

What is the Relationship of Religion and the Liberal Script?

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The uneven discursive incitement on Muslims and Islam in comparison to the seemingly banal omnipresence of Christianity in Europe has led some scholars to coin the notion of the “Muslim Question”. It condenses into the master-question: are Islamic practices compatible with liberal orders? If we, instead, shift the gaze from the minority to the majority, imperial legacies and multifaceted forms of power come to the fore which are deeply ingrained in the liberal script. We can then flip the question and ask: are liberal orders capable to address religious difference beyond absorption or radical alterity?



1 “WHAT’S IN A QUESTION?”

As a scholar of Islam in Europe I am probably expected to answer the question “what is the relationship between religion and the liberal script?” for the “religion” of Islam. Such a question, however, provokes a set of sub-questions: which time frame? Which spatial context? From which disciplinary, political, epistemological and normative vantage point? What counts as religion and where are the borders of the liberal script? My hesitance to respond head on also derives from the field of study, in which I have been involved for quite some time now – a context in which Islam is minoritarian and has yet received a disproportionate amount of alarmist attention. Whether it comes to various “refugee crises”, to questions of “religious symbols” in public spaces or to integration programs, none of these issues are currently debated across Europe without the question of the (il)legitimate place of Islam being addressed in one way or another. Certain traditions and practices seem to unsettle or challenge liberal principles more than others, or, more precisely, secular imperatives like privatisation of belief, state-church separation

or the distinction between political and religious spheres writ large. In contrast, Christianity, inscribed into fabric of European public spheres, tends to pass unnoticed. However, not every religious community has the privilege of being considered “banal” (Oliphant 2021) and thus remaining outside of public, political and academic scrutiny.

The uneven discursive incitement on Muslims and Islam in comparison to the banality of the omnipresence of Christianity in Europe has led some scholars to coin the notion of the “Muslim Question”. The Muslim Question implies the one-directional focus on Muslims and Islam as some kind of difficulty, which has generated a whole set of interventions – governmental, epistemological and cultural (Sayyid 2014: 3) – interventions which partly sit uncomfortably with some of the central ingredients of liberal secular orders such as the state’s claim to abstain from religious matters, religious freedom, or the intrusion into the private, intimate sphere of individuals, as most pertinently prevalent in measures of securitisation. Of course, the Muslim Question at closer scrutiny unfolds into a number of sub-questions conventionally addressed to Muslims: Is Islam compatible with liberal freedoms, or with democracy? Can Islam be reformed to the same extent as Christianity has? Where is the Islamic Luther? Can Islam foster (gender) equality? Is the headscarf emancipatory or repressive (cf. Bracke/Fadil 2018)? Is Islam capable to distinguish between political and secular spheres, i.e. to separate worldly from theological authority? The list is long and, of course, the answers vary. What remains, however, is the framework and direction of the questions.

So rather than joining into the chorus of answering such sets of questions, I am concerned with the conditions that have animated its very framework: Where do such questions derive from? Who is entitled to pose and answer them, how and with which presuppositions? And what are its functions? In short, what’s in the (Muslim) Question? Since I am not able to do justice to this vast program in this short piece, I want to suggest three programmatic points from which one could start.

2 DECENTRING MINORITY QUESTIONS – GENEALOGICAL INQUIRIES

First, to understand the deeper-rooted mechanisms ingrained in the Muslim Question, we need to step back from the acute contexts of migration or from global terror in the name of Islam and the subsequent war on terror which

it has generated. I am not arguing that these contexts are irrelevant. I argue, however, that the uneven and excessive interrogation of (religious) minorities or minoritized religions within European nation-state contexts is predicated on patterns which are independent from these contemporary issues.

We therefore need to deploy genealogical lenses, to better grasp how minority questions have been central for the inception of the liberal-secular nation-state but also how the very notion of “religion” has been complicit with mechanisms of minoritization, that is to say the emergence of minorities, understood and ranked as minor. Such a lens directs our attention to the inception of the contradictory logics of the liberal nation-state. The liberal nation-state rests on universal principles of inclusion and equality, on the one hand, and the continuous (re)production of internal and external borders, on the other, which have been complicit of the production of ethnic, national, or religious minorities (cf. Mahmood 2015; Amir-Moazami 2020).

