

**Governing Islam in Plural Societies:
Religious Freedom, State Neutrality and Traditional Heritage**

Arolda Elbasani

Robert Schuman Center for Advanced Studies, Florence

Contact: arolda.elbasani@eui.eu

Abstract

Post-Communist openings constituted the ideal foci for reimagining the relationship between the state and religion. Specifically, it created new opportunities to balancing between rules of inclusion and exclusion regarding contending and sometimes exclusionary religious alternatives of ‘good life’. In line with their new democratic aspirations, all Balkan countries have gradually reshuffled their religious policies, formalized religious freedoms, and institutionalized a more equal playing field for their respective religious communities. Realizing an all-inclusive and equal-opportunity structure for all religious denominations, however, proved neither smooth nor automatic, especially when it came to the inclusion of the historically-marginalized Muslim populations. The evolving institutional choices to incorporate such communities vacillated between the democratic urge for religious freedoms and equality, on the one hand, and the role of founding traditions and heritage of majority privileges, on the other. This article outlines the institutional compromises to accommodating Islam across plural polities which feature an unusual mix of denominations –Muslim, Christian Orthodox, Roman Catholics as well as atheist and agnostic groups –in the post-Communist Balkans.

Keywords: Islam; Religious Pluralism; State-Church Relations; Religious Freedom; Majoritarian Traditions

Introduction to the Topic and Questions

The collapse of Communism and its restrictive policies towards religion led to new institutional models for regulating the relationship between the state and its respective religious communities.¹ The remodelling of this relationship involved a search for the most appropriate institutional mechanisms to liberalize, but also to regulate, the revived religious phenomenon. Indeed, post-Communist openings constituted the ideal foci for balancing among the rules of inclusion and exclusion of comprehensive religious visions. The liberalization of religion, moreover, led to increased religious activity, including significant ‘direct foreign investment’ from different international movements that brought with them new tensions and dilemmas.² The search for institutional accommodation of religion also manifested itself in other countries, which were still struggling to deepen their democratic freedoms, beyond the post-Communist realm. The revised democratic choices culminated in various solutions, which vacillate between religious accommodation, on the one hand, and restriction of their activities and public influence, on the other.

Nowhere have these choices been more challenging and complex than in post-Communist Balkan countries, which all feature diverse religious populations including Muslims, Orthodox Christians, and Roman Catholics, as well as atheists and agnostics. Here, moreover, the collapse of Communism coincided with the rise of exclusive nationalisms and/or the violent redefinition of borders, all of which exacerbated deep-rooted divisions between ethno-religious communities.³ Nonetheless, the normalization of political conflicts alongside ongoing processes of democratization, often with substantial support from the international community, encouraged large-scale institutional reforms to recognize religious freedoms, instil state neutrality, and accommodate social plurality. In line with their new democratic aspirations, all Balkan countries have gradually reshuffled their religious policies, formalized new religious freedoms, and installed a more equal playing field for their diverse constituents.

Realizing an all-inclusive and equal-opportunity structure for all religious denominations, however, was neither smooth nor automatic.⁴ Re-regulating the relationship between the state and Muslim communities proved especially complicated in the context of exclusive national

paradigms, long-running ethno-religious animosities, oft-fabricated collective memories, and the inherited majoritarian ‘traditions’.⁵ Reversing dominant perceptions of Islam as a backward remnant of Ottoman occupation, almost a traitor amidst the aspired modern, European and often homogenously Orthodox nation-state constructions, was even more challenging.⁶ In fact, the post-Communist Balkans came to be randomly seen as typical cases where ‘the national historical traditions are often at odds with the liberal egalitarian-universalist principles.’⁷ Hence, the institutional rehabilitation of Muslim communities resulted in untidy trade-offs between the democratic urge for religious freedoms and equality, on the one hand, and the ‘traditional’ legacies of nation-state formation and the privileges it connoted in each case, on the other.

Such compromises certainly involved walking a fine line between alternative solutions – inclusion and exclusion, rights and constraints, separation and collaboration, equality and privileges. Interestingly, but perhaps not surprisingly given the dominant narratives of national uniformity, exclusive and/or majoritarian-biased readings of tradition became an important appendix of emerging models of state-mosque relations after Communism. In line with the overall objectives of this special issue, this article outlines the range of institutional solutions for regulating Islam across plural democratic societies. Specifically, the article introduces the general topic and outlines a common framework to analyse subsequent cases. The argument proceeds in three sections. Section I charts the institutional tools for accommodating religion, particularly Islam, in democratic societies. Section II summarizes the legacy of state-building and the possible clashes between traditional privileges and universal democratic rights across the Balkan states. Section III introduces the empirical case studies and presents some of the findings.

Democratic Tools of Inclusion and Exclusion

To the dismay of many liberals, perhaps, religion cannot be cleansed from democratic public space without oppressing many contenders. Neither can religion be allowed unrestrained sway over public space if citizens from different walks of life are to perceive the state as their own. Reaching a balance between accommodation and restraint is especially thorny in plural societies that include different denominations, competing formulas of what constitutes a good life, and

alternative ways of belonging. The only way for such fragmented polities to reach an ‘overlapping consensus’ and live together in peace is inclusion, but also restrictions on citizens’ various pursuits of good life so that no specific vision dominates the others.

