religious Brotherhoods, 108-109.
the philosophical grounding of his own “faithful socialism,” which prompted Senghor to write his “Hommage a Pierre Teilhard de Chardin” in 1963. In Senghor’s writings about Teilhard, and on the crucial role of religion in achieving socialist goals in Africa, one can hear the themes of cooperation and principled distance that would mesh well with benevolent secularism in Senegal.

Senghor’s view was not the only alternative vision of religion-state relations among political elites in Senegal during the period of secular emergence. While robust anticlericalism was already rather weak among political elites in Senegal (at least as a serious institutional counter-proposal), Prime Minister Mamadou Dia and his followers did advocate a distinct configuration of religion in public life. The rivalry between Mamadou Dia and Leopold Senghor, Senegal’s two post-independence political giants, was in part a debate within the state elite about how to structure the place of religion in political life. While Dia was a Muslim and Senghor a Catholic, Senghor advocated the more benevolent, cooperative relationship with the Sufi communities, and thus able to win out in their eventual struggle for state power. Dia’s conception of religion-state relations differed from benevolent secularism; he had a less expansive vision of cooperation with the religious community, and may have been willing to weaken the differentiation between religion and state by promoting official state clerical bodies as alternatives to the Sufi orders.

The structure of benevolent secularism ultimately played an important role in accounting for Senghor’s triumph over his one-time ally. Dia’s institutional proposal,

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213 He argues that the opportunity of wedding Catholicism with socialism is essentially the same as that facing his Muslim countrymen, and even links Teilhard’s thought that of “reforming Muslims” working during the same time period. Léopold Sédar Senghor, Pierre Teilhard De Chardin Et La Politique Africaine (Paris: Editions du Seuil, 1962), 65.
with more limited cooperation and weaker differentiation, lost out among political elites because it risked resistance from the leading Sufi clerics. Loimeier describes the institutional effect within the state elite in great detail:

“Dia’s policy of structural reform soon provoked opposition, in particular from the ranks of the powerful Sufi brotherhoods who were afraid that Dia’s reforms would infringe upon their sinecures. Marabouts of both the Mourides and Tidjanns resented the idea of a Supreme Islamic council, fearing for their autonomy. Also, they felt threatened by Dia’s efforts to set up farmers’ cooperatives, a process which reached its decisive stage in 1962: in that year collective fields were formed out of the alarbar-fields that were traditionally cultivated by farmers for the marabouts...Furthermore, the Dia administration had reduced funds and favours for the marabouts and introduced a strategy of granting credits only for well-defined projects. This change of financial policy touched the relationship between government and marabouts at its very heart: the exchange of services between both parties came to an end and the government set about extending its control over hitherto uncontrolled territories.”

In the end, benevolent secular institutions impacted the balance of power within the state elite bloc. Multivocality within this bloc brought internal dissention over the institutional relationship between religion and state, and the configuration of benevolent secularism helped to settle this dispute in favor of Senghor and his allies. Interestingly, the precise institutional effect within the state elite was not so much to undercut anticlericalism, as Dia was not necessarily anticlerical as a whole. Rather, he was less deferential to the existing maraboutic leadership, which led him to pursue a distinct institutional relationship between religion and state.

The final within group effect of benevolent secularism in Senegal took place among the Roman Catholic minority. The hypothesized institutional effect within minorities is to promote those with a preference for engaging in public partnerships, rather than retreating into privatized religious ghettos. While minorities may have a constrained set of options during critical junctures, there are still multivocal positions within any

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religious community. The Catholic minority, for instance, could have withdrawn from public life, resisted progress to more robust democracy, or even pursued emigration to France. The design of benevolent secularism, particularly its combination of cooperation and principled distance, encouraged Catholic elites to adopt a posture of engagement rather than withdrawal. Cooperation with state institutions brought benefits to the Church, for instance through the use of educational stipends by Muslim students to attend Catholic schools. In a pastoral directive of 1964, the Catholic bishops set out regulations for the religious instruction of Muslim students attending Catholic schools, pointing out the importance that “all students receive a religious formation.”

Furthermore, the evenhandedness of principled distance provided Catholics with powerful symbolic recognition of their place in public life. President Senghor argued in 1960 that “fruitful cooperation among Muslims and Catholics” would be essential to addressing the challenges of social development after independence, and this clearly implied that cooperation would not only improve social development, but also the security of the Catholic community. Interfaith dialogue efforts gained pace as independence approached, and a joint Muslim-Catholic communiqué from the hierarchy and Sufi leaders spoke out in defense of marriage in 1961. When Hyacinthe Thiandoum was installed as Archbishop of Dakar in 1962, Tidjann leader El Hajj Seydou Nourou Tall, President Senghor, and the head of the Senegalese army joined in the celebrations. The combination of differentiation, cooperation and principled distance

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217 Ibid.
218 De Benoist, Histoire de L’Église, 420.
engaged Catholic elites in public life, and brought some reassurance that religion and democracy need not threaten their basic rights.

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<thead>
<tr>
<th>Coalition Partner</th>
<th>Hypothesized Within-Group Effect</th>
<th>Evidence in Senegal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Religious Majority</td>
<td>Empower Pious Secularists</td>
<td>Sufi disinterest in <em>Conseil Supérieur</em></td>
</tr>
<tr>
<td>State Elites</td>
<td>Weaken Anticlericals/Sink Costs into Cooperation</td>
<td>Senghor victory over Dia</td>
</tr>
<tr>
<td>Religious Minorities</td>
<td>Engage in Public Partnerships</td>
<td>Catholic-Muslim statement on marriage</td>
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Tracing debates within the relevant coalition blocs during the independence period shows that benevolent secularism secured the twin tolerations by shaping the preferences of Sufi clerics, political elites, and the Catholic minority. Table 2 summarizes these effects and highlights some evidence of each. Within each group, benevolent secularism promoted elites who would support the twin tolerations, rather than falling into either half of the secularism trap. With these within group effects, Sufi clerics, political elites and Catholic leaders could unite in a coalition that secured the toleration of the state for religious associations, and the toleration of religious communities for the autonomous functioning of the state. This remained a diverse coalition, and the tensions within each bloc did not simply disappear after the critical juncture. Still, institutions of secularism emerged, with lasting consequences for Senegalese political development.
5. **Alternative Explanations of Laïcité’s Emergence**

According to leading alternative explanations, Senegal’s critical juncture of secular emergence was a least likely case for the twin tolerations. Theories of secularization, rational competition, and religious moderation would all worry that the secularism trap should spring in a largely homogenous, underdeveloped, religiously orthodox country as it opened democratic politics. A closer look at these alternatives shows their difficulty in making sense of the empirical record at Senegal’s independence, and suggests some ways in which each may contribute to my own theoretical account.

A first alternative, secularization theory, sees the twin tolerations as a product of the broader process of religious disenchantment that accompanies economic and political modernization. In this framework, the twin tolerations emerge as a part of the decline of religious institutions and individual belief that is intricately linked to increased material security. Senegal’s record during the independence period does not square with the clearest predictions of this theory. It was an extremely economically underdeveloped country at independence. Individual religiosity was by all accounts extremely high at the time, as public opinion evidence from the contemporary period in Chapter 5 indicates it remains today. It is true that some more “modernized” urban elites tended to be vocal advocates of laïcité in the late colonial period, but there is little evidence that the poorest, rural parts of the country served as hotbeds of resistance to the twin tolerations. Indeed, resistance from groups like the *Conseil Supérieur* grew from the rather educated, urbanized populations with more exposure to formalized Islamic education.

The empirical record of secular emergence in Senegal suggests a more complicated relationship between development and the twin tolerations. The Sufi orders,
headedquartered in less developed, rural areas of the country, were actually quite content to support the twin tolerations so long as benevolent secularism worked to their benefit. Their basic preference was *not* to fuse religious and state institutions, in spite of secularization theory’s contrary prediction. The impulse to break down the twin tolerations actually came from communities more exposed to economic development, urbanization and formal education. Moreover, the low level of development in Senegal at independence meant that traditional Sufi orders were widely popular, and faced limited competition from Muslim challengers. If the Sufi orders were *less* influential at independence because of a higher level of economic development, there is little evidence that the twin tolerations would have been a more likely outcome. This suggests that the process of development may be as threatening to the twin tolerations as the presence of underdevelopment. This is a major theme of Chapter 5, as significant urbanization has challenged secular institutions to evolve.

In contrast to secularization theory, rational choice theorists might contend that Senegal was not such an unlikely case for the twin tolerations after all. In this framework, the twin tolerations were a result of purely material competition among relevant actors during the critical juncture. Although Senegal is appears homogenously Muslim, a material interest-driven approach like Gill’s would explain that laïcité owes its existence to competition among Sufi orders for resources and membership, which urban elites easily exploited to secure their own power within the fledgling state. Rationalist accounts of religious liberty in the United States have emphasized similar dynamics of religious pluralism raising the costs of any kind of established religion, and thus
increasingly the likelihood of state secularism.\textsuperscript{219} Here, secularism is a kind of hurting stalemate among religious and political factions, and frequently a second preference (at best) among the religious groups who accept its emergence. To borrow from Kalyvas’ focus on institutional structure, the hierarchical authority patterns of Sufi Islam facilitated the outcome, as political elites could trust that the highest levels of Sufi elites spoke authoritatively on behalf of their taalibes.\textsuperscript{220} Competition between groups, but hierarchical coherence within them, resulted in the twin tolerations.

There is little doubt that the institutional characteristics of Sufi Islam were a component of secular emergence in post-colonial Senegal. Senghor exploited rivalry among the Tidjanns and Mourides, as happened for decades at the hands of French colonial authorities. Still, the rationalist argument is lacking in a few crucial ways. First, as Casanova has pointed out regarding the United States, there is no reason why internal diversity needs to eliminate the possibility of a general establishment for the majority religious community in a new state.\textsuperscript{221} A kind of non-denominational Protestant establishment was very much on the table in the United States, and Muslim establishment not tied to any one tariqa is not ruled out by rationalist analysis. Second, while this rationalist argument gives a crisp account of formal disestablishment of religion, it says less about other dimensions of benevolent secularism. Most obviously, it is difficult on purely material grounds to understand the interfaith protections granted by benevolent secularism, and how the religious majority could credibly commit to secularism in future generations. Finally, by treating preferences as material, rational choice accounts miss out on the diversity within the coalition blocs over how to institutionalize the religion-state

\textsuperscript{219} Gill, \textit{Political Origins}.  
\textsuperscript{220} Kalyvas, “Commitment Problems.”  
\textsuperscript{221} Casanova, \textit{Public Religion}.
relationship. Multivocality is not simply a distinct material calculation, but rather diverse approaches to the appropriate relationship between religion and public life. Rationalist arguments are important to consider in Senegal, but they underspecify the role of institutions in impacting actor preferences, and overestimate the intensity of competition among religious communities.

The final alternative, centered on religious moderation, would be unlikely to predict the twin tolerations would emerge from Senegal’s critical juncture. In the moderation framework, secularism results from religious actors adopting liberal political theologies, and accepting their place in the private realm in deference to state authority. This argument is difficult to square with the record in Senegal, mostly because it underestimates the orthodox theological grounds on which Senegal’s religious communities came to prefer the emergence of the twin tolerations. Pious secularism won out with various Sufi leaders in large part because the design of benevolent secularism served both their traditional material and spiritual purposes. The Mouride leadership in particular became a defender of laïcité without adopting liberal political theology. A secular state provided a continued foil to clerics who had grown accustomed to contrasting their own spiritual legitimacy with the less impressive authority of state bureaucrats, while simultaneously promoting their visibility over other, non-cooperative Muslim leaders. Liberal theology is not necessary to accept the terms of that bargain.

To be clear, advocates of religious moderation are right to point to the preferences of religious actors as more than material, and subject to change over time. However, the period of secular emergence in Senegal highlights the fact that “moderation” is an unhelpful standard by which to judge the theological positions of religious elites, and that
these theological preferences can themselves be shaped by the structure of political institutions.

In sum, leading alternatives struggle to explain the twin tolerations’ emergence at independence in Senegal. The rationalist account is most helpful in highlighting the impact of Sufi pluralism on institutional outcomes, but underspecifies those outcomes while overstating the intensity of competition among religious factions. Secularization theory underestimates the support of traditional religious elites for the twin tolerations, while theories of religious moderation overlook the factors that shape which certain religious preferences come to predominate in a given community. In each case, these alternatives struggle in part because they overlook the role of institutional design in shaping actors’ preferences. Benevolent secularism played a crucial part in the emergence of the twin tolerations in Senegal. Its impact is easily missed in these alternative frameworks.

6. Hints of Instability: Cooperation and the Code de la Famille

While Senegal adopted benevolent secularism with support from a broad coalition after independence, there were serious tensions built into this alliance. The extent of cooperation between state and religious institutions in the public square became particularly controversial as political elites drafted a unified civil code, including related to family law. The debate about the Code de la Famille highlights tensions within benevolent secularism over the limits of public religion and what the state owes to its religious communities. This debate arose during the period of secular emergence, in the early 1960s, but was so controversial that it was tabled until after the critical juncture. It
provides a useful bridge, then, between the brief window of institutional flux and the longer term processes of evolution that are the focus of Chapter 5.

The consultations described above in Section 3 stretched for over a decade, with the Code de la Famille finally passed in 1972. During this period, customary law still governed a range of personal matters, especially in rural areas. The consultations over generating a unified civil code of family law was interrupted by the Senghor-Dia power struggle, but after Senghor’s marabout-aided victory, he continued the push for comprehensive reform. As it became clear that the code would allow very little space for sharia rulings, various Muslim leaders began to signal their displeasure with the law’s development. In 1970, many of the original supporters of the Conseil Supérieur des Chefs Religieux channeled this resistance into a new organization with a slightly different name, the Conseil Supérieur Islamique du Sénégal. This group presented a series of lengthy documents to the government outlining the provisions of sharia law that would be violated by the proposed code, and in a 1971 letter insisted that “[Islam] incorporates obligatory and immutable prescriptions that nothing can change for whatever reason.”

These objections united Mouride and Tidjann leaders, no small feat as we have seen. Yet Senghor’s government insisted on moving ahead with the civil code.

The crisis that accompanied the family code clarifies tensions between two of the values of benevolent secularism: differentiation of religion and state and cooperation between the two in the public square. On the one hand, the urban, French-speaking bureaucratic elite saw the family law as a key step in differentiating state law from religious and tribal custom. Customary law regarding family relations still predominated in much of the country, and this was unacceptable to modernizers in the political elite,  

222 Villalón, Islamic Society, 228.
particularly advocates of women’s rights. Ministry of Justice records related to the implementation of the code even insist that its provisions outlaw practices “without prescription in Islam or the Gospel.” Any formal state institutionalization of Islamic laws would violate this understanding of the principles of laïcité.

However, the tariqas objected with arguments also rooted in the design of benevolent secularism. Pious secularists among the Sufi leadership supported laïcité so long as it respected the autonomy of the religious community and promoted the cooperation of religion and state. By this standard, the code was a direct assault on a sphere that should be left to the religious community, that of family relations, and a failure in the policy consultations that should unite religious and state actors. This view was, at least in theory, compatible with a kind of principled distance with minorities. A prominent group of Muslim critics argued even recently that the principle of principled distance and cooperation among religions could apply in the realm of family law just as it does in pilgrimage funding, with “Muslims submitted to sharia, and Christians and non-Muslims to their own personal laws.”

On these grounds, brotherhood leaders roundly criticized the law, and have resisted its implementation. The code did in fact allow use of Muslim law for inheritance decisions in “exceptional cases,” and, over time, these exceptional cases have become the norm. A policy review by Amsatou Sow Sidibé found roughly ninety percent of inheritance cases in Dakar were in fact decided by recourse to the Muslim legal exception. Moreover, outside of the coastal cities, Muslim leaders have rendered the law nearly unenforceable in large areas. Mouride Khalife General Abdou Lahatte

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223 Fonds de la Code de la Famille, Archives Nationales du Senegal, Dakar, Senegal.
225 Cited in Villalón, Islamic Society, 229.
Mbacké simply declared by fiat that the law would not apply in the holy city of Touba. As Keba Mbaye, the president of the Supreme Court, admitted with understatement in 1977, “The family code is not rigidly applied in our countryside.”

The *Code de la Famille* debate shows the tensions wired into benevolent secular institutions. Senghor looks wise to delay the code’s promulgation, as it could have had a more explosive impact in the most tense years of secular emergence. Its announcement in 1972, after a decade of religion-state cooperation, brought protest, but no general breakdown in benevolent secularism. Instead, diverse members of the coalition contested the policy within institutional boundaries. This contestation within institutional bounds is a characteristic of the secular evolution discussed in Chapter 5. Opposition to the code is a regular feature of Muslim reformist movements, as they try to build counter-coalitions that succeed where the *Conseil Supérieur* failed. The weak enforcement of the code motivates civil rights organizations, particularly those working for women’s rights, and sharpens divides among religious and secular advocacy groups. While the broader patterns of religious-secular cooperation have stabilized benevolent secularism, the ongoing clashes over the *Code de la Famille* show the significant divides that coexist among blocs that support benevolent secular institutions.

7. **Conclusion**

Laïcité in Senegal, in contrast to its French namesake, bears the characteristics of benevolent secularism: differentiation, cooperation and principled distance. This chapter catalogued those dimensions in constitutional provisions, state policies, and less formal patterns of elite behavior. It then traced the impact that this institutional design had on

\[226\text{ Ibid.}\]
the preferences within each of the three blocs that bargained over the relationship between religion and politics: the Sufi brotherhoods, political elites and the Catholic minority. The configuration of benevolent secularism empowered elites within each of these blocs who came together to secure the twin tolerations during the critical juncture of secular emergence. Institutional design delivered the twin tolerations despite the fact that several leading alternative explanations of religion and democratic life would have pointed to the secularism trap as a likely outcome of this critical juncture.

While the relationship between religion and democracy tends to inspire pride in Senegal, there were significant questions about the structure of benevolent secularism left unanswered during the process of secular emergence. The contentious Code de la Famille debate demonstrated the significant differences that existed even among the actors who supported benevolent secularism in Senegal. Senghor’s decision to delay the final version of the Code until after the critical juncture of secular emergence may have helped stabilize the twin tolerations during the critical juncture, but it also laid the groundwork for future contention over the meaning of benevolent secularism. This ambiguity, particularly over the extent of cooperation between religion and state, helped drive the evolution of secular institutions analyzed in the following chapter.
CHAPTER 5
SECULAR EVOLUTION: SOPÍ AND INSTITUTIONAL CHANGE IN SENEGAL

1. Introduction

In 2000, after decades of gradual political opening to opposition parties, Abdoulaye Wade won election as Senegal’s first president from outside of Senghor’s Parti Socialiste (PS). His Sopi coalition (Wolof for “change”) unseated incumbent President Abdou Diouf, and ushered in a new level of democratic contestation in Senegal. As power passed peacefully from the PS to Wade’s Parti Démocratique Senegalais (PDS), longtime opposition leaders gained control of the levers of state power. President Wade quickly set about a set of constitutional reforms, building on those that had been enacted as part of political opening over the course of twenty years. While most attention was paid to political reforms such as changes to the presidential term, one less electoral innovation sparked sharp debate: a draft constitution removed language regarding the secularity of the Senegalese state. So began one of the more tumultuous periods in laïcité’s post-independence existence.

Wade’s rise to power combined with broader changes to Senegal’s religious landscape to call the stability of laïcité into question. Wade’s Mouride Sufi brotherhood has grown in clout since independence, while movements calling for the merger of Islam and state have increased under the influence of Arab-educated Senegalese elites. Wade and other politicians seemed willing to weaken laïcité if it would bring success at the ballot box. All three dimensions of benevolent secularism came into question: the stability of religion-state differentiation, the extent of religion-state cooperation, and the robustness of the principled distance of the state among the diverse religious
communities. This tumult peaked in 2009, when Catholic youth took to the streets of Dakar to protest President Wade’s remarks denigrating the divinity of Christ.

And yet, the bid to break down laïcité and replace it with an alternative relationship between religion and state fell short. In spite of Wade’s draft constitution, laïcité remains in Article 1, as do the other constitutional essentials described in Chapter 4. While Wade tried to “inaugurate a new paradigm in brotherhood-state relations,” his eventual defeat in the 2012 elections was in part a result of resistance to his manipulation.\textsuperscript{227} In spite of an environment that seemed ripe for the breakdown and replacement of laïcité, the past dozen years saw a period of secular evolution within the bounds set out during the critical juncture of secular emergence. Rather than breakdown, laïcité has evolved in response to challenges, while maintaining the basic features of differentiation, cooperation and principled distance that characterize benevolent secularism. How did benevolent secularism endure this turbulent period? In this chapter, I argue that the evolution of benevolent secularism in an environment ripe for change owes to the coalition alliances set out in Chapter 1’s theoretical framework: the presence of strong interfaith relations and the minimal religious-secular divide. Wade’s two terms in office, from 2000-2012, provide empirical tests of the hypothesized coalition alliances and their effects on institutional evolution.

This chapter moves forward in five main parts. I begin by documenting the changes to Senegal’s religious and political landscape that seemed to constitute such a challenge to benevolent secularism. Second, I catalogue the areas in which benevolent secularism was contested, and the institutional outcomes of these challenges across the three core dimensions: differentiation, cooperation and principled distance. Third, I trace

\textsuperscript{227} Guèye, \textit{Touba}, 274.
evidence that this pattern of evolution, rather than institutional breakdown, is a result of the coalition alliances set out in Chapter 1’s theoretical framework: a minimal religious-secular divide and generally strong interfaith relations. The period leading up to the 2012 presidential election provides ample evidence of these coalition effects. Fourth, I turn to public opinion data to assess whether these elite-focused coalition alliances exist among the general population. Finally, I provide an extended look at one alternative explanation of secular evolution, secularization theory, and its strengths and weaknesses in application to the period of secular evolution in Senegal. Throughout, I make the case that benevolent secularism endures in Senegal because of the coalition alliances that are a result of the institutional structure of the religion-state relationship put in place at Senegalese independence.

2. Setting the Stage for Institutional Change: Political and Religious Opening

The challenge to laïcité in Senegal arose from a period of significant change among political and religious elites. Leadership among the core coalition of state bureaucrats, Sufi leaders, and the Catholic minority shifted in the past two decades. This period of instability made the time ripe for institutional change, and set the stage for the sharp controversies of the Wade administration. Changing leadership posed a test for laïcité, as coalition actors tested the boundaries of seemingly settled state institutions. It is important to note that not all of these coalition changes undermined benevolent secularism; in fact, several played a part in preserving secular democracy from challengers.

The Sopi election in 2000 demonstrated the well-noted pluralization of Senegal’s
political elites.\textsuperscript{228} This was in many ways the culmination of slow political opening that began with Senghor’s opening to opposition parties and developed with the electoral reforms of Senghor’s successor, Abdou Diouf through the 1980s and 1990s. Whereas President Senghor strictly controlled the number and nature of opposition parties during his rule in the 1960s and 1970s, over a dozen contested the 2012 presidential election, with more parties at the local level.\textsuperscript{229} This broad political fragmentation is one reason the run-up to 2012’s executive election was so fluid, with regular jockeying among and within political coalitions, and questions until quite late in the game as to the cohesion of the political opposition. Partisan fragmentation seemed to set the stage for weakening of laïcité, not by empowering anticlericals, but rather by encouraging candidate to jockey for the favor of religious institutions.

Important changes within the state elite coalition block also extended to civil society, particularly the growth of good governance organizations and their relationship to laïcité. In addition to traditional advocates among the women’s movement like the \textit{Association des Juristes Senegalaises}, civil society organizations related to governance became closely tied to debates over laïcité. \textit{Le Conseil des ONG d'Appui au Développement} (CONGAD) and several organizations associated with the umbrella \textit{Assises Nationales} movement made tackling corruption and building quality governance

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229 This pluralization was initially designed to fragment the opposition to Parti Socialiste rule, although it may have in the end encouraged the internal Socialist splits that eased President Wade into power in the 2000 run-off election. Abdou Diouf enjoyed a slight plurality after the first round of elections in 2000, but received essentially same share of the vote in the second round, while Wade gathered support from other major candidates. This included Moustapha Niasse, a former Socialist minister who broke with Abdou Diouf before the 2000 election, and helped to seal his eventual defeat.
\end{footnotesize}
among their top priorities. These actors engaged *laïcité* as an aspect of good governance, in particular framing the maintenance of *laïcité* as a matter of “transparency,” and thus necessary to maintain as a part of a package of good governance reforms such as decentralization and fiscal accountability. As Boubacar Seck, director of CONGAD, put it to me, the faith community has a special responsibility to advocate transparency in *laïcité*, because “without good governance, no real development can take place.” These calls for transparency were not anticlerical per se, but did challenge the undocumented aspects of Sufi-state cooperation. Tax policy in Touba, for instance, remains a realm largely beyond state control, and Beck’s detailing of the 1997 tax revolt among Touba merchants captures just how much state-religion relations are implicated in good governance efforts. Advocates are convinced that modern governance demands such reforms, but this disciplining comes with implications for the kind of cooperation that takes place between religion and state.

If political pluralization has broadened the state actors interested in *laïcité*, shifts in Senegal’s religious landscape were just as important in setting the stage for institutional change. Pluralization weakened the predominance of pious secularists among the Muslim majority, and thus posed a particular challenge to the coalition supporting *laïcité*. The most obvious force moving change among the Sufi brotherhoods is the tide of time: generational succession of Sufi leaders has complicated authority in the brotherhoods. Senegal’s Sufi orders follow a general dynastic succession pattern, with the sons of founding leaders like Amadou Bamba succeeding the initial founder and other first generation heirs. Succession decisions became more complex near the turn of the

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230 Boubacar Seck, interview by David Buckley, Dakar, Senegal, June 22, 2010.
231 Beck, “Reining In the Marabouts.”
millennium. As multiple generations pass, particularly within the Tidjann and Mouride communities, the range of direct descendants grew, as *petits-fils* (grandsons) jockey for internal influence in various ways.\(^{232}\) To build their public visibility, several of these *marabouts politiques* became involved in party politics, moving away from the distance from politics embraced by pious secularists. The most notable of these is Kara Mbacké, founder of the *Parti de la Vérité pour le Développement* (PVD). The stresses posed by generational change are a regular feature of Sufi authority, and will continue to challenge the Sufi cohesion that facilitated religion-state cooperation in the past.

Further weakening of pious secularism took place through the growth of “reformist” Muslim groups since the 1980s. These groups are a diverse lot, but the term generally refers to associations that stand at some distance from the official Sufi brotherhoods, frequently because of the Arab theological training of their leaders. The first major reformist movement, mentioned in Chapter 4, was the *Union Culturelle Musulmane* (UCM) of Cheikh Touré. Today Islamic associations have proliferated widely, from broad movements like the *Jamaat Ibadou Rahman* (JIR) to student associations at Université Cheikh Anta Diop de Dakar and Islamic women’s groups. These groups frequently criticize the syncretic aspects of Sufi practice, and in their bolder moments have even called for the end of the marabout-taalibe relationship that grounds brotherhood influence. The most vocal reformists have explicitly challenged the secularity of state institutions, notably the *Code de la Famille*. *Le Comité Islamique pour la Réforme du Code de la Famille au Senegal* (CIRCOFS) is the most visible example of an explicitly revisionist movement working against the differentiation of religious and

\(^{232}\) These kinds of succession struggles have clearly contributed to the fragmentation in the Tidjann community, and while the Mourides have thus far maintained a more coherent authority structure, internal dissension appears to be on the rise there as well.
state institutions.

Forces like urbanization further pluralized Muslim leadership in the lead up to Wade’s election.\(^{233}\) While these newer actors are not necessarily opposed to laïcité, they do pose a challenge to the authority of the pious secularists atop the Sufi brotherhoods. Abdoul Aziz Kébé, a scholar and leading Tidjann thinker, argues that Sufi activists in urban centers are often more politically savvy than their superiors in the rural centers, which grants them substantial leeway in impacting media and political cycles.\(^{234}\) As the peanut economy of the 1970s weakened over time, Mouride economic power rested more on the urban markets of Touba and Dakar, and even on transnational economic networks stretching from other parts of West Africa to New York and Paris. Institutions known as dahiras, designed to ease the urban adjustment of brotherhood members, have proliferated. The dahiras of course maintain links to the spiritual hubs, but operate with a large degree of autonomy in day to day affairs. One particularly important Mouride dahira, Matlaboul Fawzayni, was responsible for building a major hospital in Touba, an undertaking so complex that eventually state medical administrators had to be charged with the administration of the hospital.\(^{235}\) Guèye’s account of a cement procurement conflict between the Khalife and a group of Mouride businessmen in 1995 highlights these tensions. In “refusing to yield to [the khalifa’s] orders” these commercial elites “underlined the importance of groups of businessmen who ferociously defend their own

\(^{233}\) The growth of diverse Muslim religious media outlets, particularly in urban areas, is also tied to this broad process of pluralization. Loimeier points out the wide array of radio and newspaper sources, particularly the widely respected *Wal Fadjri* newspaper, that are Muslim in nature but not directly controlled by the central leaders of any brotherhood. Loimeier, “Dialectics of Religion.”

