Veit Bader

INTRODUCTION TO *SECULARISM OR DEMOCRACY?*
ASSOCIATIONAL GOVERNANCE OF RELIGIOUS DIVERSITY

Until the 1990s, the view that religious pluralism had caused deep troubles for centuries but has now ceased to create structural problems for political practice and political theory in modern state societies was absolutely predominant in politics, political philosophy and the sociology of religion after the Second World War. Religiously motivated or legitimised wars and civil wars were 'far behind us'. The principle of religious tolerance is widely recognised, and the institutions and practices of toleration are deeply rooted. Established churches no longer have the power and authority they once did. Moreover, in many of these societies, the differentiation of religion from economy, politics, science and education is a major part of their organising schemes and constitutions. Religious convictions are matters of private decisions, and competing religious organisations do not interfere in politics, having lost or given up their public or political roles. Liberal, democratic, republican, socialist, feminist or otherwise 'progressive' political parties share the assumption that modern states are 'secular' states that require a strict constitutional, legal, administrative, political and cultural separation of state from organised religions. In normative theory, particularly in political philosophy, there has been wide and deep agreement on principles of tolerance and religious freedoms, i.e., that liberal-democratic regimes should be neutral with regard to religions, that politics should be 'secular' in their justifications and effects, and that religious organisations and convictions should only be allowed to play a role in 'private' life or in civil society. In predominant theories of modern societies as well as in the sociology of religion, it was also taken for granted that modern state societies are 'secularised', and that this requires a complete separation of religion from all other functionally differentiated social systems and organisations, particularly from the political system and the state.

This predominant view of the relationship between religion and state could easily acknowledge that things are still different in pre-modern and modernising state societies in the 'rest of the world'. Although its core assumptions were never left unchallenged even in the West, the predominant view has only fairly recently started to show more serious cracks. The thesis that religious beliefs and practices would inevitably decline, based on evidence in Western Europe, clearly does not hold for the US and the 'rest of the world'. The thesis that all religious concerns and worries will only be limited to and pertain to the private realm is contradicted by their recent widespread presence in the public realm. Currently, conservative and fundamentalist religions as well as progressive religions are re-politicising 'private' relations and re-normativising the economic and political spheres. The thesis that modern societies would require a 'strict separation' of organised religions and politics is even incompatible with existing patterns in the US and France. It is clearly at odds with the continuing huge institutional diversity in other Western countries and in the 'rest' of the world.

This counter-evidence, which has been gathered and presented by critical sociology and the history of religions for quite a while now, has gained at least some recognition in politics because considerable numbers of immigrants contributed to make lively ethno-religious diversity increasingly visible since the 1960s. The politics of multiculturalism tried to accommodate ethno-national diversity in different countries in divergent ways. Here, they contributed to some pluralisation of public cultures and also to

a reconsideration by critical liberals and postmodernists of basic assumptions of standard liberalism in political philosophy, such as principles of 'difference-blind' state neutrality and of unitary citizenship. The relationship between religion and politics, however, was largely neglected in the literature on multiculturalism. This was the case, despite the fact that new religious minorities have been making increased political claims starting with the demand for practical accommodation of their religious practices (codes of dress, prayer, diets, slaughtering and burial) by way of exemptions. These demands then went on to include some autonomy in organised societal spheres (like non-governmental religious schools or religious instruction in governmental schools), demanding that states pluralise education, the media, public cultures and symbols of national identity. Finally, the most demanding include some form of group representation and participation in the political process. In this way, religious issues became central political issues again, and most states with liberal-democratic constitutions started to accommodate claims that could mobilise moral and legal support by referring to legally binding rights such as freedom of religion, equal treatment and anti-discrimination. Both the political demands and grievances of religious minorities and the responses by governments have been influenced by widely diverging regimes of governance of religious diversity. However, at least for a short while, it seemed as if increased religious diversity – and even new forms of institutionalisation of religious pluralism – could be seen not only in a dramatised and negative way, i.e., as a threat to peace, security, stability, cohesion, toleration and democracy, but also as an opportunity and a promise. These practical developments also eventually entered political theory in the 1990s and it looked as if the standard assumptions of the predominant view might lose force and could be contained.