The inclusion of religion as a particular, and often exclusive, vision of good life, and the limits states place upon it, are subject to a proliferating body of literature on models and experiences of secularism. Different formats of secularism seemingly share a common goal, at least formally – namely that no citizen will be disadvantaged or discriminated against on the grounds of his/her religion and beliefs.⁸ Nonetheless, the concrete institutional solutions and specific policies to reach the goal of non-discrimination differ from case to case. Moreover, the theoretical assumptions underlying each model are subject to contestation. Classical theories of secularization hold that a ‘wall of separation’, even a certain *laïcité*-style hostility, between the state and religion, is necessary for a plural democratic life to flourish.⁹ Recent approaches to (post-)secularism, by contrast, emphasize that the modalities of separation between state and religion emerge out of dynamic interactions and different historical compromises between the two.¹⁰ Secularism as such is a socio-political construct, which develops in tandem with the specifics of the context where it applies. It is the country-specific conditions, which ultimately result in differences regarding regulation of religion, namely who is included and excluded, under what terms, and with what results.

In any case, ‘[s]ecularism in some form is a necessity for the democratic life of religiously diverse societies’.¹¹ Differentiation between political and religious authority, necessarily hints at the need for regulating different spheres of authority and a certain state involvement in order to ensure that such regulations are indeed respected. The state plays a crucial role in setting these borders, mediating between contending alternatives of good life, and supervising an ‘overlapping consensus’ that allows competing ‘comprehensive doctrines’ to share a common political space. The democratic mechanisms or the regulation of religion in general, and Islam in particular, evolve around three institutional dimensions: (1) religious rights, (2) the principle of neutrality and (3) historical traditions. The solutions and necessary trade-offs that characterize real-world choices represent different combinations of these dimensions.

Religious Rights

The allocation of religious rights is usually the first and most explicit form of inclusion and exclusion. Religious rights develop along two tracks: an individual track and an organizational-level or collective/corporatist track.¹² The first track has to do with the protection of ‘fundamental’ individual rights of religious belief and practice. It dovetails neatly with the negative, rights-based conception of freedom promulgated by liberal institutions. The most pristine form is captured in the Jeffersonian metaphor of ‘the wall of separation’ and rooted in ‘establishment’ and ‘free exercise’ clauses of the First Amendment of US Constitution. The approach has arguably enabled a relatively smooth integration of Muslims in the United States. The challenge here is religious demands, which arise out of religious or cultural specificities and clash with basic principles of human rights. Such specificities call for additional regulatory measures and pose the challenge of ‘reasonable’ accommodation of religious beliefs and practices. Equally challenging are the rights of individuals to opt out of their religious affiliation and related restrictions, which entails a dilemma between freedom *of* religion and freedom *from* religion.¹³

The organizational/institutional track recognizes that religious practice acquires a collective dimension, and, therefore, endows religious denominations with organizational rights. Yet, in contrast to individual rights, organizational rights are slower and more difficult to attain; although this also depends on the historical compromises that mark the emancipation of the modern state from the stronghold of the church. The organizational track involves some measures of institutional autonomy for religious organizations. Often, it also endows recognized organizations with a public status that facilitates collaboration between them and the state and grants them a public function. In the case of German model, for example, religious organizations with public law status are ‘closer’ to the state than ordinary religious associations, and they become enlisted in ‘pursuing the common interest in the public realm’.¹⁴ The special privileges that come with corporate status represent an offer granted by the state only when an organization is capable and willing to take up public functions that are in the interests of the state. In other words, selected corporate associations develop a kind of partnership or cooperation with the state, which others are denied. Liberal democratic states across Europe have attempted similar

corporatist solutions in order to bring Muslims within the fold of the state. By creating Islamic councils – intermediary bodies or interlocutor organizations that operate under state brokerage – most European countries have gradually established mechanisms of incorporation and collaboration with various Muslim groups that are willing to do so.¹⁵

Balancing individual rights and collective/organizational privileges is often a delicate choice between individual freedom of belief and organizational dimension of religious practice and status. The dilemma is especially relevant in the post-Communist cases that struggle to institutionalise new religious freedom. As a Kyrgyz state official dealing with religious affairs explains: ‘The situation is a complex one: on the one hand there is a freedom of conscience; on the other the need to legally regulate what the religious organizations and missionaries are doing... We need new laws ... to keep within limits those religious organizations that may change ... traditional religious preferences...’¹⁶ The perceived need for regulation here evokes both the issues of religious ‘establishment’ and ‘traditional heritage’, both representing helpful institutional tools in supervising a certain ‘overlapping consensus’ amongst alternative visions.

Equidistant State

State neutrality, another core dimension of secularism, is closely related to the promotion of religious freedom and equality, but draws attention to the functions of the state in outlining and upholding these rights in an impartial manner. In its simplest form, a neutral state maintains a position of equidistance between its citizens’ various deep-seated ‘moral convictions’ and what sort of life they should lead. This implies institutionalizing parity among religious beliefs and even-handedness of the state in granting them similar guarantees of equality and non-discrimination. However, neutrality, as a principle of statecraft rarely denotes simple hands-off-neutrality, and even less so total state indifference towards ‘conflicting’ alternatives of the good life. Using the metaphor of the referee, Palomino suggests that the state in fact serves as an arbiter that fulfils a specific role in interpreting and applying the rules of the game in order to ensure a fair play between opponents.¹⁷ The notion of positive neutrality, which stresses the requirement of state action, is rooted in the description of the liberal state as one that does not side with an ‘ethical’ conception of the good life, but still enables its citizens to pursue their own

conception of the good in their own way. This obliges the state to demarcate areas of activity that fall outside the ‘reason’ of the state, and to provide autonomy to religious organizations. However, it also requires the state to come up with political arrangements and institutional procedures that prevent any one group from imposing its view on the society as a whole, and hence, a ‘neutrality of intervention’. Positive neutrality ultimately pits individual freedoms against collective concerns and state regulations on behalf of the common good.