\(^{234}\) Abdoul Aziz Kébé, interview by David Buckley, Dakar, Senegal, June 29, 2010.

interests, sometimes even in opposing the khalifa and the marabouts.\textsuperscript{236}

While it remains less than 10\% of the general population, authority within the Senegalese Catholic community also pluralized in the lead-up to Wade’s election. Cardinal Théodore Adrien Sarr, Archbishop of Dakar, without a doubt remains the most important Catholic leader of the Senegalese community. When Catholic youth took to the streets for protests in December 2009, for instance, it was Sarr’s leadership that calmed the crisis. Still, lay Catholic organizations exercise a high degree of autonomy in public debates. As Fr. Leon Diouf writes, “A Church cannot call itself local without the laity.”\textsuperscript{237} The bishops’ pastoral letter after the Sopi election in 2000 called on the laity to “engage actively in politics noted for its charity” in the construction of the common good.\textsuperscript{238} Business associations and youth groups like the Scouts have long been important social networks, but a group of more politically active associations has proliferated since independence. These groups play a more active role in day-to-day civic life than the official hierarchy. Notable lay organizations include \textit{Coordination des Etudiants Catholiques du Senegal}, the \textit{Union des Femmes Catholiques du Senegal}, a range of important Catholic social service and development agencies, particularly \textit{Caritas Senegal}, and Catholic media sources like \textit{Horizons Africains}.

\textit{Présence Chrétienne} is one particularly important lay-led public voice for Catholicism in the public square. The movement was founded in 1992, in response to John Paul II’s visit to Senegal in that year and call for lay leadership to reinvigorate public life. It has offices in each diocese around Senegal, to coordinate both national and local initiatives. In contrast to the distance from politics of the hierarchy, president

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\textsuperscript{236} Guèye, \textit{Touba}, 271.
\textsuperscript{237} Diouf, \textit{Eglise Local}, 92.
\textsuperscript{238} Conference Episcopal, \textit{Paroles d’Eveques}, 241.
\end{footnotesize}
Théodore Ndok Ndiaye can speak more assertively in media and public debates. *Présence Chrétienne* does not operate at cross-purposes to the official hierarchy, but is more willing to enter into contentious public debates. Ndiaye remarked in conversation that Cardinal Sarr and other senior clerics tend to be hesitant about some of the more contentious public events, especially any seen to touch on electoral politics, but are generally supportive of lay-led projects as they develop. Catholic associations worked to contain youth unrest after Wade’s disparaging remarks in December 2009, and ultimately played a part in convincing Cardinal Sarr to address the issue publicly.

This broad pattern of pluralization, among political elites, Muslim and Catholic institutions, upset the fairly placid bargain that secured laïcité since the colonial period. In some cases, new actors within groups posed a direct challenge to members of the secular coalition, like the opposition to pious secularists within portions of the Muslim majority. Even where pluralization did not directly threaten the coalition blocs described in Chapter 4, it complicated patterns of authority and thus provided an environment conducive to laïcité’s breakdown and replacement. Maintaining the religion-state relationship simply became more complicated than in the past days of the “Dakar-Touba hotline” between Senghor and Mouride leaders. It presented an opportunity for challengers to advance an institutional alternative to benevolent secularism.

3. **Tracking Institutional Change in Senegalese Laïcité**

In this fluid environment, with significant changes in political and religious leadership, there was ample opportunity to push the boundaries of laïcité in Senegal. Would this environment result in the breakdown of laïcité, or its more gradual evolution

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239 Théodore Ndok Ndiaye, interview by David Buckley, Dakar, Senegal, June 26, 2010.
within the boundaries set out during the Senghor era? Evidence in this section demonstrates that laïcité in Senegal survived the challenges of the past decade in its benevolent form. The most dramatic attempts to breakdown differentiation and principled distance came to naught. With that said, there has been meaningful evolution on the dimensions of differentiation and cooperation, as both education policy and party politics have altered the role for religion in democratic life.

3.1 Differentiation: Wade’s Constitution and Religious Party Politics

From Wade’s earliest days in office, many worried that the very differentiation of religious and state institutions could disintegrate. An initial draft of constitutional revisions made no reference to the laïque nature of the state, which would have marked a fundamental shift in the secularity of state institutions. In a powerful symbolic act, Wade’s first trip after the election was to the Khalife of the Mouride order, where he prostrated himself as a disciple on state television. The image of the head of the secular state submitting in public to a religious authority shook many, and seemed to mark a basic weakening of the differentiation of religious and state institutions. This type of manipulation encouraged revisionist mobilization by Muslim leaders still resistant to the 1972 Code de la Famille. These individuals drew together under the Comité Islamique pour la Réforme du Code de la Famille au Sénégal (CIRCOFS) to demand repeal of the civil family code and its replacement with an alternative grounded in sharia law. While officially removing laïcité from the constitution was not on this group’s primary agenda, its ends would have been quite similar: weakening the differentiation between religious and state institutions, and undercutting the state’s ability to formulate and implement

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policy autonomously from religious veto.\textsuperscript{241}

In spite of President Wade’s initial draft constitution, differentiation endures in Senegal. Wade’s constitution eventually reinserted the word “laïque,” and in spite of involvement from across the major brotherhoods, \textit{CIRCOFS} was ultimately unable to convince Wade to reconsider family law reform. For all of the developments of the post-Senghor era, the \textit{CIRCOFS} campaign ran into a nearly identical outcome to that of the \textit{Conseil Supérieur} in the early 1970s. Religious liberty, guaranteed regardless of religious affiliation, remains a cornerstone of Senegalese religion-state relations. Smaller communities of Protestants and Baha’i have also enjoyed religious freedom, even if social tensions occasionally flare around the religious practices of small minorities. State officials remain active promoters of \textit{le dialogue interreligieux}, with Wade’s Foreign Minister Madické Niang traveling to the Vatican to meet with the Pontifical Council for Interreligious Dialogue,\textsuperscript{242} and President Wade extolling the “extraordinary spectacle” of the Imams et Oulemas du Senegal meeting in dialogue with Catholic authorities.\textsuperscript{243}

If core indicators of differentiation like constitutional wording and religious liberty have endured, there has been significant evolution in the differentiation of religion from party politics. During Senghor’s era, religious parties were forbidden and the Sufi elites interacted with elections by issuing explicit endorsements, known as the ndigël.\textsuperscript{244} This pattern, which rested on the fairly clear differentiation of political elites and religious

\textsuperscript{244} The Mourides have a stricter marabout-disciple relationship by reputation, and an interesting survey by the \textit{Groupe d’Etudes ed de Recherches Constitutionnelles et Politiques} (GERCOP) in 1999 indicates that Mourides are more likely to obey political advice from their marabouts than Tidjann disciples. GERCOP, \textit{Etude Sur Le Comportement Electoral Dans Les Regions De Thies Et Diourbel} (St. Louis, Senegal: Universite Gaston Berger, 1999).
leadership, came to a close leading to Wade’s election.\textsuperscript{245} Interviews with both Mouride and Tidjann leaders indicate that the \textit{ndigël} was unlikely to return. Abdoul Aziz Kébé argued that the “parental \textit{ndigël}” was simply not acceptable to many in modern Senegal, particularly among better-educated urban communities.\textsuperscript{246}

The end of the \textit{ndigël} among the highest-level clerics has led to a blurring of the differentiation between religious movements and political parties, through vibrant religious politicking among lower-level \textit{marabouts}. As Guèye puts it, “The neutrality of the khalifà in the end favors the fragmentation of the social body of the Mourides in relation with the state.”\textsuperscript{247} The constitution still bans parties based on religious identity, but this ban is essentially unenforceable. In a country where religious elites and their allies have such social influence, how can one isolate what exactly a religious political party might mean in practice? Serigne Kara Mbacké’s \textit{Parti de la Vérité pour le Développement} (PVD) is the most prominent example of the \textit{marabouts politiques}. As his surname indicates, Kara is a Mouride elite, a grandson of Amadou Bamba, although not at the highest levels of the Mouride hierarchy. He is careful to repeat his respect for the secular nature of the state, and the PVD does not have religious tests for membership. The FSD/BJ, founded by the marabout Cheikh Abdoulaye Dièye, is currently led by Cheikh Abdoulaye’s son, Cheikh Bamba Dièye. In addition to formal parties, various Mbackés and other young \textit{marabouts} have risen through the party lists, both as allies of Wade’s PDS and founding their own parties like \textit{Mouvement Africain pour la Rénovation Sociale} of Abdou Samath Mbacké.

The impact of such parties is not clearly against the principles of laïcité, although it

\textsuperscript{246} Kébé, interview by David Buckley.
\textsuperscript{247} Guèye, \textit{Touba}, 282.
does mark a less clear differentiation between state and religious actors. Because of this change within the bounds of benevolent secularism, it serves as an indicator of secular evolution, rather than replacement.

3.2 Principled Distance: Mouride Favoritism and Catholic Protection

President Wade’s bid to breakdown principled distance was more threatening to laïcité in Senegal as his tinkering with differentiation. As defined in Chapter 1, principled distance requires the even-handedness of state authorities in dealings with all religious communities. As Bhargava puts it, the state “must intend to help or hinder all relevant groups to an equal degree.” In favoring his own Mouride Sufi brotherhood, Wade broke down the principled distance of the state among religious institutions for his own electoral gain. This marked a bid to make a substantial shift in state policy, a direct threat to institutions of benevolent secularism. The challenges to principled distance showed through in areas of political appointments, sharing of funds, and symbolic even-handedness in treatment of religious communities. While less formalized that the changes to constitutional language of differentiation, this change still posed a serious bid to replace to this dimension of benevolent secularism.

Wade primarily challenged principled distance by favoring his own Mouride brotherhood over other religious communities. At the same time as he prostrated himself before the Mouride Khalife, Wade announced major infrastructural support to the Mouride capital of Touba, through an airport/heliport complex. The political ranks of Wade’s PDS featured a number of Mouride elites, notably Madické Niang, Wade’s Foreign Minister and former head of Rassemblement des Mourides (RAMOU), a Mouride lobbying association. Wade appointed another fellow Mouride, Mamadou

248 Bhargava, Secularism and Its Critics, 504.
Bamba Ndiaye, as the first ever minister charged with overseeing religious affairs. The Mouride favoritism culminated in Wade’s 2011 directive that ministers consult Mouride leadership before forming state policy. As he put it, “All Ministers in government, regardless of their brotherhood or religion, must go before the Mouride Khalifa General to solicit his prayers each time that they undertake an important mission of the state.”

Muslim interview subjects regularly raised this kind of transparent politicization of his Mouride discipleship as a complaint against Wade’s administration. A senior civil society official pointed out to me that this has raised the stakes of competition among the Sufi brotherhoods, and while social unrest still seemed unlikely, the sense of equal distance among the religious was far less robust than before.

Weakening principled distance also showed through in the state’s relationship with the Catholic minority. Although Wade’s wife is a Catholic, his terms in office featured unprecedented tension between state and Catholic actors. Theodore Ndiaye of Présence Chrétienne questioned the relative lack of Catholic representation among the Wade executive and legislative branches. “One lone minister, from a total of almost forty in the government; three or four deputies from a total of a hundred and fifty in Parliament, is this normal or comprehensible in a country like Senegal, the country of Senghor and Abdou Diouf? A land exceptional for its democratic advances, its tolerance, its dialogue!”

Catholic elites complained of regular discrimination in local land allocation for religious sites.

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Catholic, was arrested shortly after Good Friday services at Dakar’s Cathédrale du Souvenir Africain. These tensions came to a head around Christmas 2009. President Wade, defending a controversial public statue, commented that Christians pray to Jesus “who is not a real God. Everyone knows this but no one says anything against it.” His remarks stirred unprecedented street protests from Catholic youth, and provided the most dramatic example of the deterioration of principled distance under his watch.

In spite of Wade’s efforts to favor the Mouride brotherhood and undermine the social standing of the Catholic minority, principle distance did not breakdown in Senegal. As is the case with differentiation, principled distance came through Wade’s terms more or less in tact. There was no formal change to constitutional provisions in this area, for instance, and even Wade’s manipulation of less formal patterns of behavior seems to have faded. Wade lost his controversial 2012 reelection campaign, and President Macky Sall has made a point of reasserting the principled distance of the state among the religious communities. In the run-up to his final showdown with Wade, Sall publicly insisted, “There are no special laws for some marabouts. I say this clearly: we are in a secular, democratic republic, where religious liberty is guaranteed for all religions, for all brotherhoods.”

3.3 Cooperation: Education Policy and Development Efforts

The cooperation between state and religion also saw controversy during Wade’s administration. Here, however, his changes were actually within the institutional bounds

252 “Le Directeur de la sûreté nationale: ‘Jean-Paul Dias n'a pas été interpellé à l'intérieur de la cathédrale’” Agence de Presse Senegalaïse, April 14, 2006.
of benevolent secularism, even if they did expand the scope of that cooperation. Evolution stood out in education policy, one of the consistent areas across my cases where religion-state relations take shape. As pointed out in Chapter 4, the most formal religious schools have long-enjoyed state support in the form of bursaries granted to students who can afford to attend. In 2002, however, the state substantially widened the provision of religious education in two ways. First, religious education entered within the public schools (écoles de la république), not just within private schools supported with state stipends. Students in public schools may elect to receive formal religious education, and provision is to be made for both Christian and Muslim options to be available to students. This may include up to four hours a week of religious instruction. Second, a range of students in Quranic schools known as daaras are to be considered as officially enrolled in schools, which is important because roughly 800,000 students fall into this sector and were previously considered non-enrolled by international development standards.\footnote{Jean-Emile Charlier, "Le Retour De Dieu: L'introduction De L'enseignement Religieux Dans L'ecole De La Republique Du Senegal," Education et Societes 10, no. 2 (2002): 95-112.} Taken together, these reforms reflect substantial concessions by the state to the religious sensibilities of the general population.\footnote{Both of these reforms were in part driven by the desire to meet international development standards for progress in education. Universal primary education is one of the Millennium Development Goals that Senegal has worked hard to attain, which is no small feat given the country’s poverty. State elites justified the policy changes by arguing that increasing religious education will broaden enrollment. The thinking is that religious education in public schools will increase their appeal to Muslim parents, while any move to increase oversight of the daaras may be a more pragmatic path to progress than simply wishing that informal education would disappear from urban areas.} Incorporation of the daaras will likely lead to higher standards and may in fact help reduce the number of young children who wind up in organized begging squads around Senegal’s cities.

While these reforms are compatible with benevolent secularism, they do indicate evolution to more extensive cooperation between religion and state. While incorporating
this group into state classrooms is a change, there is no full scale breakdown of religious
differentiation from state institutions. Religious instruction remains optional and
available in different forms. Abdoul Aziz Kébé pointed out that the curricular
development takes place under the control of a state commission, although religious
leaders associated with various tariqas have some input into the drafting process.\textsuperscript{257}
President Wade explicitly argued before the national association of imams and ulamas
that these policies place the state “at equal distance from Islam and Christianity.”\textsuperscript{258}
These reforms were in part designed to draw support from Arab-educated Muslims who
also tend to populate Muslim reformist organizations. As Mamadou Bamba Ndiaye,
Wade’s spokesman on religious affairs, put it: “Many of them are unemployed…there are
not Islamic tribunals, so some are now engaged in teaching.”\textsuperscript{259}

In many other ways, cooperation between religion and state continues unchanged
since the period of secular emergence. The state continues to fund the hajj with
cooperation from the various brotherhoods, and Catholic pilgrims to the Vatican and
Holy Land enjoy similar support. President Wade created a General Commission for
Pilgrimage to Islamic Holy Sites in 2009 to improve coordination of the hajj trip.\textsuperscript{260}
Guèye points out that the kinds of material support given to religious communities have
also diversified, and now include visa support for international travel, customs
exemptions for brotherhood-tied businesses, and the use of heavy equipment for

\textsuperscript{257} Kébé, interview by David Buckley.
\textsuperscript{258} Quoted in Charlier, “Retour de Dieu,” 108. Fatou Kiné Camara pointed out that the religious education
available would continue to privilege Muslim and Catholic options over traditional African beliefs. Kiné
Camara, interview by David Buckley.
\textsuperscript{259} Charles Gaïky Diene, “Bamba Ndiaye (Nouveau ministre chargé des Affaires religieuses),” \textit{Wal Fadjri},
January 12, 2010.
construction of religious facilities and residential compounds.\textsuperscript{261}

Cooperation continues as well in policy development, with many of these consultations centered on development policy. Collaboration on anti-FGM advocacy produced an extensive religious refutation of the practice, authored by Abdoul Aziz Kébé. In collaboration with the Ministry of Family, Social Development and National Solidarity, Kébé produced a report on the relationship between gender, equality and development in Islam, arguing for “the necessity of encouraging the participation of women in development promotion at all levels [political, social, and personal].”\textsuperscript{262} Similar collaboration is ongoing regarding AIDS prevention and treatment. Paul Sanga, director of SIDA Service, a Catholic agency dedicated to this issue, spoke to me at length about cooperation between state, Catholic and Muslim officials in halting the spread of the virus. Religious groups have participated in state policy development regarding HIV/AIDS, through formal policy partnerships and informal consultations.\textsuperscript{263} A joint Catholic-Muslim handbook on prevention stressed the religious roots of prevention. These stories of AIDS prevention and FGM reduction are illustrative not only of the very interesting relationship between faith groups and development, but also of the continued cooperation between state and religion in policy consultations. Development work in spans a vast array of projects, such as work with women’s groups on microfinance and the security of the food supply.\textsuperscript{264}

As I argue in Chapter 1, significant evolution in institutional design can occur

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\item \textsuperscript{261} Guèye, \textit{Touba}, 281.
\item \textsuperscript{262} Abdoul Aziz Kébé, \textit{Argumentaire Religieux Musulman Sur L'equite De Genre}, (Dakar, Senegal: Ministre de Developpement Social, la Famille, et de la Solidarite Nationale, 2006), 20. Senegal’s rate of FGM has dipped below 30%, and is trending downwards among younger women, in comparison to the UNICEF-reported rates of over 90% in neighboring states like Mali and nearly 80% in the Gambia.
\item \textsuperscript{263} Paul Sanga, interview by David Buckley, Dakar, Senegal, June 22, 2010.
\item \textsuperscript{264} Abbe Alphonse Seck, interview by David Buckley, Dakar, Senegal, June 25, 2010. Assane Diagne, interview by David Buckley, Dakar, Senegal, June 18, 2010.
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without the breakdown and replacement of benevolent secularism. Senegal’s continued religious vitality, and the increasing competitiveness of the religious and political landscapes, have undoubtedly resulted in the evolution of laïcité. This is particularly visible in two areas: party politics and education reform. However, these changes have not broken down the basic stability of benevolent secularism. This institutional outcome raises a crucial question: why, given conditions favorable to change and a political leader willing to upset institutional boundaries, did laïcité in Senegal evolve, but resist fundamental change? The answer to this question rests on the coalition alliances encouraged by the design of benevolent secularism.

4. **Coalition Effects and Institutional Evolution**

With an opportunistic political leader and a fluid religious landscape, why have institutions of secularism proven so durable? My framework set out in Chapter 1 hypothesizes that this outcome is a result of enduring coalition alliances, which are themselves encouraged by the structure of benevolent secularism. I now test the claim that these alliances are responsible for the gradual evolution, rather than full-scale breakdown, of laïcité during the turbulent period of Wade’s rule. Evidence indicates that Senegal preserved benevolent secularism during this period precisely because of coalition alliances: a minimal religious-secular divide and strong interfaith relations. These coalition effects largely depended on the continued dominance of pious secularists among the highest levels of Sufi leadership, particularly within the Mouride brotherhood. Even in this group, which Wade targeted for favoritism, religious elites favored maintaining the differentiation and principled distance of benevolent secularism.
In this section, I trace the role of these coalition alliances in response to challenges to the different dimensions of benevolent secularism under Wade’s administration, with extended attention to debates about differentiation and principled distance. Evidence confirms my framework’s expectation that alliance partners should push back against efforts to breakdown existing institutions. It also demonstrates that more subtle forms of evolution, in education policy and party politics, did not elicit resistance from these coalition partners. I trace the effect of coalition alliances throughout Wade’s administration, with special attention to the presidential election of 2012 in which these debates came to a head.

While Wade attempted to mobilize parts of the religious community as allies in weakening laïcité, a robust set of religious-secular alliances undercut these efforts. This coalition resistance took shape quickly in response to Wade’s laïcité-free draft constitution. “An immediate explosion of public controversy and debate,” greeted Wade’s draft constitution that lacked the word laïcité, and interview subjects regularly discussed this as a touchstone event nearly a decade after its circulation.265 Attempts to sacralize family law also met with resistance, with the Collectif pour la défense de la laïcité et de l’unité nationale au Sénégal argued that the CIRCOFS campaign “regularly put the state’s secularity in question.”266 Bamba Ndiaye, Wade’s spokesman on religious affairs, implicitly acknowledged this kind of pushback when he quipped in a press interview: “It is because I am Mouride that I have to be objective.”267 These religious-

267 Diene, “Bamba Ndiaye.”
secular alliances rest on broader patterns of cooperation encouraged by the structure of benevolent secularism. Cooperation in the policy realm, for instance fighting AIDS and encouraging literacy, has built alliances among Muslim leaders, political elites, and Catholic officials, in the process minimizing divides among religious elites and secular NGOs.

These religious-secular alliances played their most prominent role defending laïcité in the work of the **Assises Nationales**, an unprecedentedly broad coalition of civil society, opposition politics, intellectuals and faith leaders. Far from being an anticlerical association, the **Assises** had a central Committee on Ethics headed jointly by an imam and Catholic priest. The major initiative of the **Assises** was its *Chartre de Gouvernance Démocratique*, a comprehensive plan to improve governance in Senegal. It is remarkable that amid its discussion of decentralization and clean elections, the *Chartre* gives pride of place to robust defense of laïcité. It “reaffirms the neutrality of the State in confessional affairs and its equidistance in relation to religious bodies.” It goes on to “agree that the State has the responsibility to assist all religious institutions in a transparent manner, without any discrimination, in conditions determined by law and in strict order to preserve social peace and guarantee national unity.” It also explicitly affirms support for liberty of individual conscience and the dual autonomy of state from religious and religious from state affairs. This language is structured as a clear refutation of attempts to breakdown differentiation and principled distance under the Wade administration.

Endorsers of the *Chartre* were genuinely concerned that the increasingly close proximity between the state and Mouride brotherhood was not only outside the bounds of laïcité,

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268 Assises Nationales du Senegal, *Chartre De Gouvernance Democratique* (Dakar, Senegal: Assises Nationales, 2009). The Assises’ attention to the restoration of laïcité arose in several interviews, particularly with Boubacar Seck of **CONGAD**.
but also posed a threat to national unity given Senegal’s diverse religious landscape.

In addition to these religious-secular partnerships, strong interfaith relations have played a part in preserving laïcité. Abbé Jacques Seck, a longtime leader in interfaith dialogue for the Archdiocese of Dakar, spoke at length about both formal and informal dialogue efforts that lend stability to laïcité. Abbé Seck pointed out that a range of younger seminary students are doing research on Islamic doctrine and practice, which will better prepare the ground for future dialogue efforts. Leaders of the Muslim community who participate in such dialogue have been public voices rejecting any attempt to sow religious division or a failure to demonstrate respect to their longtime dialogue partners. Even a son of Ahmed Khalifa Niass, a reformist once termed the “ayatollah of Kaolack,” was educated at the cathedral school in Dakar, much as upwardly mobile Muslim elites have been for generations.

The interfaith response to the weakening of principled distance became clear in response to Wade’s remarks regarding Catholic spirituality around Christmas 2009. One group of imams insisted, “The remarks made by President Wade have no Islamic foundation…We recall that our country has always lived in religious harmony, and firmly condemn the harshness, since his ascension to power, of President Wade to the church.” Assane Diagne, a senior staff member at Catholic Relief Services and a Muslim, pointed out that in many ways, Muslim allies were more free to speak out than the Catholic authorities themselves.

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272 Assane Diagne, interview with author.
condemning Wade’s remarks and singing the praises of the “exemplary relations between Christians and Muslims” throughout Senegal’s history.\textsuperscript{273}

Because the weakening of principled distance was closely tied to Wade’s electoral prospects, interfaith partnerships played an important part in election seasons. While more aggressive forms of secularism may have ruled out such interactions, interfaith promotion of clean elections has provided another way for coalition allies to push back on manipulation of laïcité in the past decade. The Catholic community has played this role in the past, exhorting “transparent, peaceful and democratic elections” even in 1998, before Wade’s victory.\textsuperscript{274} Cardinal Sarr and Tidjann Khalifa Abdoul Aziz Sy al-Ibn built on this pattern as the contentious 2007 election approached, jointly endorsing a “Pacte Republicain” that called for responsible governance.\textsuperscript{275} As the 2012 election neared, Catholic, Muslim and civil society allies expanded these efforts. Theodore Ndiaye’s \textit{Présence Chrétienne}, Muslim partners and NGOs like \textit{Forum Civil} launched a series of fora, the \textit{Mardis de Brottier}, designed to lay the groundwork for free and fair elections. Interfaith partners in defense of laïcité even played a role on Election Day when Macky Sall bested Wade. Catholic associations monitored elections, playing a part in ensuring that Wade’s allies could not tamper with results in the decisive second round of voting.\textsuperscript{276}

While religious-secular and interfaith allies resisted the breakdown of differentiation and principled distance, they demonstrated a willingness to support the evolution of benevolent secularism within historical boundaries. Evolution in the place

\textsuperscript{275} Abdoul Aziz Kébé, interview with author.
of religion in education, for instance, did not raise strong resistance from either secular NGOs or the Catholic minority. Abbé Alphonse Seck, a senior official in the Archdiocese of Dakar, acknowledged that while some bishops were initially hesitant about the proposed reforms, their concerns were addressed over time and they felt little need to mount opposition. Introduction of optional religious education in state schools was meant to appeal to some in the secular development community. Universal primary education is one of the Millennium Development Goals. Political elites justified religious education by arguing that it will broaden enrollment. In 2007, an estimated 365,000 students took advantage of these services, which represents a substantial share of the roughly one million elementary students in the state schools. Likewise, the move to increase oversight of the some Islamic education may be a more pragmatic path to progress than simply wishing that informal education would disappear from urban areas.

Evolution in the area of party politics also did not spark coalition resistance. While religion cropping up in election campaigns makes some anxious, even the religiously-inflected partisan mobilization from groups like Kara Mbacké’s PVD has not raised an outcry from laïcité’s defenders. Abbé Alphonse Seck spoke at length to me about community mediations that Kara has taken part in with him and other Catholic leaders. Cheikh Bamba Dièye’s FSD/BJ party actually enjoys support from many in reform-minded NGOs. Fatou Kiné Camara, a lawyer, professor and women’s rights activist was critical of several features of laïcité in Senegal, but spoke favorably of Cheikh Bamba

277 Abbé Alphonse Seck, interview with author.
279 Abbé Alphonse Seck, interview with author.
Dièye in spite of his party’s religious roots. As in the area of religious education, institutions evolved to expand the participation of religious political parties in part because the coalition allies who defend laïcité recognize that this evolution is within the general boundaries set out by benevolent secularism.

These coalition alliances operated so effectively because of the effects of benevolent secularism within religious communities described in Chapter 4. The predominance of pious secularists within the Sufi leadership, itself a result of the structure of benevolent secularism, was especially important in promoting these coalition alliances. Even Wade’s own Mouride order, at the highest levels, showed limited interest in efforts to manipulate laïcité. Senior marabouts have little desire to play a revisionist role because benevolent secularism suits both their material and normative interests. As corruption scandals dogged officials from Wade’s administration, there was little incentive for the Mouride Khalife to latch his religious legitimacy to party politicians.

Pious dissatisfaction with Wade’s administration came to the surface in an unusual area of contention: monument construction. Wade’s gargantuan Monument de la Renaissance Africaine on the outskirts of Dakar came under fire from several imams for its scantily-clad male and female figures, which one called “a pagan monument hanging over Dakar.” Other clerics criticized the price tag (over $25 million), and Wade’s decision to personally pocket over a third of revenue generated from the monument. The monument controversy was just one prominent example of a broader trend: pious members of the Muslim elite continued to desire some distance between religion and state so to avoid tainting the faith community with the muck of daily politics.

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280 Fatou Kiné Camara, interview with author.
The importance of pious secularism was clearly visible in the closing days of the 2012 election campaign. Rumors swirled in the election’s closing days that Wade’s allies appeared in Touba, the Mouride capital, with huge sums of cash on hand, seeking religious endorsement.\(^{282}\) Even as Wade scrambled for his political life and sought support from religious allies, the Mouride Khalîfe made a point of isolating himself in a retreat at Tawfekh rather than getting involved in electoral politicking.\(^ {283}\) Macky Sall, in contrast, asked the leading marabouts to pray for social peace during the election, and confidently predicted, “No ndigêl will arise…no marabout will give a ndigêl in this country.”\(^ {284}\) This triumph of pious secularism bore out Dr. Abdoul Aziz Kébé’s prediction to me two years earlier: “The parental ndigêl will not return…manipulation of laïcité is driven by political opportunists, not by the brotherhoods.”\(^ {285}\) In fact, insofar as religious-secular tensions peaked in the election season, it was at the expense of President Wade, as the Tidjann tariqa was outraged by the “profanation” of one of its central Dakar mosques by Wade’s security forces.\(^ {286}\) This did not go over well with pious secularists from any of the tariqas, and the Mouride Khalîfe never gave Wade his endorsement. As one commentator captured the mood, “It is necessary that [the Khalîfe] guard his dignity.”\(^ {287}\)

A significant body of evidence from the Wade administration confirms the


\(^{285}\) Abdoul Aziz Kébé, interview with author.


\(^{287}\) Diallo, “Lobbying avorté.”
hypothesis that coalition alliances, across the religious-secular divide and among interfaith groups, played a central role in driving institutional evolution, rather than laïcité’s breakdown and replacement with an alternative form of religion-state relations. When differentiation and principled distance came under direct challenge, these groups joined together to resist the bid for change. In areas where evolution stayed within the bounds of benevolent secularism, like optional religious education and religious political parties, coalition allies acquiesced and in some cases encouraged institutional change. These alliances exist because of the effects of benevolent secularism within the distinct coalition blocs during earlier periods of secular emergence. This dynamic explains the path dependent nature of benevolent secularism: institutions alter preferences, which encourages coalition alliances that then protect those institutions from challengers over time.

