Religious Toleration and Peace

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Religion, peace and toleration: Can we learn with history?

Final report with integrated conclusions about religion, peace and public dialogue

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Text in bold and 'boxes' contain the most important conclusions and help the reader to go through the text quickly and retain the essentials.

INTRODUCTION [1]

RETOPEA was designed to contribute to promoting religious peace and toleration, particularly among youth, in a time when religious radicalism, even terrorism, disrupted European secular societies (http://www.retopea.eu/s/start/page/home). It started from the premise that we may somehow 'learn from history': past experiences with establishing peace and toleration after a conflict deemed religious – and Europe's history offers plenty of examples – could offer a source for inspiration for the present. Certainly we did not expect that there would be easy 'lessons' to be drawn. Hence we prefer the term 'learning *with* history', a concept borrowed from pedagogics of history, and we rather speak of 'inspiration' rather than lessons, conclusions or recommendations.

The following report proposes an analysis of past and present initiatives to establish religious peace and toleration to identify and address the dynamics that foster toleration and peace towards different religious and spiritual traditions, as well as secular/non-religious worldviews. It is based on original primary source research on historical peace treaties introducing forms of toleration in Europe and, to some extent, also elsewhere, as well as the conclusions from an in-depth and very extensive review of secondary literature on religious peace-making, toleration, freedom, minorities and emancipation.

It further takes into account **an investigation of contemporary representations of religious coexistence and pluralism in a wide variety of media contexts today**. Moving away from deeply unsatisfying and inconsistent narratives about the decline of religion while confronted with an apparent omnipresence and 'visibility' of religion and spirituality in contemporary society, we were particularly interested in understanding on which information young (and older) people base their perceptions of religion and religious coexistence in past and present. Our concept of media contexts goes beyond media in the traditional sense and includes a wide diversity of spaces where especially young people are confronted with representations of religion and religious plurality, including school textbooks, museums, TV and social media, as well as political discourse, interconvictional associations and religious venues promoting tolerance. This analysis offers an alternative understanding of the role of religion in society, which is traditionally mainly analyzed though statistics of religious participation or of politics, focusing on the impact of religious actors on government and vice-versa. Our analysis revealed very different places where religion manifests itself and also very diverging ways to represent religion(s) in society (Altnurme, Arigita and Pasture 2022).

[1] Earlier versions of this report were discussed at different instances in 2022, during webinars and roundtables and benefitted from written comments from various experts as well – academics as well as leaders and activists involved in interconvictional dialogue. While not all their comments and observations could be included in this report and the responsibility of its content remains exclusively with the authors, we want to thank particularly Elena Arigita; Stefan Cvetanovski; Marjan de Groot; Vincent Depaigne; Bram De Ridder; Emina Frljak; Petar Gramatikov; Wilhelm Sabri Hoffmann; Zoran Ilievski; Henning Jürgens; Merve Kayikci; Aleksandar Krzalovski; Ina Lushka; Michal Matlak; Jürgen Mettepenningen; Eric Roux; Goran Sadikarijo; Marjan Nikolovski; Karimah K. Stauch; Dariusz Stola; Rizvan Sulejmani; Angelina Vladikova; Christophe Schellekens; Jovan Tegovski; Naum Trajanovski (who also contributed to the research for this report); Ann Trappers; Karel Van Nieuwenhuyse; Johan Vrints and John Wolffe.
Photo: *Synagoga and Ecclesia in our time*, sculpture by Joshua Koffman, 2015. Photograph taken by Calimeronte, Wikicommons.

It is useful though to point out that RETOPEA's primary objective was developing an educational methodology, applicable in formal or informal educational settings, to foster religious toleration among youth (age 12-18). In this respect we started from the assumption that history arguably may offer a relatively safe space for young people to discuss present problems and personal experiences.[2] RETOPEA's approach first of all implied inviting young people to reflect on historical and current examples of religious toleration and peace. In this respect our research on historical peace treaties and contemporary religious representations was primarily focused on identifying suitable 'clippings', i.e. source fragments with some contextualization. These clippings could then function as a starting point for a discussion and for making a short video about the subject, a 'docutube' in the style of a vlog. We have successfully developed and tested this methodology, and also made an accompanying Badged Open Course. We included some conclusions and observations from this research in this report as well.

While RETOPEA primarily aims at promoting religious and convictional toleration among the young, this report rather addresses policy makers, religious leaders and civil society actors who engage in interreligious and convictional dialogue. We do not aim at producing ready-made 'lessons from the past' – that for many reasons is an unattainable chimera – but, similar to what we aim at in our educational approach, **we propose 'thinking' and learning *with* history**. This basically means considering and focusing on the context of the events and developments in the past as a source of inspiration to reflect upon contemporary issues. We are convinced that this innovative approach produces insights and conclusions that are relevant for stimulating interconvictional dialogue, toleration and peace-making, even if it leaves more space for the readers to interpret the conclusions and to tailor them to one's own needs (which offers opportunities but also entails risks).

It needs to be noted though that the project did not aim at offering a comprehensive analysis of the history and contemporary praxis of religious and convictional coexistence. This limits the scope of the conclusions and recommendations that we are able of formulate, even if we do take a broader perspective here. The recommendations with regard to educational and cultural policy are formulated in separate documents which can be found on the RETOPEA website.

This report systematically refers to the main research conclusions to then formulate, in a next paragraph, more concrete recommendations. It contains three parts:

Part 1: formulates some **preliminary overall observations and conclusions** that emerged from the research and that are relevant to keep in mind when considering the more concrete observations and recommendations in the next section;

Part 2: analyzes issues of **religious and interconvictional coexistence** in past and present (mainly based on our research of historical peace making treaties and processes), addressed to policy makers and actors in interfaith and interconvictional dialogue. As this part is mainly based on history, which is likely to be largely unknown to the readers, it develops a more elaborated yet very focused historical analysis, with punctual references particularly with regard to potentially contentious issues (without any ambition of comprehensiveness), to clearly show on what our conclusions are based. **The text contains principles and good**

[2] It is more doubtful if that also applies for the 'adult' world where the past may be (but of course not necessarily is) more easily imagined in terms of quasi-eternal conflict and unhealed wounds which then can easily be mobilized for political purposes. But still, even then a critical historical perspective may offer ways out, in more ways than one.

practices based on a 'learning with history' approach rather than recommendations in the form of 'lessons from the past'. In that perspective we aim more at inspiring policy rather than suggest very practical 'solutions' to what always will remain complex issues and which would rather give a false sense of certainty because 'based on research'.

Part 3: contains an 'executive summary' and recommendations (though we caution against only reading these).

PART 1: PRELIMINARY OBSERVATIONS

1.1 Some definitions and concepts

1.1.2 Religion, a difficult concept

RETOPEA, as stated in the application and the Grant Agreement of the RETOPEA project (GA n° 770309), aims at promoting religious toleration and peace. **We usually refer to 'religions' to refer to the main, 'institutionalized' world religions and denominations but avoid strict definitions**, as religion is a very contested and multifaceted concept.

In this respect we remain attentive to how and why phenomena are labelled as religious: the concept is indeed not neutral, and in practice has implications that go beyond pure description (Hurd 2015). An identification as 'religious' can have both positive and negative effects – it may bring international attention and protection for example, including tax exemptions in case of religious institutions, but may also be problematic and result in discriminations, limitations and have unintended negative effects. It may for example politicize communities and reinforce divisions that motivate violence, hamper domestic integration, and homogenize diverse groups, as happened for example with Alevi's in Turkey (Hurd 2015, 86-108). **Attention to the uses of religion and possible unintended effects thus appears to be imperative**.

It is not trivial to emphasize that **what we call religion is the product of a particular European history**. Not only is our understanding of 'world religions' largely a reflection of concepts that are to a large extent derived from Christianity, but it is also the product of the need to understand other cultures in the context of imperial and colonial expansion: they were used to categorize people and 'civilizations' (Masuzawa 2005; Nongbri 2013; Dubuisson 1998). World religions were defined to the image of European/ western Christianity (esp. Protestantism), implying a clear emphasis on individual belief (hence also on doctrine and conversion), a certain concept of a 'church-like' hierarchy and rituals, and a strict distinction between the secular and the sacred; or the religious and the profane. This is still the case today, although academics argue that such definitions are not adequate to understand the complexities of the religious phenomenon in both a historical and a global comparative perspective: in many cultures community and ritual for example are more important. Individual belief is rarely so central as in Protestant Christianity, while the dialectic between the religious and the secular cannot be found in similar ways among other cultures – it is one of the reasons why 'exporting' the European model is very problematic. But as our research indicates as well, **the religious landscape has also changed in the West in ways that make the 'traditional' understanding of religion less relevant, and this has consequences for policies that aim at improving religious toleration and peaceful coexistence.** Belief is far less important in today's spiritualities for example, in which 'attitudes', emotions and values prevail – paradoxically, as Slavoj Žižek observed, while *believing in* [God, the supernatural] has declined, *belief* itself now appears to

be everywhere, as people 'believe' a wide diversity of ideas and opinions if not emotions (Žižek 2001, 122 and 146-50).[3]

Consequently **RETOPEA does not only focus on institutional religions, but includes also new religious movements (formerly known as 'cults') as well as non-institutionalized forms of religion or spirituality** such as New Spirituality (formerly known as New Age). Though we avoid the illusion of precise definitions, we call religions institutions with an established theology and rituals that refer to a supranatural, non-material reality, that can be either transcendent or immanent, and spirituality when such references are not integrated in an institutional frame, perhaps even are not consistent (though theologies and worldviews, especially when complex, arguably never really are) and the religious or spiritual meaning of which depends on perspective or is entirely subjective (like yoga or meditation). In this sense 'spiritualities of life' refer to subjective, inner-life 'experiences' (Heelas and Woodhead 2008; Heelas, 2008). We distinguish religions and spiritualities from 'parareligions' and diverse forms of non-religious worldviews, including freemasonry as well as political ideologies, as these do not refer to a form of transcendence or immanence, even if they often do show 'religoid' features, inter al. in the way they formulate their worldview and certain ritualistic behaviours (Benthall 2008). However, **we include atheism and non-religion in our analysis of toleration and coexistence** and fully engage with them, as they define themselves (or are defined by others) in relation to religion – and, in their western form, arguably also constitute an outcome of Christendom – and operate politically, culturally and socially in interaction with traditional religious institutions and religious and spiritual communities. Hence issues with regard to toleration and peaceful co-existence concern them as well: is atheism tolerated? Do atheists and non-remogious tolerate people with religious convictions and religious and spiritual practices? To which extent and under which conditions? **However, we rather use the terms 'interconvictional' and 'worldview' as encompassing concepts** (or in combination with religion and spirituality).

We also refer to **secularism**. This term, though often used, is arguably "the most confused and convoluted term in the entire global political lexicon" according to Jacques Berlinerblau (2022, iii) – arguably together with the term 'religion' (once called a 'semantic black whole' by philosopher Hent de Vries). We understand secularism not as some form of atheism or antireligion nor as a situation of separation of religion and state (a situation we sometimes call ***secularity***), but as what many authors describe as *political secularism*, as the (political) ideology advocating that "religion *ought to be* separate from all or some aspects of politics or public life (or both)" (italics ours) and that the state has "a raison d'être of its own and should not be subordinated to religious authority, religious purposes or religious reasons" (Fox 2015: 2; see also Berlinerblau, 2022; Modood and Sealy 2019: 6; Wohlrab-Sahr and Burchardt 2012), while religion is safely relegated to and 'encapsulated' in the private sphere where it can do no harm – a presumption that is also being questioned. But even so secularism stands in a dialectic relationship with religion through which it has a continuous formative impact on religions themselves, not only on the place allocated to religious institutions in society but on the very ontological understanding of religion itself (see esp. Asad 1993; 2003; Blankholm 2022a and 2022b).

