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International politics after secularism

ELIZABETH SHAKMAN HURD

Abstract. At the height of the influence of the secularisation thesis religion was understood to be absent from affairs of state and the law, including international politics and international law. As the critique of secularisation gained momentum this master narrative fell apart, and a new consensus began to take shape. The notion that religion had been ignored and should be ‘brought back in’ to International Relations took centre stage among many academics and practitioners. The assumption is that restoring religion in the right way will help address the problems associated with having ignored religion in IR, paving the way for the marginalisation of violent religion and globalisation of religious freedom. This article undertakes a critical analysis of this restorative narrative and the religious and political world it is creating. It then proposes a different approach to the intersection of religion and world politics after secularism. This approach draws attention to the authority of transnational actors such as the United States, United Nations, and European Union to shape the public administration of religious affairs globally. Channels through which this is accomplished include the promotion of religious freedom, humanitarian intervention, foreign aid, nation building and democratisation, counter-terrorism and peace-building efforts, and the pronouncements of supra-national courts.

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What if there is no endangered species to be protected, no ‘really-real religion’ to be distorted by either overly attached believers or culturally encumbered scholars? Perhaps religion is always the product of a creative symbiosis of insiders and outsiders, populated by individuals who cannot simply be placed into the rigid categories of believer and unbeliever, just as the scholarly community contains theories and individuals who cannot simply be placed into an either/or schema in terms of religious belonging. If this is the case, then religion is neither an object to be redeemed by theory nor an authentic truth to be protected from theory’s detrimental incursions.¹

The politics of restoring religion

At the height of the influence of the secularisation thesis, religion was understood to be absent from affairs of state and the law, including international politics and international law. Today things have changed, and scholars and practitioners of International Relations (IR) are interested in religion’s presence, rather than assuming its

¹ Noah Salomon and Jeremy F. Walton, ‘Religious criticism, secular criticism, and the “critical study of religion”’: lessons from the study of Islam’, in Robert A. Orsi (ed.), *The Cambridge Companion to Religious Studies* (Cambridge: Cambridge University Press, 2012), p. 408.

absence. As the critique of secularisation has gathered momentum over the past two decades, the presumption that religion was irrelevant to international law and politics has fallen into disarray. The background understanding provided by the secularisation thesis has been replaced with the notion that religion – often understood in ontologically fixed terms – has to be ‘brought back in’ to IR.² Religious actors, institutions, and practices need to assume their proper role in international political theory and practice. Religion has work to do. It is both the problem and the solution. The momentum behind this new engagement with religion is captured in a recommendation of the 2010 President’s Advisory Council on Faith-Based and Neighborhood Partnerships: the President, the Council suggests, should ‘request the appointment of senior staff for multi-religious engagement in each of the major agencies tasked with international affairs, including the Department of State, the U.S. Agency for International Development (USAID), the National Security Council (NSC), and the Department of Defense’.³

International Relations scholars have responded in different ways to the turn to religion. For some it has meant incorporating religious actors, traditions, and institutions more fully into the study of international theory, politics, and history.⁴ For others it has meant including religious leaders and communities in processes of conflict management and resolution.⁵ For others still, religion is seen as a variable that can explain international outcomes such as the frequency and longevity of violent conflict.⁶ All of these approaches involve an attempt to restore religion to its proper place in International Relations theory and practice. Doing so, we are told, will help solve the myriad problems posed by religion, and by having ignored religion, in international and comparative politics. And the catalogue of international political shortcomings attributed to having missed or misconstrued religion is long and depressing: violent extremism, failure to achieve foreign policy objectives, faltering development projects, incomplete transitions to democracy, misguided attempts at nation-building, a rise in gender-based oppression, stymied efforts to achieve religious equality, suffering minorities, and so on. Religion can no longer be ignored.

The basic assumption animating this restorative turn to religion in International Relations is that once religious moderates are understood, engaged and empowered, and religious fundamentalists identified, sidelined or reformed, the problems posed by religion will lessen and religious freedom will spread across the globe. In certain

² Jonathan Fox and Shmuel Sandler, *Bringing Religion into International Relations* (New York: Palgrave, 2004).

³ President’s Advisory Council on Faith-Based and Neighborhood Partnerships, ‘A New Era of Partnerships: Report of Recommendations to the President’, Washington, DC, White House Office of Faith-Based and Neighborhood Partnerships with support from the Office of Faith-Based and Neighborhood Partnerships at the US Department of Health and Human Services (March 2010), p. 71.

⁴ Jeffrey Haynes, *Religion, Politics and International Relations: Selected Essays* (London and New York: Routledge, 2011); Monica Duffy Toft, Daniel Philpott, and Timothy Samuel Shah (eds), *God’s Century: Resurgent Religion and Global Politics* (New York: W. W. Norton & Co., 2011); Eric O. Hanson, *Religion and Politics in the International System Today* (Cambridge: Cambridge University Press, 2006); and John D. Carlson and Erik C. Owens (eds), *The Sacred and the Sovereign: Religion and International Politics*. (Washington: Georgetown University Press, 2003).

⁵ Ron E. Hassner, *War on Sacred Grounds* (Ithaca: Cornell University Press, 2009).

⁶ Monica Duffy Toft, ‘Religion, Rationality and Violence’, in Snyder (ed.), *Religion and International Relations Theory*; Fox and Sandler, *Bringing Religion into International Relations*; Robert A. Seiple, and Dennis R. Hoover (eds), *Religion and Security: The New Nexus in International Relations* (Lanham: Rowman & Littlefield, Inc, 2004).

US government circles pursuit of this agenda is referred to as ‘operationalizing religion’. A CSIS report, for example, bemoans the fact that ‘efforts to operationalize religion are still limited to boutique programs and discrete job functions’.⁷ This approach to religion, as something that can be operationalised, has gathered extraordinary academic and international public policy traction. It is influential in ways that have yet to be fully accounted for in the discipline and beyond. The assumption that IR scholars, government officials, and foreign policy practitioners know more or less what religion is, where it is located, who speaks in its name, and how to restore it to IR enables academics and practitioners to leap straight into the business of quantifying religion’s effects, adapting religion’s insights to international problem-solving efforts, and incorporating religion’s official representatives into international political decision-making and institutions. As the President’s Advisory Council concludes, ‘We simply cannot understand our Nation or our world without understanding religion.’⁸ If religious actors and practices are incorporated into theory and practice *in the right way*, the story goes, problems associated with religion will be resolved and the potential for religion to contribute to the betterment of the world more fully realised. As Robert Bosco puts it, ‘the project of “bringing religion into international relations” becomes less one of understanding than of predicting when, where, and why religious-based violence will occur, or discovering how to harness such volatile forces into a more palatable “Post-Westphalian” future wherein religious traditions are conceived as containing the normative content needed for and ecumenical “dialogue of civilizations”’.⁹

The restorative narrative has largely replaced the secularisation thesis as the default position in religion and IR, particularly in the US and in certain international policy circles. It is not, however, the only account of religion and IR available. There are other contributions to the field that do not reflect the restorative impulse and actively problematise the assumptions on which it is based.¹⁰ Though important, this scholarship is not the focus of this discussion. My concern is, more narrowly, with the production of particular forms of knowledge about religion and IR and

⁷ Center for Strategic and International Studies (CSIS), ‘Mixed Blessings: U.S. Government Engagement with Religion in Conflict-Prone Settings’, Washington, DC (August 2007), p. 25.

⁸ President’s Advisory Council on Faith-Based and Neighborhood Partnerships, ‘A New Era of Partnerships’, p. 85.