5. **Coalition Alliances and Mouride Distinctiveness in Public Opinion**

Elite-based evidence above demonstrates the impact of alliances on the evolution of benevolent secularism in Senegal. While coalition partners could support evolution in areas of education and religious political parties, they responded to preserve benevolent secularism when actors threatened to break down its characteristics of differentiation and principled distance. The predominance of pious secularism within the Mouride brotherhood was particularly important in this regard, as Mouride elites showed limited interest in breaking down laïcité even though President Wade tried to favor them in this process. This predominance of pious secularism among the Mourides begs a question: does this attitude exist among the general public? How does Mouride opinion relate to
the population as a whole, and is there evidence in public opinion of strong interfaith agreement on the place of religion in democratic politics? Survey research from the Pew Research Group allows a test of these hypothesized coalition effects in the general population. Pew conducted a general population survey in Senegal in 2007 as a part of its Islam and Christianity in Sub-Saharan Africa survey. 288 It is helpful that this survey was taken well after Wade assumed the presidency, as the hypothesized coalition partners should have had time to respond to the challenges to laïcité. 289

In the elite analysis above, the most important coalition member was the Mouride Sufi brotherhood. The turbulent recent history of laïcité in Senegal centers on Wade’s membership in the Mouride Sufi brotherhood. The Mourides have a reputation for community cohesion, and President Wade clearly believed that breaking down principled distance in their favor would benefit his electoral chances in 2012. However, at the elite level Wade’s strategy did not bear fruit. Instead, it provoked resistance from other Sufi brotherhoods and ambivalence even from the highest levels of Mouride leadership. The Mouride bloc behavior is the crux of why secular institutions evolved, rather than breaking down entirely. It indicates that pious secularism has taken hold among Mouride elites, confirming my hypothesis about effects of the institutional structure of benevolent secularism.

While Mouride elites seem to believe that their religious vocations call for an aloofness to politics, it could also be that their behavior reflects the political culture of the

289 Probing any religious-secular divide in public opinion is difficult in Senegal, because essentially the entire population both identifies with a religion and identifies religion as very important in their lives. As a statistical matter, I thus focus on the Mouride community and on interfaith comparisons. The nature of the “secular bloc” in Senegal is of broader theoretical interest as well, and I take it up in this section’s conclusion.
broader Mouride community. With this in mind, one would hypothesize that the average Mouride disciple expects religious leaders to keep distance from politics, particularly from elections. In short, although Mourides enjoyed patronage from Wade’s administration, they should be just as concerned about preserving the dimensions of benevolent secularism as other religious Muslims. Moreover, the hypothesized strong interfaith relations should result in general agreement among faith groups about the place of religion in democratic life.

To test these hypotheses, I analyze several questions related to the religion-state relationship in Senegal. Two questions related to the differentiation dimension of benevolent secularism: attitudes to sharia law and to the electoral participation of religious leaders. Two other questions related to the dimension of principled distance: willingness to vote for a candidate from another religion, and support for minority religious freedom. These questions are detailed below in Table 1. As is the case in the ISSP data from Ireland and the Philippines, Pew asks disappointingly little about the cooperative dimension of benevolent secularism that is so prominent in Senegal.

\[\text{The relevant dependent variables are categorical scales, so I use ordered probit models.}\]
The coalition hypotheses are denominational in nature, so the primary effects of interest are the differences between the Mourides, other Muslims, and the Catholic minority. The Pew data tracks Sufi brotherhood membership, so I first compare the Mourides to the other Sufi brotherhoods, while also adding a dummy variable to pull Catholics from the baseline comparison. Non-Sufi Muslims serve as the denominational baseline in all of these models, so coefficients for Mourides and Catholics should be interpreted as effects relative to that baseline. All variables are coded so that a positive coefficient corresponds to stronger support for the dimension of benevolent secularism captured by the question. For each dependent variable, I report two models, one with

<table>
<thead>
<tr>
<th>Variable</th>
<th>Question Wording</th>
<th>Source/Country</th>
<th>Coding</th>
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<tbody>
<tr>
<td><strong>Differentiation</strong></td>
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<tr>
<td>1. Sharia Law</td>
<td>Do you favor or oppose the following: Making sharia, or Islamic law, the official law of the land in our country.</td>
<td>Pew: Senegal</td>
<td>1 (Favor) 2 (Oppose)</td>
</tr>
<tr>
<td>2. Religious Leaders Politics</td>
<td>In your opinion, should religious leaders keep out of political matters - or should they express their views on political questions?</td>
<td>Pew: Senegal</td>
<td>1 (Should express views) 2 (Should keep out)</td>
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<tr>
<td><strong>Principled Distance</strong></td>
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<tr>
<td>3. Vote Religious Minority</td>
<td>Would it be okay with you if the political leaders of our country have a different religion than yours, or do you only want political leaders who share your religion?</td>
<td>Pew: Senegal</td>
<td>1 (Only want political leaders who share your religion) 2 (Okay if political leaders have a different religion)</td>
</tr>
<tr>
<td>4. Minority Religious Freedom</td>
<td>In our country, how free are people from religions different than yours (&quot;your religion&quot; if minority) to practice their religion? And is this a good thing?</td>
<td>Pew: Senegal</td>
<td>1 (Very Free &amp; Good Thing) - 0 (All Other Responses)</td>
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simple religious identification, and slightly more complex models where I then control
for several demographic factors that could impact attitudes to religion and democracy.
Results are reported below in Table 2.

<table>
<thead>
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<th>Table 2: Mouride Pious Secularism and Interfaith Agreement</th>
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<tr>
<td>Differentiation</td>
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<tr>
<td>Sharia Law</td>
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<td>1</td>
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<tr>
<td>---</td>
</tr>
<tr>
<td>Mourides</td>
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<td>Catholics</td>
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<td>Education</td>
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<td>N</td>
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All Coefficients Standardized. *** p<0.01, ** p<0.05, * p<0.1
Ordered Probit Models with Robust Standard Errors in Brackets.

The results, both in the simple denominational models and with demographic
controls, are consistent confirmation of the two coalition hypotheses: (1) the Mouride
brotherhood is more dominated by pious secularists than the rest of the Muslim
community and (2) there are minimal interfaith divides on questions of the relationship
between religion and politics. In three of the eight models, the Mourides are significantly
more supportive of secularism than other Muslims, and even in the models where the
result is not statistically significant, the direction of the effect is in the direction
supporting the dimension of benevolent secularism. The only other control variable that
is so consistently important is education, which is also generally associated with support for benevolent secularism. The general lack of interfaith divides stands out as well. Catholics are only significantly different than their Muslim compatriots in one model (without controls), and that effect is wiped out by including education in the models. Taken together, these results confirm the elite coalition dynamics set out above. The Mouride community is actually more supportive of differentiation than other Senegalese Muslims, and so proved resistant to Wade’s efforts to breakdown differentiation. And interfaith opinion on these matters is fairly consistent, which corresponds with the strong interfaith elite pushback against the breakdown of laïcité.

It is reasonable to ask why the Mouride community appears particularly inclined to support differentiation and principled distance. There is certainly a long history of Mouride leadership keeping a certain ascetic distance from state institutions, as I mention in Chapter 4. There is also some evidence that personal experience with interfaith relations may have an effect among the general population. Mourides are more likely than other Muslims to be tied to the Catholic minority through interfaith dialogue and related events. Table 3 shows that the rate of participation in interfaith dialogues is much higher among Mourides than among other Muslims in Senegal. This is a particularly interesting finding because, of course, the institutional design of benevolent secularism is explicitly intended to increase collaboration between faith communities and the state. In the absence of collaborative work, Senegal’s Sufi brotherhoods may be less dedicated to the pious secularism that has proven essential to preserving the twin tolerations in the past decade.
The strong support for pious secularism among the Mouride community increases our confidence that benevolent secularism not only alters coalition politics at the elite level, but also among the general population. The basic terms of laïcité in Senegal garner broad popular support, even from the community that is generally perceived as most politically cohesive. This suggests that President Wade badly misread the likely outcomes of his attempt to breakdown aspects of laïcité. Even if some in the Mouride leadership would have been inclined to play along, they would have been pushing against the grain of popular opinion within the movement.

6. **Modernization and Laïcité: Pluralization and Religious Decline?**

Economic modernization has lingered on the edges of this discussion of secular evolution in Senegal, and could serve as an alternative account of institutional change. The history of laïcité’s development since independence presents a useful opportunity for tracing the impact of modernization on the relationship between religion and democratic politics. While the blunt assertion that modernization will end religion’s political

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<th>Table 3: Mourides and Interfaith Dialogue</th>
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<tr>
<td>Do you ever participate in interfaith religious groups?</td>
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<tr>
<td>Yes</td>
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<td>-----</td>
</tr>
<tr>
<td>Mouride Muslims</td>
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<tr>
<td>Other Muslims</td>
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<tr>
<td>Roman Catholics</td>
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importance is clearly overstated, modernization has had a substantial impact on the
stability of state institutions in Senegal. This impact takes place through modernization’s
role in shaping the coalition politics of secularism. Urbanization and the move away
from the peanut economy has changed the nature of Sufi brotherhood authority.
International population flows have introduced new players into the post-colonial secular
coalition, and globalization facilitates the Arab education that frequently starts the careers
of Islamist reformers.

However, the key claim of secularization theory that modernization will impact
coalition politics by diminishing individual religiosity and thus undermine the public
importance of religious debates finds little support. Instead, modernization’s impact
should be traced through coalition politics. Its impact through these coalitions will not be
unidirectional; evidence from Senegal shows that some effects of modernization
empowered actors to push for the breakdown of laïcité, while others reaffirmed the
coalition alliances that resulted in secular evolution.

While Senegal remains a poor country by global standards, it has developed
substantially since independence. Two country’s two major cities, Dakar and Touba,
have swelled, as long-entrenched rural agricultural lifestyles have given way to more a
urbanized, light industrial economy. 2.5 million Senegalese now call the Dakar metro
area home, while Touba’s population is approaching one million. Roughly half of the
overall population is urbanized. Growth in the cities continues to outpace national
growth, as enduring unreliability in the peanut crop attracts more migrants to the major
urban centers. The country remains poor, but has made progress in a number of the
Millennium Development Goals, notably the promotion of universal primary education
and the reduction of infant mortality. The fight against AIDS, as noted above, has been particularly successful in Senegal by regional standards. World Bank data show life expectancy increasing by 15 years since independence, and the percentage of the population living on less than $2 a day falling from nearly 49.5% in 1991 to 24.7% in 2005. Agriculture as a percentage of GDP dropped from 25% in the mid-1980s to 15% in 2008. The drop in agricultural output, migrations to cities, and measured improvement in quality of life indicators are all marks of the general process of modernization that has traditionally driven secularization theory.

And yet, at least to date, predictions of religion’s decline at the individual level find little support. Pew Research Group polling examined about shows that 98% think religion is “very important,” and 89% pray daily. 98% of Muslims fast for Ramadan. Afrobarometer survey research shows similarly high levels of religiosity, and no variation between urban and rural areas, with 96% of urban residents and 95.7% of rural residents responding the religion is very important. This lack of urban-rural variation is particularly damning to secularization theory’s core hypotheses; while the cities in Senegal are poor by global standards, they are comparatively far wealthier than rural areas. And yet, religious belief is not weakened among urban populations. Assane Diagne of Catholic Relief Services observed to me that urbanization hasn’t taken away religion’s influence, but rather “reorganized religious authority,” while Abdoul Aziz Kébé quipped that “the city is not the city anymore.”

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294 Assane Diagne and Abdoul Aziz Kébé, interviews with the author.
sector, there is little sense that religion is of declining importance. CONGAD, the NGO umbrella organization, has a Committee for Ethics and Deontology that is chaired by an imam and a priest, and Boubacar Seck, CONGAD’s director, spoke at length about how the assumptions that match individual secularization with development simply do not mesh with Senegal’s social reality.\textsuperscript{295}

At the institutional level, there is also little reason to believe that development as such will erode the legitimacy of Sufi rule. While secularization theory points to the decline of traditional authorities like the Sufi orders, which in turn leads to more robust differentiation of religious and state spheres, evidence in Senegal suggests otherwise. The Mourides in particular are renowned for wedding an industrious work ethic with their devotion to their spiritual leaders, and have quite effectively transitioned into more modern sectors such as the central Sandaga market in Dakar. Khadim Mbacké pointed out that various industrial initiatives take place under Mouride auspices, including electronics manufacturing and international commerce through Mouride branches outside of Senegal.\textsuperscript{296} Matlaboul Fawzayn, the dahira responsible for Touba’s new hospital, is predominately an international body, grown out of the modern commercial ties between Senegal and the developed world. Thus, it is unlikely that modernization will simply erode the institutions of brotherhood rule. However, one urban-rural gap from the Afrobarometer data does point to contested social control after modernization: 60% of urban residents never consult with religious leaders about important problems, while only 47.5% of rural residents indicate the same level of independence in their response. A similar gap exists regarding perceived corruption of religious leaders. These gaps

\textsuperscript{295} Boubacar Seck, interview with the author.
\textsuperscript{296} Khadim Mbacké, interview with the author.
suggest that while religious belief remains vibrant, and the material resources of the brotherhoods may actually be strengthened by modernization, there are more competitors in urban environments for the moral leadership that marabouts exercise in rural areas. Modernization is thus a contributing force to the broader pattern of leadership pluralization. That pluralization has indeed contributed to the institutional change traced in this chapter; however, those changes have not resulted either in the stricter differentiation of spheres or the declining importance of religion on the public agenda.

A second, somewhat embryonic, impact of modernization has been an increase in religious diversity through international population flows. Modern migration has brought another group into the mix: Protestants from other West African countries. These migrants, some fleeing political violence in places like Côte d’Ivoire and others simply attracted to Dakar’s relatively prosperous markets, are still quite small in size, but have already been the source of some discontent at the social level. During my fieldwork in Summer 2010, a confrontation took place between Muslim youth and a Protestant community in the suburb of Pikine Tally Bou Bess that attracted national media attention. Local residents complained about the noise from the evangelical services, and demanded its closure. A similar protest through the legal system in another residential area of Dakar, SICAP Liberté 5, took place earlier in 2010. In conversations about these incidents, complaints about the noise of such churches were coupled with the sense that these were foreign religious traditions, not Senegalese, and thus some level of social tension was to be expected. Abbé Alphonse Seck pointed out that because some of these communities are refugees, they are in particularly vulnerable social positions, and do not have the opportunity for the daily informal interreligious dialogues that characterize the
Muslim-Catholic relationship.297

The institutional question regarding development’s impact on population flows is how the concept of principled distance among religious traditions would survive if significant non-Muslim or Catholic communities arrive in Senegal. To put it bluntly, would the state fund pilgrimages to Azusa Street if a Charismatic Christian community takes off? If not, would the state decide to withdraw from funding any pilgrimages? Or instead choose to fund only those religious traditions that have enjoyed cooperative relationship with the state since independence? Secularization theory would suggest that development should drive religion and state further apart, making an end of pilgrimage funding more likely over time. My own framework points in a different direction, to the path dependent nature of the alliances between religious and secular actors, and the ability of these coalitions to incorporate new actors within existing institutional frameworks.

In contrast to the assumptions of secularization theory, economic development is unlikely to lead to a sharper distinction between religion and democracy in Senegal. Individual belief remains extremely high, meaning that the salience of religious debates is unlikely to disappear. The modern state has a higher capacity than its immediate post-colonial predecessor, meaning more opportunity to extend state cooperation with religion into the sectors of education and health. Extending the principles of laïcité into the fight against AIDS, for instance, does not make the state more or less secular, but instead reinforces the general pattern of state-religious cooperation that has characterized Senegal since independence. If anything, increased population flows between the rural heartlands and Dakar may break down the sense of differentiation between state and religious, as the

297 Abbé Alphonse Seek, interview with author.
political aspirations of marabout-politicians indicates. Modernization’s effect on state institutions travels through coalition politics, as various associations jockey for influence among newly urbanized communities, and new groups emerge to meet urban challenges as diverse as shantytown flooding and bus coordination. Periods of economic development could correspond to either institutional breakdown or institutional evolution, depending on the health of coalition alliances structured by benevolent secularism.

7. Conclusion

The combination of President Wade’s election and changes to the religious landscape in Senegal presented a challenge to laïcité unseen since the critical juncture during which benevolent secularism emerged. However, coalition alliances across the religious-secular divide and among interfaith groups ensured that this period would be one of secular evolution rather than a more general breakdown of laïcité. While evolution brought an increased presence of religious political parties and greater cooperation between religion and state in the provision of religious education, these changes were broadly compatible with benevolent secularism. Its three core characteristics, differentiation, cooperation and principled distance, have endured this turbulent period. With the electoral defeat of Wade by President Macky Sall, the immediate task of preserving benevolent secularism seems complete.

While Wade’s administration has come to a close, patterns of demographic change and tensions built into the structure of benevolent secularism are likely to provide future periods of institutional change. These enduring tensions within laïcité stretch back to the Code de la Famille debates, and are especially visible in debates about the extent of
religious autonomy from state control. Perceived violations of religious autonomy has been one issue that united the rather fractious Sufi brotherhoods from time to time, and could play a role in provoking a more traditional secular-religious divide in the future. The autonomy of religious institutions has always been a special concern of laïcité, from the constitutional language in Article 19 declaring that “religious communities have the right to develop without obstacles” and “regulate their affairs in an autonomous manner.” The extent of “their affairs” is a key driver of contention, with Muslim reformists arguing that this should include legal standing over marriage, for instance, while governance organizations claim that the communal autonomy of brotherhood life increasingly undermines effective state development. Guèye points out that the original “land concessions” granted by the colonial regime and affirmed after independence “does not mean extraterritoriality” in law, but has consistently been interpreted as such by the brotherhoods, and particularly by the Mourides.\textsuperscript{298} Fatou Kiné Camara observed in conversation that while such debates started over the \textit{Code de la Famille}, they now extend as well to state regulation of informal religious schools, where the rhetoric of \textit{laïcité} is used to justify \textit{non-intervention} on the part of political elites.\textsuperscript{299} These debates are important for benevolent secularism more broadly. To what extent should religious groups receive exemptions from general state regulations? How do states resolve tensions between the dimensions of benevolent secularism, especially differentiation and cooperation? Recent history in Senegal suggests that these questions will be answered differently in different cases, depending on decisions within and between the coalition blocs supporting benevolent secularism.

\textsuperscript{298} Guèye, \textit{Touba}, 287.  
\textsuperscript{299} Fatou Kiné Camara, interview with author.
While the general theoretical model proposed in Chapter 1 holds up fairly well in the period of recent institutional change in Senegal, two ambiguities in the model are important to acknowledge. First, while one can certainly speak of a bloc of state and civil society elites in Senegal, it is not accurate to say that this represents a group personally devoted to atheism of non-belief. My framework supposes that benevolent secularism helps to undercut anticlericalism among political elites, and in the process reduce the religious-secular divide over time. However, the challenge from political elites in Senegal in the contemporary period was not a resurgence of anticlericalism, as in Ireland, but rather a willingness to advance sectarian politics if it brought electoral benefits. While one could imagine a breakdown of the alliance between the Sufi brotherhoods and civil society organizations like the *Assises Nationales*, it would not quite be accurate to term this a religious-secular divide.

Second, while the hypothesized inter-group alliance patterns did drive the evolution of secularism in the face of new challenges, and avoid institutional breakdown, the *within* group effects of benevolent secularism were also directly relevant. This was most apparent within the Mouride community, where the continued predominance of pious secularism undercut Wade’s attempts to breakdown differentiation and principled distance. This was not an intergroup effect (although those existed simultaneously), but rather a reflection of the within group power of pious secularist arguments among Mourides. While my framework roughly schematizes that within group effects of institutions take place at critical junctures, while intergroup effects on institutions occur during periods of secular evolution, there are likely direct within group effects on institutions as well during the secular evolution process.
With these limitations in mind, the endurance of laïcité does demonstrate the ways in which coalition blocs take active steps to preserve the institutional relationship between religion and state when it faces institutional breakdown. The preferences of these actors have been themselves shaped by the structure of benevolent secularism, which makes sense of the path dependent nature of laïcité in Senegal.
CHAPTER 6
SECULAR EMERGENCE IN THE PHILIPPINES: BEYOND THE COLONIAL STALEMATE

1. Introduction

With preachers contesting elected office, chapels in state buildings, and a state system of sharia courts, it may come as a surprise that Article 2, Section 6 of the 1987 Constitution of the Republic of the Philippines states, “The separation of Church and State shall be inviolable.”\(^{300}\) The phrase “separation of Church and State” does not even appear in the American constitution that exercised so much influence in the Philippines, and yet it features prominently among the Declaration of Principles that opens that Filipino governing document. Although several rounds of constitutional revision have taken place since Spanish colonialism ended in 1898, the twin tolerations have generally coexisted with religious mobilization in this devout democracy. Indeed, Fr. Joaquin Bernas, S.J., a Catholic priest serving on the Constitutional Commission of 1986, was among the key defenders of constitutional language separating religion and state, even as the Catholic Church enjoyed tremendous popular legitimacy. How did the Philippines, with its overwhelming Catholic majority and history of clerical control of state institutions, secure the twin tolerations at the critical juncture of independence?

The critical juncture of secular emergence came as the Philippines moved to independence from American colonial rule: the 1934 Constitutional Convention and the Commonwealth Constitution of 1935. The Commonwealth Constitution did not result in full independence (which only arrived after the disastrous Japanese occupation during World War II), but it set out the major features of the institutional relationship between religion and state that endured long after full independence in 1946. This juncture

followed three centuries of Spanish colonial rule, from the Sixteenth Century-1898, and over three decades of direct American colonial administration (1898-1935). The Spanish had legally established Catholicism as a state religion, and American colonial authorities in turn imposed strict separation of religion and state on their arrival in 1898. At the 1934 Constitutional Convention, with the impending withdrawal of American rule, Filipino elites took up the task of configuring the relationship between religion and state for themselves. They had begun this process at the Malolos Congress of 1898, but deadlocked on the question of the place of religion in an independent Philippine republic. The Malolos Constitution was never fully implemented due to America’s arrival, and thus Filipino actors had not resolved its stalemate over religion and democracy. Would the twin tolerations emerge? Or would the secularism trap spring, either because Catholic authorities secured formal establishment or anticlerical political elites turned the coercive power of the state on religious institutions? The 1934 Constitutional Convention’s deliberations provided the moment of institutional uncertainty in which Filipino elites took up these questions. They are thus the critical juncture during which to examine secular emergence in the Philippines.

This chapter argues that institutional design of benevolent secularism was in large part responsible for the emergence of the twin tolerations in the Philippines during this time. The hostile relationship between religion and state imposed during the early days of American rule gave way to what the Filipino Supreme Court later termed “benevolent neutrality,” an institutional relationship that bears the three dimensions of benevolent
secularism: differentiation, cooperation and principled distance. These institutions moved beyond the colonial era, either its Spanish form of religious establishment or even its American strict separationism. Cooperation between religion and state, particularly in the realm of education and family policy, shaped the preferences of relevant coalition actors: elites in the Catholic hierarchy, state politicians, and minority religious communities. As anticlericalism faded among political elites and Filipino Catholic leadership became less dominated by Spanish prelates, the coalition supporting a benevolent form of state secularism took shape. Without this coalition, it is entirely plausible that either the anticlerical or the religious establishment end of the secularism trap would have resulted, rather than the twin tolerations between religion and democracy.

This chapter advances in four main parts. First, I provide a brief overview of the Filipino religious landscape. Then, I document the formal institutions of religion-state relations that emerged at the critical juncture of the Philippine Commonwealth on the three dimensions of benevolent secularism: differentiation, cooperation and principled distance. Next, I provide evidence that this institutional configuration altered the preferences of the main blocs contesting the relationship between religion and democracy: political elites, the Catholic Church, and religious minorities. Debates within these blocs changed in response to the benevolence of secularism considered at the 1934 Constitutional Convention, and show clear contrast to internal debates under different institutional conditions at the 1898 Malolos Congress. After examining the three alternative explanations of secular emergence in the Philippines, the chapter ends with a

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301 Estrada v. Escritor, 492 SCRA 1 (Supreme Court of the Philippines, 2003). Many thanks to Pats Alcantara for his generous help in navigating Philippine case law related to religion and politics. Pats Alcantara, interview by David Buckley, Quezon City, Philippines, August 19, 2010.
debate shortly after the Commonwealth Constitution’s adoption that documents the lingering tensions among the coalition blocs in the Philippines: the extent of religious education in public schools.

2. The Religious Landscape of the Philippines

A brief overview of the Philippine religious landscape helps make sense of the institutional argument that follows. It is easy enough to note that the Philippines is “Asia’s only Christian nation,” but this only begins to describe the religious makeup of the public and of relevant institutions. At a basic level, the Philippines is not only primarily Christian, but overwhelmingly Roman Catholic. Survey data from the International Social Survey Programme, carried out in conjunction with the Social Weather Stations research firm in Quezon City, has found Catholics at over 80% of the population in each of its three waves since 1990. In contrast to many of the majority Roman Catholic countries in Latin America, there has been no mass exodus from Catholicism to Protestant denominations as individuals age; only 5% of the population report a shift away from Catholicism in the most recent wave of ISSP data. The presence of Catholicism is inextricably linked to the Spanish colonial rule that entrenched itself from the sixteenth century until the lopsided Spanish-American War at the close of the nineteenth century. The first Augustinian missionaries arrived with Spanish explorers in 1565, and missionaries would go on to systematically evangelize the islands. At the critical juncture of secular emergence, the Catholic leadership in the Philippines was just

303 Horacio De la Costa and John N. Schumacher, Church and State: The Philippine Experience, in Loyola Papers (Manila, Philippines: Loyola Papers Board of Editors, 1978).
beginning to get over the imposition of colonial bishops, first from Spain and then from the United States.

Within this broad majority Catholic community, two sub-groups are worth particular attention. First, religious orders of various kinds have played a central role in Filipino Catholicism. Dominicans, Augustinians, Franciscans, and Recollects all played a role in evangelizing the islands, and received substantial landholdings from the Spanish administration for their cooperation. This collaboration fueled nationalist anti-friar sentiment most notable in the character of Padre Damaso in José Rizal’s classic nationalist novel, *Noli Me Tangere*. While such anti-friar sentiment has faded, the orders remain important political actors. The elite Catholic universities of the Philippines are often run by religious orders, particularly to the Jesuits through Ateneo de Manila and the Christian Brothers’ De La Salle University. The importance of orders shows through in civil society as well, where the Association of Major Religious Superiors of the Philippines (AMRSP), a collective of male and female religious leadership, enters the political realm much more assertively than the official Catholic hierarchy headed by the Catholic Bishops’ Conference of the Philippines (CBCP). A second subgroup, more relevant to the secular evolution in Chapter 7 than to the period of secular emergence, is the ranks of Charismatic Catholicism in the Philippines. Major charismatic associations like El Shaddai and Couples for Christ claim two and 1.4 million members respectively, and have built substantial media and grassroots organizing networks throughout the country. 304 The lay leadership of these organizations facilitates political action, notably the electoral candidacies of some Charismatic Catholic leaders, that are a major feature of

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current church-state relations. While the Cardinal of Manila and other members of the Catholic hierarchy are the unquestioned leaders of the Catholic Church in the Philippines, the religious orders and Charismatic movements are central to understanding the past and future of Filipino secularism.

While the Catholic community is the main driver of Christian life in the Philippines, there are also significant Protestant communities that have played important roles since the early American colonial period. Non-Roman Catholic Christians make up approximately 7.5% of the population according to the most recent round of ISSP surveys from 2008, a significant minority in a country of over 90 million people.305 This group is itself quite diverse. Churches affiliated with the National Council of Churches of the Philippines (NCCP) generally correspond to denominations considered Mainline Protestant in the United States, such as the Episcopal Church of the Philippines and the United Church of Christ in the Philippines. During the US colonial era, Protestant American missionaries divided the Philippines among themselves, much as the Catholic religious orders had done centuries before, and this historical division is still reflected in the spread of the NCCP churches today. More evangelical Christian churches have organized under the Philippine Council of Evangelical Churches (PCEC). As discussed at length in Chapter 7, these two Protestant bodies have quite distinct patterns of political engagement with important implications for state secularism. In addition to these denominations, two distinct Filipino Christian communities claim substantial membership. The Philippine Independent Church, also known as the Aglipayan Church, is a nationalized form of the Catholic Church that formed during the anticlerical periods

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of the revolution against Spanish rule. Property controversies involving the Aglipayan Church played a crucial role in the juncture of secular emergence; how would the Philippine state decide about ownership of Aglipayan buildings taken from Catholic control? The final major Protestant community is the Iglesia ni Cristo (INC), which represents 3.6% of the ISSP survey. The INC has a particular reputation for political cohesion, and thus exerts outsized electoral influence.

While the Philippines is an overwhelmingly Christian country, it has a long-established Muslim minority that continues to impact the relationship between religion and state. Overall, Muslims make up approximately 5% of the general population, although because of political instability in some Muslim-majority areas, this number is likely underestimated. The Muslim community has historically been concentrated in parts of Mindanao, a legacy of Muslim missionaries who arrived in the Southern Philippines as early as the thirteenth century. The Sultanates of Sulu and Maguindanao reigned over portions of the Southern Philippines through the Spanish colonial period, and enjoyed substantial concessions even during American colonial administration. Today the Muslim population makes up a majority in portions of Mindanao, and has also spread throughout the major cities of the Philippines such as Manila and Cebu. Institutional Islam in the Philippines, as is typical in Sunni Muslim communities, is less hierarchically organized than the Catholic community. Networks of the ulama have formed in recent years, and engage in a range of public advocacy. Notable groups include the National Ulama Council of the Philippines and a civil society organization that builds networks of Muslim leaders, the Philippine Center for Islam and Democracy.
The jurists associated with the state Sharia District Courts form another important elite network that impacts religion-state relations.