While secularism in the sense of emphasizing the neutrality of the state and a formal separation between religious institutions and the state is often presented as a tool promoting toleration – in India it is sometimes even identified with toleration (Keysar 2017 : 40) – a more

[3] Or in the terms of Berkeley historian Ethan Sagan: "Secularization has not segregated belief from the world, it has instead opened the world to belief, liberating it from the demands Christianity placed upon it" (Shagan 2018, 293).

radical, political interpretation of secularism views it as a means of limiting the role of religion in the public sphere and subordinating religion to the interests and values of the state (Asad 2013). Speaking about the French *laïcité*, which is one expression of (political) secularism, the French philosopher Étienne Balibar distinguishes between a position that respects "the autonomy of civil society, to which belong the liberties of conscience and of expression", and a radical interpretation of secularism or *laïcité* as "an essential piece of the 'normative' primacy of public order over private activities and opinions" (Balibar 2018: 163). In this perspective, secularism risks becoming 'identitarian' and limiting the freedom of conscience and religion, excluding people who manifest their faith. It then has a lot in common with the positions of New Atheism, which basically considers religion incompatible with Western liberties and rationality (Lee 2015 : 136; Modood and Sealey 2019. See e.g. Harris 2004; Hitchens 2007). In that perspective, *secularization* as the decline of (the social impact of) religion is not only the 'inevitable' result of social processes but also the desired outcome of secularism.

As regards religions in the more narrow sense, **we also adopt a rather flexible approach that starts from 'lived religion' (the formal and informal religious practices of believers)** rather than from the format imagined by either clerics and theologians or political and legal experts who need a workable definition for governance purposes. **We also avoid normative approaches which distinguish 'good' and 'bad' religions or religious expressions, which are not helpful, least of all from an analytical point of view** (Hurd 2015).

Still today there is common expectation in the public opinion in Western Europe, even among some scholars, that religion in modern societies is disappearing, and that then also religious violence and conflict would dissipate. Neither is the case, however: both expectations belong to the mythology of modernity. Though it goes far beyond the task of RETOPEA to explain why, suffice it to observe that religion is widely present in societies, albeit that what is considered religious and the place it occupies has changed profoundly (Pasture and Schellekens 2022). Also the number of religious conflicts (or presented as such) shows no sign of decreasing, rather the opposite (Svensson 2021; Juergensmeyer 2017; Fox 2018).

It is a widespread idea that religions are inherently intolerant and prone to violence. As one scholar recently argued, summarizing the usual arguments in this respect,

> religious belief is a more potent source of conflict because of its exclusive nature. Coexistence with people practicing different faiths is morally offensive and a challenge to the faithful and has been the source of persecution, religious wars, crusades and jihads for centuries. It is intrinsically inconsistent with coexistence, secularism, and most strategies of reform (Ted Robert Gurr, quoted in Svensson 2021, 374).

But it is very doubtful if that is really the case and not actually a projection of the scholar's view on religion. There is indeed quite some evidence that the relationship is contingent upon context (as powerfully argued by Cavanaugh 2009; Appleby, 2000). Especially in pre-Colombian America and East Asia, religion seem to have hardly been the cause of conflict. Some have argued that it is not religion as such, but monotheisms and particularly the Hebrew religions are to blame for religious intolerance and violence as they claim a monopoly of truth (Assmann 2003), especially if they aim at proselytizing their view on truth in the world (so excluding traditional Judaism: Stroumsa 2017, 18). However, religious intolerance does occur in other religions too, while also European history offers evidence that **Jews, Muslims and Christians as well as Christians of different confession were 'able' to live together with religious 'others' peacefully** even if that was not always the case: if they do or not depends on a wide variety of factors, often having no relation whatsoever with religious belief – paraphrasing Abram de Swaan we may observe that religious systems are complex enough to give arguments for peace and toleration as well as for violence and war. They also have quite

divergent (and not always consistent) ideas about how to relate to truth, and that includes mono- as well as polytheisms (see esp. Armstrong 2014; Cavanaugh 2009; Cook 2014).

In this respect one may observe that **the characterization of a conflict as religious always was and remains a difficult issue**. Surely the invocation of religious motives does not suffice, as one can hardly know the inner considerations of the soul. Hence historian Wayne te Brake concludes that one can speak of a religious conflict if the actors in conflict identify themselves and their adversaries in terms of their "religious beliefs, practices, or affiliations" and mobilize "broader networks of support and solidarity rooted in *religious identities*" (Te Brake 2017, 5. Italics in original). But in practice it is not possible to completely discard motives, even if they may largely function as legitimations. In any case, religion rarely, if ever, is the only issue in such conflicts, and motivations and arguments may shift: the famous seventeenth century 'wars of religion' for example certainly started as religious wars (however defined), but became more and more a conflict over power, not only between worldly princes and the pope as supreme religious leader but also between the emperor and the princes in the Holly German Empire (Nexon 2009). The French Revolution, in contrast, is rarely viewed as a religious conflict, not by contemporaries nor by later historians, but religion did move centre stage during the conflict, especially invoked by opponents of the Revolution, making it, in the words of historian Gareth Stedman Jones, the "last in a series of reformations and religious wars" (Stedman Jones 2010: 178). The Yugoslav wars of the 1990s likewise mixed religious and secular (ethnic) language and arguments, making them difficult to categorize.

Furthermore, the **'religious' issues of conflicts are always complex**: they may refer to conquest (as with the crusades), defence of religious communities in other countries (e.g. by Christian states claiming to wish to protect Christians in the Ottoman Empire) or revenge (as in contemporary Islamist terrorism) or to impose one faith; they may also include demands for religious freedoms for one community, though not necessary for all, and sometimes explicitly excluding some. Furthermore, international peace processes may result in the formation of different states – as happened in the Balkans in the nineteenth century as well as again with recent ethno-religious conflicts in the Yugoslavian War. **It is accordingly not surprising to see that international peace treaties after violent conflicts usually deal with religious or convictional diversity *within* different states or regions, though granting religious freedom for all was rarely, if ever, the outcome** (Appleby 2000; Svensson 2021). The way states react to convictional diversity, however, clearly has a major impact on how people (can) live together. **States may regulate convictional diversity to keep internal peace and stability, but people of different religions or worldviews may still engage in violent interconvictional conflict or, in contrast, set up informal patterns of peaceful coexistence and tolerance that go beyond official regulations.**

The terms ***religious pluralism* or *religious diversity* refer both to the coexistence of different currents and cults *within* religions and to a variety of worldviews, religions or faiths**.[4] In a Western-European context – for reasons that are briefly outlined below – **religions are not treated equally**: both in Christendom and in Muslim societies such as Al-Andalus and the Ottoman Empire one religion had a privileged status.[5] In Medieval and Early Modern

[4] Occasionally scholars limit their use of the term religious diversity to diversity within one faith community. We do not follow that practice as it is not generally done, and the difference is not always as relevant.

[5] Throughout this text **we distinguish between Christendom and Christianity: Christianity refers to the religion, Christendom to a political reality or system where Christianity had a predominant impact on political and social life, most outspoken in the intertwinement of church and state**. In this respect the term Western Christianity must be distinguished from Eastern Christianity. Originally comprised of various Christian sects that existed in North Africa and Asia, since the Eastern schism of the eleventh century Eastern *Christianity* refers mainly to the

Christendom people who did not follow the established Church, were often excluded and persecuted, be it non-Christians or dissenters (followers of a different church or cult) (Fox 2020; Stepan 2011. For the historical discussion see Pasture and Schellekens 2022).

This exclusivism, incidentally, is not necessarily universal: in most Amerindian, African and (East) Asian societies religious and spiritual diversity was not an issue. In ancient Chinese civilization, particularly during the early Tang, Song, and Yuan dynasties, different religions could expand and believers had access to what we call today civil and to some extent political 'rights' (although still dependent on imperial approval for foreigners). To be sure sometimes religious communities were effectively persecuted as well, especially when they turned into political protest movements. In general in South and East Asia, though, religions were inclusive, and did not know strict boundaries. **Still, it may surprise many that contemporary 'secular' European societies reflect this particular European history of Christendom and appear less tolerant with respect to other religions than many other societies**.[6]

1.2.2 Religious toleration/ tolerance and peace

The concepts of toleration and tolerance as we know them, emerged in this exclusivist Christian context to regulate the relationship with the other. Regarding religious (or convictional) toleration and peace, three dimensions can be distinguished, though they should not be interpreted too narrowly: in reality they often overlap:[7]

1. Religious or convictional toleration and peace in **inter-state interactions**;
2. Religious or convictional toleration and peace **within the states' or authorities'** engagements with their subjects or citizens (or 'vertical' toleration);
3. Religious or convictional toleration and peace in **inter-personal relationships** (or 'horizontal' toleration, also referred to as '**tolerance**', and considered from the perspective of social cohesion).

Religious toleration and peace-making happens before, during and after conflicts in which religion plays a significant role. The term peace-making is an ambiguous term which in general implies ending hostilities and violence essentially by peaceful means. These means also have a history of course, some of which are discussed below .

The term conflict is more open than war: the latter term suggests conflicts between states and the use of organized political violence, but our definition of states reflects a specific European history and basically dates from the late eighteenth - early nineteenth century: especially in the Middle Ages, but in fact until the nineteenth century (so well beyond the Peace of Westphalia often associated with the modern European state system), states were not centralized authorities with well-described sovereignty, powers and borders. The Medieval and Early Modern European 'wars of religion' for example were not only wars between 'states', but also internal conflicts between 'principalities' of all sorts within empires. In the past as in contemporary times, actors that employ political violence in the name of religion were not necessarily states – transnational terrorist groups, for example, existed well before Al-Qaeda.

Orthodox Church. Eastern *Christendom* rather refers to the system of the Orthodox Church and the Byzantine Empire, which in the Middle Ages comprised large parts of South-eastern Europe, where the emperor ruled over the empire as well as the Church (though this qualification also needs qualification and depended on time and context).

[6] This does not mean that religious discrimination and persecution never happened. Pasture 2019 offers an overview of Asian history. See also Cook 2014.

[7] The literature on religious peace, freedom and toleration usually only distinguishes between the relationship between state and religion (or 'vertical toleration') and between individuals and communities (or 'horizontal toleration', or also 'tolerance' as a set of attitudes). See e.g. Forst 2011.

Hence also peace-making is a quite complex and context-dependent process, involving a multitude of actors, secular and religious.

Peace, it is often said, means more than absence of war, but requires reconciliation and/or justice; in the case of religious peace it puts an end to a religious war or conflict, as defined above – with all the ambivalences that we mentioned. However, as Wayne te Brake (2017, 7-8) argues, such high and stringent demands for peace may set an overly high standard. Immanuel Kant in his famous 'Philosophical Sketch' on the subject of *Perpetual Peace* actually argued that this was an almost ephemeral dream as the natural state of affairs between states was war, hence enormous effort was needed to achieve peace. Hence the **absence of religious hostilities and destruction on the one hand, and some sort of peaceful religious coexistence, of some sort of toleration, on the other hand may suffice to speak of peace**(Te Brake 2017, 7-8). This certainly should not prevent from striving towards a 'positive peace', with the "acceptance of the rights of the other" as an inevitable content of everyday life (IEP 2020).

Toleration and tolerance are usually conceived in relational terms: they are understood with regard to communities or individuals being different. It may appear self-evident that the concept of (religious) **toleration implies a situation that is perceived as diverse, and that this diversity is considered problematic**. This idea, however, that religious diversity is problematic, is not evident at all either, and already suggestive: as mentioned, (most) premodern (or pre-colonial) African, East- and South Asian cultures for example did not know clear boundaries between religious or spiritual communities and considered religious pluralism not an issue; hence there was less need or opportunity for explicit narratives of toleration.[8] The European case, however, is different. Arguably that is why explicit and elaborated theories about toleration developed in Europe in the first place. However, religious freedom (not entirely the same as toleration, though the argumentation is largely similar) was arguably first developed in Classical Antiquity by Christians (the apostle Paul, Tertullian, Lactantius, …) to claim the right to believe and practice their religion *in their own way* (Marcos 2018; Stroumsa 2007; 2011; 2017; Wilken 2019; see also different chapters in Shah 2016)– in this context it may be useful though to remind the pre-Christian Roman Empire allowed and endorsed all kinds of religions and spiritualities upon condition of respect of the emperor, what Jews and especially Christians refused. And when the latter were in power, they did not guarantee these rights of religious freedom to others.