⁹ Robert M. Bosco, ‘Persistent Orientalisms: The Concept of Religion in International Relations’, *Journal of International Relations and Development*, 12:1 (2009), p. 108.

¹⁰ My own work on the politics of secularism is an example; see chap. 2 of *The Politics of Secularism in International Relations* (Princeton: Princeton University Press, 2008). Examples of IR scholarship that problematises the assumptions underlying the restorative narrative include Erin K. Wilson, *After Secularism: Rethinking Religion in Global Politics* (New York: Palgrave Macmillan, 2011); Timothy Fitzgerald, *Religion and Politics in International Relations: The Modern Myth* (Continuum, 2011); Craig Calhoun, Mark Juergensmeyer, and Jonathan VanAntwerpen (eds), *Rethinking Secularism* (Oxford University Press, 2011); Michael Barnett and Janice Gross Stein (eds), *Sacred Aid: Faith and Humanitarianism* (Oxford: Oxford University Press, 2012); Mona Kanwal Sheikh, ‘How does religion matter? Pathways to religion in International Relations’, *Review of International Studies*, 39:2 (April 2012), pp. 365–92; Cecelia Lynch, ‘A Neo-Weberian Approach to Religion in International Politics’, *International Theory*, 1:3 (2009), pp. 381–408. Earlier works in this genre include Fabio Petito and Pavlos Hatzopoulos (eds), *Religion in International Relations: The Return from Exile* (New York: Palgrave Macmillan, 2003); Scott M. Thomas, *The Global Resurgence of Religion and the Transformation of International Relations: The Struggle for the Soul of the Twenty-First Century* (New York: Palgrave Macmillan, 2005); and Susanne Hoebner Rudolph and James Piscatori (eds), *Transnational Religion and Fading States* (Boulder: Westview Press, 1997).

its connection to specific forms of contemporary international power over religious affairs. This relationship between knowledge and power, captured in the phrase 'strategic operationalization of religion', is more than a matter of academic concern. The move to restore religion has laid the groundwork for a striking array of legal and administrative initiatives to intervene in religious affairs around the world. It creates the conditions of possibility for international interventions to secure religious freedom, create religiously tolerant subjects, and instruct governments on how to cultivate and oversee religiously diverse societies. These programmes are becoming institutionalised as natural attributes of international public life in the twenty-first century. They are becoming regular features on the global landscape. The attempt to restore religion to international public life and the forms of knowledge that underwrite it are creating new religious and political realities. They designate acceptable spaces for religion and acceptable forms of religion that are regulated legally and politically, domestically, and transnationally.

A rising tide of international legal and administrative initiatives, policies, and campaigns fit this description. Examples include the promotion of religious freedom, humanitarian intervention, foreign aid, nation-building and democratisation, counter-terrorism, and peace-building efforts, military chaplaincies and other purveyors of religious services overseas, and the pronouncements of supra-national courts. Many of these initiatives reflect a commitment to the 'strategic implementation of religious knowledge'.¹¹ Rather than ignoring or shunning it as before, the drive to operationalise religion sets the terms for these international public policies and programmes. The first half of this article explores these connections between academic and official narratives about religion, and international public policy. The objective is to understand the relationship between knowledge and power in a specific set of circumstances. Efforts to restore religion to IR, I suggest, authorise particular forms of political and religious authority. The second half introduces an alternative approach to the study of religion and IR based on a different set of assumptions. Rather than bringing religion 'back in' to an allegedly secularised international public sphere, religion is not and never was entirely outside of power, in search of an opportunity to be publically resuscitated. To the contrary, religion is often wielded most powerfully by those *in* power, including states, market forces, institutionalised religions, international organisations, and others. From this perspective, the question for international theorists is not, 'how to bring religion back in?' Instead, it is what kind of work is accomplished *in and through* discourses of religion in particular circumstances? What forms of transnational power and authority are authorised through the promotion of religious toleration, religious freedom, and religious pluralism? How are religious and political lives transformed in the process? The next section takes a closer look at the strategic operationalisation of religion, the world it is creating, and the potential for alternatives.

¹¹ 'The armed services are still determining how such knowledge should be used in practice. Much of the *strategic implementation of religious knowledge* today is occurring at the Joint Intelligence Operations Centers and the regionally focused Combatant Commands', Center for Strategic and International Studies (CSIS), 'Mixed Blessings: U.S. Government Engagement with Religion in Conflict-Prone Settings,' (Washington, DC: August 2007), p. 26, fn. 114, emphasis added.

The 'two faces of faith' and the strategic operationalisation of religion

A survey of IR scholars before 9/11 would likely have yielded a consensus that religion is, and should remain, on the margins of the study of the building blocks of world order. States are assumed to deal with religion internally, or not at all. In the aftermath of 9/11, two exceptions to this logic emerged both in the discipline and outside of it. First, religion is relevant to IR when dangerous forms of it escape the control of the state and are in need for international discipline. This is accomplished by states working in concert with other actors to contain dangerous or intolerant religion. Second, religion becomes relevant when it can be put to use to promote the common public international good. This is accomplished through humanitarian and development projects, human rights campaigns, transitional justice efforts, and so on. These two 'sides' of religion – dangerous religion and peaceful religion – are what Tony Blair refers to as the 'two faces of faith'. Much of the current operationalisation of religion in IR follows the logic of marginalising dangerous religion and empowering peaceful religion. The two faces of faith are at hard work in the world. They organise how scholars and practitioners frame problems and answer questions involving religion and world affairs. They provide a sense of purpose to attempts to bring religion back in.

The first side of the restorative coin involves the need to contain allegedly dangerous forms of religion that states fail to control domestically. If these forms of religion leak out and contaminate global order, religion is transformed into an object of securitisation and a target of state control or violence. It is subject to international censure. If activities designated by global authorities as 'religious' refuse the terms of their confinement and are in need for discipline by a state that fails to mete it out, they are deemed a threat to international security and attract the attention of international security experts, academics, and policymakers. This fearful religion is associated in this account with the violent history of Europe's past and much of the rest of the world's religious present. It includes both the sectarian violence of the Wars of Religion during the European Reformation and afterwards, as well as the intolerance, gender and sexual inequality, fanaticism and terrorism associated with certain forms of contemporary extremism, particularly but not exclusively Islamist extremism. Such forms of 'bad' religion are understood to slip easily into violence, unlike peaceful religion, which curbs it. As Brian Goldstone points out, contemporary notions of religious violence are anchored in an opposition between a terrifying figure of the premodern past, on the one hand, and an Enlightened believer at home in the world on the other. 'While the latter is rendered normative, the former has to be subject to correction or made extinct. The discourse of [bad] religion is what makes this project work.'¹²

The second side of the restorative coin is a friendlier one. In this scenario, irenic religion is restored to IR and takes on a positive role cementing and enhancing international public order. The promotion of peaceful religion is a corrective attempt to resuscitate religion by insisting that it *is* relevant to politics after all, especially internationally, and has much to contribute to global relief efforts, nation-building, development, and the moral foundations of international public life. Peaceful religion pundits

¹² Markus Dressler and Arvind Mandair, 'Introduction: Modernity, Religion-Making, and the Postsecular', in Dressler and Mandair (eds), *Secularism and Religion-Making* (New York: Oxford University Press, 2011), p. 26.

and scholars distinguish themselves from those who dismiss the public significance of religion by positing, often enthusiastically, that religion is important or downright necessary for politics to unfold democratically and religious freedom to flourish globally. The excitement is palpable. As Robert Joustra explains:

The good news is that religious actors, when permitted autonomy – some call it religious freedom – can serve as a force multiplier for important social and political goods, including democratization, peacemaking, and reconciliation. In short, religion is a public good. Or it can be, if embedded into a political system which recognizes it as a voice to be heard, both in public and in private.¹³

Religion ‘done right’ is not only good for the individual but indispensable to international public life. It is a public good. It is a ‘force multiplier’.