This brief overview gives of a sense of the diversity within the Philippine religious landscape. While the Catholic Church predominates, and has since the independence period, religious minorities of various stripes were crucial coalition actors both in the period of institutional flux around the Constitutional Convention of 1934 and in shaping later secular evolution.

3. Assessing Benevolent Secularism in the Philippines

From the briefly-enacted Malolos Constitution to the post-authoritarian document developed by the 1986 Constitutional Commission, the Philippines has declared itself a secular republic, invoking the sovereignty of the Filipino people rather than that of any Divine being. The Constitution of the Philippines and its judicial interpretation over time bear a heavy imprint from the Establishment Clause and Free Exercise Clause jurisprudence rooted by the United States Constitution. However, it would be inaccurate to categorize the Philippines as an institutional clone of the United States in Southeast Asia. While American jurisprudence on religion and state places heavy emphasis on “strict neutrality,” the Supreme Court of the Philippines in its extensive Estrada v. Escritor decision held that “[Philippine] constitutional history and interpretation mandate benevolent neutrality.” What does benevolent neutrality mean, and what are its institutional implications in the Philippines?

What the Philippines’ Court called benevolent neutrality is an institutional sibling of Irish and Senegalese secularism. It possesses all of the key features of the more

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306 Estrada v. Escritor.
general category of benevolent secularism: differentiation, cooperation between religion and state, and principled distance among all religious communities. This type clearly varies from the assertive secularism of France as well as the passive secularism of the United States. The model shares the dimensions of laïcité in Senegal and de Valera’s 1937 Constitution in Ireland. Cooperation in the Philippines at the critical juncture of secular emergence was rather less extensive than in Ireland and Senegal, with more emphasis on differentiation of religious and state institutions. Overall, however, the three dimensions of differentiation, cooperation and principled distance stand out from Constitutional language to policy structures and implementation.

The basic differentiation of religion and state institutions in the Philippines rests on Constitutional language regarding both establishment and free exercise. Article III, Section 1 (7) of the 1935 Constitution declared, “No law shall be made respecting an establishment of religion,” while the 1987 Constitution put it even more bluntly: “The separation of Church and State shall be inviolable.” The 1935 document spells out the differentiation of institutions in some detail as related to state funding in Article VI, Section 13 (3): “No public money or property shall ever be appropriated, applied, or used, directly or indirectly, for the use, benefit, or support of any sect, church, denomination, sectarian institution, or system of religion.” While this type of language needed interpretation in the process of policy formation, it set a clear baseline of institutional differentiation. The multiple religious establishments seen in Germany, for instance, would run against of this constitutional language. As in Senegal, the differentiation of religion and state institutions came with implications for religion’s role in elections. The Administrative Code forbid “ecclesiastics” from election or
appointment to a municipal office.\textsuperscript{307} Later constitutional revisions would build on this
prohibition in forbidding the registration of “religious denominations and sects” as political parties.

Article III, Section 1 (7) of the 1935 Constitution goes on to protect religious liberty for all, prohibiting laws that “or prohibiting the free exercise [of religion]. It then forbids religious tests for public office and “forever allows” the “enjoyment of religious profession and worship.” Leaving aside whether this grants adequate protection to unenjoyable religious worship, the protections of free exercise show through. Article III, Section 1 (7) specifically states that this protection is not limited to certain traditions; the state must protect religious liberty “without discrimination or preference.” The Ordinance Appended to the 1935 document reiterates the point: “Absolute toleration of religious sentiment shall be secured and no inhabitant or religious organization shall be molested in person or property on account of religious belief or mode or worship.” While the Preamble of the 1935 Constitution does “implore the aid of Divine Providence,” this general statement is not tied to any one or set of religious communities.

These clauses set out the differentiation of religion and state in the Philippines; however, the other principles of benevolent secularism, cooperation and principled distance, can be traced as well during this period. As in both Ireland and Senegal, cooperation between religion and state existed in the educational realm. The Spanish colonial regime conducted all education through religious schools, so structuring the place of religion in the new state schools was a flashpoint around the 1934 Convention. Article XIII, Section 5 established free primary public education, and that all educational institutions would be “subject to regulation by the State.” However, there would also be

\textsuperscript{307} Cited in Pamil v Teleron 86 SCRA 413 (Supreme Court of the Philippines 1978).
cooperation between religion and state in this area. The 1935 Constitution required public schools to “develop moral character” among students. Moreover, it allowed “optional religious instruction” in public schools, with the cost not born by the State. The cooperative nature of benevolent neutrality comes through in an account from the period describing optional religious instruction as “a profession as a people of our faith in God...that we give due importance to religion without making its teaching compulsory.”

Vice President Sergio Osmeña argued at the time that “[Optional religious instruction] was the maximum concession that a state which recognizes the principle of religious freedom and the separation of church and state could possibly give in interest of tolerance and good will.”

Decades later, Fr. Joaquin Bernas, S.J., a noted constitutional lawyer and Commissioner to the Constitutional Commission and 1986, pointed out in his commentary that “in effect, this provision creates an explicit exception to the non-establishment clause...it will not be made to depend on the school administrator’s interpretation of separation of church and state.”

In addition to cooperation in the area of religious education, other areas of material support for religion exist in the Philippines. While courts have usually permitted similar support in the United States, the 1934 Constitutional Convention did not leave the matter open to jurisprudence, but instead placed several provisions directly into the text. The most obvious example is Article 6, Section 14 (3): “Cemeteries, churches, and parsonages or convents appurtenant thereto, and all lands, buildings, and improvements...

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used exclusively for religious, charitable, or educational purposes shall be exempt from taxation.” Article 6, Section 13 (3) also allowed state-funded religious officials “when such priest, preacher, minister, or dignitary is assigned to the armed forces or to any penal institution, orphanage or leprosarium.” These provisions moved from Constitutional generalities to implementation through legislation and court decisions. The most important Supreme Court decision during the critical juncture of secular emergence came in 1937, shortly after the adoption of the 1935 Constitution, in the case of Aglipay v. Ruiz. Here, the Court ruled that state stamps commemorating the 33rd International Eucharistic Congress of the Catholic Church were in fact constitutionally permissible. The majority’s opinion captures the cooperative nature of secular institutions: “Religious freedom, however, as a constitutional mandate is not an inhibition of profound reverence for religion…the elevating influence of religion in human society is recognized here as elsewhere. In fact, certain general concessions are indiscriminately accorded to religious sects and denominations.”\footnote{Aglipay v. Ruiz. 64 Phil 201 (Supreme Court of the Philippines, 1937).} These “general concessions…indiscriminately accorded” are marker of religion-state cooperation during the Commonwealth.

Finally, cooperation showed through in a more limited way at this juncture in elements of policy formulation. The Revised Penal Code of 1930, for example, established a category of “Crimes against Religious Worship,” explicitly forbidding interruption of religious worship and offense of religious feelings.\footnote{Revised Penal Code of the Philippines, arts. 132-133.} As in Senegal and the Philippines, religious institutions took particular interest in state regulation of family affairs. The Civil Code of 1950 recognized marriage as “not a mere contract, but an inviolable social institution, and explicitly recognized the role of religious ministers and
churches in solemnizing marriages.\textsuperscript{313} Religious-state policy consultations in this period extended more broadly as well. The Federation of Free Workers and the Federation of Free Farmers, groups founded by the Catholic Church, worked to shape state policy on labor and agriculture.\textsuperscript{314}

While cooperation between religion and state did emerge around the Commonwealth Constitution, it is important to acknowledge that this cooperation was less extensive than in the other two cases considered in this argument. The kind of religion-state partnership over primary schooling in Ireland, for example, would have been unthinkable to Filipino political elites. Likewise, the material transfers to the Sufi brotherhoods in Senegal would have fallen afoul of Philippine constitutional limitations on religious funding. If the two dimensions of differentiation and cooperation are in some tension, the 1935 Philippine Constitution tended more to differentiation. This came with implications for the impact of political institutions on the preferences of coalition actors: the Catholic elites were less content to accept the benevolent secular bargain, and pushed its boundaries nearly from the adoption of the 1935 Constitution.

The final dimension of benevolent secularism, the principled distance among religious communities, also characterized the 1935 Constitution and institutions that grew from it. While the issue of optional religious education was a priority of Catholic authorities, there was no religious limitation on who could pursue such education. Delegates to the 1934 Constitutional Convention included Protestant and Muslim

\textsuperscript{313} Civil Code of the Philippines, arts. 52-57. The Civil Code was not revised until after World War II due to the Japanese occupation. However, its specific provisions were in keeping with the broader principles set out in the 1935 Constitution.

\textsuperscript{314} Wilfredo Fabros, \textit{The Church and Its Social Involvement in the Philippines, 1930-1972}, (Quezon City: Ateneo De Manila University Press, 1988) provides an extensive overview of Catholic efforts to shape state policy during the Commonweal and early years of independence. While Catholic views did not always prevail, there were extensive patterns of consultation that emerged during this period.
citizens, a pattern which would repeat itself in later periods of constitutional revision. Protestant chaplains were commissioned along with Catholics for Philippine prisons and military posts. Manual Quezon, the first President of the Philippine Commonwealth, summed up this impartiality as it related to the powers of his office: “As an individual, I worship my God in accordance with my own religious belief. But as the head of the State I can have no more to do with the Catholic than I can with a Protestant denomination, the Aglipayan, the Mohammedan, or any other religious organization or sect in the Philippines.”

The principle distance of the state among religious communities can also be traced in the exemptions and religious accommodations to civil law made during this period. Catholic priests were protected from breaking the seal of the confessional in state courts. Members of Iglesia Ni Cristo, a Christian church that forbids union membership, were exempted from closed shop union agreements. The more recent Estrada v. Escritor case shows that this pattern continues. A Jehovah’s Witness who lost a government job for an illegal marital arrangement in keeping with that faith tradition won the case because the Court held that “accommodation of [alternative] morality based on religion” was central to the functioning of benevolent neutrality in a pluralistic society.

The most obvious example of exemptions related to principled distance came in the treatment of Muslim personal law. The Muslim minority in the Philippines received significant autonomy in legal recognition for its customs related to marriage and divorce,

315 Quoted in Hernando, "Quezon and the Rule of Law,” 225.
318 Estrada v. Escritor.
even when these came into conflict with general civil law. The New Civil Code of 1950 recognized, “Marriages between Mohammedans or pagans who live in the non-Christian provinces may be performed in accordance with their customs, rites or practices. No marriage license of formal requisites shall be necessary,” while Republic Act 394 of 1948 recognized Islamic divorces. Later, this provision from the period of secular emergence carried forward to the Code of Muslim Personal Laws (CMPL), enacted by President Marcos in 1973 to signal to Muslims that “the government protects their religion and their rights, that they are treated equally with the rest of the population, and that they are an integral part of the Filipino nation.” The state funds Sharia courts, as well as the professional sharia jurists who staff them. This legal standing for religious tribunals is difficult to imagine under the configuration of American secularism. It thus provides an especially useful insight into the ways in which religion-state relations in the Philippines resembled benevolent secularism, rather than strict adherence to the more separationist American model.

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Secularism in the Philippines is about far more than the simple differentiation of religion and state through the Free Exercise and Establishment clauses from the 1935 Constitution. It also demonstrated the patterns of cooperation and principled distance that characterize benevolent secularism. Table 1 summarizes some of the evidence of these dimensions at or around the Commonwealth Constitution’s adoption in 1935.

While more than one conversation in Manila involved a smile before saying, “Of course the Philippines is not really a secular country,” the reality is that differentiation, cooperation and principled distance do combine to make up a type of secularism: benevolent secularism. At the critical juncture provided by the 1934 Constitutional
Convention, these institutions played a crucial role in securing the twin tolerations between religion and democracy, by shaping the preferences of actors debating the place for religion in independent Philippine democracy.

4. Institutional Effects on Coalition Politics

Benevolent neutrality played such an important part in the emergence of the twin tolerations in the Philippines because it affected debates within the coalition blocs regarding the relationship between religion and democratic politics. The general theoretical framework from Chapter 1 sets out empirical expectations for the effects of benevolent secularism on actor preferences during critical junctures: empowering pious secularists within the religious majority, undercutting anticlericalism among political elites, and drawing minority communities into public partnerships. These effects can occur because of multivocality within each coalition bloc: institutions shape internal debates about the preferred institutional role for religion in democratic politics. Tracing the effects of benevolent neutrality in the juncture around the Commonwealth Constitution of 1935 provides an opportunity to test these hypothesized effects. Given the fact that cooperation was relatively less extensive and differentiation sharper in the Philippines during this period, we would expect that pious secularists in the Catholic majority should have been moderately less dominant than those in Senegal and Ireland during similar periods. Evidence indicates that the institutional configuration of benevolent secularism detailed above had substantial effects within each of the coalition blocs. The anticlericalism of nationalist political elites moderated, the ambitions to formal establishment among Filipino clergy ebbed, and some minority communities
engaged in public affairs. The institutional design of benevolent secularism thus
encouraged a diverse coalition that secured the twin tolerations in the independent
Philippines.

Throughout this section, I trace the institutional effects of benevolent secularism
within these coalition blocs primarily by contrasting elite preferences during the
Constitutional Convention in 1934 with the deliberations around the Malolos Congress in
1898. While just a quarter century earlier, the Malolos debates took place within a very
different institutional context: the breakdown of the Spanish fusion of state and Catholic
institutions. By the late Spanish era, friar-landlords became entrenched in the colonial
system, “convinced that only under Spanish rule could Philippine Christianity survive,
and that liberal reforms demanded by educated Filipinos could only be a source of
irreligion.” Gowing calls the church-state debates at Malolos “the most exciting and
dramatic of the convention,” in large part because they were so divisive and ultimately
inconclusive. Contrast attitudes within each coalition bloc in the wake of the

321 Through the Spanish colonial period, church-state relations in the Philippines were shaped by the
broader Patronato Real de las Indias that governed Spain and its imperial holdings. Under this agreement,
the monarch, as patron of the Church, was granted legitimate territorial rule and the right to control both
major and minor clerical appointments under Spanish control. This included control over those nominated
as bishops, authority to direct missionary organizations and religious orders throughout the islands, and
more day-to-day authority over the appointment of parish priests and the secular state functions that priests
carried out in various parishes See De La Costa, Church and State. As Philip II humbly described his
power in 1574, “Let no secular person, nor cleric, order, convent, congregation, or community...dare to
intrude into matters touching [ecclesiastical] patronage.” Quoted in John Schumacher, Readings in
Philippine Church History, 2nd ed. (Quezon City: Loyola School of Theology, Ateneo De Manila
University, 1987), 9. In practice, this fusion of church and state masked regular tension between religious
and secular authorities.
322 De la Costa and Schumacher, Church and State, 20.
323 Peter Gowing, “The Disentangling of Church and State Early in the American Regime in the
University Press, 1969), 205. After one tied vote regarding establishment, and a second vote broken by the
chair and protested by Church supporters as a piece of procedural trickery, the convention approved Title
III, Article 5, in which “The State recognizes the freedom and equality of all religions, as well as the
separation of Church and State” (Schumacher, Readings, 279). However, to maintain a unified nationalist
front as conflict with the United States loomed, the convention proclaimed in Article 100 “the execution of
Article 5, Title III is hereby suspended until the meeting of [a post-war] constituent assembly” (ibid). Even
Malolos deadlock with those around the 1934 Constitutional Convention demonstrates the substantial effect of institutional variation on these internal debates.

As the Philippines revolted against Spanish rule, anticlericalism predominated among Philippine political elites. Republican currents from Europe influenced Filipino nationalists in the late nineteenth century, and calls for official disestablishment of the church and confiscation of friar landholdings were far from benevolent. The secular nationalist elite may not have been as militantly anticlerical as their Spanish counterparts, but they clearly saw disestablishment of the Catholic Church as part and parcel of the process of independence and social development. The eventual leaders of the revolution like José Rizal, Marcelo del Pilar, Andres Bonifacio were either Masons or at the very least anti-friar, and del Pilar wrote to Rizal in 1889 to argue that “the faith of the Filipino will fade away completely” once the political power of the friars was broken.\textsuperscript{324} At the Malolos Congress, Apolinario Mabini, a Mason and powerful advisor to revolutionary leader Emilio Aguinaldo, pushed for language that would officially disestablish the Church and allow religious pluralism.\textsuperscript{325} When American colonizers consolidated their administration of the islands, they insisted that the separation of church and state be “real, entire and absolute,” an outcome welcomed by the anticlericals, and enshrined this principle in the Organic Act of 1902, which ruled in place of a constitution.\textsuperscript{326} This imposed disestablishment was coupled with guarantees of religious liberty, in part to satisfy American Protestant missionary organizations that clamored to enter a land

\textsuperscript{324}Schumacher, \textit{Readings}, 266.
\textsuperscript{325}De la Costa and Schumacher, \textit{Church and State}, 30-31.
“oppressed by a tyrannical priesthood.”\textsuperscript{327} If such anticlericalism had endured among Filipino political elites, the secularism trap could well have sprung from the state side, with the denial of basic freedoms to the Catholic majority.

By the 1934 Constitutional Convention, however, anticlericalism faded among Filipino political elites in response to the effects of benevolent secularism. The dimension of differentiation was particularly important to this bloc, as memories of Spanish fusion of Church and state provided a recent threat. Manuel Quezon, first President of the Commonwealth, was a Mason and declared the Catholic Church “the sworn enemy of democracy [in the Philippines]” as late as 1917.\textsuperscript{328} However, he recanted his Masonic allegiance in 1930 in rejoining the Catholic Church. Whatever Quezon’s motivations, his actions reveal the dulled edge of the secularist bloc in the Philippines in the early 1930s.\textsuperscript{329} This change among political elites took place in response to the structure of benevolent secularism, especially its stable differentiation of religious and state institutions. The Taft Administration’s forcible differentiation of religion and state institutions took the urgency away from anticlericalism. By the 1934 Convention’s deliberations, the basic differentiation of religion and state was largely uncontested, and so state elite bloc demonstrated different preferences than at Malolos. Even those speaking against religious influence in education, such as Delegate Esliza, would oppose such instruction on the grounds to prevent “the keen eye of jealousy” from emerging.


\textsuperscript{328} Quoted in De la Costa and Schumacher, \textit{Church and State}, 57.

\textsuperscript{329} Frederic Marquardt, “Quezon and the Church,” \textit{Philippines Free Press}, August 19, 1954. Quezon professed family motives for his return to the Church, as well as his relationship with Archbishop Michael J. O’Doherty of Manila.
among the Christian churches. After the 1935 Constitution had fixed the general boundaries of benevolent secularism, President Quezon, the former Mason, would justify those institutions in reference to the good they did for religion: ‘[It is necessary] to protect any religion from any attempt on the part of the civil authorities to meddle or control the affairs that pertain to the Church.’ The unvarnished anticlericalism of the revolutionary period was a thing of the past.

At the Malolos Congress and in the early years of American colonialism, pious secularists did not carry debates within the majority Catholic Church. The fall of Spanish colonialism and arrival of American administrators had thrown the Catholic Church in the Philippines into a state of disarray. While some provision for a local clergy had been made in the early eighteenth century, due to infighting between state authorities and the religious orders, these native priests were often poorly trained and seen as unfit for duty. Archbishop Sancho lamented in 1779 that his own local priests are reported as “wine-bibbers,” “robbers” and “galley boatswains.” After the flight of their Spanish leaders, native Filipino clergy who remained were “defensive and alienated from the mainstream of society,” in an environment where “survival was the only concern that could be

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332 Quoted in Schumacher, Readings, 204-205. In a brutal piece of irony, as native clergy became better trained, they also became more suspected of disloyalty by Spanish administrators. Three such priests, Fr. José Burgos, Fr. Mariano Gomez, and Fr. Jacinto Zamora would be executed after secret military trial in 1872, and other leaders among the native clergy intimidated into exile. The three executed priests, particularly Burgos, exerted a substantial influence on the growing nationalist movement in the late nineteenth century. John Schumacher, The Propaganda Movement, 1880-1895: The Creators of a Filipino Consciousness, the Makers of Revolution (Manila: Solidaridad Pub. House, 1973). Nationalist writer and hero José Rizal remarked that he would have become a Jesuit priest if not for the witness provided by the executed priests, who instead inspired him to nationalist action. And while the Katipunan, the armed resistance movement to Spanish rule that emerged near the end of the nineteenth century, is frequently seen as anticlerical because many members were Masons influenced by the republican conflicts of Spain, its password was a contraction of the three executed priests’ names: GomBurZa.
realistically expected of a Church.” While Church advocates at Malolos embraced the end to colonial rule, they saw independence and state secularism as unrelated matters. Felipe Calderon, an author of the draft Constitution, called for official Catholic establishment. The insistence of Mabini and his allies on constitutional disestablishment further stoked fears that liberal elites would not only end the friar-backed colonial system, but also uproot the perceived Catholic character of the Filipino nation. The imposition of American colonial rule did not strengthen the hand of any pious secularists who did exist within the Philippine Catholic community. Catholic officials regularly complained that American administrators favored Protestants and anticlerical masons in public school hiring and textbook selection. With President McKinley himself claiming that God had directed him to “Christianize” the Filipinos, Catholic insecurity was understandable.

In spite of this bleak period, the pious secularist position came to preeminence within the Catholic community by the Constitutional Convention in 1934. This effect within the Catholic leadership owed to the configuration of benevolent secularism set in place in the years before the 1934 Convention, particularly the expansion of religion-state cooperation. This dimension of benevolent secularism was particularly important to Catholic elites, as both a source of their institutional strength and a signal that differentiation need not violate religious freedom. Evidence suggests this process began with institutional changes in the years immediately before the Convention, as Taft’s

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333 Fabros The Church and Its Social Involvement, 15.
335 McKinley’s claim that the United States had an obligation to “uplift and civilize and Christianize [the Filipinos]” appeared in an interview with The Christian Advocate published in 1903. Quoted in Anderson “Providence and Politics,” 293.
administration “made all concessions possible within the framework of the constitutional provision for separation of church and state.”  

The cooperative relationship between religion and state could be seen in the educational realm, where state and religious leaders combined to recruit Catholic teachers for Philippine schools. As voting rights broadened electoral participation, the Church could advocate its interests through democratic means, and Masons seemed less threatening than at Malolos.

By the 1934 Constitutional Convention, the cooperative dimension of benevolent secularism had empowered pious secularists within the Catholic Church. Convention deliberations opened with an invocation from Bishop Alfredo Verzosa, who went on at some length to ask “Omnipotent and omnipresent God” to look down on the assembly’s deliberations. Notes from the Convention point to the “genuine satisfaction” among delegates at having moved beyond the “union of church and state under the Spanish regime,” and report that two attempts to make religious education obligatory were “overwhelmingly defeated.” Without the more cooperative turn in the religion-state relationship, pious secularists would not have come to such influence, and the stalemate over religious establishment that took place at Malolos could have easily played itself out again either in 1934. Instead, pious secularists among the Catholic bloc supported benevolent secularism, and thus played their part in securing the twin tolerations.

Benevolent secularism had a more varied impact on the preferences of different religious minorities in the Philippines. The early years of the American colonial period

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336 Clifford, “Religion and the Public Schools,” 308.
337 Taft and his superiors in the McKinley and Roosevelt administrations worked closely with American Catholic leaders like Cardinal Gibbons of Baltimore and Archbishop John Ireland of St. Paul to construct a state that was both secular and respectful of Catholic Church institutions. De la Costa and Schumacher, Church and State, 38.
339 Villarruz, Commentaries, 119.
saw a fragmenting of the Christian community, with three major sources: the Aglipayan schism, the birth of *Iglesia ni Cristo*, (INC) and the arrival of American Protestantism.\(^{340}\)

Around the Malolos Congress and the early years of American colonial rule, several non-Catholic Christian denominations had supported a strict separation of religion from public life, and the Protestant selected to head the public school system early in colonial rule, George Anderson, “pursued a policy hostile to Catholic sensibilities.”\(^{341}\) The Aglipayan break was especially notable, as its leaders incurred the wrath of the Vatican for challenging the appointment of Catholic bishops and initiating a range of property ownership disputes over formerly-Catholic land.\(^{342}\) Communities of American Protestant missionaries, arriving to “Christianize” the Philippines, did little to promote a coalition that might secure the twin tolerations. During this same period, preferences among the Muslim minority favored as much autonomy as possible from American rule. There was no particular cooperation with state institutions. Instead, American authorities

\(^{340}\) The Aglipayans and the INC are both native Christian movements, inspired in large part by resistance to the close ties between the Catholic Church and Spanish colonizers. Gregorio Aglipay, Catholic priest and revolutionary soldier, demanded the Vatican appoint native Filipino bishops, and in 1902 broke away from the Catholic Church to form a fully nationalized church, the Philippine Independent Church, commonly known as the Aglipayans. See Schumacher *Readings*, 317-333. About a decade later, in 1914, the INC was founded as another nationalist alternative to the transnational Catholic Church, this time with a more charismatic structure around the central figure of Felix Manalo. See Albert Sanders, "An Appraisal of the Iglesia Ni Cristo," in *Studies in Philippine Church History*, ed. Gerald H. Anderson, 350-65, (Ithica: Cornell University Press, 1969). Along with these local Christian alternatives, various American denominations arrived to “Christianize” the Philippines.

\(^{341}\) Clifford, “Religion and the Public Schools,” 305.

\(^{342}\) With Catholic Archbishop Nozaleda opposing the revolution and behind American lines, questions of who should speak for the native Filipino Catholic priests became pressing. One option was to nationalize the Church leadership, although this would require Vatican approval. In a scene that should ring familiar to students of the Investiture Conflict, a Filipino priest, Fr. Gregorio Aglipay, appointed a vicar general in place of a bishop captured by the revolutionary forces, and thus brought excommunication on himself. Aglipay argued, “[the revolutionary government] cannot recognize as head of the Filipino clergy a Spanish prelate, since the all-embracing political influence of the clergy on the government is known to all,” and thus, that Rome must allow the revolutionaries to appoint their bishops. Quoted in Schumacher, *Readings*, 281. This logic drove Aglipay to formal schism in 1901.
distinguished between the “regular provinces” and the “special provinces,” including Muslim areas, which were largely excluded from state administration.343

Evidence is more mixed in evaluating the effect of benevolent secularism on preferences within these minority communities in the juncture around the 1934 Convention. While the features of cooperation and principled distance drew the Muslim minority into public partnerships with state and Catholic elites, the Aglipayan Church continued to resist benevolent secularism in favor of much stricter separation of religion and state. Delegate Servando Castro, himself a minister in the Aglipayan Church, spoke out at the Convention against the optional provision of religious education in public schools. He argued that home study could produce “a good Christian and a virtuous man” rather than religious courses in public schools.344 In the same skeptical spirit to any cooperation between religion and state, the Aglipayan leadership filed suit to prevent the state from issuing stamps commemorating the International Eucharistic Congress of the Catholic Church in 1935. In contrast to Aglipayan preferences, the Muslim delegates at the 1934 Convention responded more in the hypothesized direction; they supported the extension of cooperation and principled distance, especially in areas of personal law. If anything, the Muslim minority wanted secularism to become more benevolent, and continued to lobby for more substantial religious accommodations. Expanding cooperation and principled distance served to empower Muslims like those who joined in the 1934 deliberations, rather than separatists arguing for confrontation with the Philippine state.

343 P. Abinales, Orthodoxy and History in the Muslim-Mindanao Narrative, (Quezon City, Philippines: Ateneo de Manila University Press, 2010).
In the space of a half-century, preferences among the key coalition blocs shifted dramatically in response to the shifting institutional configuration between religion and state. Table 2 summarizes these effects. Catholic elites no longer advocated the fusion of church and state experienced under Spanish rule, and instead demonstrated the pious secularist preference for differentiation combined with cooperation. This is all the more striking when we realize that the reforms of Vatican II that supposedly made Catholicism safe for democracy were several decades in the future. Political elites generally left behind the harshest Masonic anticlericalism in favor of accepting religion, even Catholicism, as a partner in democratic life. Preferences among religious minorities were more diverse. Some, like the Muslim minority, responded to increased principled distance and cooperation by engaging in public life. Others, like the Aglipayans, remained staunchly resistant to the cooperative dimension of benevolent secularism. While these findings of institutional effects are less unanimous than in Ireland and Senegal, they point to the same general conclusion: the structure of benevolent

<table>
<thead>
<tr>
<th>Coalition Partner</th>
<th>Hypothesized Within-Group Effect</th>
<th>Evidence in the Philippines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Religious Majority</td>
<td>Empower Pious Secularists</td>
<td>Bishop Verzosa’s Invocation, 1934 Constitutional Convention</td>
</tr>
<tr>
<td>State Elites</td>
<td>Weaken Anticlericals/Sink Costs into Cooperation</td>
<td>Quezon’s Retraction of Masonry</td>
</tr>
<tr>
<td>Religious Minorities</td>
<td>Engage in Public Partnerships</td>
<td>Mixed: Aglipayan Lawsuit against Eucharistic Congress Stamps Muslim support for exemptions under Civil Code.</td>
</tr>
</tbody>
</table>
secularism impacted debates within coalition blocs, and in turn secured the twin tolerations during a period of uncertainty about the relationship between religion and democratic politics.