A corollary of state-active neutrality is what Bhargava calls ‘political secularism’, which is an open, negotiated and continuously-evolving constellation of religious freedom and restrictions.¹⁸ In the Indian version, which best exemplifies the concept, the state is not exactly separate from religion, but rather maintains a ‘principled’ distance from all religions and safeguards the ongoing political compromises between different parties. The state’s equidistance involves equal protection, state support and selective interference in religious practices that conflict with the state’s non-negotiable goals such as equality, liberty and socio-economic development. From the perspective of democratization and state-building studies too, a degree of state intervention is necessary to maintain stability and peace as common goods. The democratic state cannot be neutral towards principles of democracy, equality, human rights, and peace. Neither can it detach itself completely from the heritage of state-church relations that implant specific compromises and sometimes denominational biases in different models of state-church relations.¹⁹ The legacy of historical foundations renders relevant the role of ‘tradition’ and the institutional forms that it takes in shaping secular constellations in specific countries.

The Role of Tradition

The country-specific heritage, and institutional elements that it introduces in real-world systems, are closely related to the historical conflicts and bargains that characterize state-church relations in each respective country. Frequently, these legacies go back to the founding moment of the nation-state, when the secular establishment replaced the old types of religious regimes. The founding settlements leave an ideological and institutional legacy that persists over time.²⁰ As Fetzer and Soper note, political disputes over religion will inevitably play out through state-church relations inherited from the past.²¹ Such historical patterns distinguish at least three

different models of state-church relations and respective legacies: the ‘open’ political secularism that is experimented with in India; the ‘separatist’ civic-Republican tradition that is born in France; and the corporatist or even established national church regime that developed in most European countries.

The establishment of independent India amidst communal violence was a major factor that urged the founders of the state to attend to the claims and anxieties of various religious communities. In order to assure all minorities that found themselves within the new state, the Indian state-builders opted for a policy of non-established religion along with extensive and equal religious freedoms for all communities.²² The founding choices also included vague and ambiguous constitutional assertions on religion, a kind of an open-ended political secularism, which would allow the state and the communities to continuously negotiate their relations. The constitution ultimately left it to the political process to fine-tune the actual scope of religious rights.²³ The process allowed communal groups to determine their own cultural-religious practices, expand spheres of religious autonomy and bring religion into the public sphere by allowing individuals to display markers of their religious identity. However, the ample pool of permitted religious rights was not without limits. Aside from restrictions on the basis of ‘public order, morality and health’, the legal framework provided for state intervention regarding activities associated with religious practices.²⁴ Most Indian states established state offices to regulate the affairs of respective religious institutions, including their day-to-day administration and management.

In Western Europe, secular choices were grounded in the modern political project to discipline religion through the division of private and public spheres, whereby religious matters were assigned to the private and secular issues to the public. Already after the Westphalian settlement that ended long conflicts over religion and its influence, the state took the reins of absolute political sovereignty over its territories.²⁵ The confinement of religion to the private sphere, helped legitimize the state’s seizure of sovereignty with reference to the primacy of secular reason over particularistic beliefs. Despite the common insulation of politics from religious authority and influence, even Western states followed different trajectories in envisaging their state-church arrangements. In the famous French case, the revolutionary civic-Republican tradition, and its origins in the Enlightenment idea of emancipation from religious dogma,

shaped a model of *laïcité de combat*, which insisted upon a hostile and clear separation between state and church, at least initially. Accordingly, the state accorded equal individual freedoms and organizational autonomy to particular denominations; however, it took an interventionist approach in order to keep religion out of politics and supervise expressions of faith in the public domain.

The more corporatist model adopted elsewhere in Europe originated in the conflict of post-reformation religious wars and the way in which they were settled. The corporatist solutions draw on the liberal provision of an ‘independent political ethic’ as the main principle of organizing a religious-free public domain. Still, the corporatist state reached for a ‘public settlement’ that allowed different sects to coexist. Accordingly, the state recognized religious freedoms and maintained neutrality, while tolerating, if not spelling out a public role for, specific confessions. Hence, ‘concordatarian’ European regimes allowed selected churches institutional privileges and the possibility to negotiate their status through bilateral agreements with the state.²⁶ In the ‘national church’ version, only one of the churches received preferential legal and/or financial treatment, often in return for political links and state interference. Corporatist arrangements, be it concordatarian or an exclusive national church, enable the state access to powerful organizations that help the much sought for national and cultural cohesion.

Aside from overt or subtle means for supervising national cohesion employed by European states, it is germane to note that such polities also consisted of rather homogenous ethno-cultural ‘peoples’ and a common Christian cultural stripe, which inserted clear majoritarian cultural and religious impulses during the process of European nation-state formation. All modern states aspire towards single and uniform identities. Religious populations are also ready-made communal units, which lend themselves to easily-controlled social uniformity. Indeed, during the process of European nation-state formation, confessional units were used as a badge of political loyalty and belonging. Emerging links between states and specific confessional entities, organizations and symbols helped to merge confessions and nation, religion and identity, faith and culture, and ultimately, to achieve national unity. Such interconnections, however, hollow out the comprehensive meaning of state neutrality and religious equality in multi-religious, but still deep-rooted national cultures that carry the stench of history.²⁷ The weight of nation-specific