Pertaining to these inclusionary-exclusionary logics, a number of scholars have convincingly shown that the distinctively liberal make-up of the modern nation-state cannot be written out of the history of making and marking minorities, nor of the history of manufacturing “good” and “bad” religions (Batnitzky 2011; Bauman 1991; Markell 2003; Vial 2016). In the same moment in which the secular nation-state started to secure religious plurality by formally becoming neutral and resigning from the realm of theology, the “gardening ambitions” (Bauman 1991) of this very nation-state rendered the life of minoritized religions difficult, at times impossible.

The example of Jewish assimilation, or more benignly, emancipation in Germany in the 19th, beginning of the 20th century is a case in point. Processes of emancipation were accompanied by heated controversies on the (in)compatibility between Jewish practices and ideals of secularized religion (i.e. Protestant Christianity). The political, legal and medical debates on kosher butchering and male circumcision between 1843 and 1933 not only increasingly took on racist overtones (Judd 2007). These “Ritualfragen” (ritual questions) also became a magnifying glass for the tightening of internal borders of the nation-state as a biological and religious entity. The increased condemnation of Jewish practices as backward and blood-thirsty “rituals” was above all a means of branding Judaism as barbaric, deviant or, at the very least, as alien to the self-declared liberal characteristics of the secular nation-state. Most importantly for our concerns, the body of the (Jewish)

other with its traditional rituals not only served to purify the “Volkskörper” (German people’s body) for overtly nationalistic forces. It also functioned to contour the narratives of rational, reflexive and de-ritualized “religion”. Thus, even the more benevolent voices ultimately called for Jewish practices, if not be banned, at least to be altered in such a way so as to satisfy the prototypical notions of a “good religion”, or even to qualify as “religion” at all in the modern sense of the term (see Batnitzky 2011).

The recognition of Jews was thus conditional on their efforts to render Jewish traditions legible for the emerging secular state which, in turn, was implicated in a particular, i.e. neither generalizable nor neutral understanding of religion (cf. Batnitzky 2011; Vial 2016). In his seminal work on the traps of (liberal) recognition, Patchen Markell succinctly concludes in this vein: “Paradoxically, the commandment of emancipation is that the state must at all times see that every Jew has ceased to be Jewish” (2003: 146). Leore Batnitzky (2011) in addition has shown how Jewish theologians – in the hope for emancipation – adopted a distinctively liberal Protestant understanding of religion, which contributed to the gradual disappearance of communal ties and especially of the relevance of Jewish law.

These processes were legally grounded through liberally conveyed principles like “conditional tolerance” (David Sorkin quoted in Mahmood 2015: 40) of Jews back in the early 18th century or even by the Minority Treaties in the Permanent Court of International Justice (established in 1922). Instead of substantially pushing forward civil and political equality, conditional tolerance implied the gradual dissolution of self-government and autonomy for the sake of collective subjection to a centralized state. The gradual “conquest of the state by the nation” (Arendt 1985 [1951]: 230) in the early 20th century in fact rendered Jewish minorities throughout Europe into a legal non-category. The Minority Treaties of the Permanent Court of International Justice reproduced rather than solved this tension. In her critique of the totalitarian roots of national sovereignty, Hannah Arendt (1985 [1951]: 275) bluntly notes:

The Minority Treaties said in plain language what until then had been only implied in the working system of nation-states, namely, that only nationals could be citizens, only people of the same national origin could enjoy full protection of legal institutions, that persons of different nationality needed some law of exception until or unless they were completely assimilated and divorced from their origin.

As I argued elsewhere, we can see the traps of assimilation reworked today in the imperative of integration directed at Muslims and in processes of the institutionalization of Islam in Europe (Amir-Moazami 2022). The centring of minority questions within the borders of the nation-state has been intrinsic to liberal orders, even if these are simultaneously committed to principles of equality before the law and blindness towards difference (Mahmood 2015).

3 IMPERIAL LEGACIES AND THE RACE-RELIGION NEXUS

The programmatic move is then not so much to ask which kind of religion is the best or least suited for the “liberal script”, but rather to acknowledge, for example, that the coining of liberal principles operated in tandem with *specific* understandings of religion such as rationalised belief (as for Kant), religion as feeling (as for Schleiermacher), or religion as inwardness (as for Weber). Instead of celebrating this intimacy as a success story of a tamed version of Christianity having nurtured liberalism and having gradually learned how to resign from politics (see Habermas 2009), it is necessary to keep in mind that this legacy has entangled (intellectual) histories, or less friendly: colonial logics (Asad 1993; Vial 2016; Shilliam 2021). As Saba Mahmood notes, “religion was constructed as an anthropological category within the parameters of European secular introspection and the modern expansion of empire” (Mahmood 2008). This brings me to my second programmatic point: the formation of a specifically modern notion of religion as exposed to continuous self-critique cannot be reduced to struggles internal to Christianity and its related European nation-states but needs to be related to imperial histories.