5. Alternative Explanations of Benevolent Neutrality’s Emergence

The emergence of the twin tolerations in the Philippines around the critical juncture of the 1934 Constitutional Convention challenges leading alternative explanations of state secularism. Considering their weaknesses in turn demonstrates the importance of incorporating institutional design and its impact on coalition politics into the study of secular democracy.

Modernization theory’s clearest prediction is that the twin tolerations depend on the weakening of traditional sources of religious authority brought on by economic development. In short, development breaks the sway of religious authorities over individual consciences, and in turn religious authorities find their public presence supplanted by the secular state. This basic sequence is of limited help in making sense of Philippine secularism. While the secular *illustados* did indeed come from more economically advanced classes, they were not able to achieve the twin tolerations in the Philippines on their own. The twin tolerations emerged as a partnership, not the simple replacement of religious authority by that of the state bureaucracy. This points to a broader weakness in modernization theory’s treatment of the secular state. The theory sees secularism as fundamentally divorced from or contrary to the wishes of religious actors, and the institutional relationship between religion and state as mostly consisting of the dimension of differentiation between the two spheres. However, benevolent
secularism in the Philippines eventually secured the enthusiastic support of most major religious actors, and did so in large part through the other dimensions of cooperation and principled distance. It was only once the Catholic Church was unthreatened by the specter of anticlericalism and its own relative weakness that its leaders possessed the confidence to support the twin tolerations. A greater decline in the vitality of religious institutions would not have increased the likelihood of the twin tolerations.

Rational choice theories focused on competition face similar challenges with the timing and sequence of the twin tolerations in the Philippines. These theories generally predict this outcome in the presence of religious pluralism, as a hurting stalemate among religious denominations. Yet the Philippines shows little evidence of this mechanism in operation. Increased competition from Aglipayans, the Iglesia ni Cristo, and American Protestant missionaries made Catholic elites more hostile to the state in the early decades of American colonialism. Religious diversity seemed a danger, and the promise of newfound pluralism made any secular institutions seem a threat to Catholic survival. By the critical juncture around the Commonwealth Constitution, religious competition was less severe, not more. The Catholic Church signed onto the benevolent secular bargain from a position of relative security in its majority status. To be sure, some diversity was an important condition for state secularism in the Philippines, as it undercut hardline Catholic claims to formal control of state institutions. But further pluralism through the growth of minority Christian churches made state secularism less likely. Rational choice theories driven by religious competition fall short in the Philippines in part because they underestimate the willingness of the Catholic majority to accept the differentiation of religion and state from a position of strength, not as the result of a stalemate. The pious
secularist preference for the twin tolerations, which institutions of benevolent secularism fostered, has little place in a competitive theoretical model.

Finally, advocates of religious moderation find some limited support in the Philippines. One could argue that the replacement of a Spanish dominated Catholic hierarchy by an American-influenced native Catholic clergy, which clearly played a part in impacting the 1934 constitutional debates, was an example of the presence of religious moderates as a necessary, if not sufficient, condition for the emergence of the twin tolerations in the context of religious mobilization. However, to call Filipino religious elites of the mid-twentieth century “moderate” points out the serious conceptual weaknesses in the moderation thesis. In what way were religious elites moderate during the Commonwealth Convention deliberations? If “moderate” is defined as a normative acceptance of liberal political philosophy, it hardly applies to those Catholic authorities. Vatican II was several decades in the future, and Catholic elites, when in the context of a Catholic demographic majority, were still technically obliged to seek the union of Church and state. Likewise, there is little evidence that the leaders of Protestant and Muslim minority communities would consider themselves “moderate” in their religious dedication. Moreover, the moderation thesis consistently overlooks the role of political institutions in impacting which normative positions, whether moderate or not, carry the day within religious communities. The institutional configuration of benevolent secularism played a central role in shaping which religious viewpoints predominated within coalition blocs, particularly among the Catholic Church and political elites.

Benevolent secularism emerged in the Philippines in spite of low to middling levels of economic development, limited religious pluralism, and the debatable
moderation of religious elites. Each of these alternatives would have predicted, for its own reasons, that independence would bring the secularism trap, either because the majority would seize control of state institutions or anticlerical elites would respond with coercion to the threat of theocracy. While each shed light on important forces shaping the place of religion in Philippine democracy, each falls short because it overlooks the role of institutional design in shaping the preferences of the coalition blocs that ultimately joined to secure the twin tolerations in this seemingly least-likely case.

6. Hints of Instability: Differentiation and Religion in Public Schools

With opening prayers from clerics and near unanimous support for its provisions regarding religion-state relations, the 1934 Constitutional Convention proved a crucial period for cementing the twin tolerations between religion and democracy in the Philippines. However, as in Ireland and Senegal, significant differences existed among the coalition blocs as to the appropriate balance between the three dimensions of benevolent secularism. The Catholic Church, and to a lesser extent the Muslim minority, would promote wider cooperation between religion and state, while political elites and Protestant minorities preferred stricter differentiation and worried that any expansion in cooperation would tend to break down the principled distance of the state among the religious communities. These internal tensions came to view shortly after the Commonwealth Constitution’s adoption, around the issue of religious education in public schools. Could differentiation permit the presence of religion in secularized state public schools? If so, what specific shape would this take?
While the Commonwealth Constitution explicitly provided for optional religious instruction in public schools, Catholic elites pressed for more: the compulsory provision of religious instruction in public schools. “The policy of optional religious instruction never did satisfy the [Catholic] Church which constantly agitated for a more vigorous implementation of religious instruction in the public schools.”\textsuperscript{345} Among the democratically elected members of the Commonwealth’s legislature, this Catholic position found a sympathetic hearing, and in 1938 it passed a bill mandating religious education in public schools. President Quezon, determined that this bill would violate the recently-passed constitution, wrote, “Any attempt, directly or indirectly to give to religious teaching in the school an importance lesser or greater than it is now accorded by law would be unconstitutional…The intent and purpose [of the constitution] is merely to tolerate the teaching of religion in the public schools and not to give it such prominence or encouragement.”\textsuperscript{346} He vetoed the bill, and the National Assembly dropped the matter for some time.

As with early periods of instability around the \textit{Code de la Famille} in Senegal and the Mother and Child Crisis in Ireland, the controversies around the scope of religious education indicated a tension among the dimensions of benevolent secularism in the Philippines. What extent of cooperation is compatible with the differentiation of religious and state institutions? Would expanding that cooperation inevitably lead to the breakdown of principled distance among religious communities, with disproportionate power enjoyed by the religious majority? And what constitutes acceptable influence on legislators by religious leaders when those elected officials must face democratic

\textsuperscript{345} Hernando, “Quezon and the Rule of Law,” 226.
\textsuperscript{346} \textit{Ibid}, 227.
reelection by a devout population? Different answers to these questions existed among the partners of the coalition that secured the twin tolerations in the Philippines.

The controversy over compulsory religious education was especially important because it showed the tensions that could reemerge between political elites and the Catholic clerical leadership over the nature of religion-state relations. When the Catholic bishops released a (fairly mild) letter calling for reconsideration of the issue by legislators, the President shot back with themes that raised memories of the anticlericalism of the Malolos era: “If they want showdown, they can have it…We should not sacrifice our national life, our national harmony and unity on matters of religion, which we should not even discuss because it is unnecessary to do so.”

If such sharp disagreements over the implementation of benevolent secularism arose within a few short years of the Commonwealth Constitution’s adoption, it should come as no surprise that similar tensions would help drive secular evolution in the decades after the Philippines emerged from World War II as an independent democracy.

7. Conclusion

The early history of benevolent secularism in the Philippines is a striking example of the implications of institutional design for the relationship between religion and democracy. Within a generation, institutional design recast the coalition politics of secularism, and promoted a stable, if contested, form of secular democracy in the midst of extensive religious mobilization. Pious secularists exercised more influence within the Catholic majority, anticlericalism faded among political elites, and at least some religious minorities engaged in the public partnerships encouraged by benevolent secularism.

While serious differences persisted within this coalition, it played a central role in securing the twin tolerations during the period of secular emergence in the Philippines.

While the general theoretical model of benevolent secularism during the period of secular emergence applies fairly well to the Philippines during the Commonwealth period, some limitations also arise. First, the extent of cooperation was much less dramatic than in Ireland or Senegal during the relevant critical junctures in those cases. While the three dimensions of benevolent secularism do all exist in the historical record, differentiation is prioritized over cooperation during this critical period. This may explain a second weakness in the model’s fit with the Philippine critical juncture: the relatively institutional effects on coalition bloc preferences. The Aglipayan minority, for instance, responded with hostility to the more benevolent turn in religion-state relations. One could make the case that pious secularism was also less entrenched among the Catholic majority, and anticlericalism fairly close to the surface for many political elites. These relatively weak institutional effects actually map on well to the imperfectly-realized nature of benevolent secularism in the Philippine Commonwealth. They may also rest on the extent of the religious-secular tensions under Spanish rule, and the difficulty in resolving all of those tensions during the one juncture around the Constitutional Convention of 1934.

These weaknesses should not obscure the main conclusion from this period: the institutional design of benevolent secularism played a central role in securing the twin tolerations in the Philippines, by shaping the preferences of the actors contesting the place of religion in democratic life. After real independence in the wake of World War
II. Filipino politics turned to questions of reconstruction and development that would ultimately call the stability of this institutional configuration into question.
1. Introduction

In late February 2013, an eye-catching banner appeared on the façade of San Sebastian Cathedral in Bacolod City. With legislative elections fast approaching, the banner declared certain candidates and parties Team Buhay (Team Life), and others Team Patay (Team Death). The banners were sparked by recent turmoil in the religion-state relationship in the Philippines caused by what is simply known as the Reproductive Health Bill. Political elites approved this legislative measure in spite of vociferous opposition from the Catholic Bishops’ Conference of the Philippines, and the Bishop of Bacolod, along with several other members of the Philippine hierarchy, are promising to hold elected officials accountable. In spite of pressure to step back from politicking, this banner and others like it stayed up as election day approached. To quote one observer: “It will not be taken down. And the bishop is prepared to go to jail if necessary to stand up for what he believes in.”

This ongoing confrontation makes it clear that tension over obligatory religious education within the coalition supporting benevolent secularism foreshadowed further institutional instability in the Philippines. Establishing the Catholic Church as a state religion is no longer a relevant concern; even the bishops who decry Team Patay acknowledge this point. Instead, questions endure over the balance between cooperation and differentiation in benevolent secularism, and how these institutional dimensions will change in response to shifting religious landscape. These tensions are especially apparent

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when religious communities flex their muscle in partisan politics, whether with over-sized banners hanging from cathedrals or by other means.

While controversies over Team Buhay/Patay are highly visible, they are not unique in recent Philippine politics. Since full independence after World War II, there have been significant periods of turmoil in the religion-state relationship. The dictatorship of Ferdinand Marcos posed a fundamental challenge to benevolent secularism, while more recent tensions around the RH Bill provide more subtle tests of the stability of secular institutions. Would the dimensions of differentiation, cooperation and principled distance endure such periods of instability? And would the coalition alliances that have preserved benevolent secularism from challenges in Ireland and Senegal operate in the Philippines? Or would benevolent secularism breakdown, replaced by some alternative configuration between religion and democracy?

This chapter takes up these questions in two distinct periods of secular evolution in the independent Philippines. The first centers on the dictatorship of Ferdinand Marcos, particularly the period from the declaration of Martial law in 1972 through his fall in the People Power Revolution in 1986 and the eventual adoption of the Constitution of 1987. During this time, Marcos broke down the dimensions of benevolent secularism in the Philippines, and it thus provides a useful test of the hypothesized coalition responses to this kind of bid for institutional replacement. The second period highlights religion’s role in Philippine democracy after the Constitution of 1987, and in particular since the election of President Noynoy Aquino in 2010. Benevolent secularism has come under stress during this period as a result of the pluralization of religious leadership in the country.
This chapter moves forward in four main parts. First, I examine the threat to benevolent secularism during the Marcos regime, the institutional outcome at the 1986 Constitutional Commission of benevolent secularism’s evolution, and the role of interfaith and religious-secular alliances in securing this outcome. Second, I turn to the more recent challenge to benevolent secularism driven by pluralization of Filipino religious leadership after the People Power Revolution, document the patterns of secular evolution in this period, and again trace the role of coalition alliances in shaping this outcome. Third, I turn to recent public opinion data to test the existence of these coalition alliances in the general population. Finally, I conclude with an extended look at theories of religious moderation in light of recent decades of secular evolution in the Philippines.

2. The Marcos Regime and Evolution in Benevolent Secularism

The anticlerical undertones of the Malolos Congress debates seemed ancient history as the Philippines achieved full independence after the devastation of World War II. Benevolent secularism encouraged mutual support between state authorities and religious institutions, and the Catholic Church began to play a public role in areas like promoting fair elections. However, after roughly a quarter century of stability, a new challenge undermined the stability of benevolent secularism: Ferdinand Marcos’ authoritarian rule. In the end, the religious community in general, and Cardinal Jaime Sin of Manila in particular, played a decisive role in calling the People Power Revolution of 1986 into Epifanio de los Santos Avenue (EDSA) and toppling the Marcos regime. The

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well-documented role of the religious community in the People Power movement was a high point in the Third Wave of democratization.

It also provides an opportunity to test theoretical expectations regarding periods of secular evolution. Alliances that bridge the religious-secular divide and strengthen interfaith relations should correspond to the evolution of benevolent secularism in the face of challengers. If these alliances do not exist, institutions should be primed for breakdown and replacement. This section opens with evidence of the institutional challenge the Marcos regime posed to benevolent secularism. It then documents the outcome of interest: benevolent secularism evolved in the face of the challenge, and the post-Marcos Constitution of 1987 contains the three dimensions of benevolent secularism. Next it traces the role of coalition alliances in promoting secular evolution, both in the Marcos regime’s closing years and in the deliberations of the 1986 Constitutional Commission.

2.1 The Marcos Regime as a Threat to Benevolent Secularism

The Marcos regime constituted a threat to benevolent secularism, especially its breakdown of differentiation and cooperation. As Marcos and his allies ramped up repression under Martial Law, the protection of religious liberty broke down, along with other human rights protections, and patterns of cooperation between the regime and the Catholic Church came to an end.

The breakdown of differentiation showed in restrictions on religious liberty and coercion of religious actors. This repression was a violation of differentiation in part because the regime insisted that their targets were not religious, but rather political insurgents operating on religious pretexts. In making these claims, the state claimed
unprecedented authority to define religious practice, and in effect outlawed religious exercise that it deemed politically threatening. Benevolent secularism required that detentions, deportations, and torture be due to collaboration with Communists and foreign elements, not to proper religious behavior. Marcos felt compelled to assure Vatican officials “that the regime was not anticlerical” as early as 1977, and tensions through the 1980s (ibid).

Activism from the Catholic religious orders affiliated with the Association of Major Religious Superiors of the Philippines (AMRSP) continued to provoke Marcos, dozens of religious were arrested. Catholic-founded actors like the Institute of Social Order, Federation of Free Workers, and Federation of Free Farmers in the post-World War II decade set the stage for networks of basic Christian communities (BCC) that attracted particular repression throughout Marcos’ rule because of their calls for human rights and protection for the poor from abuses of state power. Many conservative hierarchs were skeptical of these organizing efforts, but over time, these progressive institutions provoked the Marcos regime to violate the terms of benevolent secularism. The state expelled several religious ministers for political subversion in the early 1970s, shuttered church media outlets critical of martial law, and detained and tortured religious and lay activists who organized for peasant rights throughout the country. The breakdown of differentiation and religious liberty was not simply a matter of Catholic activism; smaller Protestant churches, affiliated under the National Council of Churches

350 Antonio F. Moreno, Church, State, and Civil Society in Postauthoritarian Philippines: Narratives of Engaged Citizenship, (Quezon City: Ateneo de Manila University Press, 2006), 41-68.
351 Fabros, The Church and Its Social Involvement.
of the Philippines, received significant state repression as well.\textsuperscript{353} By 1973, the National Council of the Churches of the Philippines (NCCP) had issued a letter calling for the lifting of martial law and the maintenance of human rights. Marcos and his allied responded in kind by raiding NCCP offices, detaining leadership figures, and expelling foreign missionaries like Rev. Paul Wilson from the country.\textsuperscript{354} Marcos’ regime may never have gone as far as the El Salvadoran junta did in assassinating Archbishop Oscar Romero, but it clearly turned on parts of the religious community and in doing so broke down benevolent secularism’s basic structure.

As repression grew through the late 1970s, limited religion-state cooperation also began to slip. Policy consultation was an early feature of Marcos’ rule, institutionalized through the Church-Military Liaison Committee that gathered religious leaders with state officials to discuss allegations of human rights abuses. By 1983, Catholic leaders pulled out of the CMLC in protest of Marcos’ treatment of “rebel priests.” The response from Defense Minister Juan Ponce Enrile bears all the hallmarks of the benevolent secularism breakdown: “We do not see why the bishops felt that they were being used by the military in an anticlerical campaign allegedly being waged in the pro-government media.”\textsuperscript{355} Perhaps the minister protested too much. Cooperation deteriorated even into 1986, as Marcos attempted to reassure clergy leaders that friendly relations with the churches would always be maintained “in the spirit of freedom of religious enshrined in

\textsuperscript{353} Protestant churches are a diverse lot in the Philippines, and several remained supportive of Marcos throughout his rule, but like Catholics, many became convinced that Marcos’ regime was dangerous to the health of the church and that its economic policies were disadvantaging rural and peasant communities. Rev. Rex Reyes, Secretary-General of the NCCP, pointed out that because of Protestant missionary ties to indigenous areas, particularly in the Northern Philippines, NCCP ministers and lay leaders were particularly prominent in their social activism in this part of the country.


the Constitution.”356 The state-controlled media report went on to stress, “There is no quarrel between the Philippine Government and the churches, whether the Catholics, the Protestants, the Philippine Independent Church or the Iglesia Ni Cristo.”357 Verbal gymnastics, however, did little to obscure the institutional reality: Marcos’ authoritarian regime threatened the core dimensions of benevolent secularism in the Philippines.

In short, the Martial Law proposed an alternative, and non-benevolent, configuration of religion-state relations. The authoritarian regime would select religious actors worthy of free exercise, and any cooperation would be on terms dictated by the regime. Even where cooperation existed, there would be no principled distance, as the cooperative relationship was limited to those who deferred to the regime. This institutional alternative contrasted with institutions put in place during the Commonwealth; its adoption would have marked the breakdown of benevolent secularism and its replacement by a distinct pattern of religion-state relations.

2.2 Institutional Outcome: Evolution and the 1987 Constitution

In spite of the challenge posed by the Marcos regime, institutions of benevolent secularism endured Martial Law. After the People Power Revolution of 1986, the Constitutional Commission of 1986 restored the three dimensions of benevolent secularism: differentiation, cooperation and principled distance. There was some institutional evolution, as the scope of cooperation expanded from the Commonwealth period. However, the basic configuration of religion in democratic life broke with the alternative model threatened in the Marcos regime.

Differentiation between religion and state was enshrined in several places in the

357 Ibid.
1987 Constitution. Article II, Section 6 goes beyond the Commonwealth Constitution to state, “The separation of Church and State shall be inviolable,” while Article III, Section 5 insists that, “No law shall be made respecting an establishment of religion.” The records of the Constitutional Commission show no challenge to the basic differentiation between state and religious institutions. At one point, Bishop Teodoro Bacani emphasizes, “The question of the separation of Church and state is at no way at stake [in commission discussions].”358 Both clerical and lay members of the Commission constantly return to the theme of the mutual benefit that this separation brings to religion and state in the Philippines. Differentiation is at the heart of Philippine secularism, and the 1986 Constitutional Commission defended this even with the social dominance of the Catholic Church.

Differentiation combined with significant cooperation between religious and state institutions. Commissioner Hilario Davide, future Chief Justice of the Supreme Court, remarked during the 1986 Constitutional Commission’s deliberations, “The new Constitution must be pro-God, pro-people, pro-Filipino.”359 As in the 1934 records, cooperation comes through most clearly in Commission debates related to religious instruction in public schools. Article XIV, Section 4 exempts religious schools from requirements of Filipino ownership, in recognition of the “tremendous contribution to the country,” that Commissioner Rama described these schools making to Filipino education.360 Religious instruction may take place, at the option of parents, within school hours and on school property. Commissioners also clarified that this instruction should

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359 Constitutional Commission, Record, 368.
360 Ibid.
bolster existing religious elites, rather than undercut them; if any conflict arises about who should administer religious education, the ultimate decision is made “by the church authority,” rather than any Department of Education officials.361 In contrast to the coercion that grew through the Martial Law period, the Constitutional Commission would restore the cooperation and mutual support characteristic of benevolent secularism.362

The most notable evolution in the post-Marcos dimensions of benevolent secularism came in the expansion of cooperation in policy cooperation between religion and state. In keeping with patterns in Ireland, much of this policy influence centers on family policy. Article II, Section 12 of the 1987 Constitution explicitly protects “the life of the unborn from conception,” and the “sanctity of family life” as the “basic autonomous social institution.” Religious influence becomes even clearer if we have a look at the Family Code revision of 1987 and the jurisprudence that has come from it. Article 36 of the Family Code declares “void from the beginning” a marriage “contracted by any party who, at the time of the celebration, was psychologically incapacitated to comply with the essential marital obligations.” This phrasing may sound familiar to any Canon lawyers, because it is lifted directly from Roman Catholic Canon Law, Canon 1095, Section 3. Lest there be any doubt that this was the intent of the civil law’s drafters, the Supreme Court of the Philippines points out, “It is clear that Article 36 was taken by the Family Code Revision Committee from Canon 1095” with the purpose of “harmoniz[ing] our civil laws with the religious faith of our people.”363 In a stirring phrase, the Court holds, “Here, the State and the Church -- while remaining independent,

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361 Ibid.
362 This cooperation around education policy is most evident today in the Secretary of Education, Br. Armin Luistro, who just happens to be a Lasallian brother. He is not the first cleric to serve as Secretary of Education, which highlights the long-term importance of religion-state cooperation in this policy area.
363 Republic v. Court of Appeals, 268 SCRA 198 (Supreme Court of the Philippines, 1997), 676-680.
separate and apart from each other -- shall walk together in synodal cadence towards the same goal of protecting and cherishing marriage and the family as the inviolable base of the nation.\textsuperscript{364}

The principled distance among religious communities was visible in representation to the 1986 Constitutional Commission. Commissioners like Fr. Joaquin Bernas SJ, Bishop Teodoro Bacani and Sr. Christine Tan were all well-known Catholic religious elites, and were of course joined by a range of lay Catholics, including Maria Teresa Nieva, a leader of the Bishops-Businessmen’s Conference, Jose Nolledo, a national president of the Holy Name Society, and Bernardo Villegas, a member of Opus Dei. Minorities enjoyed representation as well, and played an active part in debates regarding the place of religion in the constitution. Rev. Cirilo Rigos and Rev. Gregorio Tingson, both Protestant clergymen, served on the commission, as did several Muslim representatives, including Ahmad Domocao Alonto. Another Muslim Commissioner, Lugum Uka, gave an extended speech on the parallels between Muslim and Christian prayer, before giving his hearty approval to the invocation of Almighty God in the constitution’s Preamble.\textsuperscript{365} More tangibly, at several points constitutional deliberations reference “churches and religious bodies” in an attempt to capture the plurality of religious life in the Philippines. In the 1986 deliberations, this principled distance from religious communities included discussion on non-believers.\textsuperscript{366}

After benevolent secularism’s weakening under Martial Law, the 1986 Constitutional Commission restored each of its distinctive features in the 1987 Constitution. These institutions did evolve, especially in expanding the scope of

\textsuperscript{364} Ibid.
\textsuperscript{365} Constitutional Commission, \textit{Record}, 129.
\textsuperscript{366} See, for instance, Constitutional Commission, \textit{Record}, 326-329.
cooperation from the Commonwealth Constitution and its application.

2.3. Alliances and Institutional Evolution

The theory set out in Chapter 1 hypothesizes that benevolent secularism will evolve in the face of an institutional challenge when stabilized by coalition alliances across the religious-secular divide and interfaith boundaries. In the broader argument framework, these alliances are themselves facilitated because benevolent secularism has shaped the preferences of the relevant coalition blocs: empowering pious secularists, undercutting anticlericalism, and engaging religious minorities. How does evidence from the late Marcos-era and the deliberations of the 1986 Constitutional Commission relate to these theoretical claims?

Religious-secular alliances activated in opposition to the excesses of the Marcos administration. Groups like the National Council of Churches in the Philippines and the Association of Majors Religious of the Philippines had long-standing partnerships with advocates of human rights and the rural poor. These alliances provided a central site of early opposition to Martial Law. Later, alliances between the Catholic bishops and parts of the secular opposition strengthened as Marcos’ coercion grew, and proved crucial in the People Power Revolution. Catholic officials worked with election observers under the National Citizens’ Movement for Free Elections (NAMFREL) to document fraud in the 1986 election that ultimately led to Marcos’ fall. The climactic confrontation of the EDSA street protests was itself a product of a religious-secular alliance. Cardinal Sin called people into the streets to protect elements in the military who had broken with the Marcos Regime and faced attack within Camp Aguinaldo. He particularly mentioned, “our two, good friends” Defense Minister Juan Ponce Enrile and General Fidel Ramos,
the officials within the Marcos regime whose defections helped seal its fall. Sin’s “friends” among political elites extended into the political opposition as well. He famously backed Cory Aquino to lead the country after Marcos’ departure. Throughout the closing years of the Marcos dictatorship, alliances between religious and secular blocs responded to the bid to breakdown benevolent secularism.

Careful attention to the records of the 1986 Constitutional Commission shows that a diminished religious-secular divide was apparent in its deliberations as well. When commissioners debated whether state schools should be constitutionally obligated to inculcate a love of God, the stage could have been set for a religious-secular deadlock much like the end of the Malolos Constitutional debates in 1898. Instead, several Catholic commissioners rose in defense of nonbelievers. As Commissioner Laurel put it, “The majority of us are Christians, even Catholics like this humble servant…[however] even if one is an atheist, an agnostic, a disbeliever or a doubter, he is entitled to the protection under our Constitution.”367 As debate continued, Commissioner Ople noted for the record that the commission should not be “misunderstood by the public as spurning God from the Education Article,” and a round of “Applause” broke out when the potential religious-secular showdown was ended amicably without even moving to a vote.368 As future President Corazon Aquino put it, Church-state separation was not a matter of coercion, but instead a recognition that “good fences make good neighbors.”369

Of course, unanimity in public settings like the Constitutional Commission should not be taken to mean that no tensions existed between religious and secularly-minded Filipino elites. Bishop Bacani, for instance, was clearly willing to push for increases in

368 Ibid, 330.
369 Ibid, 972.
religious influence that other commissioners resisted. Crucially, when such debates arose, it was pious secularists rather than rabid anticlericals who moved to preserve the differentiation of religion and state. The minimal religious-secular divide in the 1986 Commission owed to the predominance of pious secularists even within the Catholic majority. As traced in Chapter 6, these pious secularists won out within the Catholic community in direct response to the emergence of benevolent secularism in the closing decades of American colonial rule. The diminished religious-secular divide, visible in the 1934 Constitutional Convention, still controlled debates and rebuffed challengers even in the fluid institutional environment of the 1986 Constitutional Commission.

Strong interfaith relations is the second coalitional alliance that should drive the evolution, rather than breakdown, of benevolent secularism in the face of challengers. In the immediate aftermath of the Martial Law declaration, before Marcos threatened differentiation and cooperation, these alliances showed in relatively unanimous Catholic and Protestant consent for the regime. Robert Youngblood points out, “Bishop Estanislao Abainza of the United Church of Christ in the Philippines (UCCP), prais[ed] the ‘enforced discipline’ of the New Society and enjoin[ed] Filipinos not to ‘minimize’ the ‘positive effects’ of martial law.” In doing so, he mirrored the CBCP’s statement in response to martial law “recognize[ing] the right and duty of civil authorities to take appropriate steps to protect the sovereignty of the state” and “ask[ing] our people to remain calm and law-abiding.”

Later, however, alliances among Catholic and Protestant denominations pushed back against the breakdown of benevolence under Martial Law. The relatively small

370 Quoted in Youngblood, “Protestant,” 19.
Protestant communities were nevertheless potent allies because they “closely allied with sister churches in the United States and are members of the World Council of Churches,” thus increasing their international visibility. Protestant activists increasingly cooperated with Catholics in their protests, voicing common protests of human rights violations and the persecutions of religious leaders by the regime. As early as 1973, a group of over 100 pastors and priests signed a letter to Marcos requesting restoration of freedom of the press. As persecution of religious leaders grew, Catholic and Protestant leaders came to mutual defense. To again quote Youngblood’s research from the period, “The Catholic hierarchy, as mentioned previously, condemned the June 1974 raid on the NCCP and the deportation of Protestant missionaries, while activist Protestant ministers called the deportation in January 1976 of two Italian priests, Fathers Francis Alessi and Luigi Cocquino, for alleged subversion ‘a palpable denial of justice.’” The eventual restoration of benevolent secularism after People Power would have benefits beyond the Catholic Church; General Fidel Ramos, a crucial defector in the armed forces, was a Protestant and key ally of new President Cory Aquino. In response to the threat to benevolent secularism, the behavior of these coalition blocs conforms with theoretical expectations: interfaith partnerships formed a central site for resistance to breakdown of benevolent secularism.