legacies and ‘biases’ pops up in almost all contemporary European countries that strive to incorporate relatively newly-arrived Muslims in their social and cultural fabric. According to Ferrari, the renegotiated European model of state-church relations converges towards religious liberty, state neutrality and selective cooperation.²⁸ While religious liberty and state neutrality are increasingly uniform ‘offers’ of the democratic state to all its citizens, the so-called selective cooperation is laden with nation-specific cultural biases, including traditional charges, identity policies and a common public ethic.²⁹ The heritage of the past, thus, informs political-religious alliances, which might undermine an all-equal and all-neutral public sphere towards new-coming religious communities, especially at the collective level of religious freedoms. The challenges of accommodation of Islam, then, boil down to whether and how the historically informed states can eschew their cultural-laden ‘biases’ in favour of a wider and renewed consensus of ‘common good’.

Past Legacies and New Democratic Aspirations

In the South-Eastern corner of Europe, post-Communist demands for the extension of religious rights and equality coincided with the violent dissolution of Yugoslavia. The creation of new states and the reshuffling of borders in the early 1990s once again brought fundamental concerns over national homogeneity, uniform identities and state loyalty *en vogue*, with all the subsequent dilemmas concerning who ought to belong to the nation and what to do about it. The emerging nation-states’ actual identification with one ethno-religious majority, its symbols and narratives, moreover, emphasized the role of religion as a marker of collective identities and categorical divisions between and among nations.³⁰ Claims of unity and loyalty inherent in the nationalist movements ultimately clashed with competing demands for universal values of plurality, religious freedoms and a neutral state. Interpretations of the past that underlined a ‘thick’ religious justification of the national self, and who was to be part of it, became a key barrier to universal expansion of religious freedoms. Such exclusive interpretations of legacies, culture and tradition, moreover, were often resuscitated from post-Ottoman founding period of nation-state formation.

Legacies of Nation-State Formation and the Contested Role of Islam

Balkan states that carved themselves out of the former Ottoman territories during the 18th and 19th centuries aimed at emulating the ‘modern’ European ideal of sovereign, homogenous nation-state organization.³¹ As Todorova famously puts it, ‘the Balkans [became]... European by shedding the last residue of an Imperial legacy, widely considered an anomaly at the time and by assuming and emulating the homogenous nation-state as the normative form of social organization.’³² State entrepreneurs’ anxiety about uniform identities and central state authority, however, contrasted with the legacies of religious divisions, mixed allegiances and overlapping loyalties inherited from the multi-religious and multi-ethnic Empire. In response to the uncomfortable mixture of their populations, most Balkan states adopted the confession of the majority, including related motifs, narratives and symbols, in order to construe a collective past and destiny. Specifically, Serbia, Greece, Romania, Montenegro, Bulgaria, and partly Bosnia, self-identified with the Orthodox ‘unit’ in order to imagine cohesive bordered nations.³³ The links between the Orthodoxy and newly-created nation-states divided Eastern Christendom into a myriad of autocephalous churches, each promoting a strong symbiosis and congruence between religion, nation, culture and traditions. The links stabilized clear ‘markers’ on who was entitled to membership into the nation, but they also provided the ‘essence’ of the aspired ‘we-ness’, in terms of a past, character, identity, mission and destiny.³⁴ Muslim-majority countries like Albania and Turkey, which were too Muslim to embrace a religious-essence distinct from the Empire, sought to build national cohesion through other means. The ‘ecumenical’ version of the nation in Albania and Kemalist principles in Turkey envisaged a secular unity, which actually diluted religious influence and the role of the Islamic majority in particular.³⁵

Throughout the process of nation-state formation, religious freedom and state neutrality remained abstract concepts, especially when it came to the treatment of Muslim populations. Islam, the official religion of the Ottoman Empire, became the very backbone of national engineering. Centuries of confrontation between European and Islamic armies also inculcated a broader Europe-wide conception of Islam as a symbol of invasion and devastation by hordes of barbarians, which posed a constant danger to Christian ‘civilization’ at least until early 18th century. Sketches of European history as a series of battles against Islam were certainly an

important strategy in the construction of a European identity, until the more recent constructions of a cosmopolitan identity.³⁶ Balkan populations that had been subject to centuries of Ottoman rule had even more reasons to construct a narrative of their identity that was distinctly separate from the Islamic ‘hordes’. Hence, the new Balkan states came to see the inherited Muslims as a kind of traitor amidst the aspiring European, modern and often exclusively Orthodox nations.³⁷ Policies towards Muslim populations enshrined such anti-Muslim attitudes: negation of basic rights, marginalization, measures of homogenization, exchange for better-suited populations and at best toleration as a distinct minority. Even Albania and Turkey, both with a Muslim majority, renounced Islam as a source of backwardness and initiated large scale reforms to catch up with modern ‘European times’ where these states now belonged.³⁸

Muslim communities themselves were not impervious to reform. During processes of nation-state formation, Muslim intellectuals and believers wrestled with questions of European modernity, civilizational progress, issues of independence, national struggles and the creation of modern state institutions. Groups of like-minded *ulama* and intellectuals began to present Islam in modern reformist language, mixing Islamic discourse with rational concepts, nation-state contingencies and ideas of European progress and civilization.³⁹ Not all Muslims were eager to give up the privileges they enjoyed during the outgoing Empire or embrace new modern ideals. However, the fact that Muslims in the region encountered modernity through normal socio-political and cultural exchanges rather than a forced colonial project, facilitated genuine bottom-up engagement with ideas and proposals for reform. Such modernization was not new, but had been attempted already during the late Ottoman period as a way of escaping the socio-political maladies of the empire, giving credibility and longevity to calls for reform.⁴⁰ It was these reformist groups and individuals that ultimately played a crucial role in persuading their societies of the necessity to reform and catch-up with changing circumstances of their times.