The marginalisation of violent or intolerant religion is a minor note in this otherwise celebratory narrative. Intolerant religion is associated with division, violence and intolerance and the failure of the state to properly domesticate it, or of the religion to properly domesticate itself (more on this shortly). This wariness is tempered, however, by an insistence on a public and transformative role for peaceful religion, tolerant faith-based leaders, and authentic religious texts that are waiting in the wings to ensure religion’s proper place in international and domestic public life. These religious goods are touted as contributors to global justice campaigns, engineers of peace building, agents of post-conflict reconciliation, and a countervailing force to terrorism.¹⁴ Peaceful religion is bound to triumph over its intolerant rivals. The pronouncements of the Tony Blair Faith Foundation capture both sides of the restorative consensus. In Blair’s words, ‘there are two faces of faith in our world today. One is seen not just in acts of religious extremism, but also in the desire of religious people to wear their faith as a badge of identity in opposition to those who are different. The other face is defined by extraordinary acts of sacrifice and compassion – for example, in caring for the sick, disabled or destitute . . . All over the world, this battle between the two faces of faith is being played out.’¹⁵

Like dangerous religion, the peaceful religion narrative appears in stronger and less insistent varieties. Many of these rely on familiar conventions for conceptualising religion that have been discussed and deconstructed elsewhere.¹⁶ Yet there is a twist, because religion is no longer seen as private, as Casanova has argued since the early 1990s, and more significantly, because a small army of international public authorities with significant financial means is now eagerly awaiting an answer to the question: what can we do to recognise and promote tolerant religion?¹⁷ Purveyors of the restorative consensus have an answer to this question: certain religions, and certain forms of

¹³ Robert Joustra, ‘Review: *God’s Century: Resurgent Religion and Global Politics*’, *Cardus Policy in Public* (25 November 2011).

¹⁴ Toft, Philpott and Shah, *God’s Century*.

¹⁵ Tony Blair, ‘Taking Faith Seriously’, *New Europe Online* (2 January 2012). {<http://www.neurope.eu/blog/taking-faith-seriously>}.

¹⁶ The tendency to approach the category of ‘religion’ in ontologically fixed terms – aptly described by Fitzgerald as a ‘misplaced concreteness’ – has been deconstructed and historicised over the past two decades across academic disciplines. For recent examples see Fitzgerald, *Religion and Politics in International Relations*; Dressler and Mandair, *Secularism and Religion-Making*; Philip Gorski, John Torpey, David Kim, and Jonathan VanAntwerpen, *The Post-Secular in Question: Religion in Contemporary Society* (New York: New York University Press, 2012); and Craig Calhoun, Mark Juergensmeyer, and Jonathan VanAntwerpen (eds), *Rethinking Secularism* (Oxford: Oxford University Press, 2011).

¹⁷ Casanova’s *Public Religions in the Modern World* in many ways opened the door for public acceptance of this narrative.

certain religions need to be recognised, reorganised, and rescued without delay from secularist condemnation or marginalisation. These religious inputs need to be identified, promoted, and propelled into the international public spotlight to serve as global problem-solvers by opening the door to their representatives, insights, and practices in domestic and international public life. Echoing Blair's insistence on the two 'faces of faith,' for instance, Banchoff and Wuthnow introduce their 'more inclusive approach to the religious politics of human rights' by observing that religious actors provide 'vital resources – most centrally the belief in the transcendent equality and dignity of all human beings' to enrich and provide 'emotional foundations' for an increasingly desiccated secular rational global rights discourse.¹⁸

This narrative resonates powerfully across international public policy domains. It is reflected and naturalised in political projects of striking reach and variety. International public policy areas subject to this framing include transitional justice,¹⁹ human rights advocacy, development assistance,²⁰ nation and public-capacity building efforts, the UN Alliance of Civilisations, humanitarian and emergency relief efforts,²¹ foreign policy legislation and implementation (advocacy leading up to the passage of the International Religious Freedom Act of 1998), and state-sponsored violence. The USAID development assistance programme *RelHarmony*,²² for example, attempted to foster religious harmony in Albania by approaching religion both as a potential problem to be solved and as its own solution, insofar as interfaith cooperation and tolerance could be taught and institutionalised by outside authorities in cooperation with local religious actors.²³ Similarly, the American government and much of the media promoted the US war in Afghanistan as, in part, an attempt to rescue Muslim women from their male oppressors. The US insisted upon the need to ensure a progression from a repressed religious (Muslim) Afghan woman confined to the private sphere to a *correctly* religious (tolerant, secularised Muslim or post-Muslim) woman active in the public sphere, shopping, wearing lipstick and taking off the headscarf – once and for all.²⁴

The logic of publically supporting and promoting tolerant religion at home and abroad has a long history in the United States. Before 9/11 it energised attempts to remedy what was perceived as secularist bias in US government contracting by increasing the involvement of faith-based organisations (FBOs) in the provision of domestic social services and foreign assistance. In 1996, President Clinton signed the Charitable Choice bill, making it easier for FBOs to bid for government contracts

¹⁸ Thomas Banchoff and Robert Wuthnow (eds), *Religion and the Global Politics of Human Rights* (Oxford: Oxford University Press, 2011), p. 5.

¹⁹ Daniel Philpott, 'What Religion Brings to the Politics of Transitional Justice', *Journal of International Affairs*, 61:1 (Autumn 2007), pp. 93–110.

²⁰ Séverine Deneulin with Masooda Bano, *Religion in Development: Rewriting the Secular Script* (London: Zed Books, 2009); Gerard Clarke and Michael Jennings (eds), *Development, Civil Society and Faith-Based Organizations* (New York: Palgrave Macmillan, 2008).

²¹ For a critical reading of the Save Darfur Coalition see Rosemary R. Hicks, 'Saving Darfur: Enacting Pluralism in Terms of Gender, Genocide, and Militarized Human Rights', in Courtney Bender and Pamela E. Klassen (eds), *After Pluralism: Reimagining Religious Engagement* (New York: Columbia University Press, 2010), pp. 252–76.

²² USAID and World Learning for International Development, 'Fostering Religious Harmony in Albania: Final Report (30 June 2007), {http://pdf.usaid.gov/pdf_docs/PDACK058.pdf}.

²³ Courtney Bender, 'Pluralism and Secularism' (unpublished paper, June 2010). Hurd, in progress.