In the following we concentrate on what the German philosopher and political theorist Rainer Forst calls **'vertical toleration'**, the position of religious communities with regard to public authorities (the state, but also local authorities), as they establishe the space for other forms of tolerance. **The historical approach that we follow allows not only to historicize the concept of toleration, but also to demonstrate how multi-layered the concept actually is, and to remind of dimensions that a presentist normative analysis ignores.**

Forst states that **toleration is a response to conflicts "that cannot be resolved but can only be 'diffused' by adopting a tolerant attitude** (…)" (Forst 2018, 449). But of course this implies that there is a norm from which one deviates, and one who 'grants' toleration. The eighteenth century English-American political thinker and activist Thomas Paine therefore famously observed that "toleration is not the opposite of intoleration, but is the counterfeit of it. Both are despotisms" (Paine 1791, 78). Put in this way, it is obvious that toleration maintains attitudes

[8] For an interesting assessment see Chaudhuri 1990. In RETOPEA we analysed one example illustrating the transition of a religious conflict to a model in which differences are acknowledged to some extent but viewed positively, so transcending toleration as in the western tradition, the Edicts of South Asian Emperor Ashoka in the third century BCE (see D 2.3. A series of reports on historical peace treaties and agreements, p. 7-11; Bhargava 2014).

of rejection, although one could also reserve the latter term for what is *not* tolerated (Van Waarden 2017, 3; Barry 2000, 127-144).

In this respect contemporary scholars distinguish between intolerance and 'what cannot be tolerated'. There is indeed a wide consensus that acts that are directly harmful to others – e.g. terrorism, crimes – cannot be tolerated, neither what fundamentally undermines the political and social order, albeit that the concrete interpretations can still be subject to discussion (e.g. with regard to polygamy or religiously inspired bodily mutilation). As philosopher Elisabetta Galeotti concedes, however, this distinction is based upon the postulation that toleration is considered a positive value (Galeotti 2022). As Paine suggests, this is problematic, also from a historical perspective. Toleration is viewed positively only (at least in the European tradition) in a modern liberal framework: it was blatantly not the case in most of European history, and neither is it in the eyes of contemporary critics for whom toleration threatens the political and moral order. In that sense also the 'no harm' argument is very culture bound indeed.

One could argue that liberal theory today reimagines toleration'/tolerance as demanding 'respect' and even reciprocity. In this perspective scholars distinguish different conceptions or degrees of toleration: permission, coexistence, respect, and esteem. The *permission* conception grants toleration to a community to live in accordance with their (private) beliefs in a position of 'inferiority', or rather submission to the more dominant position of the authority or majority (e.g. the position of *dhimmis* in Muslim societies, see below). The *coexistence* concept shares the same degree of toleration but does not imply a hierarchical relationship. One could speak about "an arrangement that is designed to ease the lot of the accommodated, and without which, they would find themselves disadvantaged compared with others" (Jones 2012, 544). *Respect* in contrast requires a positive appreciation of one other's differences "in a more reciprocal sense", albeit that when further elaborated, Paine's objections painfully appear. The so-called 'respect' model implies a distinction between private belief – to be respected – and the public and political sphere, where expressions of religious difference should not be tolerated in the name of neutrality (*formal equality*), though some (referring to a 'qualitative equality model') consider that certain exceptions on this rule can be tolerated out of 'respect' and if relevant. *Esteem toleration* requires taking the views and practices of the tolerated other as "ethically valuable conceptions that — even though different from one's own — are in some way ethically attractive and held with good reasons" (Forst 2017. See also Forst 2013; Galeotti 2014; 2022). Teresa Bejan, however, proposes a slightly different attitude, an attitude of civility and willingness to live in peace (going beyond the absence of war) that she calls *concordia* (Bejan 2017).

Respect as the basis of tolerance is a recent demand in European history, and certainly not predominant, if even existent, before WW II. The distinctions made with regard to contemporary society also do not really point at much appreciation for difference and plurality either. But it remains quite telling that full equality and respect for difference are not considered and we have to help ourselves with concepts such as 'respect' or 'esteem' toleration or 'beyond toleration' (e.g. Bhargava 2017).

1.2.3 Religious toleration, religious rights and religious freedom

The discussion on toleration, however, gets a different outlook if we adopt the viewpoint of the tolerated striving towards respect, equality – largely ignored in discussions about toleration as well as religious freedom – and protection against discrimination. The process of gaining equality by religious communities is usually referred to as 'emancipation'. It is also narrated in term of gaining 'rights' (e.g. Sorkin 2019 with regard to the emancipation of Jews in Western history).

When Paine rejected the concept of toleration, he referred to the alternative as formulated in the French Declaration of the Rights of Man and the Citizen as well as (in his narration) effectively practiced in America, the "universal right of conscience and universal right of citizenship" (82).[9]

This raises the question of the **relationship between religious toleration, religious rights, and religious freedom**. The latter term is generally considered a human right, and refers to the right of belief and worship. It is worth to cite from the Universal Declaration of Human Rights (UDHR) (art. 18), which is more explicit and elaborate than the French Declaration of the Rights of man and the Citizen, while different articles also explicitly prohibit discrimination on religious grounds:

> Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

The European Convention on Human Rights (ECHR) also recognizes the freedom of thought, conscience and religion (art. 9-1), acknowledging (similar to the 1789 French Declaration of the Rights of Man and the Citizen) the possibility to restrict the manifestation of one's religion or beliefs "in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others" (art. 9-2). This qualification makes explicit a distinction between an 'internal core' of one's individual faith, and its external manifestations (a *forum internum* and a *forum externum* in legal terms). This distinction (which we already encountered above, e.g. in the 'formal respect toleration'), strongly reflects **a specific Christian conception of religion centred around personal belief that emerged mainly since the Reformation**. That is, as we shall explore further, problematic, as this centrality of belief is *not* universal and arguably less relevant today than in the (even recent) past (and also more problematic from a long-term historical perspective, as it does not correspond to the experiences of lived religion in European history either, certainly before c 1700).

This formulation in the ECHR reflects a longstanding European history in which the distinction between **private and public expressions of belief/ religion has a long pedigree**. Private belief is far more easily accepted than public expressions of religion and worship: to some extent the history of religious freedom is one of gradually extending freedoms from the private to the public domain, but it is far from a linear evolution. Indeed, as noted by historian Benjamin Kaplan, the difference is concurrent to the development of the two 'spheres' themselves (Kaplan 2007, 171-197). This distinction also provides arguments and space to refrain religion to the private sphere, and to ban public expressions, most surely political views, related to religion. Religious freedom in this perspective does not imply equality, and particularly not, as we will see, in the European case – although one could argue that inequalities can only arise if restrictions are accepted for some and not for others, in other words as infringements upon religious liberty ...

Nevertheless, **ever since their proclamation in 1948 and 1950 the freedom of religion clauses of the UDHR and the ECHR** – the latter being legally binding for the signatories, and which is now part of the legal framework of the EU – **have significantly contributed, and still remain essential, to offering legal protection to religious people against persecution, esp. to those belonging to religious minorities**. In that process, the competent courts, in particular the

[9] "No one may be disturbed on account of his opinions, even religious ones, as long as the manifestation of such opinions does not interfere with the established Law and Order". Declaration of Human and Civic Rights of 26 August 1789 (https://www.conseil-constitutionnel.fr/sites/default/files/as/root/bank_mm/anglais/cst2.pdf).

European Court of Human Rights (ECtHR) and, more recently also the European Court of Justice (ECJ), have established the religious 'neutrality' of the state, which is also forbidden from distinguishing between 'good' and 'bad' religions. Although the legal definitions of religious freedom refer 'only' to 'beliefs' and worship, freedom of religion remains quite contentious up to today (Besier and Seiwert 2017 offer an excellent contemporary kaleidoscope of issues).

This being said, the concept of religious freedom has been politicized quite extensively, particularly in the US, which affects the understanding of the concept: during the Cold War for example it was strongly used against 'godless communism', while in recent times religious freedom is proposed to emphasize a secularist understanding of society, which should distinguish Europe from the world of Islam (Moyn 2014; Sullivan et al. 2015). In today's political debate in the US, religious freedom also gets another significance, and refers to the alleged 'right' of religious individuals, communities and institutions to be exempted from general laws, including human rights. In Europe, churches, as voluntary organizations, always retained the right to follow their own rules for internal affairs, including to discriminate, e.g. with regard to gender: most churches do not grant equal rights for men and women, let alone LGTBQ+, e.g. with regard to marriage or clerical functions, as this belongs to the core of the religious belief. This is hardly contested, though a discussion has emerged. In the US religious freedom has in particular been politicized as religious institutions and communities push back aggressively against demands that go against their beliefs; discussions focus in particular on the question of abortion and contraception – with conservative Christian arguing for a ban on abortion and increasingly also contraception – and on the right of Christians in the public domain to discriminate against LGTBQ+ (e.g. in offering services) (Freeman 2022; Lewis 2022). 'Religious freedom' has become a rallying principle of the conservative right in the ongoing 'culture war'. It is not unlikely that this will also spill over to Europe, where the issue of competing rights, however, has taken different forms (more below).

Besides religious freedom we **distinguish between religious rights (plural) and religious toleration**. The most common way to make the difference is in referring to the origin of both. **Toleration requires an authority that grants toleration – hence the criticism that it is arbitrary and itself an expression of 'despotism' as Paine (quoted above) observed. Religious rights as well as religious freedom in contrast belong to the narrative of human rights, and are thus considered inherent to human nature – thus not 'granted'**. They above all protect the human person. In this perspective one may observe that in the past restrictions often were not directly connected to religious expressions but to the religious *person as a person* – in that sense the discourse on human rights certainly constitutes a major difference. It is tempting to equate religious rights with religious freedom, but as the above already suggests, this is not evident. Religious rights appear as the 'human rights' translation of domains of toleration, and these historically have a much wider coverage than religious freedom. The latter is indeed restricted to 'belief' and worship, even if that is not always made explicit (and not always understood either). Religious rights refer to rights in the public world.

1.2.4 Dimensions of religious freedom and toleration

Our historical analysis allows for identifying different dimensions of religious freedom and toleration. First of all we may distinguish between freedom of religion, freedom from religion and freedom in religion. As a quick glance on the meaning of these concepts reveals, there remains a lot of space for interpretation, and thus limitations or discriminations.

(a) **Freedom *of* religion**, as mentioned, refers to the freedom of belief and worship (only). It requires that the state (or more generally, the public authorities) does not intervene in the

affairs of 'religions', that public authorities respect the right to choose one's own religion or worldview, including of no religion, of religions to proselytize and of individuals to change religion or worldview, and allow religious people to practice their religion and participate in religious rites, also in public – if, and to what extent that implies the right to express one's religion publicly, e.g. in clothing, is contended today (historically distinct religious clothing was imposed by the public authorities as a way of discrimination, 'protecting' the 'majority'). It is often assumed that freedom of religion requires the separation of religion and state, in the sense that (as in the US) the state should not privilege or support any religion. However, there is quite some evidence, to which we will refer to below, that this is not necessarily the case, at least if the public or established religion is not exclusive.[10]

In that sense (b) the **freedom *from* religion** appears more straightforward, as it states that the public policies should remain unimpacted by (direct) religious actors. Historically this is what European secularization mainly is supposed to mean: the liberation of the state from clerical tutelage. However, one could dispute if that ever was the case – in fact the churches had rather been under state supervision since at least the seventeenth century (see below). In that perspective the 'secularization' of the modern era can be viewed rather as one more move in a process of 'submission' of religion. But that is not what the freedom from religion means. The issue that remains though refers to the role of 'religious' actors in the political space: does the freedom from religion imply that religious actors – and how are these to be defined – can manifest themselves in politics, and if so, how and to what extent?

(c) **A third dimension is the freedom *in* religion**. This may actually sound as an oxymoron: one could argue that there is no freedom in religion, that religion is, in the words of Yvonne Sherwood (2015), "a limited membership club". It contains sets of beliefs, rules, practices, bonds etcetera – not necessarily all of these, and not as stringent as often suggested – that 'believers' (or rather 'faithful' or 'followers') need to follow. To which extend that is the case depends on the kind of religion – some allow more dissidence than others. The first issue here is whether religious institutions – of any kind, including 'cults' – can impose views or practices that infringe on other human rights and constrain or 'punish' dissidents, and if public authorities can sanction such behaviour. This is a difficult one: surely religious communities must be able to impose their views upon their members or followers, and that evidently includes certain specific rules of behaviour, but these should still be restricted by human rights and general legal principles – leaving ample space for discussion. A second and arguably most important issue is that freedom in religion implies that **public authorities should not act as executive or judicial arm of a religious community, while apostacy should remain a possibility and guaranteed by the state**. This certainly implies a sense of separation of religion and state.

Freedom of religion (as a general term) surely is viewed today as a civil right, but it is often unclear to what it exactly refers, if it goes beyond individual belief and worship (and what the latter then entails). Also in view of the longer history of religious toleration and emancipation, we better distinguish it from other civil and political rights. **Civil rights** traditionally refer (besides to the freedom of belief and worship) to the right of residence, property, occupation and having judicial standing in court. The history of religious toleration and emancipation is actually more about these rights than just about the right to believe: to live where one wants, to acquire and legate property, to move to other places and countries as one pleases, to freely exercise a profession, to be able to testify in court and to have the right to a fair trial, etcetera.