The experience of nation-state formation under the guise of European templates of nation-state organization left Islam deeply intertwined with powerful discourses of state formation, national unity, European modernity and civilizational progress. Yet, the founding period of nation-state formation became a malleable field of interpretations and back and forth exchanges between various actors with competing views. Such debates necessarily lent themselves to overlapping

and sometimes contradictory narratives on the role of Islam in the process of nation-state building and collective memories of that period. Hence, history, culture and tradition came to connote different things to different groups, depending on where they sat in the hierarchy of the nation-state, experiences of the past and projections of the future. In other words measures of homogeneity, majoritarian impulses, anti-Islamic policies, and/or reformist Islam meant different things to different sections within the state.

Democratization, the Search for Homogeneity and Carriers of Tradition

The competing narratives of 'tradition' came to the fore during battles over state authority, power and territory that followed the dissolution of Yugoslavia in the early 1990s.⁴¹ This time, the process of imagining uniform cultural-religious units was especially problematic given the interwoven fabric of identities in former Yugoslavia. The resulting transformation of such units triggered a violent process that Verdery calls the 'extermination of alternative identity choices'.⁴² Similar to the past, Islam was often at the very core of 'extermination' strategies and majoritarian cultural-religious biases that characterized the battle for homogenous nations.⁴³ Thick cultural-religious interpretations of the past proved useful and were enforced by a powerful coalition merging post-Communist state entrepreneurs, state intelligentsias and nationalized religious hierarchies, which were all active to forge and control national homogeneity.

Political elites across the post-Communist space proved extremely active in attempting to 'nationalize' but also 'centralize' and 'manage' fledgling Islamic impulses within the framework of the central state authority.⁴⁴ *Nationalization-cum-etatization* often served state interests in using faith at the service of concrete political agendas.⁴⁵ Mastering clear criteria for inclusion and exclusion was especially pertinent in light of the centralized legacy of former Communist regimes. Communist states, to a lesser or greater extent, had created a highly centralized state machinery in order to appropriate all spheres of life, including public religions and intimate spheres of personal piety.⁴⁶ Succeeding post-Communist states capitalized on the power of the central state apparatus in order to select and use religious symbols as an anchor of legitimacy. Institutionally, the state continued to closely control religious life by preserving a hierarchy of religions as well as a multi-tiered system of registration, according to unilaterally revocable

conditions.⁴⁷ Political management of Islam depended on the demographic and political context in each political unit, but the use of state muscle to discipline it remained relatively constant.

Former state intelligentsias – historians, linguists, ethnographers, writers, artists and students of Marxist ideology generously funded by the former Communist state – played a crucial role in checking ‘appropriate’ religions at the door of nation-states. As Bougarel puts it, ‘the communist period favoured the development of intellectual elites, who in turn became the standard bearers of new national aspirations’⁴⁸ It was these former intelligentsias that fanatically guarded their nations’ post-Communist ‘cultural heritage,’ complete with a pantheon of thinkers, artists and heroes. That the Communist-era intellectuals took over key positions in the institutional production of knowledge after the regime change in the 1990s enabled the continuation ‘of a school-mediated, academy supervised [national] idiom’.⁴⁹ In the wide spectrum of supervised Balkan nationalisms, Muslims were repeatedly portrayed as an ethnic ‘fifth column’, a leftover from a previous era, who conspired against the uniform nations. As Carmichael argues, in the case of Serbia ‘[Scholars specializing in Oriental Studies] contributed considerably to making hostility towards the Muslim community intellectually respectable.’⁵⁰ The circulation of national paradigms together with official oft-fabricated accounts of history, thus, contributed to enforce stagnant parameters on how nation, tradition and Islam merged or parted ways in the collective memory of each political entity. The securitization of Islam and the definition of ‘otherness’ easily tapped into such exclusive accounts of histories and the anti-Islamic penchant of discourse.

At the same time, the churches in the region pushed for privileges based on historical alliances and traditions. For the churches, it is often a rational strategy to strive for privileged access to government sources and policymaking, instead of engaging in outright competition.⁵¹ Historical alliances between nation-states and Orthodox churches informed new ‘traditional’ privileges and/or favoured statuses for the latter. Other denominations, including Islam, however, also insisted on restoring ‘traditional’ privileges through the recognition of a hierarchy of denominations, monopoly of authority, and/or links with political office-holders. To paraphrase the findings of a previous study, Balkan states were able to exert influence over religious life ‘through the privileged status given to Orthodoxy, [...] and through the close administrative and

financial links existing between state authorities in charge of religious affairs and religious hierarchies'.⁵² All countries in the region have constituted centralized umbrella-type Muslim organizations that enjoy exclusive authority in running administrative and spiritual affairs of the Muslim community. The new legal systems award centralized Muslim hierarchies with privileges including special recognition, representation in state institutions, public funds, and state protection.⁵³ The central 'establishments', in return, are expected to collaborate with the state, enforce community oversight and maintain the historical 'tradition' often defined in line with the modernist trends that developed in the course of nation-state formation.⁵⁴ This realignment amongst the Muslim establishment and government institutions enables the development of 'official' Islam, an organization term connoting intimate connections, indeed some form of institutional and ideological accommodation between history, tradition and nationalized communities under the watch of the state.