Evidence of strong interfaith relations appears regularly in the 1986 Constitutional Commission as well. Interfaith issues arise primarily in relation to the Protestant Christian and Muslim minorities. Protestant members like Rev. Rigos regularly offered the prayer before the Commission sessions, and commissioners debated which term aside

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372 Youngblood, “Protestant,” 19.
373 Ibid, 23.
from “churches” would most effectively appeal to non-Christian Filipinos.\textsuperscript{375} As Christian commissioners moved to consensus in recognizing “Almighty God” in the constitution’s preamble, they sought approval of Commissioner Uka, a Muslim, who thanked his “friends and brothers,” and went on (at some length) to discuss similarities between Christianity and Islam.\textsuperscript{376} There is further evidence that these strong interfaith relations were tied to the institutional cooperation between religion and state that characterizes benevolent secularism. When discussing religious education, commissioners point to evidence from the Catholic Educational Association of the Philippines (CEAP) and the Association of Christian Schools and Colleges (ACSC) to diffuse a potential controversy.\textsuperscript{377} The ties among these institutions were a contributing factor in the strong interfaith relations that characterized the 1986 Commission debates. Again, kind words should not be taken as evidence that no tensions existed among the religious communities of the Philippines as the 1986 Constitutional Commission went about its work. But at several moments where interfaith discord could have short-circuited deliberations, whether over symbolic matters like recognizing Almighty God or more practical patterns of religious school ownership, positive relations among the religious groups represented on the Commission smoothed the way to a constitution that restored benevolent secularism.

As argued in Chapter 1, benevolent secularism evolves over time through the coalition alliances around religion-state relations. Two coalitional effects are particularly important: a diminished religious-secular divide and improved interfaith relations. These coalitional effects last long after institutions are founded, which explains the path

\textsuperscript{375} Constitutional Commission, \textit{Record}, 382.
\textsuperscript{376} \textit{Ibid}, 128-129.
\textsuperscript{377} \textit{Ibid}, 363-365.
dependent nature of religion-state relations. When the Philippines’ reaffirmed benevolent
secularism, half a century after its crystallization in the Commonwealth Constitution,
these two mechanisms operated in plain sight.

3. Pluralization and Secular Evolution after People Power

Since these debates in 1986, a new, subtler challenge confronts benevolent
secularism: significant pluralization of the religious landscape in the Philippines.
Important figures like the Cardinal of Manila jockey with lay-led Catholic movements,
Muslim civil society organizations, and evangelical preachers for public influence.378
Religious diversity is nothing entirely new in the Philippines. Parts of Mindanao have
been Muslim-majority for centuries, and various non-Catholic, Christian denominations
were important actors during the period of secular emergence analyzed in Chapter 6. But
in the past quarter century, the coalition blocs that act to determine the nature of religion-
state relations in the Philippines have diversified widely. This pluralization of public
authority has taken place both outside the Roman Catholic majority, and within the
Catholic community. This pluralization should not be confused with any kind of
religious decline over the past quarter century. While I argue later in the chapter that
diversity in public religion has had an impact on religion’s place in politics, it has not led
to a decline in religiosity or in religion’s importance. Indeed, confidence in religious
institutions actually grew from 72% to 77% of the population from 1998-2008, while
Biblical literalism increased by a nearly identical margin over the same period.379

378 Survey evidence shows that this pluralization at the elite level has corresponded to modest recent growth
in pluralism among the general population, as non-Roman Catholics grew from 15% of the population in
379 International Social Survey Programme, Religion III.
The theoretical framework set out in Chapter 1 does not have a deterministic hypothesis regarding the impact of pluralization on periods of secular evolution. New pluralism in Ireland, for example, has not broken down benevolent secularism. Instead, institutions have evolved to include the Muslim minority, which now plays an important part in the interfaith coalition that preserves benevolent secularism from institutional replacement. Pluralism’s effect on secular evolution depends on its impact on the coalitions that preserve benevolent secularism from institutional challengers. Pluralism should lead to institutional evolution when new groups are grafted into the existing coalition alliances that promote evolution: a minimal religious-secular divide and strong interfaith relations. However, if pluralism resists these alliances, or even drives them apart, it should set the stage for the breakdown and replacement of secular institutions.

In this section, I document impact of this expanded diversity on secular evolution in the Philippines in the aftermath of the People Power revolution. Differentiation, cooperation and principled distance endure, however there is evidence that pluralization has begun to weaken both differentiation and cooperation in application. This section first documents religious pluralization in the contemporary Philippines, then sets out the institutional outcomes of this period, and finally tests the role of coalition alliances in driving this institutional outcome.

3.1. Pluralization of the Philippine Secular Coalition

The first part of the Philippine secular collation, the Catholic majority, has seen significant changes since Cardinal Sin’s central leadership during People Power. On first glance, the Catholic Church in the Philippines looks much as it did at the end of the Marcos regime. The Archbishop of Manila, Cardinal Luis Antonio Tagle, remains a
crucial public figure, the AMRSP takes leadership in progressive battles like land reform and the general public is over 80% Roman Catholic. This surface continuity, however, misses out on substantial changes in both leadership and structure of Philippine Catholicism in the past quarter century. Within existing Church structures, the singular leadership provided by Manila’s Jaime Cardinal Sin has not been replicated since his retirement in 2003. Outside of the hierarchy, the explosion of Catholic Charismatic communities has brought a new generation of lay leaders to positions of church leadership.

The first change since the end of the People Power Revolution is the departure of Jaime Cardinal Sin from the religious-political stage. Sin’s leadership was central in first bringing a relatively peaceful end to Marcos’ rule, and then to stabilizing the fledgling democratic government of Cory Aquino. However, Sin’s immediate replacement, Gaudencio Cardinal Rosales, was by most accounts less interested in the kind of political role that Sin came to exercise, and moved into a more detached, pious secularist position. The Archbishopric of Manila also saw its authority reduced by the creation of several newer dioceses in 2002 and 2003, including Novaliches, Paranaque, Cubao, Kalookan and Pasig. As Antonio Moreno puts it, “Reducing the scope of the Archdiocese of Manila effectively minimized its influence and jurisdiction.”

Without the unifying figure of Cardinal Sin, even “official” Catholic actors are increasingly divided within offices of the Catholic Bishops Conference of the Philippines, as well as among the religious orders that make up the AMRSP.

This diversity within the Philippine hierarchy comes with a proliferation of lay Catholic communities, especially through various Charismatic Catholic movements. In

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380 Moreno, Church, State and Civil Society, 266.
contrast to much of Latin America, the Charismatic movement in the Philippines has largely remained within the Catholic Church. The two most prominent Catholic Charismatic communities, El Shaddai and Couples for Christ, claim several million members respectively, while smaller communities like Ligaya ng Panginoon have spread widely as well. Couples for Christ grew to such an extent that it fractured into several groups: Couples for Christ—International Council; Couples for Christ—Foundation for Family and Life, and Gawad Kalinga. These movements, while internally diverse, share several important characteristics. They are lay-led, even while remaining within the Catholic fold, which has led to occasional tensions between their own leadership and that of the CBCP. They are also public movements, with massive prayer rallies through the Philippines and several well-documented forays into political life. In short, while not competitors with the CBCP, they further diversify the presence of Catholicism in Philippine politics.

Pluralization of Catholic leadership extends beyond the Charismatic movement as well. The Opus Dei movement, which has taken on global prominence in the past quarter century, has attracted high profile devotees in the Philippines as well. Opus Dei has opened a university, the University of Asia and the Pacific, in the Metro Manila Area, and prominent members like Bernardo Villegas and Jesus Estanislao have served as governmental advisers and cabinet members. If Opus Dei occupies a generally conservative place in the religious and political spectrum, other Catholic movements are more politically diverse. Basic Christian Communities/Basic Ecclesial Communities (BCC/BEC) have played an important role in promoting lay involvement among poor

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382 Moreno, *Church, State and Civil Society*, 76-78.
Catholics, generally in progressive causes like environmental protection, while the Bishops-Businessman’s Conference (BBC) continues to serve as a dialogue point between lay business elites and the CBCP. In each of these movements, lay leaders speak for Catholicism in the public square. Catholic authority has pluralized well-beyond the bounds of the CBCP.

The most notable trend among non-Catholic Christianity in the Philippines since the fall of the Marcos regime is the rapid growth of what Kessler and Rüland have called the “Philippine Charismatic Revival.”\(^{383}\) While much of the Charismatic movement in the Philippines has remained within the Catholic fold, charismatic and evangelical growth has also impacted non-Catholic Christianity in the Philippines. Most importantly, this trend has empowered a generation of non-denominational preachers and their affiliates, with important political consequences.\(^{384}\)

While these communities remain small compared to the Catholic Church, several leaders enjoy outsized public influence. Among the most influential of these revivalist communities is Bro. Eddie Villanueva’s Jesus is Lord Church, which claims 6 million global members, and Pastor Apollo Quiboloy’s Kingdom of Jesus: The Name Above Every Name community, which claims 4 million members from its Davao City headquarters. While these membership numbers are constantly debated, there is no doubt that these high-profile evangelists are a fundamentally new arrival on the Philippine religious landscape. They combine mass popularity, particularly among poorer citizens, with a style of political engagement that looks little like the traditional patterns of

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\(^{383}\) Kessler and Rüland, *Give Jesus a Hand.*

\(^{384}\) As stated in Chapter 6, the most recent survey evidence from the International Social Survey Programme estimates non-Roman Catholic Christians at 7.5% of the overall population of the Philippines. This includes a range of groups, including some like the Iglesia ni Cristo (INC) and the Aglipayan community that have existed for decades.
dialogue between political elites and Catholic bishops.

While many of these religious communities are non-denominational, this new generation of religious leadership has institutionalized itself in civil society and media. These churches tend to join under the umbrella of the Philippine Council of Evangelical Churches (PCEC), rather than the National Council of Churches in the Philippines (NCCP), whose members closely resemble Mainline Protestant denominations in the United States. The PCEC, headed by Bishop Efraim Tendero, plays a fundamentally different role in Philippine public life than the NCCP. While the NCCP churches are traditional allies of the Philippine left in fights from land reform to human rights protection, PCEC members are more likely to highlight campaigns against substance abuse, prison ministry, or personal piety among elected officials. As Kessler and Rüland put it, “[PCEC members’] main concern was winning souls among the poor and disadvantaged, rather than improving their worldly living conditions.” In addition to the PCEC, several Protestant pastors have built significant media empires to extend their reach beyond prayer rallies. Pastor Quiboloy’s Kingdom Broadcasting Network/Sunshine Media Network International is one prominent example, and extends his reach far beyond his movement’s home in Davao City.

The Muslim community in the Philippines has also seen significant shifts in its leadership and structure in the post-Marcos era. While the loose organizational structure of Sunni Islam is not a direct analogue to the Roman Catholic Church’s hierarchy, several forces have united to produce more cohesive, publicly engaged Muslim leadership in the wake of People Power. First, coalitions like the Ulama League of the Philippines and the National Ulama Conference of the Philippines have come to play a prominent role in

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385 Kessler and Rüland, Give Jesus a Hand, 67.
organizing religious leadership in the Muslim community and engaging in structured dialogues in public life. The Philippine Center for Islam and Democracy, a civil society organization led by Amina Rasul, has played a central role in building such coalitions. Other groups of Muslim public elites are the explicit outcome of partnership with state institutions. The National Commission on Muslim Filipinos (NCMF) is an official body tasked with improving state relations with the Muslim community. The state-funded sharia court system has created a generation of lawyers, judges and activists who exert public leadership in debates about religion and democracy, while the expansion of religious peace education in parts of Mindanao has created a cadre of Muslim educators steeped in benevolent secularism. Finally, interfaith dialogue groups like the Bishops-Ulama Conference in Mindanao foreground Muslim, Catholic and Protestant leaders who prioritize peacebuilding efforts.

Leadership within the “secularist” bloc in the Philippines has also developed during this period. While human rights and development organizations still provide important secular voices that impact religion-state relations, newer organizations organized around questions of women’s rights and reproductive health have taken on increasing importance in public debates. These organizations do not necessarily identify as anticlerical, but they do bring new concerns about the impact of religion-state cooperation on public policy, especially policy related to controversial areas in family law. Important actors include the National Commission on the Role of Filipino Women (NCRFW), smaller political parties like GABRIELA, the Family Planning Organization of the Philippines, and Purple Vote.
In documenting the recent pluralization of religious authority in the Philippines, two trends bear noting. First, “religious” leadership is no longer the sole privilege of bishops. Lawyers, media tycoons, and local revivalist preachers all play a role alongside the traditional actors in the coalition politics of Philippine secularism. Second, these new religious leaders are a direct result of the growth of civil society since the end of the Marcos period, and the restoration of benevolent secularism. The newly democratic Philippines expanded policy cooperation with religious leaders, and these leaders, frequently lay, have in turn become public voices of religious authority. Moreover, because these leaders rose to influence by engaging fundamentally public issues, from environmental protection to family law to peacebuilding, the fragmentation of religious authority in the Philippines has not resulted in the privatization of religion. If anything, the period of religious diversification has corresponded to a surge in what Casanova famously termed public religion.

3.2 Institutional Outcome: Secular Change since People Power

How has this pluralization of Filipino religious leadership impacted the stability of benevolent secularism? Does leadership pluralism encourage the breakdown of this particular configuration of religion and democratic politics, or instead its evolution within existing boundaries? In this section, I document changes generally consistent with secular evolution, rather than any breakdown in religion-state relations. However, while the basic characteristics of benevolent secularism (differentiation, collaboration, and principled distance) are still observable in Philippine institutions, there is evidence that both patterns of partisan religious mobilization and ongoing sharp debates about the Reproductive Health Bill (RH Bill) could set the stage for more extensive breakdowns in
benevolent secularism. I trace the dimensions of benevolent secularism through three particular areas: differentiation through the electoral participation of religious movements; cooperation through the debate about the implementation of the RH Bill; and principled distance through the institutional treatment of Muslim Filipinos.

While basic constitutional language from 1987 regarding differentiation and free exercise protections remains unchanged, there has been significant weakening in the practical application of differentiation in one key area: religion and party politics. These changes are quite similar to those in Senegal in the past two decades, and reflect benevolent secularism’s ambivalent stance to religious parties. As in Senegal, explicitly religious political parties are unconstitutional in the Philippines. Article IX.C, Section 2(5) of the 1987 Constitution forbids the registration of “religious denominations and sects” as political parties.” Furthermore, “the religious sector” is expressly forbidden to run as a part of the “party-list” section of the legislature. This portion, which makes up 20% of the House of Representatives, is reserved for underrepresented communities like indigenous groups and women’s organizations, and religious groups are the only community forbidden by Article VI, Section 5(1) to contest for these seats.

Yet, in spite of these general prohibitions, the post-People Power era has seen a substantial change in the electoral role of religion. In an age of pluralized religious leadership, religious leaders can build their public visibility and perhaps receive material support from state officials by stepping into partisan politics. The noted Catholic priest/social reformer “Among Ed” Panilio decided to run for governor of Pampanga, although he knew he would be suspended from active ministry, in keeping with Vatican directives and Canon Law. While Catholic clerics generally resist Among Ed’s career
path, the more diverse crop of new religious elites in the Philippines has stepped more openly into the partisan ring. Among Ed was endorsed and campaigned for by the Papanga Christian Ministers Council, and charismatic clerics like Pastor Apollo Quiboloy in Davao City offer coveted partisan endorsements in both local and national elections.\textsuperscript{386}

This trend extends to new leaders in the Catholic Charismatic community as well, most notably through Mike Villarde’s El Shaddai movement, which was close to the administration of President “Erap” Estrada before his ouster, and has since formed its own political party, Buhay Hayaang Yumabong. Perhaps most controversially, Brother Eddie Villanueva, founder of the Pentecostal Jesus is Lord Church, has twice run for the presidency.

This trend of clerical candidacy extends to political parties as well. As in Senegal, institutions of benevolent secularism have struggled to keep pace with this change in electoral behavior by a new generation of religious leaders. While the Constitution permits religious elites to run for office, religious parties are supposedly ineligible for certification, particularly through the Party List portion of the House of Representatives. The Constitutional language governing the Party List system excludes “the religious sector,” and the Supreme Court’s \textit{Ang Bagong Bayani v. Comelec} decision reaffirms the distinction.\textsuperscript{387} And yet, religiously affiliated parties have proliferated in the past two decades. Buhay, Bangon Pilipinas, Citizens’ Battle Against Corruption (CIBAC), and Alagad are just a few of the parties linked by leadership and membership to particular religious leaders or communities. Petitioners have asked the Commission on

\footnote{386 On missing a candidate forum scheduled by Quiboloy, then-candidate Nonoy Aquino apologized profusely, claiming “Getting a cold is something that I cannot schedule.” Gil C. Cabacungan Jr. et al. “Aquino apologizes; Villar won’t explain Davao no-show,” \textit{Philippine Daily Inquirer}. March 11, 2010. 

387 \textit{Ang Bagong Bayani v. Comelec}, 404 SCRA 719 (Supreme Court of the Philippines, 2001).}
Elections to disqualify some of these parties for their religious identity, but so far COMELEC has avoided confrontation, and several religiously-tied parties will contest the 2013 elections.

This change in the configuration of religion and democratic politics could pose a significant threat to benevolent secularism, both by breaking down the differentiation of religious and state institutions and undercutting the state’s principled distance among religious communities in the quest for votes. While not outside the boundaries of benevolent secularism, it may contribute to future institutional breakdown.

The cooperation between religion and state has come under significant strain in the area of policy consultation as a result of debates about the so-called RH Bill. No issue has so roiled benevolent secularism in the Philippines as the legislation formally called Republic Act 10354, The Responsible Parenthood and Reproductive Health Act of 2012, the RH Bill. The RH Bill spurred Carlos Celdran’s protest that opened this dissertation, and called into question the future of policy consultation among state and religious elites. It related to areas of family law that are so regularly central to contention about the relationship between religion and state. While benevolent secularism structures consultations between religion and state around such controversies, these consultations failed to resolve this impasse.

By way of summary, the RH Bill was over a decade in the making, and would certainly have passed Congress more quickly without Catholic Church opposition. Aquino structured official dialogues with CBCP leaders on a number of occasions, and less formal dialogues took place through the Bishops-Businessmen’s Conference and the Ateneo de Manila University. While the RH Bill contains a range of provisions related to
mobile health clinics and family healthcare that were unobjectionable to the Catholic hierarchy, its requirements around contraceptive access and health education continued to provoke furious dissent from segments of the CBCP and allied organizations. When consultation proved fruitless, Aquino pushed the legislation through the Congress in the closing months of 2012. After the crucial 113-104 vote in the House of Representatives, the RH Bill moved forward and eventually received Aquino’s signature shortly before Christmas 2012.

While the patterns of consultation did not yield agreement, the eventual form of the RH Bill does bear the heavy imprint of benevolent secularism’s key dimensions: differentiation, cooperation and principled distance. Differentiation shows through in the distinction between public and religious hospitals and public and private (religious) schools that appears in several places in the legislation. Cooperation also appears, in spite of the contentious debates around the bill. The legislation calls for religious-state partnerships around Natural Family Planning provisions, and solicits “active participation” by “faith-based organizations, the religious sector and communities” in securing women’s health and human development.388 Finally, the principled distance of the state between all religious communities appears in more subtle, but significant, ways. Exempting religious schools from sex education requirements was a key concession made to Catholic sensibilities, and reflects the principled distance between religious and state institutions that is at the core of benevolent secularism. The act recognizes the “religious convictions, ethics, [and] cultural beliefs” that contribute to women’s decisions.389 The use of the plural throughout that clause is no accident; as I discuss

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388 Republic Act 10354, Section 2(i).
389 Ibid., Section 2.
below, drafters were quite conscious of the support of most other religious communities in the Philippines for the RH Bill.

President Aquino’s signature has barely dried on the RH Bill at this writing, so caution is necessary in analyzing its long-term impact on benevolent secularism. The breakdown in policy consultation may signal a weakening of the cooperation between religion and state in the policy arena. Some have speculated that after winning this round, other topics likely to breakdown cooperation such as divorce liberalization could mark a next avenue for confronting Catholic influence. However, as I argue above, one can detect differentiation, cooperation and principled distance at several points in the RH Bill’s final version. It is far too dramatic to claim that the cooperative dimension of benevolent secularism has collapsed. Eleanor Dionisio, a leading analyst of religion in Philippine public life, argues that newly-installed Cardinal Tagle has ambitions for a public agenda well beyond the RH Bill, including “economic inequality, political disenfranchisement, human rights violations and corruption.”

Aquino signed the RH Bill into law in private, rather than a public ceremony that could be perceived as gloating, and Department of Health officials have reached out to religious leaders to discuss implementation of the various public health programs contained in the final version of the act. While the RH Bill’s longer term impact remains to be seen, the failure of consultative efforts to yield consensus indicates a weakening in the cooperative dimension of benevolent secularism.

In contrast to potential breakdowns around party politics and the RH Bill, the institutional place of Islam in the Philippines indicates the continued health of principled

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391 “DOH exec eyes inputs from Church on RH bill implementation,” GMA News.
distance. It seems that the principled distance between the Philippine state and its Islamic community has become more robust in recent years, with President Aquino, among other steps, declaring Eid al-Fitr a public holiday.\footnote{Barbara Mae Dacanay, “Aquino declares Eid al Fitr a holiday,” \textit{Gulf News}, August 13, 2012.} As Jesuit Provincial Fr. Jose Magadia summed it up ironically, “Muslims want to enjoy an equally unsecular state [as Christian Filipinos].”\footnote{Jose Magadia, interview by David Buckley, Quezon City, Metro Manila, Philippines, August 20, 2013.} A new generation of Muslim leaders, particularly those catalyzed by the Philippine Center for Islam and Democracy, has acted to strengthen benevolent secularism, rather than challenge it.

The Philippine Council for Islam and Democracy has been a center of this recent secular evolution. The PCID extended the range of issues on which the Muslim minority interacts with the Philippine state. This has included bringing Muslims into the policy consultation process characteristic of benevolent secularism, whether through work with the Parish Pastoral Council for Responsible Voting on religious monitoring of elections, or work with the Commission on Human Rights to improve human rights protections for Muslim citizens, particularly outside of Muslim-majority areas of Mindanao where they are often rather small, vulnerable minority communities.\footnote{Rey Trillana and Amina Rasul, interview by David Buckley, Philippine Center for Islam and Democracy Office, Greenhills, Metro Manila, Philippines, Aug. 16, 2010.} In each of these programmatic areas, the PCID creates a new cadre of Muslim elites who are integrated into the pattern of benevolent secularism through interactions with both the Philippine state and various Christian elites.

Benevolent secularism’s impact is especially clear in growing collaboration between the Department of Education and Muslim educators in Muslim Mindanao. This is in keeping with the generally cooperative relationship between religion and state in the...
area of education, in the Philippines and other benevolent secular cases. As Milligan points out, the Philippine constitutional language regarding moral formation “opens the door to a greater involvement of religion in education than is the case in the United States.”

Manaros Boransing, Undersecretary of Education for Mindanao Affairs, and his colleagues in the Department of Education have developed programs like Project Madrasa Education and Arabic Language & Islamic Values Education (ALIVE) that emphasize Islamic components of education and seek to improve the quality of education available to Muslims both in Mindanao and in areas like Metro Manila.

While benevolent secularism has generally evolved to extend principled distance to the Muslim minority, it is important to acknowledge challenges in one of the most prominent areas of state-Islam cooperation: the sharia court system. On the one hand, the system continues to operate, with a class of professional judges and lawyers trained to enforce the Code of Muslim Personal Law (CMPL) through 51 circuit courts in five districts. This is in keeping with the pattern of exemptions characteristic of benevolent secularism, and, as is the case more broadly, reflects religious attention to matters of family law. As a part of the recently signed peace agreement in Muslim Mindanao, leaders will draft a basic law that draws at least in part on principles of the sharia. At the same time, proponents of the sharia court system point to several shortcomings, notably in vacant judgements and the relatively limited geographic concentration of the courts.

396 Thanks to Amina Rasul of the Philippine Center for Islam and Democracy for highlighting the Undersecretary Boransing’s work, and the ALIVE program. See Lito Dar, “Gov’t focuses on integration program for Muslim OSYs,” Philippine Information Service, March 27, 2010 for more information on the ALIVE program. For more on Project Madrasa Education, see Jeffrey Ayala Milligan, "Reclaiming an Ideal: The Islamization of Education in the Southern Philippines," Comparative Education Review 50, no. 3 (2006): 410-30.
themselves. The courts also have their skeptics. One advocate of indigenous rights worried that while the Mindanao basic law is likely to exempt Christians, it may be less generous in its treatment of indigenous religious practitioners. Another Christian leader put it more bluntly: “Why two laws [for Muslims], but only one for us?”

These challenges in maintaining principled distance through the sharia courts should not obscure the extent to which benevolent secularism has generally evolved to extend more robust principled distance to the Muslim minority. In educational cooperation, policy consultation and exemptions from civil family law, institutions of benevolent secularism have evolved within well-established historical patterns.

On the whole, the period since the People Power Revolution has seen the evolution of benevolent secularism in the face of a pluralized religious landscape. However, two areas, religious political parties and especially the breakdown of policy consultation around the RH Bill, could come to mark more dramatic institutional replacement in the long run. How could the coalition alliances at the core of my theory of secular evolution explain this mixed institutional outcome?

### 3.3 Alliances and Institutional Evolution

The theoretical framework in Chapter 1 hypothesizes that this mixed institutional outcome should result from the status of coalition alliances within the three blocs that stabilize benevolent secularism: political elites, the Catholic majority and religious minority communities. Areas of evolution, especially involving the Muslim minority, should correspond to strong observable operation these coalition mechanisms, while those that show secular breakdown, especially the RH Bill debate, indicate alliance weakness. Evidence below generally confirms this hypothesis. This indicates, more

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398 Rey Trillana and Amina Rasul, Interview by David Buckley.
broadly, that pluralism has can correspond to secular evolution or secular breakdown, depending on its impact on the coalition alliances that stability benevolent secularism.

As the RH Bill’s passage marks the closest to a true institutional breakdown, it should correspond to weak coalition alliances, both on interfaith grounds and across the religious-secular divide. While books will be written about the RH Bill debate, in this section I focus on the ways in which coalition alliances shaped the debate. While the full fallout remains to be seen, this instance of institutional breakdown does indeed correspond to weak interfaith relations and a sharp divides between the Catholic bishops and secular activists on this issue. However, subtle cooperation across the religious-secular divide may indicate that this episode does not signal a more general breakdown in benevolent secularism.

While usual interfaith allies may have supported the consultation that did occur on the RH Bill, there was no interfaith consensus on the outcome of that process. This contributed to the breakdown in consultation. The two major Protestant associations, the National Council of Churches of the Philippines and the Philippine Council of Evangelical Churches, each endorsed the legislation. Bishop Efraim Tendero, head of the PCEC, explicitly undercut Catholic pro-life arguments: “We believe that the RH Bill is pro-life. Life begins at fertilization, and the promotion of the use of artificial forms of fertilization does not take away life.” While Rev. Rex Reyes, head of the NCCP, acknowledged the “heavy Catholic influence” on several areas of public law, he stressed

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399 I thank my friend and colleague, Jonathan Chow, who is hard at work on one such book, for providing invaluable assistance in making sense of the RH Bill debate.
to me, “We all have the right to speak up.” The pro-RH Bill advocacy extended beyond Protestant churches; the Interfaith Partnership for the Promotion of Responsible Parenthood united Christian and Muslim voices in favor of the RH Bill. These associations became key allies of RH Bill advocates, who routinely invoked the pluralistic nature of the Philippines to undercut Catholic arguments against the legislation. In an op-ed shortly after the RH Bill’s passage, Senator (and bill sponsor) Miriam Defensor Santiago made this point: “Apart from the Catholic Church, all other major religions in the Philippines support the RH Bill.” As Elizabeth Angsioco, chair of the Democratic Socialist Women of the Philippines, put it, “The President should be reminded that the country is not 100 percent Catholic. It is only right that he listens to other religious leaders.”

The sharp religious-secular divides on this policy issue also contributed to the breakdown of the consultative pattern associated with benevolent secularism. At one point, Bishop Nereo Odchimar went so far as to threaten the “proximate possibility” that President Aquino would excommunicate himself as a result of the debate. When Carlos Celdran dressed up as Jose Rizal to protest Catholic lobbying on this issue, he was intentionally invoking the era of sharp religious-secular division leading to the Malolos Congress. Leaders of the CBCP’s Episcopal Commission on Family and Life like Fr. Melvin Castro did not yield in the consultative process, and many advocates of the RH Bill were more than happy to tangle with the bishops over an issue where polling showed

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401 Rev. Rex Reyes, interview by David Buckley, Quezon City, Philippines, August 19, 2010.

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strong Catholic opposition to the bishops’ position. The divide between representatives of the Catholic hierarchy and the strongest supporters of the RH Bill clearly contributed to the breakdown in consultation.

And yet, it is important to acknowledge that the hypothesized coalition alliances did operate in this case, and in fact brought the bill into closer line with the dimensions of benevolent secularism. There was no generalized religious-secular divide, but rather a divide between allies of the CBCP and advocates of the RH Bill. These RH Bill advocates in fact included many Catholics, including President Aquino, Senator Defensor Santiago, and several other prominent RH Bill sponsors. To use columnist Conrado de Quiros’ words, “This is not just a case of [a bishop] not speaking for [all bishops]; this is a case of him not speaking for the Church—the Church as defined by the entire community of the faithful.” A group called Catholics for Reproductive Health explicitly advocated for the RH Bill, while groups of professors from two of the leading Catholic universities in the Philippines, Ateneo de Manila University and De La Salle University, provoked a media firestorm by publicly disagreeing with CBCP opposition to the legislation. Fr. Joaquin Bernas, SJ, the commissioner from the 1986 Constitutional Commission, scolded “bishops at war” who would go after RH Bill supporters in elections as “counter-productive to the formation of a kind of politics that is based on principles.”