10 One may refer in Europe to modern Anglicanism, state Church in the UK. Still it would imply that religions are not entirely considered equal (but the issue remains if equality is required for religious freedom. Th dominant legal interpretation is that it is not).

The same applies to **political rights**, such as the right to rule or be elected, to engage in civil service, and exercising the franchise (Sorkin 2019, 2). We should also refer to the freedom of speech here, in particular the right of blasphemy.

It is particularly in this perspective that toleration, and particularly religious toleration, is today often questioned. The (extreme) Right in Europe, and wider the traditional 'West', argues that in the light of Islamic 'fundamentalism' (a term easily used in this context without proper understanding) "too much toleration is threatening the cohesion of Western societies, depriving them of adequate defence against the penetration of religious radicalism" (Galeotti 2022, 87). Moreover, it is often either considered an instrument for promoting partisan political agendas, or lacking an objective normative base: who decides, and on what basis, what is to be tolerated and what not? We will not be able to offer here a definite, let alone easy applicable answer to that question. However, the historical analysis does provide, we believe, some new and useful perspectives on the issue. **In particular the history of 'emancipation' involving different domains adds a dimension that is entirely missing in the literature on liberal toleration, which limits toleration to "political non-interference with religious and moral convictions of people, if there is no disruption for law and order"** (Galeotti 2022,91).

In this respect we may also remind of the concept of **religious discrimination**, viewed as infringements on the freedom of religion or, more generally, on religious rights. In that perspective using the concept of 'discrimination' with regard to premodern – pre 'human rights' – times appears anachronistic. Still, if one is conscious of the difference (and the relativity of it) it, the term might be used nevertheless.

Therefore religious toleration remains a useful albeit complex concept, and arguably still is preferable to intolerance**.** But defining toleration and tolerance is only of limited help in understanding intolerance and what cannot be tolerated. From a religious rights perspective, a 'permission' view on toleration as defined above rather appears as a form of *in*tolerance, as **intolerance through assimilation**, which in theory respects the other's belief in private but in practice requires compliance to the norms and values of the majority in public. We will return to this issue below.

This first reflection on concepts points at the complexities that one is confronted with regard to issues of religious freedom, toleration and peace. This complexity calls for a proper contextualization of each case: simplification and 'one solution for all' won't be useful in any case. In the following we prefer referring to religious toleration, rights and peace rather than religious freedom, which has both a more narrow and a somewhat ambiguous meaning.

1.2 The views of the young: conclusions based on pilot studies with young people[11]

1) The pilot studies that RETOPEA organized with young people throughout Europe, without being representative, support the view that, contrary to what surveys and narratives about the secularization of Europe suggest, **religion is more present today and important in the lives of young people than often imagined,**[12] not necessarily in terms of 'belief' and

[11] These conclusions are based on our pilot studies. Though conducted in diverse educational contexts in different countries – the UK, Spain, Germany, Finland, Poland and North Macedonia – they are not truly 'representative' and surely there was some selection bias. Nevertheless, they do give relevant in-depth information on what young people of 'Generation Z' preoccupies.

[12] Dabi and Chau 2021 recently observes a significant rise of religiosity among young people (in the study defined as between 18 and 30, so older than in RETOPEA) in France, which ranks among the least religious countries in Europe. The authors consider these results as surprising and 'spectacular' (135). The study notes that this surge

confessional practice but as a cultural and identity marker. Our findings suggest that it is the case for young people of every persuasion, not only for young Muslims as is commonly assumed. This does not necessarily mean that young people are practicing religion, consider themselves particularly religious or even identify with a particular worldview, but may simply mean that they (or at least a substantial number of them) perceive religion as being highly present in the public sphere (e.g. in media, including TV series) and notice that religion or worldview can be important while disputed in society at large and causing tensions. In this respect it may be useful to point out that young people are particularly sensitive to issues of self-expression, which in this context certainly matters. Young people also declare having experienced, directly in their personal life or indirectly via others (including via media), forms of religious/ convictional aggression (Maiden et al. 2022).

2) **Young people perceive the public representation of religion in general as "very simplified and superficial" as well as biased, and predisposed "to rather portray religion in a negative way"** (Maiden et al. 2022, 43)**.** Although they are certainly also much divided, they usually consider religious pluralism as something positive and favour more tolerant attitudes towards religion, opposing depreciating and offensive behaviour and language, although the degree to which this is the case depends on context: young people who have more contact with religious diversity tend to be significantly more open and tolerant than those living in more homogenous environments (Maiden et al. 2022; Dabi and Chau 2021, 130-139). They rarely express views on religious pluralism as such, and insofar they do, their views on the concrete meaning of religious pluralism diverge, for example as to what religious expressions and participation are acceptable. Particularly Islamic practices are considered more problematic. Especially young people who experience much religious diversity in their daily lives show an understanding that identities are multi-layered. But at the same time young people hardly distinguish between religious and ethno-cultural diversity (Maiden et al. 2022).

3) While young people perceive the role of religion in the past not necessarily as negative, **they interpret the past mainly from a 'presentist' perspective**. They tend to contrast the present to the past, systematically presenting the past negatively as less tolerant (thus expressing a positive attitude towards tolerance), while their historical knowledge about religions and religious diversity in the past, and of the past in general, is limited, and largely coloured and simplified because of their contemporary views (Maiden et al. 2022, esp. 43). In fact media representations usually do not contradict these perceptions. Nevertheless, RETOPEA has identified multiple examples of historical representations that can be used to promote peaceful coexistence, particularly among young people, in particular in social media (Ketola et al. 2022).

4) RETOPEA has investigated multiple ways religion is (re-)presented in society in different media contexts, albeit privileging places expressing peaceful coexistence and excluding media expressing violent and fundamentalist religious views. This has uncovered **a wide variety of, partly conflicting, representations and narratives about Europe's religious past.** Among the most problematic ones (apart from the radical religious media calling for violence) we note those that adopt a civilizational perspective emphasizing essentialist divisions between a 'European' – variously interpreted – and an Islamic civilization, sometimes constructing an idealized view of a homogenous Christian European past, as

of religiosity, mainly expressed in terms of 'belief', can be found among different social classes. However, the study does not distinguish different religions nor ethnic backgrounds. Hence it is not possible to asses if and to which extent this rise may be the result of immigration (though it appears unlikely to be the main factor). In contrast to Dabi and Chau, most research suggests that young adults are significantly less likely to be affiliated with a religious group (e.g. Pew 2018).

well as perspectives that only perceive the role of religion as a source of conflict (particularly regarding the modern and contemporary era). **But our research has also shown that apparently 'neutral' or even positive representations may actually have unintended effects that make them problematic** (e.g., museums represent Islam as a 'timeless' civilization, but de-historized and estheticized, Islam remains disconnected from contemporary experiences of Muslim youth: Kayikci et al. 2022). The research allows us to identify 'good practices' and ways in which media contexts can be used to stimulate mutual understanding and peaceful coexistence.

5) RETOPEA privileges an approach that empowers especially young people (but the principle applies to adults as well) to work with historical examples and learn for themselves. **Our research strongly advocates strengthening their historical, religious as well as media literacy** by teaching them to think critically and to bring in historical context, as a remedy against presentism as well as simplistic and even outright 'fake' representations of different religions in past and present. It also encourages teenagers to overcome the fundamental distrust of public authorities, including politics and science, and re-establish 'trust'.

Part 2: Conclusions, observations and recommendations with regard to interconvictional dialogue[13]

Drawing conclusions from history to formulate policy recommendations, in this case to promote religious peace among nations as well as toleration and freedom of religion, is all but straightforward; historians in particular have largely withdrawn from even trying, although there is a renewed interest in 'applied history' that tries to do so (Soen and De Ridder 2021 gives an overview of the state of the art). RETOPEA was set up in the perspective of Jo Guldi and David Armitage's *The History Manifesto* (2014), which pleads for long-term history as a relevant contribution to contemporary politics. Taking into account long-term developments does help to overcome, to a certain extent, the limitations 'short-termism' and presentism of contemporary thinking.

The following overview takes the historical peace treaties and, broader, the history of religious toleration, pluralism and coexistence in Europe as a starting point to formulate takeaways from these past experiences both for peace-making between states and for regulating toleration and tolerance in multicultural states. This does not mean that the analysis offers immediate practical solutions for today's problems or can be simply used to improve toleration. We do hope though that it helps understanding the origins and 'nature' of some issues that hamper peaceful coexistence today, and stimulates thinking about different perspectives that take in account past experiences. We focus on the way states organize religion and religious diversity within their territories to establish religious peace and toleration rather than on inter-state conflicts, although these are present in the historical examples. We build on existing research that emphasizes the difference between 'premodern' and 'modern' ways to govern religious diversity, although we will show that there are more continuities than may appear – if only in a palimpsestic way – and that it is highly relevant to consider also premodern approaches to religious and convictional diversity.

[13] RETOPEA's research on historical peace treaties and agreements resulted in 21 reports that evaluated diverse type of texts (edicts, treaties, agreements, declarations, and constitutions) that covers a long historical period. The reports include basic facts about the document, context and background when and how it was issued. The document is available on the website Religious Toleration and Peace · Retopea

2.1 Premodern identity rules

Religious diversity in Medieval and Early Modern Europe was regulated through **'identity rules'**. In this system the sovereign, ruling as a 'divine' ruler, grants diverging privileges, rights and duties to different religious, social and ethnic communities (or, occasionally, to individuals), leading to 'conditional' or arbitrary toleration (Johnson and Koyama 2019). We find this system of collective identity rules typically in Medieval and Early Modern Christendom as well as in Medieval and Early Modern Muslim societies, such as Al-Andalus and the Ottoman Empire. They have in common that one religion was dominant and legitimized the sovereign, while other religions as well as dissident religious currents did not enjoy the same position in society. Their worship could be (but was not always) tolerated, but how much liberty they had to practice their religion and to which extent they could participate in social and political life depended on particular conditions and regulations: some at times may have occupied a more privileged position than others. These identity rules changed over time, as they depended on political and economic contexts, interpretations of the judicial system, and particularly the whims of the sovereign. Johnson and Koyama (2019) contrast this model with the 'modern' system of universal law in which every citizen disposes of individual, unalienating rights and is governed according and subject to the same laws.

Identity rules offer a lot of flexibility and that allows for the management of large multicultural states and empires. If the different regulations are considered fair, they can even guarantee long-term stability. **Nevertheless, they are inherently discriminatory and uncertain**, as the rules depend on the whims of the ruler. Hence toleration and peace are conditional and arbitrary by definition, albeit in reality rulers are always bound by realities and traditions.

The following assessment is loosely based on this model, but we introduce sharper distinctions between the premodern Muslim societies and Christendom than in Johnson and Koyama's model (Pasture 2023).[14] We start with premodern Muslim societies, which are easily overlooked in European histories but are an integral part of Europe's past, and offer an interesting, partly alternative, partly similar case of dealing with religious diversity.

2.1.1 Toleration and peace in premodern Muslim societies[15]

In premodern Muslim societies Islam was considered the constitutional religion, which underpinned the legal and institutional system, although in reality Islamic law was always mixed with other legal traditions. In the Ottoman Empire for example, Turkish and local legal traditions played an important part in regulating life of the diverse population (Barkey 2008; Gara 2017). Moreover, when Muslims conquered large multicultural empires, they did not necessarily impose Islam upon the population. Under the Rashidun Caliphate (632-661 CE) and the Umayyads (661-750 CE), religious pluralism prevailed (apart from the Arabic heartlands) – it is only later, after 750 CE under the Abbasids and their successors, that the wider Middle East and North Africa became generally Islamized, leaving only small minorities

[14] In fact we do not share Johnson and Koyama's view of the modern period, which receives only scant attention in their book, as simply ruled by universal principles. In reality the contrast is far less obvious and also in modern states one can easily detect elements of collective 'identity rules' (see below). We also have doubts if this model is as universally applicable as these authors suggest.