Genealogical approaches which account for these entangled histories have worked out the co-constitutive characteristics of religion and race (Anidjar 2008; Carr 2009; Maldonado-Torres 2014; Mazusawa 2005; Vial 2016). Religion as concept thus gained contours and currency in the same moment in which the concept of race became a structuring component of modern European nation-states and their colonial expansions as well as their instruments of knowledge production.

In her seminal analysis of the emergence of the discourse of “world religions” throughout the 18th and 19th century, Tomoko Mazusawa (2005) has shown, for example, that the process of internal secularisation via the critique of the bible and subsequently the Catholic Church within European

nation-states went along with the comparison and hierarchisation of other “world religions” and their classifications into friends or enemies. These constructions were essentially based on race and language group theories: Religious studies scholars and philologists established alliances between the “Christian–Aryan” religion and Buddhism. On the other side of the spectrum, they grouped Muslims and Jews together as “Semites” (see also Anidjar 2008; Hochberg 2016). The figure of the Semite as the embodiment of Islam and Judaism and as both a language group, a race and a religion, indeed, connects the “Jewish Question” within emerging European nation-states to an imperial knowledge order (Jansen/Meer 2020). Semitic languages were constituted as grammatically inferior and simplistic, while Arian language groups were constituted as grammatically complex and hence culturally sublimated. Christianity and its Buddhist allies were granted a claim to universality whilst Judaism was stripped of its universal aspirations and became a “diaspora”, “minority”, or a “race”. Islam, in turn, became the immovable, inherently political and in need of civilization counterpart to an idealized version of Christianity, which claimed to have internalized the rules of the Enlightenment through self-criticism. The expansion of Islam according to this view stood for violent conquests, while Christianisation was conceived of as a peaceful diffusion of a superior religion. In all these comparative acts, Christianity either constituted the explicit frame of reference or the unmarked foil along which “religion” was henceforth studied and measured. Hierarchizations thus took place along theological and linguistic lines, long before the excessive biological racism of the 20th century (see also Carr 2009; Westerduin 2021). Again, this is not an accidental side effect of an otherwise clean and pure linear success story of the liberal script. Liberal thought and practice cannot be immunized from but have been deeply implicated in the production of hierarchical knowledge order (Vial 2016; Shilliam 2021; Stovall 2020).

4 PROBLEMATISING SECULARISM

To be sure, colonial interventions and imperial formations as well as the parallel production of minorities within emerging liberal nation-states are not characterised by either abrupt ruptures or by straightforward continuities. It is therefore important to pose the question how ranking systems operate under today’s conditions of anchored liberal freedoms and formal equality in ways which make hierarchical orders hardly tangible. For the scope of discussions on the relationship between religion and the liberal script, this would mean to pay attention to the subtle forms of exceptionalization. And

it would mean relating the excessive discourse production on Islam and Muslims in Europe to what it does not say or normalises – for example the sacrosanctity of the secular nation-state as the arbiter of religious plurality. In the meantime, it has often been stated that, while the concept of race has disappeared from media and political discussions in Europe, classifications and ranking systems of people have not diminished in any way. Rather, they have been replaced by more innocent terms such as “culture”, “customs” or “values” (cf. Balibar/Wallerstein 1988). It is therefore remarkable that these notions are often highlighted as having stood in for race, whilst “religion” continues to exist quite unscathed in everyday use and as a political principle of distinction.

As Batnitzky (2011) indicates in her study on “How Judaism became a Religion”, the secular state has at no moment been absent from the domain of religion but largely responsible for its governance. Batnitzky even argues that modern concepts of religion and those grounding the sovereign state were “born together” (Batnitzky 2011: 26): “While it may first appear that the notion of religion as a distinct and private sphere of experience is a fundamentally apolitical idea, it is actually predicated on a conception of state sovereignty” (Batnitzky 2011: 26). The secular constitutional state with all its ramifications, in other words, does not so much keep religion out of public and political life. To a far greater extent, it manages, regulates and governs religion. And not least because secularism is itself partial to Christianity (see Asad, Brown, Butler, Mahmood 2013: xiii), this governing affects “other religions” to a greater extent, especially when they are considered problematic because of their assumed political inflections, or because they are considered to be mired in religious doctrines that impede adequate (self-)reflexivity, rationalisation and generalisability.