²⁴ See E. S. Hurd, 'Rescued by law?: Secular universalism, human rights and the politics of gender', in Linell E. Cady and Tracy Fessenden (eds), *Gendering the Divide: Religion, the Secular, and the Politics of Sexual Difference* (New York: Columbia University Press, forthcoming).

without suppressing their religious character and obviating the need for them to establish separate ‘non-religious’ nonprofits to offer social services.²⁵ In 2001 the Bush Administration created the Office of Faith-Based and Community Initiatives (OFBCI, now the Office of Faith-Based and Neighborhood Partnerships, or OFBNP), paving the way for more religious organisations to receive government funding.²⁶ Further executive orders created Centers for Faith-Based and Community Initiatives (CFBCI) in the Departments of Justice, Labour, Health and Human Services, Housing and Urban Development, Education, and Agriculture, and USAID.²⁷ The US also doubled total foreign aid dollars allocated to FBOs.²⁸ Of particular significance to these programmes is a 2004 USAID ruling ‘Participation by Religious Orders in USAID Programs’, (known as the ‘Rule’),²⁹ which transformed USAID policy on engagement with FBOs by reversing the ‘pervasively sectarian’ doctrine previously upheld by the Supreme Court:

Under the old doctrine, religious organisations which engaged in discriminatory or sectarian practices were barred from government funding or contracts. Under the new ruling, however, USAID cannot discriminate against organisations which combine development or humanitarian activities with ‘inherently religious activities’ such as worship, religious instruction or proselytisation. USAID-funded activities must be separated ‘by time or space’ from ‘inherently religious activities’.³⁰

The ‘Rule’ prevents discrimination against organisations which provide social services in a religious setting (such as a building decorated with religious icons, scriptures, or symbols) or which engage in discriminatory practices in the hiring of staff or in their management procedures (such as restricting paid employment or election to a Board of Directors to adherents of a particular faith).³¹ FBOs cannot discriminate against non-believers in the provision of USAID-supported services.³²

The shift toward funding FBOs is part of a global restorative trend that went into full gear after 9/11. The UK Department of International Development (DFID), the British equivalent of USAID, has doubled the share of its aid funding going to FBOs, moving from what Clarke describes as ‘estrangement to engagement’.³³ In 2005,

²⁵ Robert J. Wineburg ‘Leveling the Playing Field: Epitomizing Devolution through Faith-Based Organizations’, *Journal of Sociology and Social Welfare*, 35:1 (2008), p. 31.

²⁶ See Exec. Order No. 13,199, 66 Fed. Reg. 8,499 (29 January 2001) on the inclusion of faith-based organisations in social services and Exec. Order No. 13,279, 67 Fed. Reg. 77,141 (12 December 2002) requiring equal protection for faith-based initiatives.

²⁷ The 2002 Executive Order 13280 creating a new CFBCI at USAID was meant to ensure that provisions of the 2001 Act were reflected in USAID policy.

²⁸ Stephen Hopgood and Leslie Vinjamuri, ‘Faith in Markets’, in Michael Barnett and Janice Stein (eds), *Sacred Aid* (New York: Oxford University Press, 2012), pp. 37–64.

²⁹ US Agency for International Development, Center for Faith-based and Community Initiatives, ‘Participation by Religious Organizations in USAID Programs’, 22 CFR Parts 202, 205, 211, and 226 (19 October 2004), {http://www.usaid.gov/our_work/global_partnerships/fbci/rule.html}.

³⁰ Gerard Clarke, ‘Agents of Transformation? Donors, Faith-Based Organisations and International Development’, *Third World Quarterly*, 28:1 (2007), p. 82.

³¹ Clarke, ‘Agents of Transformation’, p. 82.

³² Clarke, ‘Agents of Transformation’, p. 83. Clarke argues that they also have no obligation to explain that non-believers can avail themselves of such services on an equal basis.”

³³ Clarke, ‘Agents of Transformation’, p. 79. While DFID and other public international donors had previously been ‘heavily influenced by the legal separation of church and state,’ recently ‘a number of [DFID] country offices have launched projects with significant FBO involvement or are preparing new projects and the development education arm of DFID has worked with UK Protestant, Catholic, Islamic, Hindu, Sikh and Jewish organisations to publicise the MDGs [Millennium Development Goals] in the idioms of the faith’, p. 86.

DFID launched a five year £3.5 million research programme on ‘faiths in development’ in conjunction with the University of Birmingham, and in 2003 ‘the British government launched a cross-Whitehall dialogue on faith issues to co-ordinate inter-departmental engagement with UK faith communities’.³⁴ Under James Wolfensohn, the World Bank and World Health Organization also became interested in funding development through FBOs, marked by the launch of the Millennium Development Goals in 2000 and the Bank’s efforts to establish working dialogues between donors, governments, and faith leaders through the Development Dialogue on Values and Ethics programme.³⁵

The logic of the ‘two faces of faith’ underlies much contemporary theory and practice at the intersection of religion and international affairs. A proliferating number of well-funded projects are occupied, or even defined by, campaigns to discern, decipher, and defend peaceful religion and project it internationally through states, international courts, and international and non-governmental organisations. Other projects, and sometimes the same ones, are occupied by similarly urgent efforts to discern, reform, or suppress intolerant religion and ensure that it is not projected internationally. Both agendas rely on the authority, and if necessary the use of force, by states and other powerful actors to realise these objectives. These initiatives enact new forms of international political and religious authority. They privilege particular understandings of religion, empower certain religious actors and institutions to speak in the name of believers, and sanction particular legal arrangements between states and religious institutions. They have a disciplinary edge. As Blair firmly reminds us, ‘those who feel that their faith compels them to act in a way destructive of mutual respect must be persuaded that this is a wrong reading of their faith’.³⁶

One implication is that some religions, or certain forms thereof, are seen as inherently less inclined toward mutual respect and in need for more vigorous modes of persuasion. Islam is often held up as an example. As a Council on Foreign Relations *Backgrounder* entitled ‘Islam: Governing under Sharia’ warns readers, ‘the debate is growing as to whether sharia can coexist with secularism, democracy, or even modernity’.³⁷ This ominous language is echoed in countless policy documents weighing the merits and dangers of Islam.³⁸ As Salomon and Walton observe, ‘the past decade

³⁴ Clarke, ‘Agents of Transformation’, p. 85. This resulted in the publication of a report entitled ‘Working Together: Cooperation Between Government and the Faith Communities’ (London: Home Office Faith Communities Unit, 2004).

³⁵ {<http://web.worldbank.org/WBSITE/EXTERNAL/EXTABOUTUS/PARTNERS/EXTDEVIALOGUE/0,,menuPK:64193238~pagePK:64192526~piPK:64192494~theSitePK:537298,00.html>}. On the Bank’s engagement see Katherine Marshall, ‘Journey Towards Faith Development Partnerships: the Challenge and the Potential’, in Catherine Cornille and Glenn Willis (eds), *The World Market and Interreligious Dialogue* (Eugene, Oregon: Cascade Books, 2011), pp. 190–210.

³⁶ Blair, ‘Taking Faith Seriously’.

³⁷ Lauren Vriens, ‘Islam: Governing under Sharia’, *Council on Foreign Relations Backgrounder* (New York: 23 March 2009), {<http://www.cfr.org/publication/8034/>}.

³⁸ I agree with Asad’s observation that ‘those many people in the West today who decry the singular intolerance of Islam are mistaken not because Islam is really “tolerant” (whatever that might mean), but because it makes no sense to talk about the “essence of Islam” – or of any other ‘religion’ for that matter – if one is not already in some sense committed to it. Talk about the essence of a religious or non-religious tradition is part of a political discourse of persuasion or dissuasion; it is not a neutral exercise of Reason.’ Talal Asad, ‘Muhammad Asad Between Religion and Politics’, Islam Interactive. {<http://www.islaminteractive.info/content/muhammad-asad-between-religion-and-politics#.T7omUh6JUTM.facebook>}. For an original collection of essays that works through the question of how the concept of Islamophobia ‘solves and creates problems for those who use it, why it is necessary, what alternative sensibilities it brings into relief, and what histories come embedded in the term and its usage’, see Andrew Shryock (ed.), *Islamophobia|Islamophilia: Beyond the Politics of Enemy and Friend* (Bloomington: Indiana University Press, 2010), p. 3.

has witnessed the progressive categorisation of Islam as the most ‘religious’ religion – that is, the religion most incompatible with the dictates of political liberalism’.³⁹ Islam is a special target of contemporary transnational efforts to restore and reform religion. Islamic fundamentalism, and not religion, is often posited as the problem to be solved by teaching tolerance. Hirschkind has argued that, ‘the enemy of Enlightenment is no longer “religion”, now understood as one of Europe’s greatest moral assets, but fundamentalism: namely, those traditions of religious practice that fail to accede to the universality of post-theistic Christianity and therefore sit uncomfortably with the liberal sensibilities of modern Europeans’.⁴⁰