[15] We refer in the plural to 'Muslim' empires and societies where "Islam played an important but not always a dominant role" in policies and society, avoiding the singular Muslim world mainly because the singular (as is even more the case with 'Islamdom') suggests homogeneity where in fact there are huge differences between them. We decided not to adopt the neologism 'Islamicate', which Marshall Hodgson (1974, esp. 59-60) invented as an alternative to 'Islamic'. We agree with dodging the latter adjective as the term implies a religious significance, but Hodgson's alternative cultural meaning "in the style of" we find too broad and indeterminate.

of Christians, Jews and Zoroastrians. In Al-Andalus the Umayyads did not impose Islam either, though by the thirteenth century hardly any non-Muslim community survived beyond the major cities – probably Christianity simply 'evaporated' as a result of a lack of institutional support, including priests, in the countryside (Tolan, Laurens and Veinstein 2017, 51). The degree to which Muslim leaders propagated conversion to Islam varied widely over time and place. Apostasy from Islam, however, was never permitted and carried the ultimate penalty, although exceptions existed, e.g. as part of peace treaties (as in the case of Spanish 'capitulations': Hindi et al. 2022) or in places where Muslims did not hold power.

Muslim states and empires created hierarchical systems in which diversity was rather managed in function of the needs of the state. In principle Jews and Christians – as 'people of the Book' (*Ahl al-Kitab*)[16] – were entitled to practice their own religion and live and work freely, albeit upon condition of respecting the predominance of Muslims and to pay specific religious taxes, in particular the *jizya* (though they were exempt of paying *zakat*, which was an Islamic obligation): then they became *dhimmis*, protected people. People of other religions were expected to convert or leave, though in practice the regulations for *dhimmis* were often extended to other religions and spiritual traditions, especially when these were numerous or economically or politically important or powerful (e.g. Zoroastrians in Persia, Hindus and Jains in South Asia). In any case, different religious groups (also cults, currents and denominations within one religion) were subject to different rules and regulations – while the 'People of the Book' in principle paid more taxes than Muslims, followers of other religions, if tolerated, paid even more. Religious and ethnic communities often functioned largely separate, in quasi-autonomous and self-regulating complex social structures with different rights and duties for each. In principle non-Muslims, also *dhimmis*, could not exert any authority over Muslims, including in marriage – the reason why Muslim men could marry non-Muslim women, but Muslim women not non-Muslim men. Some public functions, however, were in principle accessible to non-Muslims. In addition, there were numerous other discriminations and restrictions, e.g. limiting the construction or reparation of houses of worship, discriminating clothing, rights to wear arms, etcetera, all destined to differentiate the religious communities and make clear that Muslims were prominent and privileged – the practice of these measures differed enormously though, and sometimes the alleged subordination remained dead letter.

Religion incidentally was only one dimension of identification: in reality communities were defined following various criteria. These communities also competed among each other, and mutual relations, also within religions and denominations, were not always smooth. Moreover, the boundaries between the different groups or communities could be quite fluid. It for instance meant that people were subject to different legal systems, which in case of judicial conflicts, particularly for private matters, sometimes offered the possibility to choose the legal system that suited best. In certain times and places non-Muslims were able to achieve high positions, particularly in the arts and sciences. That was mostly the case in Al-Andalus (though declining in the face of Catholic conquests, esp. after the fall of the Caliphate of Córdoba in the early eleventh century) and in the Ottoman Empire, for example. Sometimes non-Muslims could act as high civil servants and even military leaders, as was (mostly) the case in the Ottoman Empire and South-Asian Muslim empires where Hindu and Jain elites were able to thrive (though their concrete situation depended much on time and place).[17]

[16] It is suggested that the concept of people of the Book originates in the policy adopted to Jews after the constitution of Christianity as state religion by Roman emperor Theodosius in 380 CE. See extensively Fattal 1958 as well as Stroumsa 2015.

[17] A famous example from Al-Andalus is the illustrious Jewish Talmudic scholar, poet and politician Samuel ibn Naghrillah, who even became Vizir and general of the Zirid Kingdom of Granada in the early eleventh century .

The attitudes towards internal Islamic dissent and different Islamic denominations often followed this hierarchical model. **Islamic law accepts that scholars disagree and that human understanding, also about what is God's will, is necessarily imperfect**. A famous (yet disputed) *hadith* even states that "difference [of opinion] in my community is a blessing" (*ikhtilāf ummatī raḥmatun li-l-nās*) (Woltering 2019, 226). Hence premodern Muslim societies – in contrast to later (modern) fundamentalist movements and the ISIS – followed the principle of *irjā,* leaving it to God to decide whether someone is Muslim or not. This moderating tradition in Islamic theology and legal thinking allows for a lot of pragmatism, flexibility and compromise, even if this diversity was also deplored and there were limits to this toleration as well. It is on that basis that Muslim rulers accepted different Islamic schools and currents (Woltering 2019, 223-236; Bauer 2011). There was even space for real 'freethinkers' – who did not belong to any of the main religious traditions – "a typical Islamic phenomenon", according to Sarah Stroumsa (2016, 19). Some argued that pluralism allowed the true faith to shine (so eventually toleration would lead to conversion to Islam), while some went even further, such as the Iberian mystic Ibn 'Arabi (1164-1240) or even the Ottoman sultan Suleiman the Magnificent (1494-1566):

> Just as that decorative variety of herbs and flowers does no harm, but marvellously refreshes the eyes and the senses, so too the diversity of faiths and religions in my empire is an advantage to me, not a liability, so long as they live in peace and obey my commands in other political matters. Therefore it is better to let them continue to follow their religions in their own way, as my ancestors permitted them to do, rather than provoke uprisings and see my state ruined. That would be just as if were to pull up all my flowers except those of one single colour; and then what would I be doing except depriving my garden or meadow of its own natural grace and beauty, instead of improving it? (quoted in Malcolm, 2019, 284).

Nevertheless, if rulers emphasized the need for 'unifying' the population, the situation could be quite different, and dissidents of all sorts could effectively be persecuted. That was the case, for example, in the Ottoman Empire in the seventeenth century. To the extent that rulers identified themselves as *Ghazi* (warrior) at the forefront of the fight against unbelievers, they could even refuse international relations with non-Muslim rulers. That, however, proved the exception rather than the rule.

Furthermore **there also exists an extensive tradition of peace and reconciliation in early Islam.** A key concept in this respect is that of *Ṣulḥ*, which refers to ways to achieve peace and reconciliation after conflicts**.** It goes back to the time of the Prophet Muhammed himself and inspired politics of conciliation and moderation in major Muslim empires, including the Abbasid Caliphate, Al-Andalus and the Ottoman Empire. In the relations between the Catholic and Islamic states in the period of the Catholic Conquest on the Iberian peninsula, peace treaties provided pragmatically for reciprocity in the treatment of Christians and Muslims both sides of the border, each having the same rights (actually rather 'guarantees') and duties, including of conversion and safe conduct (Hindi et al. 2022). The Indian Mughal Emperor Akbar further developed the concept and gave it a more universal dimension in his theory of *ṣulḥ-i kull*, proclaiming universal peace encompassing both competing Islamic currents and other religions, in particular Hinduism, Buddhism and Jainism in India and beyond (Kinra 2020). The case of Akbar is particularly fascinating as he connects diverse Islamic traditions, including Sufism, as well as Vedic, Neo-Platonic, Turkish and Mongol philosophies and traditions of engaging with religious diversity in ways that go beyond religious toleration, including interreligious dialogue and reciprocity but nevertheless accepting "one's shortcomings as a necessity of this world" (Gommans and Huseini 2022, quote 881).

In the nineteenth and twentieth century Muslim empires were confronted with European colonialism and – clearly to be distinguished – European conceptions of state and nationhood, which led, among other, to the occupation, colonization and division of Muslim territories. The Ottoman Empire declined steadily since the late seventeenth - eighteenth century, accelerated in the nineteenth as a result of internal weaknesses as well as European (esp. Russian) interference and rising ethno-religious tensions, fuelled by their enemies in the North and West, up to being reduced to its 'Turkish heartland' after WW I.

The general decline of Muslim power – from Morocco to Indonesia – not only modified their relations with Europe and the West, but also changed the way Muslims imagined their place in the international order and altered the relationship between state and religion as well as the relation with non-Muslims. The 'traditional' ways of dealing with religious difference – pragmatic within certain boundaries rooted in the order that had developed since the time of the Prophet Mohammed – appeared to have come at an end, and Islamic history itself needed to be reimagined. This history, though important, fell beyond the limits of the RETOPEA project, however. A few dynamics may nevertheless be pointed at, such as the creation of Islamic ideologies of resistance and radical change, by a return to Islamic sources (as in diverse forms of Salafism), by strengthening ideals of a Muslim 'modernity' as some synthesis of Islamic and Western ideas and practices (e.g. Al-Afghani), as well as through the emergence of political Pan-Islamism (see e.g. Aydin 2017).

On the basis of the assessment above we may nevertheless conclude that:

- The often heard **generalizing caricatural depictions of Islam as a rigid religion ruled by an immutable religious law that is inherently intolerant and does not respect the autonomy of the state, historically makes no sense**.

- **Also incorrect is the opposite representation of Islamic societies as heavens of peace and harmony**. It is important to understand the significance and limitations of toleration in Muslim societies in their hierarchical ethnic, religious and political contexts. The sharia[18] and Islamic tradition offered the basic contours for the regulation of religious diversity, but imperial and other political considerations often prevailed in practice. There always were, as is the case today, huge differences in the way Muslim states dealt with religious difference, and these also changed over time. Hence one should abstain from generalizing comments based on prejudice as well as some contemporary cases.

- Considering the widespread prejudices, with important consequences for the contemporary debates, **we recommend to emphasize more nuanced understandings of Islam (**as briefly laid out here) in education, in information distributed by the EU in the framework of its information activities (e.g. by the European Parliament Anti-Racism and Diversity Intergroup ARDI) as well as in museums (though a lot is needed to make museums apt to this task: see our *General recommendations with regard to the public representation of religion in museums*).

- Recognizing the inclusive, moderating, conflict-solving and peace-promoting traditions in Islamic history and stimulating modern scholarship about them may **help strengthening contemporary Muslim initiatives for peace and toleration, and help public authorities to connect with Muslim communities on the basis of respect and understanding**.

[18] The sharia should *not* be understood as a legal system as the European constitutional and legal order but rather as a complex body of practices and rules of conduct, including for worship, ritual and custom (Siddiqui 2020, 493-4).

- Teaching about these traditions in general as well as in Islamic education **may offer young Muslims ways to connect to contemporary liberal societies and also offer non-Muslim youth ways to connect with them**.

2.1.2 Toleration and peace in Medieval and Early Modern Christendom

Medieval and Early Modern Christendom also had similar identity rules – it has been suggested that the Islamic regulations of religious diversity followed those introduced towards Jews in the late Roman empire, after Christianity became state religion, and continued in the theocratic Byzantine Empire (Fatal 1958; Stroumsa 2007; 2011). But more than in the Muslim world **in Christendom both for religious and political reasons the state privileged religious homogeneity and was far more reluctant to grant religious freedoms to either Christian 'dissidents' or non-Christians.** That was arguably even more so in (Western) Latin Christendom than in the Byzantine Empire.

Compared to other world regions, and in contrast to a widespread preconceived idea among many Europeans, Europe historically was a relatively homogenous region, certainly from a religious perspective, although we should distinguish between Cristian Europe (Christendom) and Islamic Europe: while in Al-Andalus religious diversity decreased over the centuries, particularly in the Ottoman Empire religious and ethnic diversity remained high and even increased considerably as a result of immigration, inter alia of Jews from the Iberian peninsula after the Reconquista. This diversity continued also long after the Ottomans were defeated: though less than in Ottoman times (and certainly since the Holocaust all but wiped out the Jewish population,) religious diversity in Southeast-Europe (the Balkans) remains far greater than in other parts of Europe.

In Christian Europe, the main minority were Jews. There were few regions were also Muslims lived, mostly as a result of previous conquests, as in Southeast Europe but also to some extent in the Iberian peninsula, Southern France and Sicily that had been ruled by Muslims, or from migration from Eastern steppes, as was the case in Hungary (between c. 1200 and c. 1300) and Lithuania (mainly Tatars, incidentally not only Muslims but also Shamans), where they could live in peace after the signing of the Warsaw Confederation (1573). These were not the general rule though: most Muslims who could afford it, moved to Muslim lands; those who remained, had little choice, such as peasants or slaves, and faced hardship and discrimination. Although small numbers of merchants and diplomats could be found in some of the main European merchant cities, where they also could practice their religion and benefitted from particular arrangements, Muslims actually did not travel or trade much in Europe, and one does not find Muslims at European Christian courts (apart from Sicily) as scholars, doctors, let alone as political councillors and officials, as one did in (non-Muslim) Asia and Africa. Arguably there were more slaves, rowers and artisans, also in (North) Western Europe, but they left little trace (Krstic 2015; Dakhlia, Vincent and Kaiser Tolan 2011/203; Laurens and Veinstein 2012; Valensi 2012).