Not all groups of believers that flourish in the autonomous spaces of the Islamic civil society concede to the boundary-drawing categories of nation, culture and tradition. Neither do they support unconditionally the institutional collaboration between state and religious hierarchies to maintain the 'official' traditional line. Believers perceive Islam as faith, not as an appendix of culture, tradition or collective uniformity. They do not necessarily reject the concept of national traditions or consider non-practicing neighbours as 'infidels', but they strive for a religious attitude towards the world that insists on the free practice of religious beliefs. Moreover, they can avail of newly-acquired religious rights and a myriad of external 'offers' to learn about their faith outside of the official religious channels. Open communication with the world allows believers to discover Islam in unrestricted and unconventional ways, which incorporates both vertical and horizontal networks of transmission.⁵⁵ The Internet represents a particularly easily accessible tool to avail of different sources of information and knowledge. One must also acknowledge the substantial 'direct investment' of the global Islamic movements into the local religious scene, which includes, *inter alia*, ample missionaries, generous funds, scholarships to study at renowned centres of Islamic theology, free translations of Islamic literature, numerous periodicals, different opportunities for religious education, and proselytizing activities. Such external influences confront believers with alternative offers of faith, including radicalized theologies and militant movements. Whereas the 'thick' cultural interpretations of 'we-ness' as

articulated by the political, intellectual and religious guardians of nations might represent a straitjacket for believers' individualized searches for faith, not all of the new encounters, discoveries and practices of Islam that permeate the 'open market' of ideas after Communism are amenable to a common plural democratic life. Some 'comprehensive doctrines' of 'Islamic' life might threaten other citizens' freedom to practice different beliefs and/or pursue their own versions of the good life. Yet others may undermine the 'minimal consensus' or necessary common denominator such as principles of human rights, security and public order, that holds plural societies together. Hence, democratic states face the challenge of balancing between majoritarian, and often exclusive, biases of state-building, new provisions of religious freedom and guarantees of state neutrality towards all 'comprehensive' doctrines, in order to maintain a shared plural home for all.

Institutional Choices to Accommodate Islam after Communism

The subsequent case studies explicate how democratizing countries – Bulgaria, Bosnia, Albania and Turkey – weighed up such dilemmas and managed Islam in the context of plural, complex and historically-shaped national constructions. All the empirical case studies deal with similar questions concerning the regulation of Islam amidst democratic claims for equal rights, on the one hand, and old majoritarian or traditional biases, on the other. Each empirical study, however, necessarily delves into idiosyncratic problems and issues that arise in that specific context. The combination of common comparative and theoretically-driven questions with in depth empirical analysis enables us to outline common findings while paying attention to case-specific details, similarities and differences.

In the context of democratization, all countries analysed here have moved to broaden the range of religious freedom and equality guarantees for their respective religious communities, including historically marginalized Muslim populations. Post-Communist countries, which experienced wholesale regime change and re-envisaged new relations between the state and religion, were particularly successful in introducing new legal standards of religious freedom and equality for all their citizens. In Bulgaria, the new democratic parliament restored Muslim names

and the 1991 Constitution institutionalised the principle of non-discrimination on grounds of religion, while formalizing individual and organizational religious rights.⁵⁶ The Albanian parliament has also swiftly recognized the universal right of religious practice immediately after the fall of the regime in 1991, although it failed to adopt more specific regulations to this end until 1998.⁵⁷ Post-war Bosnia stands out as an exception, which, after a devastating war that left behind deep-rooted religious animosities, institutionalized the highest level of internationally-recognized religious freedom and multiple equality guarantees for all the denominations.⁵⁸ At the other end of the spectrum is Turkey, where the Muslim-rooted governing party, AKP, called for the rehabilitation of the oppressed religious ‘other’. Actual reforms undertaken by AKP-majority government since 2002, however, only expanded the rights of Sunni sectors of the population, often at the expense of other religious or non-religious sections of plural Turkish society.⁵⁹

The cases under analysis also highlight the difficulties and dilemmas that come with the installation of global democratic freedoms in post-authoritarian contexts. Some of these dilemmas hint at the ongoing clashes between new democratic values and less egalitarian practices and/or majoritarian ‘biases’ of nation-state traditions. In Bulgaria, the Orthodox Church is distinguished as the traditional religion of the Republic and is also awarded specific privileges in relation to procedures of registration, distribution of state funds, and the allocation of construction permits. Similarly, in Bosnia, favourable treatment towards the dominant religion has managed to survive the introduction of principles of state neutrality, at least at the decentralised level of administrative entities, with each entity privileging its respective majority, either Christian Orthodox or Muslim. In Albania, the unrestricted institutionalization of religious freedoms also resulted in preferential treatment of the Sunni majority until the 1998 Constitution, asserted the principle of state neutrality and provided a more equal play field for all denominations. The persistent promotion of Sunni-biased values in state-funded education in Turkey reveals that majoritarian inclinations are hard to handle and exist in both Orthodox- and Muslim-majority contexts. Such ongoing biases show that states are not only contingent formations that capitalize on the majority as a means of enforcing unity and control, but they also continuously appropriate historical ‘traditions’ and select relevant religious symbols and memories in order to construe a bordered and cohesive national unity.