All of this has dramatically changed since 9/11 and the 'war against (Islamist) terrorism', or so it seems. Religion is certainly now again right in the centre of politics in this declared clash of civilisations. The predictable result seems to be that (generally) liberal policies of accommodation are increasingly under pressure, but particularly those aiming to pluralise public cultures and symbols and especially institutions. At the same time, intentionally or unintentionally, declared religious divides have deepened at the international level.

Old constellations and battle lines in Europe from the 16th and 17th centuries have been revitalised and 'Enlightenment' rationalists and evangelists of an aggressive secularism venture to present themselves as the only reasonable people fighting both fundamentalist and conservative religionists as well as the 'progressive liberal' multiculturalists and postmodernists. In addition, they present their preferred institutional option – a fully secularised state together with a 'strict' separation of state and politics from completely privatised religions – as the only reasonable solution to preventing religious warfare and guaranteeing peace, security, toleration and democracy. The more simple-minded adherents of these views propose that 'all the world has to become America' or try to export 'the French model of *laïcité*' as the alternative to 'Anglo-Saxon' liberal multiculturalism and to 'neo-corporatist' European religious regimes. The more sophisticated voices continue to remind their compatriots that they themselves do not live up to these ideals and constitutional promises but they try to sell the same utopia.

I strongly believe that these are the wrong constellations, the wrong alternatives and the wrong battle lines being raised *in politics*. In this book I argue for a third way: defending two major political claims. First, policies of liberal accommodation of religious and cultural diversity are a better alternative than both the old and new republican or liberal policies of assimilation and the unlimited toleration of religious and cultural practices incompatible with the hard core of liberal-democratic constitutions. Second, democratic institutional pluralism and associative democracy in particular provides better institutional opportunities for the realisation of peace, toleration and core principles of liberal democratic constitutions than, on the one hand, the strict separation of organised religions from a presumed 'religion-blind' and strictly 'neutral' state defended by standard liberalism and republicanism and, on the other hand, the religious (neo-)

corporatism (illiberal and anti-democratic institutional pluralism and rigid 'pillarisation') defended by traditionalist and orthodox religious organisations and leaders.

Political theory is still not sufficiently prepared to deal with the increasing (visibility of) religious diversity and, particularly, with the threat of religious-political fundamentalism. American political liberalism has dominated the debates for some time now. It is characterised by a focus on principles and rights, on limitations or exclusion of religious arguments in public debate, a secularist interpretation of liberal-democratic constitutions, and a strictly separationist interpretation of the legitimate relations between organised religions and the state. Postmodernist and traditional communitarian critics have criticised and rejected these 'solutions' but have, at the same time, sacrificed principles such as neutrality, equality and even moderate universalism. We can do better; third ways are possible. Conceptions of a moderate universalism and embedded impartiality provide a better meta-theoretical framework than radical, abstract universalism or radical ethical particularism. Relational state neutrality and fairness as even-handedness are more appropriate meta-legal principles than difference-blindness and fairness as hands-off. And priority for democracy is more appropriate than exclusivist secularism or liberal reason restraints, or so I will try to show.

Yet, in this book, my main task is not critical but constructive, because I am presenting proposals to redesign institutions and policies. Cultural and religious diversity is now widely defended in different varieties of liberal theories of multiculturalism and postmodern theories of identities and becoming. However, institutional pluralism is still fairly underdeveloped or even absent from the agenda. This book is a plea for an institutional and attitudinal turn in political philosophy, political theory and the social sciences. The increasing acknowledgement in recent political philosophy that institutions and contexts are more worthy of attention in analysis than they were assumed to be is stimulated by three core moments combined in contextualised moral theory: the fact of moral pluralism or value pluralism, the recognition of under-determinacy of principles, and the re-evaluation of practical knowledge.