Jews spread more generally throughout Europe and at times enjoyed protection against persecution, in the early Middle Ages mainly as a legacy of Roman legislation and later rather for economic reasons. Sometimes this gave rights to participate in public life – and for example acquire and legate private property – though the modalities differed widely and remained conditional even if they were formulated increasingly as 'rights' after the sixteenth century (Sorkin 2021). But in reality Jews often suffered from heavy discriminations and persecutions, and were also expelled from Christian lands (from England in 1290, from France in 1306 – they could return already in 1315 but upon condition of paying for the privilege), from Spain in 1492, …). They remained depended on the whims of the local rulers. While in the

Muslim empires the recognition of other religions, depending on certain conditions and in particular the payment of religious taxes, was enshrined in the law and sacred tradition, this was not the case in Christendom. Minorities were often also subject to religious taxes – such as the humiliating 'body tax' on Jews – but in Christendom these did not grant rights properly speaking. Though at the face of it the position of non-Christians was similar to that of *dhimmis* in Muslim lands, apart from the cases mentioned above, in reality toleration in Christendom was far less stable, giving more room to arbitrariness, and persecution and intolerance more systematic and widespread. Especially when central authority weakened, and the social order was threatened, minorities often became the target of violence and anger.

Religious dissidence was more problematic in Western Christendom because it directly threatened the political order. Religious dissidence always mingled with political tensions between feudal elites, emancipating urban and bourgeois milieus, ambitious clerics and the papacy. While not creating something like a Westphalian international order with sovereign borders (that is largely a nineteenth century concoction), the peace treaties ending the 'wars of religion', beginning with the Peace of Augsburg in 1555 and the Peace of Westphalia in 1648, did alter the religious map of Europe as well as the power balance between the different protagonists, particularly in the Holy Roman Empire. **In effect they initiated a process of recognition of religious diversity and mobility even if the ideal of religious uniformity/ homogeneity remained prevalent**. They in particular **provided a framework which enabled practices of toleration at the personal and local level.** This also opened space for all kinds of gender related issues such as interreligious marriages, schooling for boys and girls, freedom of movement and in the long run for new societal opportunities for women.

In this respect **one cannot dissociate the question of toleration from the tension in Western Christendom between the secular and the religious authority**, between 'throne and altar'. As is well known, this stems from the supreme authority the papacy claimed over Christendom: even if Christianity recognizes two realms of authority, the temporal and the spiritual, the papacy argued it had the ultimate power over secular rulers. Hence the popes since the eight century – Pepin the Short, 754 – had the right to crown kings and emperors. These, however, throughout the Medieval and Early Modern times, disputed these claims, arguing for the primacy of their God-given authority in the affairs of the world. They hence aimed at increasing their competence, trying to control the church(es) (and their riches). The wars of religion marked a decisive step in this epic fight, as by the end of the wars, the secular princes had succeeded in greatly extending their authority: in Protestant countries, the churches were integrated but also subdued to the worldly power, while also in Catholic lands, notwithstanding the success of the Counter-Reformation, the competence of the monarchs over the Church greatly expanded, giving them, for example, the power to nominate bishops. In this respect the French Revolution can be viewed as the last of the wars of religion, as it crushed the power of the church in France (Stedman Jones 2015).

The concept of separation of church and state hence always had a double meaning: liberating the state from clerical influence, which was the main motivation in Europe, as well as freeing churches from state intervention, the perspective that dominated in the US after the American Revolution. Both in Europe and in North America/ the US, the separation of church and state is viewed as a condition for religious toleration and religious freedom, but that is mainly the case because Christian churches, especially the Catholic church, opposed religious freedom – the latter actually continued to do so until Vatican II (Declaration on Religious Freedom *Dignitatis Humanae*, 7 December 1965). **When churches accepted or even welcomed religious freedom, also pressure for 'disestablishment' (separation of church and state), often faded,** as was the case in the UK since the nineteenth century and particularly in the present. In fact, one could argue that toleration and space for religious freedom is greater in

the UK, with its state church, than in France, where church and state are more radically separated but religion is increasingly confined to the private sphere and religious expressions banned from the public sphere. The British example illustrates that a 'state church' may actually function as an integrating factor for a wide variety of religious and non-religious stances (Modood and Seely 2021).

This being said, the practice of toleration and the separation of church and state emerged from different circles, including religious ones. The wars of religion strengthened such ideas among the Radical Reformation, particularly among Anabaptists and Antitrinitarians, who on biblical grounds (and admittedly pragmatic considerations) advocated freedom of religion and even – in some cases – state - church separation. They were followed by thinkers who mainly sought to strengthen the sovereignty of the state, and saw toleration as a necessary evil (e.g. Thomas Erastus, Pierre Bayle). Increasingly the idea of toleration became disconnected from its religious embedding. Particularly the radical Enlightenment grounded toleration on philosophical rather than religious (biblical) principles (e.g. John Locke, Voltaire). They also emphasized the equality of people, and on these grounds opposed religious discrimination. These ideas largely framed the innovations of Enlightened rulers (such as Joseph II, emperor of the Habsburg Empire) and, more radically, the Revolutions of the late eighteenth century. Even if the history of their political legacy is complex and full of turns and reversals, they had a deep impact on the current forms of church – state relations and toleration in the West. **Nevertheless, religious pluralism as such was not positively valued: toleration remained mainly a measure to stabilize societies and guarantee peace. In fact the ideal of homogeneity remained firm. It would be reimagined in the nineteenth century.**

In this respect RETOPEA also looked into one of the most extraordinary and radical experiments with religious toleration in Christendom, the British colony of Providence/ Rhode Island in British North America. Following the ideas of Reformed Radicals (mainly Baptists) and in particular of the preacher Roger Williams on the basis of religious arguments expressed in the Scriptures and early Church Fathers, but also inspired by the example of local Amerindian population (the Narragansett, who did not know the same distinctions as Christians and did not discriminate on religious grounds), the newly established colony of **Rhode Island in the mid-seventeenth century introduced a radical separation between church and state, civil and political rights, and freedom of religion for all**, including for Catholics, Quakers, Jews and atheists (and women), which was confirmed by the British Crown through the Charter of Rhode Island (1663). In this respect Rhode Island differed quite radically from the uniformity/ homogeneity that existed in other colonies (British as well as Spanish, Portuguese, French, and even Dutch colonies) as well as from the conditional toleration that emerged in Europe, including the Polish-Lithuanian Commonwealth or the Dutch Republic. This 'lively experiment' of Rhode Island offered a radical solution to the problem of increasing religious diversity, the result of immigration of religious dissenters mainly from Europe. In this respect it anticipated, and arguably inspired (though that remains disputed) the model that the US would follow after the American Revolution and the First Amendment.

Rhode Island shows how ideas on religious toleration and peace, even the separation of Church and State, can be motivated on religious grounds. The main ideologue behind the 'lively experiment', the preacher Roger Williams, **strongly emphasized the respect for government, arguing government is not a religious affair.** While recognizing the individual liberty of all to follow one's own religion or creed, he also pointed to the need for both **frankness** and **civility** in interreligious contacts, respecting basic rules of conduct – the freedom and equality introduced in Rhode Island did not imply that the inhabitants of the colony would give up their strong convictions and even contempt for the views of others, only that they accepted general rules and agreed to live together with other people in peace. The organization of religious

liberty in Rhode Island, based on a strict separation between church and state, was presented, and accepted by the British Crown, as an original 'experiment' in a remote corner of the empire – it would eventually be the model that the US later would follow.

2.1.3 Conclusions with regard to the history of toleration and peace in Christendom

When looking at the **history of toleration and the peace negotiations in Christendom** a number of ***conclusions*** can be drawn, ***which are truly relevant in contemporary situations:***

1. **First and foremost, the negotiators refrained from imposing one truth** – the peace process only succeeded after the protagonists had given up hope that a 'theological' agreement could have been reached by the church(es).
2. Hence **it was important in the peace process to dissociate political from religious issues, and to focus on a political solution**. This always implied some form of toleration and recognition of religious 'minorities'. In fact, as particularly the Edict of Saint-Germain (1562) illustrates, which introduced (limited) toleration for Protestants (Huguenots), the main motive to establish peace was to suppress uncontrolled violence undermining the political order and the authority of either the sovereign, or the established powers of the princes and nobles. This was also the case in the Warsaw Confederation (1573) which introduced religious freedom for nobility and free persons in the Polish–Lithuanian Commonwealth – in fact the wars of religion were also a power struggle between local nobles and the sovereigns, even if the religious dimension dominated, certainly at the beginning of the conflict (there is ground to argue that more worldly considerations took over as prime factor later in the process) (Nexon 2009).
3. **Establishing peace requires the participation of all actors involved in a conflict, local/ domestic as well as international,** as shown particularly by the Peace of Westphalia (1648). Though it is sometimes difficult to identify the relevant actors, it is certainly still important today, and one of the reasons why the Westphalian settlement is sometimes suggested as a source of inspiration – offering instruments, methods, and ideas for reaching peace in complex conflict zones such as the Middle East (Milton, Axworthy and Simms 2018).
4. **Procedures to guarantee that all minorities would effectively be able to enjoy and claim at least some degree of religious freedom,** were also included in the Peace of Westphalia and contributed to subsequent stability. These guarantees mainly applied to freedom of conscience (previously most clearly recognized in the *Religionsvrede*, 1578) and freedom of worship, but did not necessarily imply rights in public life. As regards worship, several restrictions remained in place for different groups, including about the place of worship. The treaties clearly privileged some religious communities over others: initially only one dissident church was tolerated (e.g., Lutheranism); only gradually the toleration extended to other communities. The Christian communities that were deemed more dangerous, such as Anabaptists or Catholics in protestant lands, were more restrained. The peace treaties incidentally only applied to Christians, even if eventually also the toleration of Jews increased, albeit rather on the initiative of sovereigns and mainly for economic reasons (Sorkin 2019). A multitude of practical and pragmatic measures were introduced which allowed at least some religious communities to live together. The treaties sometimes went into **great detail** to avoid discussions about interpretation, as is particularly illustrated by the Edict of Nantes (1589). Such pragmatism, however, obscures the reality that toleration was not yet accepted as a principle, as was demonstrated by the eventual revocation of the Edict of Nantes under Louis XIV (Edict of Fontainebleau, 1685). Similar pragmatism and reciprocity also characterized the "Capitulations" between Muslims and Christians during the Catholic (*re-) Conquista*, including the Capitulation of

Granada in 1491, even though that did not survive long after the Catholic Kings took power over the former Caliphate (Hindi et al. 2022).

5. **To some extent also individual rights were introduced**, such as the right to emigrate for religious reasons (the *beneficium emigrandi*) in the Peace of Augsburg (1555) as well as in the above-mentioned Iberian Capitulations. The *Religionsvrede* (1579) introduced freedom of conscience and access to social services, even to exercise public office without restrictions in terms of religion, although public worship was restricted and differentiated. But in all cases **pragmatism and respect for local factors** prevailed, as necessary conditions to reach a viable agreement.
6. **In international relations the sovereigns and nobles respected the faith of the other** – this *'secularity' of international relations* also allowed sovereigns to conclude not only lasting peace treaties but also commercial agreements and even political alliances with rulers of a different religion, including between Christians and Muslims. Notorious is the economic and military alliance that King of France Francis I concluded with the Sultan of the Ottoman Empire Suleiman I in 1536, an alliance that – though not uncontested – proved intense and lasting. But in fact he followed in the footsteps of many Christian lords and kings who saw in Muslim rulers allies against other (Christian) enemies.
7. **Both ideals and practices of toleration and even the separation of church and state emerged from different circles, including religious ones. This is not only important to understand divergent secularities today – such as the differences between American and French models of secularity – but also because this can help to reframe the current debates.** It may put into perspective arguments that 'sanctify' one particular form of secularity – as in some uses of the French concept of *laïcité* – but it can also offer a common ground for a debate with religious groups.

2.2 The Modern Era

If there is one agreement in European history, it is that there is fundamental break around the mid-eighteenth century and the subsequent revolutionary era that separates the 'modern' from the 'pre-modern'. The modern incidentally not only distinguishes the new society from the old one, but also separates Europe, and increasingly 'the West', from 'the rest' of the world. That should caution us: **'the modern' serves a political or civilizational agenda, and hence can also be seen as a way to emphasize European/ western civilizational superiority.** This observation, or reflection, does not imply that there was no cesura, and certainly not that nothing important happened, but caution certainly is warranted.