The two faces of faith offer structure and simplicity for academics, officials, and practitioners. They provide signposts for decision-makers and academics grappling with the task of responding to religion by simplifying a complex series of religio-political landscapes into something that appears universal and comprehensible. The process of managing religion according to this template generates impressive amounts of work for governments, think tanks, foundations, foreign policy pundits, and religion experts. In the US foreign policy community experts on all things religious have produced an avalanche of scholarship, offering up for public and official consumption what Samuel Moyn aptly describes as ‘theoretical rationales for the policy shop that they sometimes directly serve’.⁴¹ The industry associated with restoring religion is changing the world. While the dynamics of regulating religion have animated local and state-level jurisdictions for some time – as long as there has been something defined as ‘religion’ to be overseen – a denationalisation, deterritorialisation, and reconfiguration of legal and political authority described by scholars such as Paul Berman and Saskia Sassen⁴² is bringing the transnational dynamics discussed in this article into much larger relief. These developments are worth tracking. Extending beyond the American academy, foundations, and military and foreign aid establishments, authoritative constructs of religion, religious toleration, and religious freedom are developing – and processes of discernment, enforcement, and administration occurring – in new venues, among new actors, and via new institutional channels. These authority structures operate on a global scale. The ‘two faces of faith’ narrative and the political work it accomplishes are features on a much broader landscape in which the transnational legal and political administration of religious affairs is not the exception but the rule.

Responding to the critique of secularism by opening spaces for religious voices, actors, and institutions in international public life initially appeared to solve certain problems posed by the unthinking exclusion of religious actors and institutions from public life. It also created new ones. In practice, the assumption that religion needs to be ‘brought back in’ has tended to privilege powerful institutionalised authorities,

³⁹ Salomon and Walton, ‘Religious criticism, secular criticism, and the “critical study of religion”’, p. 417.

⁴⁰ Charles Hirschkind, ‘Religious Difference and Democratic Pluralism: Some Recent Debates and Frameworks’, *Temenos*, 44:1 (2008), p. 72. ‘The incorporation of what had been modernity’s other – religion – into its very fabric does not decenter the conceptual edifice of European modernity in any way that might allow a reconsideration of Europe’s religious minorities, but on the contrary redoubles it, deepening the fundamental otherness of those who cannot inhabit its Christian genealogy.’

⁴¹ Moyn uses this phrase in a review of Ikenberry’s *Liberal Leviathan* in which Moyn argues that Ikenberry and other liberal internationalists provide ‘theoretical rationales for the American policy shop that they sometimes directly serve’. Moyn, ‘Soft Sells: On Liberal Internationalism’, *The Nation* (3 October 2011).

⁴² Paul Schiff Berman, *Global Legal Pluralism: A Jurisprudence of Law Beyond Borders* (Cambridge: Cambridge University Press, 2012); Saskia Sassen, *Territory, Authority, Rights: From Medieval to Global Assemblages* (Princeton: Princeton University Press, 2006).

both secular and religious, at the expense of dissenters and those on the margins. The hierarchical, institutionalised forms of religion defended by religious freedom advocates, for example, have the potential to harden and reify discrete religious identities and communities, sanctify established authorities, and put pressure on (or close down) spaces in which non-established, unorthodox, and emergent ways of being religious (or not) have room to flourish. By politically empowering those formally authorised to speak in the name of religious believers, and positing hard lines dividing one group of 'believers' from the next, the advocacy of religious freedom has the potential to bolster established authorities at the expense of dissenters within communities and those for whom questions of religious identification are less black and white. As the epigraph to this article suggests, religion is often the product of a creative symbiosis of insiders and outsiders, populated by individuals who cannot be placed into the rigid categories of believer and unbeliever. If the attempt to restore religion to IR has led to a selective valuation and public empowerment of particular religious authorities in international public life, is it possible to imagine an alternative that would pay heed to a more ambivalent and complex understanding of religion? Is there a way to study religion and IR that avoids both the exclusionary impulses of certain strains of secularism *and* the exclusivist privileging of religious authorities selected to publically represent 'religion'?

By starting from a place where religion is allegedly absent (and thus in need for restoration), the restorative narrative relies on an oppositional 'secular versus religious' landscape that arguably never existed in the world. What if religion never left, but has assumed different forms and occupied different spaces under modern regimes of governance? As Jean Comaroff argues, "despite its protestations to the contrary, modernity never was truly disenchanting . . . religion proper has not actually been absent from the public life of most modern nation-states, although its precise place within them may have varied".⁴³ What if, moreover, most actual religious lives are 'eclectic, adaptive, and acculturating', mixing not only with other religious traditions but also with practices from the broader cultures that surround them?⁴⁴ Modernity, in these accounts, is 'characterized not primarily by the dismissal or displacement of religion, but by the persistence, transformation, and sometimes fragmentation and dispersal of religion under what still might be termed "secularizing" dynamics'.⁴⁵ In this view, which I share, religion is not outside of power. It is often wielded most powerfully in complex formations by those *in* power, including states,

⁴³ Jean Comaroff, 'The Politics of Conviction: Faith on the Neo-liberal Frontier', in Bruce Kapferer, Kari Tell, and Annelin Eriksen (eds), *Contemporary Religiosities: Emergent Socialities and the Post-Nation-State* (New York: Berghahn Books, 2010), p. 19. Drawing on the work of Bruno Latour, Jane Bennett elaborates on this point: 'Thus it is that modernity, an inconsistent and paradoxical combination of claims about nature and culture, passes itself off as the clean, enlightened alternative to a messy, primitivistic cosmology that confuses the natural with the cultural, mixes the animal with the human, mistakes the inanimate for the animate, and contaminates the moral with the prudential. Latour reminds us that modernity too is a kind of cosmology, even though its sense of itself as a radically new event and its recurrent suppression of this or that side of its own vision prevent it from acknowledging this fact . . . To acknowledge modern hybridizing would call into question modernity's standing as the progressive triumph over an enchanted world.' Bennett, *The Enchantment of Modern Life: Attachments, Crossings, and Ethics* (Princeton: Princeton University Press, 2001), pp. 97–8.

⁴⁴ Sullivan argues that religion lived and interpreted in this fashion 'seems to neither need particular accommodation nor careful separation'. Winnifred Fallers Sullivan, 'Varieties of Legal Secularism', in *Comparative Secularisms in a Global Age*, p. 118.

⁴⁵ Winnifred Fallers Sullivan, Robert A. Yelle, and Mateo Taussig-Rubbo, 'Introduction', in Sullivan, Yelle and Taussig-Rubbo (eds), *After Secular Law* (Stanford: Stanford University Press, 2011), p. 12.

market forces, and other global institutions. Rather than ask, ‘what is religion and how can it be brought in to help solve global problems?’ the question becomes, what is accomplished in and through discourses of religion? What forms of authority are mobilised through particular discourses of religious toleration or religious freedom? What are their effects on the organisation of social and political life in different contexts? Defining religion is never merely an academic exercise. As Asad argues, it helps to organise social life and the possibilities of personal experience:

Defining religion . . . is not merely an abstract intellectual exercise; it is not just what modern scholars do. The act of defining religion is connected with anxieties and comforts, it responds to different problems and interests, connects with institutional disciplines and emotional attachments. In the past, colonial administrations used definitions of religion to control and regulate the practices of subjects. Today, the secular state is required to pronounce on the legal status of such definitions and thus to spell out immunities and obligations. Legal definitions of religion are not mere academic exercises: they have profound implications for the organization of social life and the possibilities of personal experience.⁴⁶

Today religion is overseen legally and administratively through formations of secular power that operate transnationally. Religious diversity is constructed and managed through transnational legal, administrative, and political practice. The law, whether American law operating extraterritorially, international human rights law, or the law of the European Union, contributes to the oversight of religious affairs in jurisdictions around the world. Neither the old logic of separation nor the new logic of restoration is able to capture these dynamics.