Other dilemmas related to the introduction of democratic values of religious freedom and equality arise also from the perspective of believers' individualized searches and discoveries of faith. From Bulgaria to Bosnia and Albania, the formalization of religious freedom triggered the fragmentation of the Islamic scene into autonomous groups of faithful, which sometimes complement but other times compete with the 'official' traditional strand of Islam in terms of the organization structure, relations to the state, and religious doctrine. All cases analysed in this special edition hint to the fact that at least some of those 'discoveries' contest the anti-Islamic biases of tradition and cultural interpretations of faith, but also some of the minimum criteria necessary to share a plural home with others who pursue different visions of the good life. Turkey is probably an exception because the exclusive Sunni impulses, which hinder the idea of a common plural home, have gained strength under the lead of the AKP's governing project. Whether calling for introduction of sharia law, isolating themselves into separate enclaves, expressing resentment against West, or supporting global jihad, some fringe Muslim groups challenge the very proposition of a common pluralist home for all.

For the sake of enforcing homogeneity or safeguarding a plural democratic home, all of the countries analysed herein have also resorted to regulating and supervising the evolution of the fragmented Islamic scene. Specifically, they have opted for restrictions on the scope of religious activity, the strengthening of supervisory state mechanisms and the privileging of official religious interlocutors that serve at the interface of the state and the community. In all our cases, religious communities enjoy a wide range of religious freedoms, but not without limits such as the need to respecting third parties' rights and upholding non-negotiable goals, including national security, public order, health as well as common democratic aspirations of human rights and democracy. The cases under study have also adopted various forms of institutional checks on and cooperation with selected official organizations, which are granted public privileges in return for their contribution to the common good. These mechanisms of collaboration and control serve the state in screening competing religious ideas, strategies and projects in order to ensure a common democratic home for all.

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Notes on contributors

Arolda Elbasani is a visiting fellow at the Robert Schuman Center for Advanced Studies. Her research interests and publications lay at the intersection of European integration, comparative democratization, Islamic politics and state-church relations.

Notes

¹ J. Madeley, 'European liberal democracy and the principle of state religious neutrality', *West European Politics* 26 (1), 2003, pp. 1-22; Z. Enyedi, 'Conclusion: emerging issues in the study of church-state relations', *West European Politics* 26 (1), 2003, pp. 218-232.

² M. Pelkmans, 'Paradoxes of religious freedom and repression in (post-)Soviet contexts', *Journal of Law and Religion*, 29 (03), 2014, pp. 436-446

³ A. Elbasani and O. Roy (eds), *The Revival of Islam in the Balkans: From Identity to Religiosity*, Palgrave Macmillan, Basingstoke, 2015.

⁴ H. Norris, *Islam in the Balkans: Religion and Society between Europe and the Arab World*, University of South Carolina Press, 1993.

⁵ S. Taji-Farouki and H. Poulton (eds), *Muslim Identity and the Balkan State*, NYU Press, NY, 1997.

⁶ S. Katsikas, 'European modernity and Islamic reformism among Muslims of the Balkans in the late-Ottoman and post-Ottoman period (1830s-1945)' *Journal of Muslim Minority Affairs*, 29 (4), 2009, pp. 537-543.

⁷ Enyedi, op. cit., p. 221.

⁸ R. Bhargava, 'Beyond Moderate Secularism', in P. Losonczi and W. van Herck (eds), *Secularism, Religion and Politics: India and Europe*, Routledge, 2015, pp. 36-57.

⁹ J. Casanova, *Public Religions in the Modern World*, University of Chicago Press, 1994.

¹⁰ R. Bhargava (ed), *Secularism and its Critics*, Oxford University Press, Delhi, 1998.

¹¹ Ch. Taylor, 'Modes of Secularism', In R. Bhargava (ed). *Secularism and Its Critics*, Oxford University Press, Delhi, 1998, p. 46.

¹² J. Joppke, *Veil: Mirror of Identity*, Polity, Cambridge, 2009.

-
- ¹³ H. Lerner, 'Passive constitutions, democracy, and religious freedom in India, Indonesia, Israel and Turkey', *World Politics*, 65 (4), 2013, pp. 609-655.
- ¹⁴ C. Joppke and J. Porpey, *Legal Integration of Islam Cambridge*, Harvard University Press, 2013.
- ¹⁵ J. Laurence, *The Emancipation of Europe's Muslims: The State's Role in Minority Integration*, Princeton University Press, 2012, pp. 163-6.
- ¹⁶ Quoted in Pelkmans, op. cit., p 443.
- ¹⁷ R. Palomino, 'Religion and neutrality: myth, principle and meaning', *Brigham Young University Law Review*, 3, 2011, pp. 666-7.
- ¹⁸ Bhargava, *Secularism and Its Critics*, op. cit.
- ¹⁹ E. Bellin, 'Faith in politics: new trends in the study of religion and politics', *World Politics*, 60, 2008, pp. 315-47.
- ²⁰ A. Kuru, 'Passive and assertive secularism: historical conditions, ideological struggles and state policies towards religion', *World Politics* 59, 2007, pp. 568-94.
- ²¹ J. Fetzer and Ch. Soper, *Muslims and the State in Britain, France and Germany*, Cambridge University Press, New York, 2005.
- ²² G. Mahajan, 'Contextualising Secularism: The Relationship between State and Religion in India', In P. Losonczi and W. van Herck (eds), *Secularism, Religion and Politics: India and Europe*, Routledge, 2015, pp. 36-57.
- ²³ Lerner, op. cit.
- ²⁴ Mahajan, op. cit., p. 45.
- ²⁵ D. Philpott, 'The religious roots of modern international relations', *World Politics* 52 (2), 2000, pp. 206-245.
- ²⁶ S. Ferrari, 'Islam and the Western European Model of Church and State Relations', in W. Shadid and P. van Koningsveld (eds), *Religious Freedom and Neutrality of the State. The Position of Islam in the European Union*, Peeters, Leuven, 2002.
- ²⁷ W. Kymlicka, *Multicultural Citizenship*, Oxford University Press, 1995.
- ²⁸ Ferrari, op. cit.
- ²⁹ Laurence, op. cit.
- ³⁰ A. Elbasani, 'Introduction: Nation, State and Faith in the Post-Communist Era', in A. Elbasani and O. Roy (eds), *The Revival of Islam in the Balkans: From Identity to Religiosity*, Palgrave Macmillan, Basingstoke, 2015, pp. 1-23.
- ³¹ G. Duijzings, *Religion and the Politics of Identity in Kosovo*, Hurst and Company, London, 2000.
- ³² M. Todorova, *Imagining the Balkans*, Oxford University Press, New York, 1997, pp.177-178.
- ³³ S. Taji-Farouki and H. Poulton, op. cit., p. 25.
- ³⁴ R. Brubaker, 'Religion and nationalism: four approaches', *Nations and Nationalism*, 18 (1), 2012, pp. 2-209.
- ³⁵ A. Elbasani and M. Somer, 'Muslim Secularisms in the European Context', In M. Rechtenwald et. al. (eds), *Global Secularisms in a Post-Secular Age*, De Gruyter, Boston, 2015, pp. 171-189.
- ³⁶ C. Carmichael, *Ethnic Cleansing in the Balkans: Nationalism and the Destruction of Tradition*, Routledge, London, 2002.
- ³⁷ Katsikas, op. cit., p. 539.
- ³⁸ Elbasani and Somer, op. cit.