One of the alleged main features of the 'modern' is secularization, understood in widely different ways as the diminishing role of religion in society: 'modern' societies are viewed as 'secular', while premodern or non-Western ones as particularly religious – hence historical overviews of European history emphasize the omnipresence of religion with regard to Medieval and Early Modern history, and once passed the French Revolution, religion apparently suddenly vanishes as a key factor in society; in case the non-western world is referred to, it may reappear with regard to Christian missions or, rather, to characterize other cultures basically as religious: Islamic, Hindu, animistic, etcetera.

Few scholars endorse this view anymore, even though it remains a powerful myth permeating different narratives of modernity (Costa 2019). It is not our purpose here to go into this debate, not even to summarize it. But we may observe that secularization, even if the sociological theory claims universal value, in practice mostly refers to Christian contexts. Scholars also concentrate on different phenomena, from a retreat of religion from the public sphere to

religious practice, and sometimes recognize that these may change in different, and, according to some, even opposite ways.[19] Historians and legal scholars, however, rather prefer to speak about a transformation of religion, particularly of Christianity, and its place in society, which moreover is understood in different ways in Catholic, Lutheran and Reformed contexts (Depaigne 2017). In theory though – i.e. in the way scholars and philosophers define it – secularization applies to religion in general and thus to all religious contexts; though that view is criticized as other world religions are arguably too much understood as similar as Christianity, which is debatable.

In the following we discuss some aspects of this debate, but only insofar relevant for our analysis of the history of religious toleration. Issues related to the relationship between state and religion certainly are.

2.2.1 Disestablishment and political sovereignty in Christendom

As Christendom fractured and religious diversity increased, the religious legitimacy of absolutist rule was also questioned (for example in the English Civil War in the mid-seventeenth century). Furthermore economic pressures demanded a more efficient organization of the economy; this actually required general and permanent legislation, equal for all, while religious and ethnic diversity actually proved beneficial for economic growth (Johnson and Koyama 2019). A new 'liberal' ideal emerged which imagined the state as secular and religion as 'private', promoted equality and individual liberty, 'self-determination', and considered the state on the one hand as the emanation of the people – the 'nation' – and on the other hand as the guardian of these values. Hence political power effectively 'secularized', albeit far less straightforward as often imagined.

In Europe, monarchs in the late eighteenth - early nineteenth century largely lost divine legitimacy, which went along with the emergence of a 'public sphere' of political debate and a civil society of people giving shape to the world they were living in. But also churches lost political legitimacy, or rather legitimizing power. In different ways they actually subordinated to political power, concluding an evolution that was ongoing already since the Middle Ages. This did not mean that they became entirely separate from the modern state though, even less that they lost all political power – as important actors in civil society, they found other ways to impact on society and politics. But this evolution opened up space for more radical forms of religious toleration and religious freedom, even when one church remained officially 'state church', as in the UK.[20]

In fact, all **European states de facto can be viewed – if they did not explicitly consider themselves – as 'secular Christian' states (or, alternatively, as 'Christian secularities') where sovereignty is considered secular, but Christianity, or rather one particular church, is privileged to some extent and has a significant impact on politics, culture and society.** Also state churches can be considered as secular Christian states, as it is the sovereign – mostly the monarch, in contemporary states under control of the representative political bodies – who

[19] The literature on secularization is extensive, and highly contentious. Arguably the best approach, which includes the complexities and multidimensionality of the concept, is Furseth 2018 (see also Pasture 2013; 2020; van der Tol and Gorski 2022). One may wonder though if the term, with its implicit understanding of decline, is adequate to express religious changes.

[20] Also in the US disestablishment did not imply complete separation, but rather neutrality, and even this only became 'established' deep in the nineteenth century. Radical separation is rather the result of the 1960s – while it is being turned back since the 2000s. See Berlinerblau 2022; Green 2000; 2010, and Greenhouse 2021. An original and insightful way to map the different forms of state – church relations (or secularities) in Depaigne 2017, esp. 12-13 (one should note that Depaigne focuses on the 'legitimation gap' of the state as a result of these complex processes of 'secularization' and religious transformation).

acts as supreme church leader, not the inverse. The case for disestablishment incidentally was not always made only by atheists and political secularists, but also by religious movements, such as radical reformers in Early Modern Europe, nonconformists (Christian dissidents) and Jews in Britain and Germany (Parry 2010; Weir 2014). Let's look a bit closer at the French case, generally considered the most clearcut example of a secular state in Europe.

France introduced a formal separation between church and state in the Declaration of the Rights of Man and of the Citizen of 1789. However, the revolutionary system was abolished by Napoleon, who concluded a Concordat with the Papacy in 1801. This reinstalled Catholicism as the "the religion of most French" but in fact maintained the freedom of religion and kept the Catholic Church separate from, to some extent subordinated to the state: while Napoleon did not recognize any ecclesiastical authority over the state (he crowned himself), the (secular) government continued to nominate bishops (though the pope gained the authority to depose them), paid clerical salaries while the clergy swore an oath of allegiance to the state. However, the Concordat gave the churches the freedom to organize themselves within certain boundaries. It still left room for tensions though, which peaked in the late nineteenth century and were finally settled by the formal Separation of Church and State in 1905.

This law on the Separation of Church and State pacified the 'two France' and resolved the conflict between secularists and Catholics in the country; it was the result of a compromise that restrained the strongest secularist currents in society and advanced liberty as central argument. The state declared to ensure liberty of opinion – hence also to believe or not – and to guarantee the liberty of worship (in French la *liberté des cultes*, in which '*cultes'* refers to the internal religious life). The state hence offered religions protection and free space, and gave up its ambition to regulate religious life ('freedom of religion'), but excluded religions from politics and the state apparatus, including education and social care (*laïcité*) ('freedom from religion'). One may note that this approach of religion is a relatively strict and specific one: it recognizes only traditional religious expressions: hence it sets religions firmly apart from other belief systems (unlike Belgium, which also recognizes freemasons and atheist associations under the same umbrella). What needs to be emphasized as well is the highly pragmatic process of the negotiations and the empathy displayed by the different protagonists that prepared the 1905 law (Raynaud 2019, 88-119; Portier 2016, 115-144; Mayeur 2005). Nevertheless the concept of *laïcité* goes beyond a set of rules to guarantee a (highly questionable) 'neutrality' of the state, but implies, and requires, adhesion to and assimilation of a set of secular values which are argued to be those of human rights, although also interpreted in a quite narrow way and, ignoring the colonial realities (among other) (see also Depaigne 2017, 101-134). Gradually after WW I and WW II the tensions between Catholics and secularists further decreased, and some sort of mutual understanding and implicit support developed. Since 1959 the French public authorities may even subsidize private schools, mostly Catholic, albeit upon several conditions among which that they follow a recognized curriculum, accept public inspections, and allow non-Catholic pupils. A major change in this regime of *laïcité*, it brought France more in line with other European states. The law was followed by similar arrangements for other social services (Portier 2016, esp. 219-242). This relative separation between Church and State seemed to work well, initially also when confronted with the more plural religious situation that emerged in the second half of the twentieth century, although it became contentious in the new millennium and secularism re-emerged as a political power. We return to this issue below when discussing contemporary challenges.

In the meantime, **the French separation of church and state constitutes an ideological reference, especially for other francophone countries. Nevertheless, it has hardly been followed elsewhere.** Other West-European countries either maintained a public or state church

(as in the UK and Lutheran countries, as well as Franquist Spain), an 'informal' public church (as in the Early Modern Dutch Republic, or de facto Italy), or operated a 'relative' separation of "positive accommodation" (Stepan 2011) (as in Germany, Austria, Ireland, Belgium, and the Netherlands) in which the state is 'free from' religion, although Christian social and political actors (not the church as such though) remain active in civil society and politics, while the state actually finances religious institutions and/or religious inspired activities (in education, health care, …) upon certain conditions. The US introduced a more radical separation, initially based upon the disestablishment clause in the First Amendment ("Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof"), increasingly extended from federal to state level as well as in the way it was interpreted (what it actually meant in practice), up to establishing a 'wall of separation' through which, in the 1960s, the public institutions were almost completely 'freed' from religious references (a process being reverted by the Supreme Court in the present). But also before the 1960s American states were not allowed to subsidize religious institutions (also something that is being questioned today). This way, a wide variety of concrete regulations came into being in Europe and the West, often considered part of national culture. Since the 1950s, though, a convergence throughout Europe can be discerned (Ferrari 2013).

However, even when churches did not legitimate the state, and people (or rather citizens) were considered equals, not all religions and spiritualities were treated equally. Christianity retained an important social, symbolic and cultural significance. Often one church received far more space to operate than other religious institutions, while Christians (incidentally also Jews) actively engaged in social and political action, as individuals but also collectively, e.g. through Christian Democratic organizations and parties.

2.2.2 The paradoxical legacies of the Revolution

In the Revolutionary Era, the issue of religious diversity was not only regulated through the separation of church and State but by **introducing individual civil and political human rights. These rights do not depend on the ruler, but are considered** inherent to the human condition and applicable to all human beings**.** But **imagining sovereignty in a national framework as the organizing political structure continued the ideal of homogeneity of Christendom in a different, secular frame, with unintended and pernicious consequences.**

In theory, the formulation of human rights marks a fundamental difference with a system of toleration depending on the whims of the ruler.[21] In practice, though, the difference tends to be less evident: as history in the nineteenth, twentieth and also twenty-first century would illustrate again and again, **also in modern states where sovereignty is based on the people, rights can effectively be granted or withdrawn**. Although the terminology of rights suggests they are absolute, in reality the debates on religious freedom almost invariably focus on limitations, restrictions and qualifications. That is certainly the case today. In fact, human rights therefore became imagined as bulwarks against state abuse in the first place. That, however, was not the perspective of the revolutionary era when modern human rights were invented.

[21] Of course the European concept of human rights as originating in human nature has a long and complex intellectual history, that can be traced back to Zoroastrism, the Ancient Stoics, medieval Catholicism and the Reformation, and especially the Enlightenment, but human rights broke through as a political principle only in the revolutionary era. If we speak about European human rights here we want to express that there actually exist also other, non-European histories of human rights. (I have used the concept in another meaning elsewhere (Pasture 2018), with regard to the ECHR which was not necessarily viewed as applicable in the European colonies).

The principles of individual human rights clearly come to the fore in the foundational texts of what is generally called the 'modern' era, the **Declaration of the Rights of Man and the Citizen (1789)** as well as the **First Amendment to the American Constitution (1789). Both texts present themselves as universal and propose equality ("all men are created equal").** They both guarantee freedom of religion, part of a broader set of rights (in the US a separate set of amendments to the Constitution is known as the 'Bill of Rights'), without specifying any particular religion. Neither refers to collective rights, nor do they invoke any supreme being as legitimation. Moreover, **the principles of universal rights underpinned a gradual evolution towards democratic forms of representation and sovereignty, which allowed citizens, also of different persuasion, to participate in government.** The democratic system also ended the arbitrary way sovereigns dealt with different communities (the collective identity rules of the premodern era).

However, these rights were *declared by* as well as *granted to* ***citizens***, hence they were associated with states and nations. **Considering some groups as not belonging to the nation and hence not full citizens, such as women, slaves and colonized people, seriously qualified these rights in practice**. **Moreover, the nation continued the ideal of homogeneity of Christendom**, which easily – though not necessarily – leads to exclusions, intolerance and discriminations. Nevertheless, the universalist claims could be, and effectively were, used to extend citizenship to slaves as well as to women (and eventually also to colonized people, although only after 1945), albeit not without struggle (Hunt 2008; Moyn 2012; Weitz 2019).

With respect to religion, **the new human rights principles implied that religion did not constitute a ground for discrimination: hence all people should be granted the same political and civil rights.** In fact, this means that discrimination on the basis of belief and belonging to a religious group was outlawed. This was particularly important for Jews, who gradually 'emancipated' in Europe and North America. This, however, was a difficult and all but straightforward process.

At the Congress of Vienna (1815), Jews in German territories received legal protection and rights as (members of) religious minorities. However, naming them as a group – in contrast to the French and American bills of rights – again singled them out. In the following decades, discriminations against Jews were first *reintroduced* in many places before they were gradually outlawed in the later nineteenth and early twentieth century and Jews (and in principle also other groups) accessed to equality and full citizenship. In such cases these minorities became ardent supporters of the national state, although it did not prevent negative reactions and discriminations against them – as particularly Jews experienced.