International politics after secularism

In an exchange between Bryan Hehir of the Kennedy School, and John Ruggie, then UN Special Representative of the Secretary General for Business and Human Rights, Hehir asked: ‘Where is religion at the UN?’ To which Ruggie replied: ‘There is none.’⁴⁷

Ruggie has a point. International human rights law as embodied in the major treaties and enforced by the UN bureaucratic apparatus formally recognises no religion. But that is not where the story ends. To enforce a right to *religious* freedom, as UN bureaucrats are required to do under international law, the Office of the High Commissioner for Human Rights (OHCHR) and other administrative agencies make determinations about what constitutes religion and religious freedom, who qualifies as a religious subject or association, and who has violated relevant international norms and standards. The avalanche of position papers, urgent appeals, and letters of allegation issued by the Office of the Special Rapporteur for Religion or Belief and other international bodies do not unilaterally determine outcomes on the ground. Yet these administrative practices, procedures, and policy recommendations, repeated over the course of decades, serve as points of reference and even as constitutional templates in legal debates involving the state management of religious affairs. These templates become woven into domestic fields of state and local religious regulation,

⁴⁶ Talal Asad, ‘Response to Gil Anidjar’, *interventions*, 11:3 (2009), p. 398.

⁴⁷ Personal conversation with Bryan Hehir, Brooklyn, New York (27 February 2009). The exchange between Hehir and Ruggie took place about a year earlier.

impacting individual and associational lives.⁴⁸ New forms of authority are enacted in the process.

To see these dynamics it is helpful to repurpose an argument made by Hussein Agrama. Writing on secularism, Agrama argues that, 'what best characterizes secularism is not a separation between religion and politics, but an ongoing, deepening, entanglement in the question of religion and politics, for the purpose of identifying and securing fundamental liberal rights and freedoms'.⁴⁹ As international regulatory regimes become more entrenched, as the authority they wield becomes naturalised,⁵⁰ transnational actors and institutions wield increasing margins of authority to shape religious and political lives, and how the line between them is drawn. In other words, to secure liberal rights and freedoms involves a series of ongoing, deepening entanglements in the question of religion and politics by secular authorities. These entanglements are now global in scale. Rather than take secularism to be a neutral or natural space for politics that emerges once religion has been privatised, displaced, or diminished, it takes shape here as a contingent series of legal and political claims and projects that are deeply implicated in the definition and management of religion, religious freedom, toleration, diversity, and so on. Secularism is not the absence of religion, but enacts a particular kind of presence. It appropriates religion: defining, shaping, and even transforming it.⁵¹ A good argument has been made recently for discarding secularism as an organising rubric altogether and focusing instead on varieties of religious establishment, understood as the mechanisms and practices through which certain forms of religious expression are privileged and others marginalised by the state.⁵²

Public international authorities enact forms of secular authority – or varieties of religious establishment – through different channels. One is the identification of a problem or conflict *as* religious, bringing it under the jurisdiction of relevant international legal norms, authorities, and conventions. Another is weighing in on the justifiable limits that states may enact in the name of 'public order' while still maintaining compliance with international norms and legal standards. A third is identifying alleged violations of international standards as *religious* violations and recommending particular legislative, judicial or administrative remedies. These interventions realise their effects gradually through everyday legal and administrative activities – like drops of water dripping constantly on a stone.

⁴⁸ Julian Rivers estimates that roughly a third of the violations picked up by the Special Rapporteurs 'involve the status and regulation of religious associations, and problems in this field have affected about half of the States referred to in the reports, or about a third of the Member States of the UN'. Julian Rivers, *The Law of Organized Religions: Between Establishment and Secularism* (Oxford: Oxford University Press, 2010), p. 44.

⁴⁹ Hussein Ali Agrama, 'Secularism, Sovereignty, Indeterminacy: Is Egypt a Secular or a Religious State?', *Comparative Studies in Society and History*, 52:3 (2010): pp. 495–523.

⁵⁰ For evidence that this is occurring see Thomas G. Weiss and Ramesh Thakur, *Global Governance and the UN: An Unfinished Journey* (Indiana University Press, 2010).

⁵¹ Dressler and Mandair describe three trajectories in the critique of secularity: the socio-political philosophy of liberal secularism exemplified by Charles Taylor (and to some extent shared by thinkers such as John Rawls and Jürgen Habermas); the 'postmodernist' critiques of ontotheological metaphysics by radical theologians and continental philosophers that have helped to revive the discourse of 'political theology'; and, following the work of Michel Foucault and Edward Said, the various forms of discourse analysis focusing on genealogies of power identified with the work of Talal Asad. Dressler and Mandair 'Introduction', p. 4.

⁵² See Lori Beaman and Winnifred Fallers Sullivan (eds), *Varieties of Religious Establishment* (London: Ashgate, forthcoming).

An example is a campaign in Egypt by the UN Special Rapporteur on Freedom of Religion or Belief, working alongside local civil society and human rights groups, which contributed to a 2009 decision by the Egyptian Supreme Administrative Court to amend the Egyptian state regime for governing religious identity through the national identity card system. As a result of this ruling Baha'i and other Egyptian citizens who do not identify with one of the three state-recognised 'heavenly religions' were able to legally obtain national identity documents without (mis)representing their religious affiliation. Similarly, in contemporary Sri Lanka legal debates involving state regulation of religious conversion unfold in a broader context in which international human rights norms, as well as foreign religious and secular actors, play an important structuring role.⁵³ In the Philippines, legal reform initiatives sponsored by local civil society groups in the Autonomous Region in Muslim Mindanao (the ARMM) have relied on the normative force of Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). In this case local reformers mobilised CEDAW in an attempt to improve women's access to justice through revision of the Code of Muslim Personal Laws.⁵⁴

The force of these interventions and their complex and constitutive interactions with local fields of religious practice and religious governance suggests a different response to Ruggie's question, 'where is religion at the UN?' It is not that Ruggie was mistaken, and that there *is* religion at the UN and other sites of international authority that has slipped under the radar due to secularist bias. That is the standard response after the critique of secularism, often accompanied by an admonishment to pay closer attention to established religious authorities. If this restorative impulse leads to a political reevaluation of established authorities at the expense of dissenters and doubters, as I have argued, then a different set of questions needs to be posed about religion and international power. How is the legal administration of religious affairs undertaken by the UN? Who defines and oversees religious diversity in global and transnational spaces, treaties, and contexts? What are the administrative mechanisms and processes through which this is this accomplished? Who determines what stands as legitimate or true religion, which forms of religion can appear in public, who speaks with religious authority, and which religious actors receive public attention and funding?

These questions point us toward what Jakob deRoover describes as the quandary of secular law: the moment when law is faced with deciding which practices are religious and which are secular. The problem and the paradox is that, 'to require of secular law that it verify the religiosity of practices is to condemn it to giving up its own secularity'.⁵⁵ In short, there is no such thing as legal neutrality *vis-à-vis* religion:

⁵³ Benjamin Schonthal, 'Ruling Religion: Buddhism, Politics, and Law in Sri Lanka', University of Chicago (unpublished dissertation, 2012).