Contextualised moral theory and the proposed institutionalist turn in political philosophy also induce us to rethink the academic division of disciplines because both of them have to draw on a wide variety of studies in the social sciences (most prominently the history and sociology/anthropology of religions, comparative institutional economy, sociology and political science). If there were any space in the academic division of labour for such a border-crossing, multi- and inter-disciplinary endeavour, it would be the field of political theory. This cuts through the institutionalised cleavages between moral and political philosophy (specialising in normative theory) and the social sciences (specialising in rich descriptions, sound explanations and perhaps some modest forecasting). My proposed version of political theory criticises the terrible lack of institutional concreteness that characterises mainstream political philosophy and its terrible lack of historical and comparative knowledge of the 'real world'. In addition, it criticises the hidden normative bias of many social scientists who refuse to spell out their own normative perspectives and commitments. It is only fairly recently that social scientists have taken up the task of a critical evaluation of existing institutions and policies and, more reluctantly, of also engaging in productive and imaginative institutional design. I explicitly try to combine the normative approach of political philosophy with issues of the practical design of institutional arrangements.

In this very short introduction to the book, I have chosen to just present the main outlines of the chapters. This does no justice to the arguments I try to develop, but at least it makes clear what I attempt to do in the book. I hope this might seduce the reader to take a further look at *why I am not a secularist….* Moreover, it presents the most open way for the discussants to tackle the difficult issues in any of the chapters.

The book is divided into four parts. In part I, I present sociological and historical considerations for a critical assessment of the twin myths of

secularisation and strict separation of state and religion, which have dominated theories of modernity and sociology of religion after the Second World War. By demonstrating their conceptual, theoretical and empirical flaws, I hope to end the unhappy marriage between 'modern sociology' – a type of social theory which is based on evolutionary and structural false necessities – and a liberal political philosophy that only legitimises the predominant interpretations of the underlying institutional patterns in a few Western countries. Having set the stage in this way, in part II, I hope to make political philosophy fit for the task of dealing with religious diversity by re-conceptualising universalism, neutrality, fairness and, particularly, secularism, by introducing my version of contextualised moral theory, and by defending my conception of minimal morality and its relation with more demanding liberal, democratic, egalitarian and pluralistic moralities. In part III, I apply my conception of minimal morality to hard cases, to show that, and how, maximum accommodation of religious practices has, on the one hand, to be limited by minimal but tough moral and legal constraints. On the other hand, I apply my conception of differentiated moralities to softer cases, to show that, and why, states with liberal-democratic constitutions should easily, not grudgingly, accommodate religious practices that do not conflict with the hard core of minimal morality and law. In part IV, I materialise the proposed institutional turn in political theory, preparing the ground for informed institutional and policy recommendations. I take up the indications from earlier chapters that institutionally pluralist arrangements provide better chances for minorities and, at the same time, for increasing the actual degree of relational state neutrality and for finding more fair and even-handed solutions. I discuss different institutional models of democracy and of religious governance and present and defend associative democracy against moral and realist challenges.

In chapter 1, I show why we need a concept of religion freed from its Christian, Protestant bias under conditions of increased presence and visibility of religious diversity both for practical and theoretical reasons and I present a poly-contextual and perspectivist conception. The main part is devoted to

a criticism of secularisation and strict separation and the consequences this perspectivist critique has for political theory and practice. From a *sociological perspective*, I try to show that the thesis of an inevitable decline of religious beliefs and practices, derived from Western European countries, conflicts with all of the evidence from the US and the rest of the world. The thesis that all religions change into subjectivised, de-culturalised, individualised and privatised beliefs, following the idealised model of radical Protestantism, is ambiguous and at odds with practices of old and new orthodox religions and with Christian and non-Christian religions going public. The thesis that modern societies require a strict separation of state from religions, drawn from an idealised American model – here the US is not the 'exception' but the norm – is at odds with the actual relationships in all liberal-democratic states and should therefore be replaced by a minimal threshold of institutional, organisational and role differentiation or, in legal terms, the two autonomies of the state from religions and of (organised) religions from the state. Recent states with liberal-democratic constitutions show a huge diversity of regimes of religious government. Some have established state churches that have little power, others are characterised by plural establishment or co-operation between state and officially recognised religions, while only some combine non-establishment with intended strict separation. All states grant religions a special legal status, all finance religions at least indirectly, e.g., by tax exemptions, and all finance faith-based care organisations either directly or indirectly. Only a tiny minority rejects any public financing of religious schools, but the huge majority (including France and recently the US as well) do so either directly or indirectly. Yet they do so in widely diverging ways, and this bewildering diversity is intensified inside states at different levels of government. Thus different states, (or the same states at different levels), grudgingly accept or reject claims by minorities to accommodate religiously prescribed codes of diet (e.g., kosher, halal), dress (turbans, yarmulkes, head scarves), prayer in public institutions, to pluralise educational curricula and pedagogies, to pluralise public culture and symbols of national identity, and to allow religious exemptions from general laws and regulations. These institutionalised patterns and policy traditions also have