Moreover, religious-secular alliances did alleviate many provisions in earlier drafts of the RH Bill that would have been more fundamental breaks with benevolent secularism. Fr. Eric Genilo, a Jesuit ethicist at the Ateneo, played an extensive role in

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trying to mediate a compromise between hardline CBCP officials and RH Bill supporters. Genilo, Bernas, and Fr. Jack Carroll, all of the Ateneo, wrote and spoke extensively on changes that would make the RH Bill more acceptable to the Catholic tradition. As Genilo put it to me, “[The CBCP] does not speak for the Iglesia ni Cristo on this issue. The bill is national law…it should not only be a Catholic bill.” These attempts at religious-state cooperation from clerics like Fathers Genilo and Bernas secured real concessions in areas of conscience protection, religious education, and promotion of Natural Family Planning that are actually quite characteristic of benevolent secularism. As Bernas recently wrote, with between-the-lines satisfaction: “I notice that the points that I would have considered constitutionally objectionable have been removed or nuanced.”

His motives encapsulate the pious secularist position: “Tactics are being used [by opponents of the RH Bill], which can have the effect of driving Catholics away from the Catholic Church.”

There is preliminary evidence that alliances across the religious-secular divide are trying to reassert their influence in the bill’s aftermath. The newly appointed Archbishop of Manila, Luis Antonio Cardinal Tagle, is reportedly “good personal friends” with President Aquino, and Aquino took time to attend a mass celebrating Tagle’s elevation to the College of Cardinals in the weeks before the final RH votes. At the same time, there are forces on both sides of the religious-secular divide who are spoiling for further

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408 Fr. Eric Genilo, SJ, interview by David Buckley, Loyola House of Studies, Quezon City, Philippines, August 13, 2010.
410 Ibid.
fights, which would destabilize the patterns of cooperation and principled distance in benevolent secularism. The more profound challenge to benevolent secularism may come from strengthened anticlerical sentiment as a result of the RH controversy. It is no exaggeration to say that the CBCP alone delayed this legislation, perhaps by a decade, and a quick spin through opinion columns related to the RH Bill shows real resentment at its influence.\textsuperscript{412} The CBCP has been publicly defeated, and its miscalculation of its electoral influence may have finally killed off the idea that there is any single “Catholic vote.”\textsuperscript{413} There are others within the CBCP and allied lay organizations who will try to prove Catholic electoral influence in the 2013 elections, and ultimately roll back the RH Bill through Supreme Court decisions. As Archbishop Ramon Arguelles bluntly put it, “Government used everything—money, pressure, cheating—to pass the RH Law. And now they’re pleading for reconciliation? I don’t think so.”\textsuperscript{414}

In the end, the breakdown in consultation over the RH Bill did in fact result from divisions within blocs that frequently ally to defend benevolent secularism. However, to the extent that coalition alliances across the religious-secular divide did operate, they made the resulting bill more benevolent, in its respect for differentiation, cooperation and principled distance. Particularly since the bill’s authors made substantive changes in the legislation to promote religious-state cooperation and secure religious conscience exemptions, there is reason to think that the conciliation-minded elites on both sides of the religious-secular divide will eventually carry the day. If this is the case, Philippine

\textsuperscript{412} For one entertaining example, see Joey Ramirez, “Explaining secular democracy to Tito,” \textit{Rappler.com}, September 8, 2012.
\textsuperscript{414} De Quiros, “Holy orders.”
benevolent secularism will have endured its most direct threat since the end of Martial Law.

The more ambiguous outcome of increased partisan behavior by religious elites is less a result of coalition conflict in this area than of shared interfaith ambivalence on the topic. On the one hand, some newer Charismatic Catholic and Protestant elites are clearly more open to stepping into elections. As Among Ed put to me, “I [was] endorsed by many interfaith groups…[to them] my being governor-priest was a big help. But some of my Catholic brother priests were not as happy…to these I should not have even entered politics in the first place.”415 There is little interfaith call for a ban on candidacies of clerics, an end of the practice of explicit electoral endorsement by religious officials, or even limits on quasi-religious parties running under the party list system.

However, religious leadership, even newer elites, continues to demonstrate ambivalence to totally breaking down the differentiation between political parties and religious institutions. Even with the popular role of Cardinal Sin in the People Power Revolution, many Catholic leaders worried they had set a dangerous precedent. In the words of Fr. John Carroll, a leading political sociologist at Ateneo de Manila University, Catholic bishops “were quite uncomfortable with their newfound roll,” although convinced that Philippine democracy needed their support in those turbulent months.416 Since then, Catholic bishops speak regularly of “critical collaboration” with Philippine elected officials,417 and focused efforts on election monitoring through groups like the

415 Eddie Panilio, written correspondence with David Buckley, August 19, 2010.
416 Fr. John Carroll, SJ, interview by David Buckley, Loyola House of Studies, Quezon City, Philippines, August 16, 2010.
417 This term, which was also used to describe the Church’s relationship to the Marcos regime in the martial law period, came up in several interviews with Catholic elites, including Bishop Broderick Pabilio, written correspondence with David Buckley, August 27, 2010. Bishop Pabilio chairs the CBCP’s National Secretariat for Social Action-Justice and Peace.
Parish Pastoral Council for Responsible Voting. Among Ed’s suspension from the ministry shows that pious secularists in the Catholic community prefer electoral politics at arm’s length.

There seems to be some interfaith consensus that, while the state should not ban this pattern of religious electioneering, it can be undesirable on religious grounds. Rev. Rex Reyes, Executive Director of the National Council of Churches in the Philippines, worried that partisan mobilization would undermine the church’s role as “an agent of reconciliation” and “a moral authority” in Philippine politics. At the more evangelical end of the Protestant spectrum, Butch Belgica argued that electoral involvement has “gone to the extreme,” and has decided to focus on building the church from within rather than elected office. This may reflect a growing appreciation for the dissention that partisan behavior can breed within new faith movements. Couples for Christ, the million-plus member Catholic Charismatic movement, adopted a larger role in party politics in the closing months of the Estrada administration and the 2001 elections, only to see this public involvement contribute to a split that has now broken the movement into three parts. The fracturing of CfC has clearly served to remind even devout elites of the benefits of differentiating state and religious institutions.

In contrast to the role of alliance divisions in explaining the breakdown in consultation around the RH Bill, the extension of principled distance to the Muslim minority does correspond to both interfaith and religious-secular partnerships in this area. The growing public role of Islam in the past decade indicates the pluralization of

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418 Rev. Rex Reyes, interview with David Buckley, Quezon City, Philippines, August 19, 2010.
419 Grepor “Butch” Belgica, interview with David Buckley, Quezon City, Philippines, August 18, 2010.
religious leadership need not undercut the strong interfaith relations that characterize benevolent secularism in the Philippines. Diversification of the Muslim landscape has provided more points of contact with political elites, more opportunities for collaboration with Christian associations, and more solid footing for the benevolent secular nature of Philippine institutions. The PCID has played an important bridging role between secular institutions and the Muslim community. Led by Amina Rasul, a former Cabinet member and public official, the PCID fosters a generation of clerics and activists who are well-connected to civil society organizations in the Philippines and abroad. These relationships lay the groundwork for further evolution to the Muslim minority, for instance new areas of cooperation like election monitoring and human rights monitoring.

Interfaith cooperation has likewise played an active role in fostering secular evolution by building partnerships around issues like peacebuilding in Mindanao. Cooperation with the Department of Education on peacemaking curricula, for instance, takes place with Catholic support, and in the context of strong interfaith alliances through the Bishops-Ulama Conference of Mindanao. This type of interfaith partnership fosters cooperation with state institutions that in turn is explicitly designed to improve interfaith relations among the next generation of young Filipinos. As Senator Ralph Recto argued in the program’s infancy, “Madaris should be an institution that would promote the solid foundation of Islamic values and cultural traditions and foster better understanding among Christians and Muslims. They would serve as a beacon for the enlightenment of our people, illuminating our way towards religious harmony.”

As of 2010, the Department of Education employed nearly 2,000 teachers in public elementary schools

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through the ALIVE program alone,\textsuperscript{422} thus fostering a generation of Muslim educators in the Philippines who engage the Muslim minority in public life.

Evidence from these three areas thus confirms the rough correspondence between the strength of coalition alliances and the likelihood that benevolent secularism will evolve to meet new challenges. While these challenges arise from pluralism in the Philippines since People Power, they do not indicate that benevolent secularism cannot evolve to face this new religious landscape. Indeed, at the elite level, there is evidence of enduring alliances around the basic dimensions of benevolent secularism, even among new actors on the religious stage. The evidence of Charismatic Catholic ambivalence to partisan mobilization is especially interesting in this regard. This group could serve as the single greatest factor destabilizing alliances across the religious-secular divide and weakening interfaith relations. However, there is elite-based evidence that they understand the pious secularist position, and are capable coalition partners in evolution of benevolent secularism.

4. **Coalition Alliances, Charismatic Catholics and Public Opinion**

The elite-based evidence from the post-People Power era indicates that benevolent secularism endures in the Philippines because even new actors on the religious stage generally support the institutional combination of differentiation, cooperation and principled distance through religious-secular partnerships and interfaith alliances. The role of Charismatic Catholic movements has been especially interesting in this regard. While they have shown some more interest in partisan political involvement,

\textsuperscript{422} Jesli Lapus, “Increase in the Monthly Allowances of Muslim Teachers in the ALIVE Program,” *Department of Education Memorandum*, March 8, 2010.
their rapid growth has not corresponded to any general breakdown in the configuration of religion and democracy in the Philippines. As in Ireland and Senegal, these elite patterns prompt hypotheses about patterns in public opinion. Do recent tensions with the CBCP indicate broader gaps between Catholic Filipinos and others on questions related to the dimensions of benevolent secularism? And is there evidence that Charismatic Catholics are unique from the rest of the Catholic majority in attitudes to benevolent secularism? The same survey research from the ISSP used in testing Irish attitudes gives the opportunity to test these coalition-based questions in the contemporary Philippines.

The theoretical framework in Chapter 1 contends that the institutional structure of benevolent secularism should act to empower pious secularists within the Catholic community at critical junctures, thus cutting down on religious-secular divides and promoting strong interfaith relations over time. Among the general public, then, this framework hypothesizes that Catholic Filipinos should be just as supportive of the dimensions of benevolent secularism as their fellow non-Catholic citizens. Even though they are the numerical majority, this group should be no less supportive of differentiation, cooperation and principled distance. The project’s broader theoretical framework does not yield a single deductive hypothesis about opinion patterns among the newer Charismatic Catholic community. However, recent elite behavior points to greater electoral activity among Charismatics, but little difference on other dimensions of benevolent secularism.
To test these hypotheses, I turn to the same questions from the ISSP survey utilized in Ireland. Question 1 from Table 1 captures public attitudes to differentiation. The question asks about religious leaders impacting election decisions, which is particularly fitting for examining possible variation within the Charismatic Catholic community. Question 2 examines support for principled distance by asking whether all religions should be respected. This gives some sense of respondent attitudes to religious pluralism. As in the other two cases, existing polling in the Philippines is particularly weak in assessing the cooperative dimension of benevolent secularism. Once again, this provides an unfortunate data limitation, and restricts my public opinion analysis to the dimensions of differentiation and principled distance.

<table>
<thead>
<tr>
<th>Variable</th>
<th>Question Wording</th>
<th>Source/Country</th>
<th>Coding</th>
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</thead>
<tbody>
<tr>
<td><strong>Differentiation</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Religious Leaders Elections</td>
<td>How much do you agree or disagree with the following: Religious leaders should not try to influence how people vote in elections.</td>
<td>ISSP: Ireland; Philippines</td>
<td>1 (Strongly Agree)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>-</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5 (Strongly Disagree)</td>
</tr>
<tr>
<td><strong>Principled Distance</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Equal Respect</td>
<td>How much do you agree or disagree with the following statements: We must respect all religions.</td>
<td>ISSP: Ireland; Philippines</td>
<td>1 (Strongly Disagree)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>-</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5 (Strongly Agree)</td>
</tr>
</tbody>
</table>

I test the first coalition hypothesis, regarding Catholic pious secularism, in models reported in Table 2. The theoretical expectations are generally confirmed; in fact, in attitudes to religion and elections, the Catholic majority is actually more supportive of the value of differentiation that is at the core of benevolent secularism. In the simple
comparisons between the Catholic majority and the various minority faith groups, there are no statistically significant differences related to the differentiation or principled distance questions, although the direction of the sign indicates that Catholics are less supportive of religious input into elections. When including a handful of important demographic controls, with and without a control for frequency of religious attendance, Catholics become more supportive of keeping religious leaders out of elections than religious minorities. These results lend strong support to the hypothesis that pious secularism is visible not only among Catholic elites, but also in the Catholic general population. Efforts to treat religions unequally or to insert religious leaders into electoral campaigns are less likely to find support within the Catholic majority than outside of it. Pious secularism seems to have carried the day at the mass level. This result provides some insight into why minority rights were so easy to protect at the 1986 Constitutional Commission: the Catholic majority was no less supportive of them than the minority communities themselves!
If the Catholic community as a whole seems little different from minority religious communities, recent events in the Philippines raise the prospect that the rise of Charismatic Christianity may be destabilizing the existing institutional bargain. Ideally, data used to test charismatic attitudes would ask respondents whether they are members of one of the major charismatic movements, or perhaps if they consider themselves a Charismatic Catholic. Unfortunately, the ISSP data, which provides excellent dependent variables related to religion and politics, does not track this kind of membership. Still, the ISSP does ask respondents a question that can be used as a rough proxy for Catholic Charismatics: “Would you say that you have had a ‘born again’ experience?” Kessler’s...
extensive research on Philippine Charismatics identified the born again experience as a key feature of charismatic religiosity in the Philippines.\textsuperscript{423} Born-again Catholics make up approximately 25\% of the total Catholic sample, which is larger than the roughly 15\% of Charismatic Catholic respondents that Kessler finds. Even though the Charismatic community is growing, and the ISSP data is about 5 years newer than Kessler’s, it is likely that identifying “Born-Again Catholics” overstates the size of the Charismatic Catholic movement.

Modeling variation within the Catholic community offers little support for the idea that Born Again Catholics support substantially different positions on the place of religion in democratic politics. There is no evidence that Born Again Catholics are less supportive of the differentiation of religious and state institutions. Results regarding religious influence on elections and government policy are no different than those among the rest of the Catholic majority. While the direction of the sign in the “less secular” direction, there is no statistical significance to either of these results. One would think that this helps to explain why Charismatic Catholic movements have stepped away from some of their electoral activity. At the very least, it shows that Born Again Catholics are not necessarily a source of division in the coalition alliances that have driven secular evolution in the past quarter century.

\textsuperscript{423} See Christl Kessler, "Charismatic Christians: Genuinely Religious, Genuinely Modern," \textit{Philippine Studies} 54, no. 4 (2006): 560-84 for detailed explanation of the variables she uses to construct a more thorough index of charismatic religiosity. While her remarkably detailed survey design would certainly give more confidence in identifying Charismatics, based on the data available from the ISSP, the “born again” question is the most reliable means of identifying Charismatic-influenced Catholics.
In sum, if the aggregate evidence indicates that Pious Secularists make up the core of Philippine Catholicism, there is little evidence that the rise of Charismatic Catholicism is eroding coalition alliances in a way that will threaten benevolent secularism. As tested here, Born Again Catholic attitudes to the political role of religion are indistinguishable from the rest of the Catholic majority. This suggests that the pluralism brought through the Charismatic revival need not undermine the configuration of religion and Philippine democracy that traces to the Commonwealth Constitution.

Table 3: The Born Again Catholic Difference?

<table>
<thead>
<tr>
<th></th>
<th>Differentiation</th>
<th>Religious Minorities</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Religious Leaders Impact Vote</td>
<td>Respect All Religions</td>
</tr>
<tr>
<td>Born Again Catholics</td>
<td>0.0259 [0.0806]</td>
<td>0.12 [0.0906]</td>
</tr>
<tr>
<td></td>
<td>0.00518 [0.0816]</td>
<td>0.141 [0.0921]</td>
</tr>
<tr>
<td>Sex</td>
<td>-0.075 [0.0721]</td>
<td>0.0475 [0.0825]</td>
</tr>
<tr>
<td>Age</td>
<td>0.0042 [0.0138]</td>
<td>0.00953 [0.0158]</td>
</tr>
<tr>
<td>Education</td>
<td>-0.0297 [0.0496]</td>
<td>-0.168*** [0.0574]</td>
</tr>
<tr>
<td>Urban/Rural</td>
<td>-0.115 [0.0746]</td>
<td>0.0574 [0.0860]</td>
</tr>
<tr>
<td>Religious Attendance</td>
<td>0.0162 [0.0252]</td>
<td>0.035 [0.0281]</td>
</tr>
<tr>
<td>N</td>
<td>971 963 970 962</td>
<td></td>
</tr>
</tbody>
</table>

All Coefficients Standardized. *** p<0.01, ** p<0.05, * p<0.1
Ordered Probit Models with Robust Standard Errors in Brackets. Sample only includes Catholic respondents, which serve as the reference category for the Born Again Catholic effect.
5. Religious Moderation Reconsidered

While I argue that coalition alliances encouraged by benevolent secularism explain the Philippines’ response to institutional challenges in the past three decades, this is not the only factor that could account for the evolution of religion-state relations. One alternative story could center on the moderation of the religious actors in the Philippines, and particularly those who have arrived on the scene during the time period analyzed in this chapter. It could be that pluralization, for instance, would threaten the twin tolerations in the Philippines, but only if the pluralizing groups were religious zealots, fundamentalists, or “immoderate.” Likewise, the overthrow of the Marcos regime and restoration of the twin tolerations could have been due to the moderation of the Catholic Church after Vatican II, and the of liberal Protestants in advocating for human rights. On this telling, religious moderates explain why benevolent secularism has proven durable in the Philippines, and protectors of liberal democracy should view new religious movements that lack moderate credentials with serious concern.

There is some evidence that religious moderates played a role in checking the abuses of the Marcos Regime and restoring benevolent secularism. Members of the National Council of Churches in the Philippines generally identify with the liberal Protestant denominations, and certainly fall at the left side of the political spectrum. Likewise, Catholic institutions like the Basic Christian Communities that provoked confrontation with the Marcos regime were indeed heavily influenced by liberal theological currents, including Catholic Social Teaching from papal encyclicals like Rerum Novarum, and the documents of Vatican II. Ideology did indeed matter to these
groups, and helps to explain why they banded together to preserve benevolent secularism from the Marcos challenge.

However, two problems stand out with ascribing that institutional outcome to religious moderation. First, it is unclear by what precise standard these actors qualify as moderates. Their tactics were not at all moderate; in fact, they were much more confrontational than more traditionalist parts of the Catholic hierarchy, and some even adopted ties to militant leftist organizations. Their theological preferences may have been to the political left, but they were not particularly moderate or liberal in foundations or content. Catholic activists drew on orthodox Catholic Social Teaching, and it was ultimately the very traditional obedience to the wishes of Cardinal Sin that brought thousands upon thousands of Filipinos into EDSA to bring down the regime. Indeed, in a counterfactual world where religious moderation was truly widespread among Filipino Catholics, it seems plausible that People Power would have fizzled before it began.

In the period after the People Power revolution, there is little evidence that pluralization within Philippine religion has come from moderate ranks. To give one example, Brother Butch Belgica, a prominent evangelical leader, had proud ties to American evangelical institutions like the 700 Club and Charles Colson who would not typically be described as theological moderates by political liberals. Belgica’s sermons draw heavily on themes like “shaping Godly leaders,” and his pamphlet on social action against drug abuse features picture of David holding aloft the severed head of Goliath; it is no moderate image. Catholic Charismatic communities have a distinct vocabulary, but again are not known for their theological liberalism. Catholic groups like El Shaddai

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424 Grepor ‘Butch’ Belgica, interview by David Buckley, Quezon City, Philippines, August 18, 2010.
425 Grepor Butch Belgica, Remove the Evil from our Midst!: Biblical Blueprint for Comprehensive Social Action against Delinquency and Substance Abuse, (Manila: National Library, 1994).
and Couples for Christ stress similar “gifts of the Spirit” as Pentecostal churches, and “conduct their services in a very lively and emotional style, sharing the experience of miracles happening today.”426 Within the Muslim community, the general strategy of building the National Ulama Council of the Philippines has been to empower orthodox Muslim leaders drawn from the ranks of religious scholars, rather than promoting any new variety of liberal Islam. While the category of religious moderate is difficult to pin down (perhaps its key weakness), leaders from the newly pluralized Philippine religious scene would almost certainly not qualify.

And yet, as detailed above, the newly pluralized generation of Philippines religious elites has not unleashed a general assault on benevolent secularism. Electioneering, which is associated with newer faith movements, has unsettled aspects of the religion-state relationship, but there is little evidence that new religious movements are weakening any of the core components of Philippine secularism: differentiation, cooperation and principled distance. Why not, and what might this say about the search for religious moderates more broadly?

In both of these periods, benevolent secularism has evolved not simply because of theological moderation, but rather because theological liberalism is not the only path to accepting benevolent secularism. Instead, pious secularists, who want to retain a public presence but worry that the entanglement of religion and state institutions will corrupt the witness provided by their movements, dominate these new elites. Pious secularists are not particularly moderate, and may actually be quite orthodox in their interpretations of religious traditions. It is precisely this orthodoxy which makes them supporters of the

autonomy of the religious sphere from state control, and willing participants in the coalitions that stabilize benevolent secularism.

A final observation concerning religious moderation theory highlights its interaction with the institutional politics I describe. The preferences of coalition actors do indeed matter to reconciling religious mobilization with democratic politics. If defined more precisely, some version of religious moderation theory focused on the role of religious norms and political theology can help make sense of why secularism has proven so durable in the Philippines. However, even with more conceptual precision, moderation theory needs attention to the institutional context in which ideological currents develop. The debates within Charismatic Catholicism, for instance, over partisan mobilization will be settled not only on their merits, but also based on the generally non-partisan patterns of religious-state cooperation that characterize benevolent secularism in the Philippines. Likewise, the alliances between Protestant and Catholic opponents of the Marcos regime rested not only on their theologies, but also on the alliance patterns that emerged from these groups as a result of the cooperative structure of benevolent secularism. Highlighting the role of institutional design in shaping theological debates provides one avenue for saving the insights from moderation theory.

6. **Conclusion**

Well after the Commonwealth Constitution of 1935, benevolent secularism still characterizes religion-state relations in the Philippines. The coalition between the Catholic Church, minority religions and political elites that installed these institutions in 1934 endured the Marcos dictatorship to reaffirm the key tenets of benevolent secularism.
at the 1987 Constitutional Commission. Still, the sharp recent fight over the RH Bill reveals lingering tensions in benevolent secularism. While some political elites and Catholic officials worked behind the scenes to make the bill accommodat{}ing to religious interests, it would be a mistake to overlook the real religious-secular divides that have not been reconciled with the bill’s signing. Only time will tell if these tensions dissipate as the bill is implemented through agencies like the Department of Health, or gives rise to further fights over issues like divorce policy. Agency matters in the wake of such disputes, and the structure of benevolent secularism does not determine the future of secular evolution.

The model of secular evolution proposed in Chapter 1 fits quite closely with the rise and fall of the Marcos regime, and the restoration of benevolent secularism in its aftermath. Coalition alliances, especially resting on strong interfaith relations and cooperation between secular civil society groups and the Catholic majority, played a central role first in opposing the authoritarian regime and later in restoring benevolent secularism at the 1986 Constitutional Commission. Alliances, themselves encouraged by institutional structure, acted to preserve institutions in the face of a bid to break down the dimensions of benevolent secularism.

The period after People Power, and especially in the past several years, presents more difficulties for the model of institutional evolution. This is primarily because the pluralization of religious leadership makes it more difficult to assess the status of the religious-secular divide and interfaith relations. The RH Bill controversy foregrounds this difficulty. From one viewpoint, it represented institutional breakdown because of sharp religious-secular divides between CBCP and women’s health organizations. From
another, however, it represented institutional evolution, as religious-secular cooperation between Catholics like Fr. Eric Genilo and policymakers sympathetic to the Catholic Church preserved conscience protections, religious exemptions, and consultation in the implementation of the legislation. Given the pluralization of religious leadership in the Philippines and beyond, it has become more difficult to cleanly categorize the status of the alliance mechanisms that drive secular evolution.
CHAPTER 8
CONCLUDING THOUGHTS ON RELIGION, SECULARISM AND DEMOCRACY

1. Revisiting the Secularism Trap

The religious politics of Ireland, Senegal and the Philippines cast serious doubts on the dilemma posed in the secularism trap. In environments that seemed primed for a breakdown between religion and democracy, religious communities have actually become defenders of the twin tolerations. Religious-secular divisions have remained minimal, and interfaith relations, while occasionally strained, have generally worked to stabilize secular institutions. Insofar as threats to the twin tolerations emerged, particularly in the Philippines, they were from secular autocrats, not any theocratic religious mobilization.

The institutional design of religion-state relations explains the failure of the secularism trap to spring. Evidence suggests that in each of these cases, alternatives to benevolent secularism would have undercut democratic politics and even political stability. Official religious establishment would clearly have alienated minorities and threatened the twin tolerations, irrespective of the theoretical compatibility between establishment and liberal rights in places like the United Kingdom. This likely comes as little surprise, particularly readers shaped by liberalism’s assumptions about religion in democratic politics. However, more assertive forms of institutional secularism could have proven just as damaging to maintaining the twin tolerations. Removing religion from the Philippine public square, for instance, would have removed a major source of resistance to Marcos’ authoritarian rule, while a more exclusive form of laïcité in Senegal
could have provoked devastating urban-rural standoffs in the republic’s early years of independence.

These institutions matter primarily because of the coalitions they construct. This is a core claim of this study. The religious-secular divide and dangerous competition along interfaith lines are not actual natural occurrences, preprogrammed into the ideologies of contending normative groups. Rather, the extent of the religious-secular divide and the nature of interfaith relations are malleable, subject to changes in the institutional setting that democracy provides to religion. In contrast to theoretical assumptions that religion necessarily serves as a conversation-stopper, and thus is a dangerous addition to political debates, evidence in these cases suggests that, in certain institutional environments, public religion can build bridges among unlikely allies, in the process not only stabilizing democratic life but also pursuing causes as diverse as environmental protection and women’s rights. These coalitional mechanisms suggest a significant reorientation by political scientists seeking to make sense of the “political ambivalence of religion.”427 We should pay more attention to bargaining between and within religious movements, and the institutional environments that impact these patterns of alliance formation.

Among these coalition partners, pious secularists among the religious majority should receive special attention. It is remarkable the degree to which even apparently contending schools such as modernization theorists, rational choice analysts, and advocates of religious moderation share the assumption that orthodox religious majorities will prefer the fusion of religious and state power. This assumption simply cannot hold.

up to the empirical record. There are several reasons why pious secularism may take hold among religious majorities, ranging from ascetic political theology to hard experience with state cooptation of religious institutions. Too many liberal theorists seem to have forgotten just how badly religious institutions wanted to maintain differentiation for much of European history. The lesson is better remembered by religious elites in the field. Pious secularists can still complicate religion-state relations, especially in their claims to autonomy from state control. But their predominance fundamentally undercuts the dilemma posed by the secularism trap.

If scholarship in religion and politics should move beyond the most simplistic forms of the secularism trap, where does this study suggest future insights might lie? First, the theory’s attention to changes in preferences within religious blocs, and the impact that these changes can have on partnerships between those blocs, opens a broad area of research for comparative analysis. What conditions impact preferences among groups, and how groups form partnerships or rivalries? Here, I advance a largely institutional theory, but a range of other theoretical options could motivate future study. International flows of populations and ideas played an important role in this study, and could shape coalition alliances by changing the actors around a bargaining table. Pluralization of religious authority, particularly through the rise of lay-led social movements and civil society organizations, could facilitate alliance-building, but could also provoke more traditional religious elites to withdraw from historical partnerships. Certain issue areas related to gender and sexuality may be more likely to destabilize alliances, whereas others related to development or armed conflict have different effects. These give just a few examples of the ways in which studying coalition alliances and
preferences shifts can animate future scholarship around religion and comparative politics. This marks significant progress beyond the sharp religious-secular and interfaith divides that are assumed to drive the secularism trap.

This study also suggests moving research in religion and politics into the careful study of links between mass and elite opinion and behavior. Given the increasing wealth of comparative public opinion data, there are more opportunities than ever to test individual-level theories about the impact of religion on political preferences. And researchers can track elite preferences through traditional fieldwork as well as the various ways in which digital communications aid comparative research. However, tracking links between the two levels of analysis is more complex. It is easy enough to use polling work to evaluate how the mass public views religious elites, but more challenging to demonstrate how that knowledge might impact the behavior of elites. While the challenge is significant, the promise is also substantial. Public opinion might put a break on elite behavior, particularly if what this project calls “pious secularism” is actually more robust among the general public than among clerical elites. Linking mass and elite levels of analysis is another important stage in moving beyond the secularism trap, with its assumption that increased political participation from the general public threatens the twin tolerations between religion and democracy.

Taken as a whole, these findings suggest that the secularism trap is regularly overstated, as likely to rationalize authoritarian rule as to prevent creeping theocracy. Religious institutions regularly make credible commitments to play by the rules of the democratic game, even if that involves losing policy debates. And those commitments become even more credible when made in the public square, and reinforced by political
patterns that minimize divides among coalition partners. As new challenges confront secular states over time, they are best served by such a diverse coalition, where religious and secular, majorities and minorities, have a stake in preserving existing institutions.