⁵⁴ Isabelita Solamo, 'The Sharia Courts and the Philippine Code of Muslim Personal Laws', Paper presented at the Annual Meeting of the Law and Society Association, Honolulu, Hawaii, (5 June 2012). Solamo is Executive Director of the PILIPINA Legal Resource Center that took the lead in these legal reform initiatives. The ARMM, which assumed its current legal form and current name in 1990, has been the traditional homeland of Muslim Filipinos since the fourteenth or fifteenth century, before Spanish colonisation of the Philippines began in 1565. Each of these examples is discussed in more detail in other parts of this project.

⁵⁵ Jakob deRoover, 'Secular Law and the Realm of False Religion', in *After Secular Law*, Winnifred Fallers Sullivan, Robert Yelle, and Mateo Taussig-Rubbo (eds) (Stanford: Stanford University Press, 2011), p. 45.

When courts determine that some practices are not religious and, hence, do not fall under the scope of religious freedom, or do not deserve state funding or tax exemption, the failure to be religiously neutral seems inevitable. No court possesses an impartial scientific conception of religion; *there are no shared secular criteria that enable one to identify and delimit the sphere of religion in a manner neutral to all religions*. Consequently, in such cases, judges and other secular authorities are bound to smuggle in one particular theological conception of religion.⁵⁶

Giving up on law's secularity makes it easier to see how contemporary religious lives, bodies, places, and practices are shaped and transformed through cross-border legal and administrative interventions by states and other public transnational actors. As Sullivan, Taussig-Rubbo and Yelle suggest, 'transnational political and legal institutions, both governmental and non-governmental, have begun to enforce regional and international legal regimes that impact religion'.⁵⁷ States such as the United States and Turkey undertake ambitious projects to reform religious landscapes beyond their territorial jurisdictions. Supra-national tribunals such as the European Court of Human Rights (ECtHR) project regulatory authority across state boundaries. International human rights activists like Amnesty International and Human Rights Watch shape domestic legislative and administrative practice in jurisdictions around the world.⁵⁸ Religious actors respond, resist and adapt to these efforts. These entanglements are creating new political and religious realities.

To see these developments requires contextualising state and local practice in the broader fields of advocacy, activity, and control in which they are embedded. As Sassen argues, globalisation 'is not simply growing interdependence – its typical definition – but the actual production of spatial and temporal frames that *simultaneously* inhabit national structures and are distinct from national spatial and temporal frames as these have been historically constructed'.⁵⁹ It is well established that states inhabit national structures to shape religious fields domestically.⁶⁰ As Evans and Petkoff observe, 'in many states, rightly or wrongly, religious difference is seen as a threat to public order and the law is used to differentiate between those forms of religion which are politically welcome and those which are not'.⁶¹ The French Stasi Commission, an investigative body created by the National Assembly in 2003 to debate the principle of *laïcité*, stated that, 'the secular state ... cannot be content

⁵⁶ deRoover, 'Secular Law', p. 43, emphasis added, citing Steven D. Smith, *The Disenchantment of Secular Discourse* (Cambridge: Harvard University Press, 2010), pp. 26–38 on the concept of smuggling presuppositions into secular discourse. Sullivan, Yelle and Taussig-Rubbo argue similarly that, 'the bare question of what constitutes religion' in the secular state necessarily involves the law in a process of theologizing, demonstrating the "impossibility of religious freedom" and of a complete separation between law and religion'. 'Introduction', p. 6.

⁵⁷ Sullivan, Yelle, and Taussig-Rubbo, 'Introduction', p. 8.

⁵⁸ Evans acknowledges 'the power of human rights approaches – when properly mediated through domestic, regional and international political processes – to influence the application of domestic law and administrative practice'. Malcolm D. Evans, 'Advancing Freedom of Religion or Belief: Agendas for Change', Lambeth Inter Faith Lecture, Lambeth Palace (8 June 2011).

⁵⁹ Sassen, *Territory, Authority, Rights*, p. 23.

⁶⁰ For an example focusing on the Algerian state management of religion with attention to the regulation of conversion to Christianity, see Nadia Marzouki, 'Conversion as Statelessness: A Study of Contemporary Algerian Conversions to Evangelical Christianity', *Middle East Law and Governance*, 4 (2012), pp. 69–105.

⁶¹ Malcolm Evans and Peter Petkoff, 'A Separation of Convenience? The Concept of Neutrality in the Jurisprudence of the European Court of Human Rights', *Religion, State and Society*, 36:3 (September 2008), p. 212.

with withdrawing from all religious and spiritual matters'.⁶² The Thai state sponsors Buddhist missionaries (*dhammaduta*) that are active in border areas among the country's tribal populations. According to the National Buddhism Bureau there are 5,609 appointed *dhammaduta* working nationwide.

Yet the transnational angle is less well understood. Returning to Sassen's argument, what happens to regulatory practices at 'water's edge'? In what ways are these activities also distinct from national spatial and temporal frames as historically constructed? In the case of Thailand, in addition to sponsoring Buddhist missionaries at home the government has also appointed 1,857 *dhammaduta* for international travel, and there are 1,380 *dhammaduta* working overseas in thirty countries.⁶³ Other states are also active in religious fields beyond their borders, impacting the politics of religious diversity in contexts around the world. Religion is overseen not only through the law, including international human rights law, but also through political and administrative policies and procedures. While some of these activities are conventionally classified as religious (that is, chaplaincies), others are not (such as foreign assistance, stabilisation and nation-building). These distinctions are not natural but are constructed through practice. According to Courtney Bender, 'what we observe and experience as "natural" distinctions between religions, and religion and secular interests, are in fact not natural but conjoined to specific secular projects, shaped by history, developing in time'.⁶⁴

These secular projects are now global in scope. Legal and administrative practices serve as vectors through which states, international courts, international organisations, and other transnational actors shape and interact with religious (and secular) bodies, places, and practices. They work in tandem with, and at other times in tension with, other projects sponsored by other transnational actors and authorities. Together they enact what Ilana Feldman describes as the 'work of rule'⁶⁵ of governing religion. These activities unfold on a daily basis at the United Nations, the European Court of Human Rights, the US and other state foreign policy establishments, the EU, and international advocacy organisations.

Their scale and reach is impressive. In April 2012 the United States and Afghanistan signed a strategic partnership agreement pledging American support for Afghanistan for ten years after the withdrawal of combat troops in 2014, effectively keeping American troops in Afghanistan until 2024. The agreement covers social and economic development, institution building, regional cooperation, and security. It is also likely to involve building *madrassas*, fixing up cultural centres and charging chaplains with establishing relationships with local religious leaders. According to CSIS, 'research conducted to date indicates that the US government's approach to religion in conflict-prone settings has in fact improved in recent years. Parts of the intelligence

⁶² Cited in Talal Asad, 'Trying to Understand French Secularism', in Hent de Vries and Lawrence E. Sullivan (eds), *Political Theologies: Public Religions in a Post-Secular World* (New York: Fordham University Press, 2006), p. 524, fn. 80. The Stasi Commission, named for the former government minister and deputy who chaired it, issued a report entitled *Laïcité et République: Rapport de la commission de réflexion sur l'application du principe de laïcité dans la République remis au Président de la République le 11 décembre 2003* (Paris: La Documentation Française, 2004).

⁶³ US Department of State, International Religion Freedom Report 2010, Thailand (17 November 2010), {<http://www.state.gov/g/drl/rls/irf/2010/148897.htm>}.

⁶⁴ Bender, 'Pluralism and Secularism'. This also means that there is no such thing as authentic religion or authentic secularism, as suggested in the epigraph.