an impact on predominant paradigms of jurisdiction. The same human rights are interpreted and balanced in divergent ways and we cannot see convergence into one optimal, let alone morally required, institutional and legal policy model, either in the European Union or globally among liberal-democratic states. From the perspective of *liberal-democratic politics and political theory*, the important issues are, firstly, not whether societies are 'secularised' but whether states are indifferent, i.e., neither 'secular' nor 'religious' but equidistant to both, respecting the two autonomies. Secondly, these issues concern which relationships between state and organised religions are the most conducive to the principles and practices of liberal democracy. Instead of propagating 'strict separation' and the principles of strict neutrality and the religion-blindness of the state, (which may or may not be fine in an ideal world but may be second best or worse in the real world), we may have to re-conceptualise liberal principles (part II) and design alternative regimes of religious governance (see part IV).

In chapter 2, I present a substantive, critical re-conceptualisation of those principles of liberal political philosophy that are important for debating the accommodation of religious diversity and its limitations. Moderate universalism and embedded impartiality enable us to avoid the pitfalls of abstract universalism and ethical particularism. A moderately universalist morality, under conditions of reasonable pluralism, of the good life tends to be a minimalist morality that may be combined with more demanding differentiated standards of liberal, democratic and egalitarian morality. Thinking of deep ethno-religious cultural diversity seriously makes us recognise that polities, including liberal-democratic states, cannot be strictly neutral or 'religion-blind' and cannot guarantee complete cultural equality. Strict neutrality and a conception of justice as 'hands-off' have to be re-conceptualised as relational neutrality and fairness as even-handedness in cultural matters. Finally, four facts have stimulated a shift towards a contextualised theory of morality. First, the fact that not only our conceptions of the good life, but also our moral principles conflict with each other (moral pluralism, distinct from ethical pluralism and moral relativism); second, the fact that our articulations, interpretations

and applications of the respective moral principles are indeterminate (under-determinacy of principles); third, the fact that normative reasoning cannot be confined to moral arguments but includes ethical, prudential and realist reasons, often at odds with each other (complexity of practical reason); and, finally, the fact that for the contested arts of interpreting and balancing principles and rights, and of weighing moral, ethical, prudential and realist arguments, philosophical armchair reflection and theoretical knowledge is overburdened, reductionist, or indecisive, to say the least. We have to re-evaluate practical knowledge.

In chapter 3 I present a contextualised discussion of secularism and explain why I am not a secularist. Liberal-democratic states are not 'secular' states but constitutional states, guaranteeing minimal morality and, in addition, standards of liberal-democratic morality, minimally understood. Calling them 'secular' is not terminologically misleading but politically innocent because the 'power of words' or the 'politics of symbolic action' is so strong. This has important but generally neglected historical, structural and strategic disadvantages. Next, I discuss why both first-order 'ethical secularism' and second-order 'political secularism' have to be rejected. I also discuss why an independent political and secular ethics as a foundation of liberal democracy, and why the exclusion of religious reasons (exclusivist secularism') or of all 'comprehensive reasons' (Rawlsian 'reason-restraints') from public debate, are unfair under conditions of reasonable pluralism, are implausible and tendentiously at odds with freedoms of political communication, and are considered anti-paternalistic. In short, I argue that 'secularism' of all sorts – the predominant meta-narrative or knowledge regime – has to be replaced by priority for liberal democracy, which I then defend against foundationalist philosophical challenges and against religious challenges by showing how and under which conditions Christian and other religions have doctrinally, institutionally and attitudinally learned to accept priority for liberal democracy.