This leads to my third and last programmatic point: When deliberating on the relationship between religion and the liberal script, we cannot avoid engaging with secularism. To be sure, with secularism I do not refer to the thesis of secularisation as religion’s gradual disappearance from the public or political life in Western Europe. Nor do I refer to the responses to this thesis that have emphasised religion’s cyclic reappearance over time – a debate that has preoccupied sociologists of religion for decades (cf. Casanova 1994). I also do not concur with the assumption that the secularisation thesis is mere ideology or a myth (cf. Casanova 2009), for secularism has had long-lasting material effects on a global scale.

Instead, I suggest a conception of secularism as practices, a conception which accounts for the ambivalences, breaks and inconsistencies that are attached to the ways in which the sovereign nation-state upholds the separation between religion and politics. As scholars of critical secular studies have shown at length, the double function of the liberal-secular state to secure religious freedom and to simultaneously govern the borders between what counts as religion and what counts as politics entails a set of inherent tensions (Asad 2003; Agrama 2012; Mahmood 2015; Sullivan 2005). Among the most salient is the observation that while the secular nation-state is formally confined to neutrality and remote from religious matters, its authority depends on its capacity to determine what kinds of religious expressions and practices are publicly and politically legitimate and which are not. It is through this mandate that the state, in close connection with civil society, is authorized, and at times even compelled, to judge the contents and limits of religious practices in public institutions.

The endless constitutional debates on the legitimacy of Islamic practices (like veiling, praying, halal slaughtering or male circumcision) in European public spaces provide a pertinent example for the regulating forces of secularism. The way in which these practices have been governed clearly shows that the state is implicated in the production of religion by largely relying on routinised understandings of how a proper religion should look like and where its limits are to be drawn. France with its constitutionalised notion of “laïcité” – a seemingly strict version of state-church separation – is probably the champion on a European scale for the contradictory and exclusionary logics of secular governance. The endless debates and regulations of veiling in French public spaces are revealing in this regard. The sovereign state’s entitlement to attribute meanings to complex bodily practice like veiling (“political”, “proselyte”, “oppressive” etc.), and the act of turning these into compactly legible “religious symbols”, shows that French political and legal authorities are implicated in the domain of theology, while simultaneously insisting on the sacrosanctity of laïcité.

The emplacement of laïcité to govern Muslim populations in France, indeed, also unleashes the visceral and embodied components of secularism and reminds us that allegedly neutral secular law ultimately relies on majoritarian rules. A blatant example revealing how such embodied secular sensibilities enter into the loose category of “l’ordre public” is the legislation against face-veils in France which was backed up by the European Court of

Justice and Human Rights (ECHR) in 2014. The ECHR in this case coupled l'ordre public with the conventionalized norm of "vivre ensemble" ("living together"). It thereby revealingly showcases how affective attachments of secular principles – in this case normative assumptions about how to properly communicate and interact in public life, conventionalised norms of bodily visibility or norms of transparency – constitute an intrinsic part of liberally conveyed legislations, even if these usually re-translated into a more neutral language than "vivre ensemble". Even in the less intrusive variants than in the case of France, Islamic practices, in order to be recognised, for example, through recurrence to the freedom of religion, need to be translated into a vocabulary that is legible for the liberal state and its incorporated contours of conventionalised notions of religion.

Returning to my initial remarks, my main move has been to de-centre the Muslim Question and to centre the conditions that have generated this very question. What does this mean for the question I was supposed to answer (what is the relationship between liberalism and religion)? In the field of Islam in Europe it would imply to shift the gaze from the minority to the majority, from the Oriental to the "European" question, from the Muslim to the Christian or subsequently to the secular question. For the field of study of Islam in Europe we would then not repeat the conventional question if Islamic practices are compatible with liberal orders. We would rather need to ask if liberal orders across Europe with their ingrained imperial legacies and multifaceted forms of power are capable to address religious difference beyond absorption or radical alterity.

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