⁶⁵ Ilana Feldman, *Governing Gaza: Bureaucracy, Authority, and the Work of Rule 1917–1967* (Durham, NC: Duke University Press, 2008).

community address religion as a transnational concern; the military services are increasingly developing doctrine and training on approaching religious leaders and communities in stability operations; USAID works with faith-based organizations and incorporates religious sensitivities into some development programming; and State Department officials promote international religious freedom and are focused on improving relations with the Muslim world.⁶⁶ It is not only the American government that is involved in these activities. Gutkowski and Wilkes describe a meeting in London at the Foreign and Commonwealth Office, prompted by the Muslim chaplain for the British Army, in which senior clerics from the Helmand *ulema* urged chief of the General Staff David Richards to deploy British imams to Afghanistan ‘in a “hearts and minds” role to highlight the importance of Islam in British society, to counter Taliban claims that British Muslims are oppressed and to explain Islam to British soldiers’.⁶⁷

This is a world in which the notion of separation ‘breaks down as a useful structuring description of the relationship between law and religion’.⁶⁸ To grasp these developments requires moving beyond the confines of legal debates over the First Amendment and political debates over the meaning of secularity.⁶⁹ It requires understanding how particular forms of knowledge about religion authorise specific legal, political, and administrative interventions in religious and political landscapes around the world.

An example is the promotion of religious freedom.⁷⁰ Contemporary international religious freedom advocacy does not merely enforce a universal norm, as is often suggested, but helps to create individual subjects and ‘faith communities’ for whom *choosing* and *believing* in religion are seen as the defining characteristics of what it is to be a modern religious subject, and the right to choose to believe (or not) as the essence of what it means to be free. To achieve this unity in freedom of belief, belief in belief, as it were, across communities of belief (and non-belief), is for many contemporary advocates what it means to have achieved religious freedom.⁷¹ Responding to concerns about both the political and religious implications of this top-down model of religious freedom requires an alternative understanding of religious freedom, explored in my current work that draws on a notion of freedom as articulated by Foucault. In this image, Connolly explains, freedom is ‘not reducible to the freedom of subjects; it is at least partly the release of that which does not fit into the molds of

⁶⁶ CSIS, ‘Mixed Blessings: U.S. Government Engagement with Religion in Conflict-Prone Settings’, p. 2.

⁶⁷ Stacey Gutkowski and George Wilkes, ‘Changing Chaplaincy: a Contribution to Debate over the Roles of US and British Military Chaplains in Afghanistan’, *Religion, State and Society*, 30:1 (2011), p. 113.

⁶⁸ Sullivan, Yelle, and Taussig-Rubbo, ‘Introduction’, p. 13. Sullivan argues that in the US ‘the descriptive divisions between the church and the state, and between persons “of faith” and persons not “of faith”, on which separation law depends, no longer makes sense. Such divisions can only be made on a doctrinal basis by established religious or legal authorities who define insiders and outsiders. Such authorities no longer exist in the United States.’ Winnifred Fallers Sullivan, ‘We are all religious now. Again’, *Social Research*, 7:4 (2009), p. 1193.

⁶⁹ This is not to suggest that these debates are irrelevant. The critique of secularism is a necessary step in the process of decentring the secular-religious opposition, creating spaces in which new possibilities for theory and practice such as those explored in this Special Issue can emerge. See Hurd, *The Politics of Secularism in International Relations* (Princeton: Princeton University Press, 2008); and Gorski, Torpey, Kim, and VanAntwerpen (eds), *The Post-Secular in Question*. On the historical emergence of the category of religion see Tomoko Masuzawa, *The Invention of World Religions* (Chicago: University of Chicago Press, 2005).

⁷⁰ See <http://iiss.berkeley.edu/politics-of-religious-freedom/>.

⁷¹ E. S. Hurd, ‘Believing in religious freedom’, *The Immanent Frame* (1 March 2012).

subjectivity and normalization'. This leads to a 'conception of rights attached not to the self as subject, but especially to that which is defined by the normalized subject as otherness, as deviating from or falling below or failing to live up to the standards of subjectivity'.⁷² In this conceptualisation religious freedom emerges as a site of resistance or insurrection against powerful institutionalised authorities both religious and secular, rather than as a form of religious and political discipline. This alternative ethos of religious freedom also corresponds with Clark Gilpin's notion of 'areligious secularism', which Sullivan describes as 'a still emerging post-Christian space that honors religion as a human universal and in which religious pluralism can be creatively renegotiated in the many contemporary sites of cultural exchange; a dis-establishment that implies multiplicity and heterogeneity rather than homogeneity or absence', thus rejecting 'both enlightenment epistemologies and the dogmatic constraint of religious authorities'.⁷³

Conclusion

This article calls neither for the resecularisation of public international institutions nor the restoration of (tolerant) religion to its proper place in international public life. I am sceptical of attempts to identify the religious and pinpoint its untapped potential or unacknowledged dangers for politics. I have my doubts about the centralised forms of politics and hierarchical forms of religion authorised by the strategic operationalisation of religion. I am unconvinced that democratic practice is compatible with the revaluation of established, institutionalised religious authorities that appear to be the main beneficiaries of the restoration of religion to international public life.

Other responses to the critique of secularism are available. This article has proposed an exploration of the processes through which religious affairs are overseen, administered, and transformed through various formations of secular power at the international level. As Agrama observes, 'the active principle of secular power has always been the abstract state's authority to define what counts as properly religious and its scope in society. It is the authority of the state to control the place and power of religion.'⁷⁴ Today not only states but other transnational authorities exercise this active principle of secular power. To see these dynamics involves the study of religion under bureaucracy. It requires delving 'deep into the mechanisms and processes of governance'⁷⁵ to understand how transnational actors attempt to domesticate religious authority in specific contexts. It involves tracking the cross-border activities, pronouncements and projects of states, international governmental organisations, supra-national courts, and international advocacy groups involved in the transnational administration of religion. As Sullivan puts it, 'the question now for law is

⁷² William E. Connolly, 'Taylor, Foucault, and Otherness', *Political Theory*, 13 (1985), p. 371.

⁷³ Winnifred Fallers Sullivan, 'Varieties of Legal Secularism', in *Comparative Secularisms in a Global Age*, pp. 110, 118, citing W. Clark Gilpin, 'Secularism: Religious, Irreligious, and Areligious', *The Religion and Culture Web Forum* (March 2007).

⁷⁴ Hussein Agrama, 'Asking the Right Questions: Two Engagements with Islam and Modernity', *Political Theory*, 34:5 (October 2006), p. 655.

⁷⁵ Andrew Shryock, 'Editorial Foreword', *Comparative Studies in Society and History*, 52:3 (July 2010), p. 692.

not how to do separation better but rather how religion is being regulated now that we have given up on separation?⁷⁶

Political authority over religious affairs in the contemporary international system is fractured, partial, spatially dispersed, and geographically layered. Transnational authorities weigh on decisions involving what is religious, minoritarian, unorthodox, or a violation of public order. International tribunals, human rights activists, State Department bureaucrats, and Eurocrats in Brussels all engage in these activities. The actions of the UN Special Rapporteur for Freedom of Religion or Belief, the pronouncements of international tribunals that help to define what it means to be religiously free or unfree, and the foreign policies of powerful states and supra-national coalitions impact religious affairs in jurisdictions around the world. Their actions and decisions help to define the terms of religious conflict and coexistence. They impact lived experiences of religion and shape local negotiations of religious difference. Religious and political lives are transformed in the process.

⁷⁶ Winnifred Fallers Sullivan, 'After Secularism: Governing through Spiritual Care', presented at the *Center for Law and Public Affairs*, Princeton University (7 March 2011).