Before turning to these institutional and attitudinal aspects explicitly in part IV, I analyse whether and how my plea for moral minimalism, and

my re-conceptualised principles of relational neutrality and fairness as even-handedness, contributes towards resolving the thorny issues of possibilities and limits in accommodating religious practices in liberal democracies. In chapter 4, I defend maximum accommodation of practices of illiberal and non-democratic but decent religious minorities constrained by the standards of minimal morality, combined with some of the more demanding minimalist standards of liberal-democratic morality in cases where religions vie for public money. First, I address tensions between individual and associational religious freedoms before turning to tensions between religious freedoms and other basic human rights, i.e., 'Associational Freedoms versus Nondiscrimination and Equal Opportunity', 'Modern Criminal law versus the Nomos of certain Ethno-Religious Groups', and 'Religious versus Modern, Civil Family Law'. Divergent balancing of conflicting basic rights, (as moral pluralism leads us to expect), is the normal business of constitutional courts guided by dominant legal and jurisdictional paradigms that are informed by country-specific regimes of religious governance. Compared with the enormous amount of legal, politico-philosophical and ethical literatures that discuss hard cases, my approach is firstly characterised by an explicit attempt to resist liberal-democratic congruence, and secondly by clearly spelling out that differences between conflicts, issues and groups are important. For example, as between illiberal and undemocratic religious groups and those who endorse liberal-democratic morality internally, and as those amongst illiberal minorities between isolationist or retiring minorities (internally decent and externally peaceful), 'totalistic', ultra-orthodox or fundamentalist but peaceful, and violent political fundamentalists. Thirdly, my approach is characterised by a broader spectrum of policy repertoires, as compared with autonomy or external state intervention only.

Comparatively softer cases and symbolic issues are addressed in chapter 5, where I discuss different kinds of claims to pragmatic and symbolic accommodation by new religious minorities that clearly do not conflict with liberal-democratic morality. Even if they may require considerable legal and practical accommodation, they should be easier to resolve, particu-

larly if liberal-democratic states and politics were committed (as they should be) to the principles of relational religious neutrality and fairness as even-handedness. Contrary to republican claims, minimal liberal-democratic morality does not require exclusive governmental schools. However, in systems that realise a near-monopoly of governmental schools, the demand to pluralise curricula, pedagogy and the culture of governmental schools is even more pressing than in educational systems that allow for directly publicly funded non-governmental religious schools and/or for pluralised religious instruction in governmental schools. Resistance to fair accommodation in all these cases is as characteristic for actual educational policies in all countries as it is morally impermissible, and the same holds for claims to fair exemptions from, and fair accommodations of existing rules and practices of, public and private administration. Resistance to fair pluralisation of public cultures and symbols of national identity is as widespread and even fiercer, and demands for fair representation of new religious minorities in the political process that would empower them to raise these morally legitimate claims more effectively are rejected outright by republican and liberal assimilationists.

In chapter 6, I draw the consequences from my criticism of liberal reasons-restraints and argue for a minimalist conception of civic and democratic virtues (a mixture of attitudes and competencies) that should complement but not replace liberal-democratic principles. Virtues are learned in appropriate institutional settings and interactions, but the high hopes and expectations that associations in civil society would work unambiguously as seedbeds of democratic virtues have to be tempered. After this, I focus on institutions directly. I introduce different types of institutional pluralism (political/territorial, social, ascriptive minority pluralism), which can be characterised as 'power-sharing systems' that guarantee divergent units some power in the political process, and also meaningful autonomy or self-determination to decide specific issues. I analyse diverging models of democracy and show that associative democracy combines territorial pluralism, (multi-layered polities, e.g., federalism), with social pluralism, (organised interest representation of classes, professions, clients, consumers),