2. **Recapping and Looking Forward**

In Ireland, Senegal and the Philippines, political institutions have played a role in reconciling religious actors and democracy. Throughout this study, I have argued that one variety of institutional relationship between religion and state, benevolent secularism, has proven particularly effective in securing the twin tolerations while avoiding the worst extremes of the secularism trap. Institutions matter in these cases and beyond because they shape the preferences within religious blocs, and thus encourage the formulation of alliance that cross boundaries between faith groups and the religious-secular divide. The preceding studies document that these institutional effects originate in critical junctures of state formation, and extend over time as coalition alliances form to undercut challenges. The stability of these alliances in turn helps explain the path dependent nature of secularism; even during periods that seem ripe for institutional collapse, coalition allies stabilize existing institutions and encourage their gradual evolution to new social conditions. The combination of elite interviews and survey analysis shows that these alliances exist at various levels of analysis, and raises the interesting question of how elite and mass dynamics combine to drive the religious politics of democracy.

The Irish case provided some of the strongest evidence of the responses of religious minorities to benevolent secularism at critical junctures. The correspondence between de Valera and the leaders of Methodist, Presbyterian, Church of Ireland and
Jewish communities clearly demonstrates the effect of benevolent secularism’s dimensions of differentiation, cooperation and principled distance in reassuring minority groups of their legal standing. Ireland also gives some warning that benevolent secularism is not without its vulnerabilities. Principled distance was imperfectly maintained early in independence, as the Mother and Child Crisis indicated. However, over time the interfaith and religious-secular alliances promoted by benevolent secularism helped make this important dimension more robust. These alliances have operated to stabilize benevolent secularism even in the face of the Catholic Church sex abuse scandals, the arrival of unprecedented religious diversity, and major changes in education policy.

Looking forward in Ireland, the theoretical framework set out in this project points to the importance of maintaining religious-secular partnerships in promoting future institutional stability. With the primary challenge to Irish benevolent secularism coming from the rapid increase in the religiously unaffiliated, the dynamics of religious-secular partnerships will come under new strain. There may be fewer young elites within religious institutions, and those who remain may be less willing to participate in partnerships with a broader secular culture. Likewise, as the secular bloc grows in Ireland, its leaders may become less patient with religious institutions, and less interested in maintaining the cooperation between religion and state that characterizes benevolent secularism. Should religious-secular divides grow more pointed over time, we should expect corresponding periods of institutional instability, and perhaps even the full breakdown of benevolent secularism in this case. If institutions fail, it seems more likely that this will be from religious-secular divisions than from interfaith tensions; to date,
Ireland’s newer faith communities have been fairly eager participants in the benevolent bargain.

The evidence in Senegal demonstrated the effect of benevolent institutions in shaping preferences among the highest-ranking Sufi brotherhoods. Even when Islamist reform movements like the *Conseil Supérieur* have attempted to break down laïcité, the Sufi leaders have shown ambivalent support, because the combination of differentiation, cooperation and principled distance has served their interests quite well over time. The response of a wide array of actors to the manipulations of the Wade administration was one of the most dramatic examples in this study of coalition alliances defending institutional stability. Umbrella coalitions like the *Assises Nationales* put laïcité’s protection on the political agenda, and showed the diverse set of actors who have come to support benevolent secularism. While this evidence is compelling, the major ambiguity in Senegal remains the extent to which certain aspects of laïcité were tolerated, but not necessarily embraced, by the Sufi brotherhoods. The *Code de la Famille* puts this in concrete terms. Sufi elites tolerated the legislation because it simply did not apply in their heartlands, and the state was in no position to impose it by force.

Looking forward, laïcité in Senegal will continue to rest on the alliances that have defended it in the last decade. Any institutional breakdown, then, should be predated by observable tension in the coalition alliances between faith groups and across the religious-secular divide. As religious leadership fragments over generations, and leaders compete more aggressively for followers, one could theoretically see less enthusiastic participation in interreligious dialogues. The intersection of religious authority with partisan politics could also strain these alliances. The greatest challenge to traditional
coalition alliances may come from international currents, whether population flows of Evangelical Christians, ideological influence from Arab-educated Muslim reformers, or more assertively secular activists in parts of the women’s community. To date, these forces have not undermined the coalition supporting benevolent secularism. However, should these forces weaken alliances over time, the next challenge from an actor like President Wade may have more dramatic results.

The Philippines shows what a difference institutional design can make at constitutional negotiations. Whereas religious and secular actors deadlocked on the place of religion in the 1898 Malolos debates, the 1934 Commonwealth Constitution deliberations were marked by general unanimity and cooperation. While the legacies of Spanish colonial rule continued to stoke occasional tensions between religion and state, the religious-secular divide reduced in scope quite quickly. Understanding the Marcos regime as a violation of, among other things, the dimensions of benevolent secularism sheds new light on why interfaith partnerships played such a prominent role in the push to restore democracy. If the evidence from that period confirms several of the theoretical expectations at the core of this project, the more recent history of religion and democracy is more contested. While religious-secular partners did receive real concessions in the RH Bill negotiations, the fact remains that the debate ended without consensus from the CBCP. The longer-term effects of this failure remain to be seen.

Looking forward, benevolent secularism in the Philippines will rest on how key religious and political actors choose to respond to the pluralization of religious authority. For example, will newer Muslim associations like the National Ulama Council of the Philippines find strong allies in Catholic bishops? Will charismatic movements’
involvement in electoral politics draw more traditional religious authorities into partisan campaigning as well? There is some evidence of this phenomenon, including the recent release of a lay-led 2013 campaign initiative with support from the CBCP. As in Ireland and Senegal, analysts should pay careful attention to the strength of coalition alliances over time, and the ways that these alliances might set the stage for shifts away from benevolent secularism.

3. **Tensions in the Dimensions**

While benevolent secularism has played an important role in reconciling religion and democratic politics in these three cases, there is a substantial tension built into this institutional model: how much benevolence is too much? To pose the challenge in a more precise manner, at what point does the cooperative dimension of benevolent secularism come into tension with the differentiation of religious and state institutions, or even with the principled distance among the state and all religious communities? At the extreme, does cooperation in the context of a dominant religious majority mean the eventual breakdown of the twin tolerations? Debates over mandatory religious education in the Philippines, the Mother & Child Crisis in Ireland and the *Code de la Famille* in Senegal all centered on this tension.

Benevolent secularism’s most unique claim may be that cooperation between religion and state need not threaten the principled distance between the state and various religious communities. There is no necessary trade-off between cooperation and principled distance. Schools in Ireland have reflected some denominational diversity since independence, for instance, and in the face of increased religious diversity, have

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begun to expand patronage models, including in multidenominational education. In many ways, debates over patronage reform in Ireland demonstrate the ability of cooperation and principled distance to coexist even in rapidly changing societies. The interfaith nature of policy consultations in contemporary Ireland shows a similar impulse. Principled distance is certainly difficult to maintain in any religiously dynamic society; minorities pose challenges to principled distance in more passive secular states like the United States and more aggressively secular models like France. However, there is little theoretical or empirical reason to believe that the cooperative dimension of benevolent secularism makes principled distance more vulnerable to breakdown.

While principled distance and cooperation may actually reinforce one another, there are distinct tensions between differentiation and cooperation. This comes to the surface most regularly in patterns of religious influence over policy formation. In each of the three controversies that opened this section, elites within the religious majority advocated for policy positions that were not broadly shared by religious minorities, and seemed to blur the line between consultation and establishing religious positions in law. When does cooperation come at the cost of differentiation? To evaluate this balance, analysts can return to Stepan’s conceptualization of the twin tolerations, and particularly the toleration that the religious community owes to state institutions. As Stepan puts it, “Democratic institutions must be free, within the bounds of the constitution and human rights, to generate policies. Religious institutions should not have constitutionally privileged prerogatives that allow them to mandate public policy to democratically elected governments. At the same time…[religious communities and individuals] must be
able to advance their values publicly in civil society…as long as their actions do not impinge negatively on the liberties of other citizens or violate democracy and the law.  

This standard allows for fairly extensive religious cooperation in the policy process, while setting out some guidelines for when cooperation may threaten differentiation. First, any constitutional privilege given to religious authorities over state law is a breakdown in differentiation; this is the problem with enshrining religious judges as ultimate arbiters of family law. A second guideline is subtler. To respect differentiation, religious involvement in public debates should not rest solely on exclusive doctrinal claims, because these claims have the effect of impinging on the ability of other citizens to engage in democratic deliberation. Doctrine can motivate religious actors, but to avoid limiting public debates to certain faith traditions, actors should be able to advance arguments accessible beyond one religious community. In this regard, it is important that the Catholic Bishops’ Conference in the Philippines made its case against the RH Bill in terms of the negative social impact of contraceptives. While advocates of the RH Bill may strongly disagree with that argument, the fact that the CBCP made it in such terms did not exclude any religious or nonreligious actors from the policy debate. For cooperation to balance with differentiation, whether in policy consultation or areas of material cooperation like education, the effect of that cooperation should not be to impinge on the full participation of other citizens in those same policy areas.

Focusing on the tensions among the dimensions of benevolent secularism returns this empirical argument to some of the debates within political theory regarding the place of religion in democratic politics. The cooperation between religion and state, especially in the formulation of policy, is likely to raise objections from certain liberals who see

religion as inherently opposed to the compromise required by democracy and a uniquely
dangerous source of social division. The cooperation characteristic of benevolent
secularism challenges the claim by thinkers like Richard Rorty that religion is a
“conversation stopper” different from other sources of political division. Rather, such
cooporation recognizes what Jürgen Habermas has called “an awareness of what is
missing” from entirely secular public debates. Involving religious communities in the
public square can strengthen the solidarity and social cohesion needed for democratic
politics. When religious leaders work across faith lines to resist the Marcos dictatorship
in the Philippines or ensure electoral transparency in Senegal, this theoretical point comes
into empirical focus. The combination of cooperation with differentiation and principled
distance moves beyond blunt assertions that religion is a conversation stopper, and into
the more fruitful debate about what conditions may actually strengthen or weaken
democratic politics.

The functioning of benevolent secularism in the cases considered here should
further calm liberal fears that religion-talk will fuel interreligious tensions and impede the
compromise necessary for democracy to function. In fact, it is precisely the benevolent
nature of religion-state relations in these cases that results in the improved interfaith
relations that stabilize secularism over time. Senegal provides compelling evidence on
this point. More religious debates in public life have not necessarily threatened interfaith
harmony. Catholic and Muslim cooperation on AIDS prevention is just one example of
the myriad of public issues that encourage religious collaboration, and promote the sense
of shared national responsibility of these two faith groups. And of course, when President
Wade made disparaging remarks about Catholic ritual practice to deflect attention from his own political troubles, Muslim leaders spoke out against his manipulation alongside Catholic clerics. The prominent public role for religion, encouraged by laïcité in its Senegalese translation, is a major contributor to the dialogue islamochrétien that distinguishes Senegal’s political life.

In sum, while there are indeed tensions among the three dimensions of benevolent secularism, they are not mutually exclusive. Cooperation and principled distance may actually reinforce one another, and while principled distance may break down in any setting, it is not clear that cooperation between religion and state makes this more likely to occur. The tension between differentiation and cooperation can become more direct, but some basic guidelines can help to distinguish forms of cooperation that threaten to break down the very differentiation of religion and state. While cooperation can take problematic forms, the alliances that benevolent secularism encourages can play a role in maintaining the balance among these dimensions.

4. Questions Raised

In addition to these tensions within the model of benevolent secularism, the argument raises, but cannot answer, two important and related questions about the sources of elite bargaining. One relates to the conditions that may prevent benevolent secularism from emerging in the first place, and the second to the links between elite bargaining and public opinion.

First, if benevolent secularism can serve the interests of political elites, religious majorities and religious minorities, why does it so often fail to emerge? What conditions
prevent this institutional configuration from garnering support from elites? This question is particularly important given the ongoing contentious debates about religion’s place in a more democratic Arab world. While beyond the scope of this argument, the cases suggest that certain historical conditions may hamper the kind of bargaining that allows benevolent secularism to emerge in the first place. This is particularly likely in cases that have a legacy of mistrust and coercion between political elites and the majority religious community. In these kinds of ideologically polarized environments, extensive, preexisting divides may make the kind of coalition-building at the heart of benevolent secularism unsustainable. The Arab Awakening highlights the challenges of overcoming divides. While the religious-secular gap appears to have been managed (but not eliminated) in Tunisia by cooperation during years of exile, sharp suspicions among religious and secular actors in Egypt seem to be heightening the divide. The burden posed by such historical legacies would face all institutions, of course, not simple those of benevolent secularism, but should be taken seriously.

The Philippines provides the clearest look at why benevolence may not emerge, and how this may change over time. Recall that at the Malolos Congress in 1898, as Spanish rule weakened but before American colonial authority consolidated, delegates deadlocked on the constitutional relationship between religion and state. Sharp divides between secular and religious actors prevented a bargain like benevolent secularism from emerging. Leading secular nationalists, a camp which included several Masons, had fresh memories of the role that that Catholic hierarchy played in cementing Spanish colonial rule, and found the very presence of an organized Catholic clergy threatening to the autonomy of the secular republic. Catholic elites, for their part, often assumed that
Spanish anticlericalism would accompany republicanism in the Philippines, and were terrified that independence would leave church properties vulnerable to expropriation and nationalization. This deadlock, of course, lifted by the late American colonial period, as both Catholic clerics and nationalist elites established patterns of cooperation that built mutual confidence and entrenched the benevolent secular coalition that endures to this day. This pattern of confidence-building took several decades, but, over time, the sharp religious-secular divisions of Malolos gave way to the benevolent bargain of the Commonwealth Constitution. Future scholarship should focus on similar processes of confidence-building, and the processes by credible commitments emerge between once-polarized political actors.

My argument raises a second area for further research: the causal relationship between public opinion and institutional design. The one-off survey data presented in the chapters on secular evolution shows a correlation between the elite alliances described in the case study chapters and patterns among the general public. But this raises the more difficult question about what causal relationship connects cultural attitudes to elite alliances, and ultimately to the configuration of religion and state. One possibility is that fairly stable cultural values contribute to the path dependence of benevolent secularism; culture drives an institutional outcome, because elites face popular constraints on their bargaining. Another option is that culture largely follows elite cues and the institutional environment that structures politics. On this telling, public opinion will respond to changes in constitutional institutions, for instance. Sorting out the direction of causality requires attention to periods of institutional change and to patterns of public opinion over time. As scholars have multiple rounds of surveys from the ISSP, World Values Survey,
and Global Barometer surveys at their disposal, there is more opportunity for this kind of important research.

It seems likely that the relationship between culture and institutional design can move in different directions at different points in time. For instance, if elites with high social legitimacy advocate institutional change, or respond to it with clear hostility, it is likely that these elite cues can shape opinion among followers. Something like this took place in the emergence of the Religious Right in the United States in the 1970s, as elites condemned perceived anti-religious shifts in American jurisprudence, and in the process moved white evangelical voters into a core component of the GOP electorate. But public opinion almost certainly acts as a constraint on elites as well. In the Philippines, for instance, recent debates about the Reproductive Health Bill regularly referred to strong support even among practicing Catholics for access to state-funded contraceptives. Polling was a near constant refrain from advocates of the bill. The Catholic bishops were certainly aware that they did not speak for their flocks in opposing the RH Bill, and this realization likely influenced the openness of some clerics to pursuing more modest patterns of resistance to the bill.

Evidence from Ireland shows the role of public opinion in promoting pious secularism within Catholic elites. To put it bluntly, the divorce referenda in Ireland showed that the Catholic Church had lost the political argument within its own pews. The broader, comparative importance of this point lies in the natural break that may exist between religious communities and the breakdown of secularism. Religious elites in Ireland and elsewhere have an interest in shaping public policy, to be sure, but they also need to maintain spiritual credibility that can be undermined by their political
adventurism. This is especially true if these political forays run against public preferences, as expressed either through public opinion polling or through policy referenda. The Irish experience suggests that many religious elites are aware of these dangers, and that this awareness promoted the pious secularism of the Irish hierarchy through the 1970s and 1980s. Future research could probe the ways in which religious elites respond to the political preferences of their flocks, particularly when the laity and clerical elite have different policy priorities.

Future research, using polling gathered over time, could test these processes of mutual causation, and in the process help make sense of links between mass publics and elite bargaining that drive secular evolution.

5. Ambiguities in the Model

While my model of benevolent secularism’s institutional effects helps make sense of the emergence and evolution in religion and democracy in these cases, there are several ambiguities in the model. A first is the role of pre-independence institutional structures in influencing the emergence of the twin tolerations during critical junctures. While the institutional relationship between religion and state was thrown into flux by independence in each of these cases, the actors who contested those institutions had themselves come to positions of leadership under colonial institutions that regulated religion and politics. In Ireland, for instance, the coalition of state and religious elites who negotiated Irish secularism were in their own right impacted by British colonial policy. The Catholic school system was the most obvious example of this influence; because of British decisions to fund denominational schools, the Catholic system at
independence was pervasive and a state educational sector would have had to be built from scratch. The presence of Church of Ireland elites was likewise an explicit legacy of the preferential treatment that this minority received throughout the colonial period. And the very language of non-endowment owed to British governing guidelines that stretched back to the late nineteenth century. In Senegal, the debates around 1960 took place in the wake of French collaboration with some Sufi clerics as early as the turn of the twentieth century, through what historian David Robinson has called “paths of accommodation.”

The existence of colonial legacies does not in and of itself take away from the critical importance of junctures like independence and constitution drafting. The coalitions that would come to support benevolent secularism in each of my cases simply did not exist under colonial rule, in large part because colonial officials and appointments heavily influenced all coalition blocs. Political elites, at the highest levels, were members of the colonial hub, and even religious majority and minority actors were frequently tied to colonial administration. The preference of each bloc of actors rested on interactions with the colonial state, a pattern of political life that fundamentally changed with independence. Independence, thus, did provide a moment of institutional uncertainty, and the configuration of religion and politics that emerged during that periods had an independent impact on the preferences of the coalition blocs that would eventually unite in support of the twin tolerations. Colonial institutional legacies do suggest a further avenue for research into how such patterns compare to post-independence relationship between religion and state. But they do not indicate that debates at critical junctures were entirely endogenous to earlier colonial administrative decisions.

432 Robinson, Paths of Accommodation.
The mechanism through which institutions shape actor preferences is a second area within the model of benevolent secularism from Chapter 1 that would benefit from further specification. Several mechanisms could provide insight into the precise nature of institutional effects on actor preferences. Each would be broadly compatible with the theoretical framework and empirical findings set out in this research. Here, I mention three that seem particularly plausible in light of these cases. While each requires further testing, they are both consistent with the theoretical expectations about benevolent secularism and the evidence gathered across these three cases.

First, benevolent secularism operates by constructing networks of experts, resembling what scholars of international relations have come to call “epistemic communities,” dedicated to preserving the twin tolerations. Preferences among coalition blocs become more similar over time because the relevant actors find themselves on the same state commissions, policy consultations, and dialogue boards. These elite networks also play a role in agenda setting, deciding which issues are seen as “religious issues” in a given context. For example, the network of religious and secular experts around public health in Senegal means that such questions, rather than simply a matter of technocratic policy formation, provide opportunities for further religion-state cooperation. Second, a set of learning mechanisms is implicit in this account, especially in the impact of institutions in cementing alliances over time. Relevant actors learn to deliberate over religious topics that liberal theory often assumes to be conversation stoppers, and hardliners within religious and secular blocs perceive less intense threats from rival coalition blocs. Even where disagreements exist, such as Irish divorce policy,

actors like the Catholic Bishops learn how to make arguments that acknowledge the
differentiation of religion and state, and the need to maintain principled distance. Third,
benevolent secularism promotes contact across social divisions that could reshape
cultural norms over time. While Protestant-Catholic competition in the Philippines was
sharp in the early years of American colonialism, the turn to benevolent secularism under
the Philippine Commonwealth promoted more contact between elites from various
Christian denominations. Over time, this elite-level social contact eased interfaith
tensions, and set the foundation for joint Catholic-Protestant resistance to the Marcos
dictatorship. In Senegal, the correlation in public opinion between engaging in interfaith
dialogue and supporting values of differentiation and religious pluralism provides
preliminary evidence that promoting social contact operates at both the mass and elite
levels.

A third ambiguity in this model of benevolent secularism arises from the
pluralization of religious authority in the wake of globalization. At a broader level, the
elite-based bargaining model from Chapter 1 is certainly more complicated in an era of
religious Internet chat rooms, self-appointed street preachers, and campus-based atheist
associations. This diversity brings methodological challenges as well. When assessing
the strength of interfaith relations, for instance, or the extent of the religious-secular
divide, it is increasingly unclear which actors speak authoritatively for dynamics at the
elite level, not to mention possible gaps between elite discourse and attitudes among the
general public.

An example from Ireland puts this challenge to the model in concrete terms.
Muslims in Ireland are an internally diverse bunch, and documenting their relationship to
state and other faith groups is complicated by pluralization. Cooperation between state and the Muslim minority and interfaith dialogue tends to center on the Islamic Cultural Centre in Ireland, a well-financed Sunni community in South Dublin. However, the ICCI is not the only voice in the Irish Muslim community. Mary Fitzgerald of the *Irish Times* received substantial attention for her 2011 reporting on “disgruntled Muslims” who objected to the state’s privileging of the ICCI over other Muslim associations.\(^{434}\) Abdel Zeroug, Coordinator of the Arab Community Forum of Ireland, spoke at length to me of the ethnic and linguistic diversity within the Muslim community, and clearly worries that treating Islam like a unified Protestant denomination risks missing signs of disaffection among parts of the community not represented by the ICCI’s Arab-speaking, Sunni leadership with its backing from the Maktoum Foundation of Dubai.\(^{435}\) How should the state maintain principled distance given the pluralized nature of Muslim leadership? And how should a researcher assess the strength of interfaith relations as a whole in this environment? To date, the core elite alliances in this model of benevolent secularism have held up in this diverse set of cases. But future pluralization within and between religious communities will bring further challenges, both to the model’s logic and to the research process used to assess its claims.

6. **The Future of Benevolence**

Throughout this argument, I make the case the benevolent secularism has played a unique and often overlooked role in breaking down the false choice posed by the secularism trap. It is important to acknowledge that the critical junctures in each of my

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\(^{435}\) Abdel Zeroug, interview by David Buckley, Dublin, Ireland, May 18, 2011.
cases took place between a half and nearly a full century ago. Much has changed in
debates about religion and democracy since that time, and it is likely that the future of
benevolent secularism will owe to forces that have only begun to shape secular evolution
in these three cases.

First, while questions of formal religious establishment haunted constitutional
conventions earlier in the twentieth century, today’s debates about the nature of
secularism are more likely to center on questions of conscience exemptions and religious
autonomy. This is a substantial development; rather than make claims to control state
institutions, religious institutions increasingly find themselves playing defense against
civil laws that infringe on areas once under religious control. This is especially true in
Western Europe, but has also come to the fore in the RH Bill debates in the Philippines.
As the bureaucratic reach of the state extends farther into areas of concern to religious
institutions, this trend is likely to continue. Because the very nature of benevolent
secularism is supposed to serve the interests of the religious community at large, there is
ample ground for making exemption claims in benevolent secular states. Sufi orders in
Senegal have claimed exemptions from various state economic policies, and Irish
religious institutions are exempted from several discrimination laws in the interest of
preserving their “religious ethos.” Similar exemption debates have already cropped up in
areas of LGBT rights, reproductive medicine, and curriculum development.

However, while benevolent secular institutions generally accommodate such
claims from both religious groups and individuals, they do raise serious questions about
the ability to maintain benevolent secularism’s principled distance in the future. What
principled grounds, for instance, should decide whether Catholic objections to funding
abortions should be treated the same as Jehovah Witness objections to blood transfusions? These kinds of questions involve state institutions in setting slippery distinctions between religions and cults, or in answering the question simply in terms of material power: those groups that mobilize lawyers, get exemptions. Keeping some principle in “principled distance” will become even more challenging as claims to religious autonomy from state control grow in the face of the expansion of the bureaucratic state.

A second challenge to the future of benevolent secularism is the influence of international bodies on what have largely developed as national-level institutions. The most obvious source of international pressure comes from transnational judicial bodies like the European Court of Human Rights, which issue increasingly binding rulings on the domestic law of member states. To date, the ECHR has shown a fairly wide margin of appreciation to local differences in the realm of religion-state relations, which reflects the wide variety of institutional relationships between religion and state even within Western Europe. But cases related to abortion access in Ireland and classroom crucifixes in Italy suggest that this margin of appreciation may be narrowing over time. Whatever one’s views on the particular cases in question, these international dynamics certainly destabilize the coalition alliances that have stabilized benevolent secularism over time. Local elites can increasingly look to power sources beyond their borders to get a better bargain in institutional debates, while international actors can explicitly target “undesirable” local institutions for transformation.

The role of international flows in destabilizing benevolent secularism shows through clearly in the Philippines. It bears noting that the RH Bill was an international as
well as a domestic political event, closely covered by international watchdog groups in the orbits of both women’s rights and Catholic politics. These international influences empowered hardliners on both sides of the debate, with financial support and linkages to powerful international bodies, and made it especially difficult for the CBCP to accept anything other than total surrender from the bill’s advocates. In a counterfactual world in which international networks had little connectivity to domestic debates, the religious-secular alliances represented by groups like the Bishops-Businessmen’s Conference may have been able to secure more cooperation between the two sides. However, the reality is that such international influences frequently represent strong constraints on the mutual accommodation that is at the heart of benevolent secularism. Religious-secular divides travel along with information and funding in today’s globalized advocacy environment. Benevolent secularism, whether in the Philippines, Senegal or Ireland, arose as a basically domestic institutional solution, sustained by domestic partnerships between faith groups and political elites. International dynamics threaten such accommodation, in the Philippines and beyond.

It is important to note that destabilizing international influences can flow from any part of a secular coalition. More assertive secularists in Ireland have drawn strength from European networks promoting stricter versions of secularism. Muslim reformists in Senegal draw inspiration from sharia courts in several parts of the Muslim-majority world, particularly in parts of the Arab Middle East. And Protestant minorities are leaving an imprint on secular debates in the Philippines. The optimist would note, of course, that international flows could also have a positive effect, with cases like Senegal and Turkey inspiring pious secularists in other parts of the Muslim world. While this is
certainly theoretically true, there is significant evidence that a primary impact of international flows has been to destabilize, rather than reinforce, religious-secular alliances. This trend is likely to continue into the future, and deserves careful attention from scholars of religion and democracy.

While international influences will shape secular evolution, there is also evidence that local coalitions can respond to these challenges. The limited international influence on Senegalese secularism demonstrates this point. While many worry that international Islamist movements will destabilize support for laïcité, especially among younger generations, religious leadership remains largely nationalized in Senegal. The Mourides proudly point out that they are the most indigenous of the major Sufi movements, and Amadou Bamba is a hero of national resistance. While Muslim elites who have left to study in Arab institutions throughout North Africa do exercise increasing influence in public debates, particularly among educated, urban communities, even leading *arabisants* have become incorporated into the secular coalition. Several interview subjects remarked that national traditions of tolerance from local African religious practice remain more important than international Islamic influences. This nationalization of leadership comes with consequences for secular evolution. Debates that claim large-scale global attention, particularly regarding apostasy, have very limited traction in Senegal. Reformists may compare family law in Senegal to that in Morocco, or laïcité there to the very different institutions of the same name in France, but the story of secular evolution in Senegal remains highly nationalized. Given the inconsistent impact of international influences, future scholarship could highlight the conditions under which international actors do (or do not) shape domestic institutions of religion-state relations.
A final area likely to destabilize benevolent secularism is the growth of the religious “nones,” particularly among younger Westerners. The nones as a group include both affirmed atheists and agnostics, as well as those who simply do not identify with a particular religious tradition. They pose a challenge to benevolent secularism in two ways. First, many are resolutely non-denominational; they do not want to form a Church of the Nones to have equal access to education funding, for instance. This group is not necessarily hostile to benevolent secularism, but may be less likely to see the general social benefits that come from the cooperation between religion and state. More problematic is the smaller, but growing, community of explicitly anticlerical non-believers who see benevolent secularism as a prop for superstition and a source of discrimination against their views. Groups like Atheist Ireland are not entirely new on the political scene, but they do seem to have new levels of popular support and funding at their disposal. These groups push on religious-secular alliances, making it more difficult for both religious and secular actors to cooperate in the public sphere.

As this demographic grows, at least within the West, benevolent secularism needs to evolve to incorporate at least some of its members into coalition alliances. This can be done first by showing increased sensitivity to maintaining a principled distance from non-believers as well. Perhaps non-believers do not want their own schools, but efforts like Educate Together in Ireland show that benevolent secular states can take non-believer preferences seriously. Second, religious actors in benevolent secular states would be wise to present new areas for positive cooperation between religious and non-religious actors in public life. Showing the benefits that stem from cooperation, in areas as diverse as anti-corruption drives and environmental advocacy, may blunt the edge of the sharpest
anticlerical portions of the non-believing community. At its most robust, benevolent secularism has always rested on this kind of positive cooperation, rather than a passive tolerance between religious and secular groups.

While benevolent secularism is no silver bullet for resolving tensions between democracy and religion, there is good reason to think that it can play a central role in avoiding the secularism trap by bridging religious-secular divides and improving interfaith relations. This trap has long been an impediment to democratization, and institutional design of religion-state relations can prove decisive in avoiding its snare. The precise shape of secular benevolence may vary from case to case, but its basic mechanism of altering the coalition politics of secularism travels more broadly, from Ireland, Senegal and the Philippines to more immediate cases where the secularism trap still looms.
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