-
- ³⁹ Katsikas, op. cit.
- ⁴⁰ K. Karpat, *The Politicization of Islam. Reconstructing Identity, State, Faith and Community in the Late Ottoman State*, Oxford University Press, 2001.
- ⁴¹ Duijzings, op. cit., p. 157.
- ⁴² K. Verdery, 'Ethnicity, Nationalism, and State-Making', in H. Vermeulen and C. Govers (eds), *The Anthropology of Ethnicity: Beyond 'Ethnic Groups and Boundaries'*, het Spinhuis, Amsterdam 1994, p. 38.
- ⁴³ Carmichael, op. cit.; Elbasani, 'Introduction: Nation, State', op. cit.
- ⁴⁴ A. Khalid, 'A secular Islam: nation, state and religion in Uzbekistan', *International Journal of Middle East Studies*, 35 (4), 2003, pp. 573-598.
- ⁴⁵ C. Hann and M. Pelkmans, 'Realigning religion and power in Central Asia: Islam, nation state, and (post) socialism', *Europe Asia Studies* 61 (9), 2009, pp. 1517-41.
- ⁴⁶ C. Hann (ed.), *The Postsocialist Religious Question. Faith and Power in Central Asia and East-Central Europe*, LIT, Berlin, 2006.
- ⁴⁷ L. Stan and L. Turcescu, *Church, State and Democracy in Expanding Europe*, Oxford University Press, 2011.
- ⁴⁸ X. Bougarel, *The Role of Balkan Muslims in Building European Islam*, EPC Issue paper no. 43, 2005, p.11.
- ⁴⁹ E. Gellner, *Nations and Nationalism*, Cornell University Press, 1st Edition, 1983, p. 140.
- ⁵⁰ Carmichael, op. cit.
- ⁵¹ Enyedi, op. cit.
- ⁵² X. Bougarel, 'Islam and Politics in the Post-Communist Balkans, 1990-2000', in *New Approaches to Balkan Studies*, Braseys, Massachusetts, 2003, p. 355.
- ⁵³ K. Oktem, 'Between emigration, de-Islamization and the nation-state: Muslim communities in the Balkans today', *Southeast European and Black Sea Studies* 11 (2), 2011, pp. 155-71; A. Elbasani (2015) 'Islam and democracy at the fringes of Europe. The role of useful historical legacies', *Politics and Religion* 8 (2), 2015, pp. 334-357.
- ⁵⁴ K. Ghodsee, *Muslim Lives in Eastern Europe. Gender, Ethnicity and Transformation of Islam in Post-Socialist Bulgaria*, Princeton University Press, 2010; A. Elbasani, 'State-organized religion and Muslims' commitment to democracy in Albania,' *Europe-Asia Studies*, <http://dx.doi.org/10.1080/09668136.2015.1136596>.
- ⁵⁵ A. Elbasani and O. Roy, 'Islam in the post-Communist Balkans: alternative pathways to God', *Southeast European and Black Sea Studies*, First Online:10.1080/14683857.2015.1050273.
- ⁵⁶ E. Ivanova, 'Islam, state and society in Bulgaria: new freedoms, old attitudes?' *Journal of Balkan and Near Eastern Studies*, forthcoming.
- ⁵⁷ A. Elbasani and A. Puto, 'Contingent interpretations of laïcité in Albania', *Journal of Balkan and Near Eastern Studies*, forthcoming.
- ⁵⁸ A. Alibašić and N. Begović, 'Reframing the relations between state and religion in post-war Bosnia: learning to be free!', *Journal of Balkan and Near Eastern Studies*, forthcoming.
- ⁵⁹ E. Tombuş and B. Aygünç, '(Post-)Kemalist secularism in Turkey', *Journal of Balkan and Near Eastern Studies*, forthcoming.