and autonomy and representation of territorially less- or non-concentrated minorities, such as gendered minorities and many ethnic and religious minorities. It is more conducive to minorities than all other models of democracy, but it is also much more flexible and open than existing 'corporatist' or 'neo-corporatist' varieties of institutional pluralism. Against this background, I analyse important differences between ethnic and religious diversity, asking whether religion is really as different from ethnicity as is often assumed, and present four different types of incorporation of ethno-religious minorities into democratic polities. In a short comparison of regimes of institutional pluralism, I try to show that modern democratic polities may even learn important lessons from non-democratic forms of institutional pluralism, particularly from the millet system in the late Ottoman Empire, which obviously did not live up to the minimal standards of liberal-democratic morality. Recent types of institutional pluralism, such as 'consociational' democracy and 'neo-corporatist' interest representation, however, are compatible with modern liberal democracy.

In chapter 7, I connect these discussions more explicitly with the incorporation of religious diversity. First, I present normative institutional and policy models of religious governance, and give reasons why I focus exclusively on a comparison of two models, i.e., 'non-constitutional religious pluralism' and 'non-establishment combined with private pluralism'. I then state and defend my claim that a specific version of non-constitutional religious pluralism, associative democracy, provides an institutional alternative, a realistic and feasible utopia, to help escape from the ritualised opposition of idealised American denominationalism and corporatist varieties of selective co-operation which are still dominating policy discourses and blocking institutional imagination and practical experiment. Associative democracy, like all existing varieties of religious institutional pluralism, empowers religions, but – as a moderately libertarian version – is more conducive to old and new religious minorities and, particularly, to vulnerable minorities within minorities in the following ways. First, in addition to guaranteeing exit rights, it provides meaningful exit

options. Second, it tries to encourage debate and discussion inside religious organisations, particularly if they accept public money and want to be represented in the political process, without overriding meaningful associational autonomy. Third, recognition and institutionalisation of religions enlarge the possibilities and means of minimal legitimate state supervision and control. And, last but not least, associative democracy makes productive use of the idea of differentiated morality, i.e., that standards of minimal morality have to protect the basic needs, interests and rights of all, including vulnerable minorities within minorities, such as minors and women. Their basic interests require external supervision, control and sanctions (by the liberal state) without riding roughshod over meaningful associational autonomy in caring for their best interests, as evangelists of liberal autonomy and liberal-democratic congruence propose. These claims are then defended against the charges that associative democracy would not be conducive to, or even undermine, individual autonomy, modern democracy and citizenship, and strictly legal, and also substantive, equal treatment of all religions and 'church autonomy'. Contrary to liberal and republican assimilations, associative democracy recognises the tensions between moral principles. Instead of heroically propagating tragic choices or big trade-offs between 'your (individual) rights and your (collective) culture', its institutions enable better and more sensible balances.

In chapter 8, I show that a certain minimum amount of institutionalisation is inevitable because the presence of old and new religions changes mutual expectations, leads to the development of their own organisations, and also to different varieties of public recognition by states, whether through legislation, jurisdiction and case law, or through administrative regulation and decisions. Institutionalisation is a conflictive process, involving promises and risks for religions and governments. As an illustration of the dilemmas, I compare the patterns of Muslim representative organisations in various European states and the US, which is characterised by a fairly strong impact of denominationalism on all new religions, a limited system of selective co-operation between administrations and religions, and the absence of state-induced or state-imposed patterns of organi-

sation and representation of religions. In a short evaluation of these patterns, I try to show that all have to deal with tensions between individual versus associational freedoms of religion, freedoms versus equalities, legal versus more substantive equality, democracy versus efficiency and effectiveness, and the respective trade-offs. No existing pattern, but also no ideal model, can maximise them all. Yet I also try to show that associative democracy provides better opportunities than American Denominationalism and rigid European 'corporatist' systems of co-operation because it combines voluntarism with a more open, pluralist and flexible system of selective co-operation.

Even if a sensible balance of the moral dilemmas may be achieved, the unintended consequences of the empirical effects of institutionalising religious pluralism may be so serious that non-establishment-cum-private-pluralism may finally be the better alternative. After all, the way to hell is paved with good intentions and realism forbids ruthless experiments with associative democracy. Chapter 9 addresses the most serious realist objections. All forms of religious institutional pluralism (including the most flexible and libertarian ones) are said to induce fixed and rigid religious categorisation by the state, to foster 'fundamentalist' organisations and leaders, to be so rigid and inflexible that they cannot easily adapt to changes in the religious landscape, and systematically work against new religious minorities. They are also said to undermine minimal peace by stimulating religious conflicts, to undermine minimal stability, social cohesion and political unity, and to undermine habits of toleration and conciliation or minimally required civil and democratic virtues. This is because religious institutional pluralism does not provide for common public institutions and spaces where these virtues can be learned in practice (e.g., common schools, non-communal political parties, everyday interaction in practical life, in workplaces and neighbourhoods). I try to show that associative democracy is the least vulnerable to these objections because it strengthens voluntarism and the cross-cutting of associational ties. In contrast, imposed inclusion into common institutions and enforced assimilation, proposed by liberal or republican critics, are indeed prone to produc-

ing many of the said counterproductive consequences. Finally, everything depends on contextual variables such as economic growth and distribution, stability of established and broadly accepted liberal-democratic constitutions, democratic culture and practices, the character of minorities and the relationships between majorities and minorities and, last but not least, on volatile external factors such as situations of security emergency. Like all other options, associative democracy has to face serious trade-offs, but it is flexible enough for pragmatic adaptations. It is a realistic utopia developed by democratic experimentalism.

In chapter 10, I turn to education, historically and recently the most contested and conflict-prone area in the relations between governments and religions. Civic republicans, deliberative and social democrats, socialists and laïcists claim that all religious schools in all contexts produce extremism, social fragmentation, increasing inequalities and the erosion of civic virtues and bonds. Using comparative evidence, I try to persuade them that they should at least moderate their charges and reconsider their often favoured option of governmental schooling. In particular, I try to show that there are many cases showing that educational systems that provide fairly equal public funding for religious schools help to guarantee more equal educational opportunities for all children, provided they are appropriately regulated and controlled. Social justice or substantive equality requires public funding in the 'real world' of serious inequalities, or so I want to show. A mixed or pluralist regime of associational governance of education provides better chances to address the difficult tensions between moral principles, such as freedoms of education and diversity versus nondiscrimination, equal educational opportunities, and also public control of minimal civic and liberal virtues. In addition, it provides better chances of resolving tensions between moral principles and pedagogical aims and also between standards of efficiency and effectiveness. I also try to show that the American educational reality deviates from the ideal model, which bans any public financing of religious and other nongovernmental schools. American reality allows for practical experimentalism with voucher systems, with charter and magnet schools and other

alternatives. However, practical experimentalism is often hindered by predominant dichotomies that distinguish between either state or market and either private or public provision. Such dichotomies are descriptively inadequate, preventing more satisfying solutions in the vein of associational governance to the structural problems that confront all educational systems. Associationalist regimes also promise to be more effective and efficient, and allow for the smooth, incremental, piecemeal adaptation and innovation of educational systems.

Veit Bader is a professsor of sociology (department of political and socio-cultural sciences) and of social and political philosophy (department of philosophy) at the University of Amsterdam. His main research areas are: theories of societies, social movements and collective action; theories of modern capitalisms; ethics of migration and incorporation; citizenship and associative democracy. Most important books: *Inequalities* (1989) Leske + Budrich (together with Albert Benschop); *Collective Action* (1981) Leske + Budrich; *Racism, Ethnicity, Citizenship* (1995) Westfälisches Dampfboot, Münster. *Associative Democracy: The Real Third Way* (2001). London/Portland: Frank Cass (together with Paul Hirst). *Secularism or Democracy? Associational Governance of Religious Diversity*. Amsterdam UP, June 2007.