Increasingly nationalists would emphasize the importance of the nation as a basis of sovereignty. This reinforced the already existing association of rights and states: also religious freedom became an affair of the state. But this identification between nation and state also implied the creation of a distinction between a 'national' majority and (one or several) minorities. From a national or state perspective, minorities constitute a risk for the unity of the nation, which since its modern conception is imagined as sharing a similar culture and history. **Hence the ideal of the nation-state tends either to exclude groups – ethnic, racial or religious – that are seen as not part of the nation, or to 'integrate' them by assimilation. Especially ethno-religious communities with a strong transnational character risk of becoming excluded.** In this respect, notwithstanding the narratives of human rights, Jews again became more discriminated in Europe, a fate they shared with Christians (Armenians) in the Ottoman Empire and modern Turkey, and Muslims ('Turks') in newly independent countries in (South) Eastern Europe, such as Bulgaria and Serbia. The political leaders of these countries defined themselves as Christian (Orthodox or Catholic) and relegated Muslims – often designed as

'Turks' – to the rank of second class citizens. But the same dynamic occurred elsewhere in Europe too, especially targeting Jews.

Moreover, the nation was mainly defined in ethnic terms. It is often argued that ethnicity overshadowed and replaced religion as main marker of identity, but that is not necessarily the case (it is one expression of a 'secularist' mindset that erases religion from politics) (see Marx 2003), though some nationalist movements effectively were a- or anti-religious. But what happened more often, especially in the Balkans, is that religion became 'nationalized', religion become a feature of ethnicity and nationality (Deringil 2012). In the course of the nineteenth and twentieth century collective identities became further 'racialized': ethnic and religious identities were reframed as racial, which suggested a biologically grounded hierarchy between races. In the process identities became much more stringent: while one can change religion (which happened relatively easily and regularly in premodern times), that is impossible with ethnicity or race – at least how they were understood under influence of new ideas about the nature of human divisions:

in the eighteenth century terms as nation and race still were viewed fluid and changeable, but that was no longer the case a century later. Though the 'thinking together' of race**,** ethnicity and religion has a long history that largely predates the nineteenth century (one can find traces of it all back to the Middle Ages: Westerduin 2020), race got a new significance with social Darwinism and 'scientific racism' (or the 'science' of human races), on the one hand with regard to non-European peoples, on the other hand with regard to certain European communities, such as Romani people and Jews. Also colonialism contributed greatly to racism penetrating deeply into European societies in the nineteenth and twentieth century, incidentally lasting well beyond 1945. In this process, as the renowned scholar of religion Guy Stroumsa commented, "theological anti-Judaism (…) mutated into racial Anti-Semitism, a much more lethal illness" (Stroumsa 2019, 328).

As the Turkish historian Selim Deringil insightfully observed, one of the main features of the 'nationalization' of religion was that conversion or apostasy became viewed as 'denationalization' and thus treason. But the growing predominance of race has other consequences as well. It especially race introduces hierarchical and evolutionary relations. Especially (but not exclusively) Nazis adopted a racial hierarchy, in which they even considered Jews as subhuman, which in their eyes legitimated their extermination. Religion did not play a role anymore, albeit that it often did in the policies of Christian churches towards Jews (which also illustrates that they did not share the racial logic), prioritizing saving converted Jews over Jews that remained true to their religion. As the sort of the Herero and Namaqua (1904-1907) in German South West Africa (modern-day Namibia) as well as of the Armenians before and during WW I illustrates, the genocidal logic existed already before the Holocaust, and did not exclusively target Jews – albeit that Jews particularly were singled out as modern antisemitism built on almost two millennia of anti-Judaism in Europe. In the 1930s, especially through Nazism ('spilling over' to other ideologies), racism and antisemitism became even more generalized and radicalized, leading to the systematic exclusion and eventually extermination policies in Europe of 'subhuman' races, of which Romani and Jews became the main victims.

The ideal of national homogeneity, though not racially interpreted, also underpinned the diplomatic practice to 'exchange' populations as part of peace processes, which happened already since the 1878 Berlin conference but became especially prominent after WW I. The Treaty of Lausanne (1923) which settled 'peace' between Greece and Turkey as successor state of the Ottoman Empire for example foresaw forced deportation and 'resettlement' of Muslims from 'Orthodox' Greece to Turkey and of Christians to Greece and Bulgaria.

'Population exchanges' and forced deportations of people of a different religious and ethnic background to enhance 'national homogeneity' became a standard instrument to pacify multi-ethnic and multicultural regions in the late nineteenth and twentieth century. **Although considered a diplomatic success and repeated after WW II, such deportations caused immense suffering and bitterness, and did not avoid ethno-religious conflicts as there always remained minorities.** Ultimately, while the nation-state became the instrument to grant rights and democratic representation, the ideal of national homogeneity could lead to systematic persecution, mass murder and even genocide, as was the fate of the Armenians by the secularist nationalist 'Young Turks' during WW I, and ultimately the Holocaust, the most dramatic expressions of a logic that was initiated in the 1870s-1880s (Weitz 2008; 2019; Frank 2017; Moses 2021) but also built on much older traditions and 'habits of thought' and practices in Christendom.

Still, this is not the whole story. Because at the same time, since the revolutionary era, **human and religious rights were effectively granted to minorities**, particularly to Jews. This happened first in Western, then in Central Europe (particularly in the new liberal nation-states), albeit not in the Russian Empire nor in the new states that emerged in the slipstream of the disintegration of the Ottoman Empire at the end of the nineteenth - early twentieth century (apart, to some extent, from Greece, that became independent already in 1830) (Sorkin 2019). Moreover, in **the later third of the nineteenth century, the idea also emerged that minorities should be protected against discrimination and persecution**. After WW I, **the Paris peace treaties imposed upon the new states in Central and Eastern Europe guarantees for freedom of religion and explicitly demanded that all "nationals" would enjoy the same civil and political rights "without distinction as to race, language or religion"**.[22]

The League of Nations also set up an institutional framework to follow up these conditions, without, however, instruments to effectively impose and enact upon them. That, however, was not the only reason why they largely failed. As the late Eric Weitz argued (Weitz 2008; also Frank 2017), they were one expression of a civilizational logic: they were only imposed on countries that were considered 'immature'. Imposing minority treaties upon some states and not upon others – in particular Western European ones – delegated the former to underdeveloped, uncivilized state, which understandably caused resentment, all the more so as the concrete ways the treaties formulated the minority protections strongly reminded of the Ottoman 'capitulations' and policies to 'defend' the interests of Christians that European empires had forced upon the Porte, largely as a pretext to expand their subversive and expansionist activities (Robson 2021). It hence created an association of minority protection with colonial agendas, which certainly did not help either. Also for other reasons minority treaties can be considered the 'alter image' of the population exchanges and persecutions. By singling out minorities, they moreover not only emphasized collective identities but also set up majorities against minorities, as the majority did not enjoy such protections (Dalle Mulle and Bieling 2021).

It will no longer come as a surprise that introducing a 'European' approach of governing religious difference to other, more plural and multicultural societies may be problematic. This already came to the fore in the Ottoman Empire. The Reform Edict of 1856, part of the Tanzimat reforms intended to 'modernize' the Ottoman Empire, introduced religious freedom and equalized the relations between religions. It was largely inspired by the new western/ European ideals about the nation-sate, but by promoting an 'Ottoman' common identity it

[22] Minorities Treaty between the Principal Allied and Associated Powers (the British Empire, France, Italy, Japan and the United States) and Poland, signed at Versailles (28 June 1919), Art. 2 and 7 (http://ungarisches-institut.de/dokumente/pdf/19190628-3.pdf).

aimed at formulating an effective answer to increasing internal ethno-religious and nationalist tensions. Though the edict did introduce equality, it paradoxically increased the already rising tensions between religious-ethnic communities in the empire. Especially it contributed to further defining communities in exclusive terms of ethnicity and religion. Clearly western interference and the abuse of capitulations by the European and Russian powers did not help either. The whole logic actually stood at odds with the proclaimed new 'national' Ottoman unity. Eventually, it paved the way for a pan-Islamic reaction under sultan Abdülhamid II (r. 1876-1909) which, with the same basic aim in mind, grounded the state on Islamic principles (Barkey 2008, 263-296; Ryad 2022). In colonial contexts, the introduction of secularism and religious equality also had many unexpected and paradoxical effects, such as the politization of religion, the association of secularism with imperialism and repression, and the creation of fundamentalist Islamism and Hindu nationalism, among other (Chatterjee 2001; Iqtidar 2010; Van der Veer 2020; Cesari 2021).

If there is one conclusion to emerge from the history of the era of 'modern Europe', it is that **Europe was not able to find a lasting and stable system to accommodate religious diversity as it remained stuck in an ideal of homogeneity that originated in Christendom but was continued, and radicalized, in modern ideologies**, particularly in fascism and Nazism, but actually also in democratic nationalism and socialism, even if the latter also offered suggestions to protect minorities and imagine a more inclusive model. Therefore proposals that repeat these measures and somehow proclaim a return to an old order, if followed, will only lead to violence and suffering. That is also true for proposals to redefine the 'nation' – including a 'European' nation or citizenship – in homogenous cultural terms, including by referring to either its '(Judeo-) Christian' or its 'secular(ist)' heritage. The real alternative is to somehow define citizenship in inclusive terms on the basis of diversity and pluralism, something that is perfectly possible – there are plenty of examples in world history (including, incidentally, in Roman Antiquity).

2.2.3 A new human rights model?

Although not all historians agree on the degree of failure of the League of Nations and the minority protection system (some argue it did for a while offer some protection and actually introduced real protections that inspired the drafters of the Universal Declaration of Human Rights (UDHR) and the European Convention on Human Rights afterwards), **after WW II the principle of universal individual human rights became the norm**, while the principle of collective rights and the model of minority protection were abandoned, at least with regard to civil and political rights as well as for religious liberty. Still the logic of national homogeneity was not abandoned: millions of people (among whom twelve million Germans, two million Poles, …) had to leave their homelands as part of post-war 'peace' plans promoted by the victors (Pasture 2015, 166-167; Ther 2014). In the debate on the post-war Genocide Convention (parallel to the discussions about a universal human rights declaration) Western and some Latin-American states deliberately opposed recognizing cultural rights and cultural genocide as this would delegitimize their assimilationist policies towards minorities as well as their treatment of indigenous people in their colonies. As researchers Emmanuel Dalle Mulle and Mona Bieling concluded they "**defended an assimilationist conception of human rights; one that privileges the rights of some groups (national majorities) over those of others (national minorities)**" and not the purely individualist conception of human rights that prevailed in the UDHR (Dalle Mulle and Bieling 2021, 270); it was also the reason why the latter remained a non-binding 'declaration' without legal liabilities. The focus on individual and particularly political rights (freedom of speech, freedom of religion) became an important tool for liberal democratic states, in particular the US but also Western Europe, to contrast free societies from the totalitarianism of fascism as well as communism – the freedom of religion

in this perspective was especially important to distinguish alleged 'free Europe' from the USSR and the communist bloc, where free exercise of religion was prohibited or severely restricted and religious people persecuted.

For Western Europe (countries in the 'Eastern bloc' did not sign it), the **European Convention of Human Rights** (ECHR, 1950) guaranteed (religious and other) rights for the citizens of European signatories – the text was not automatically applicable in the European colonies, and in fact major countries did not ratify the Convention, which thus seriously qualified the 'universal' character of these rights, although (in contrast to the UDHR) they were enforceable. Only after decolonization, with the prospect of enlargement in the 1970s and in view of a new cultural sensitivity for moral values, the European Communities and their member states could really turn human rights into the cornerstone of a new set of European values, centred around democracy, equality, freedom, human rights and the rule of law, which also aimed at distancing the 'new Europe' from the past characterized by eternal war and persecution of minorities.[23] The idea of social and collective rights incidentally was not necessarily totally abandoed after WW II, but delegated to a different working group within the Council of Europe – which finally resulted in the European Social Charter in 1961 (it became effective in 1965).

The EU, following earlier initiatives from the Council of Europe and the European Communities (its immediate forerunner), has effectively initiated a broad endeavour not only to bring European nations together in a common economic and political framework, but also to stimulate the development of a new European 'culture' and identity viewed both as a continuation of archetypical 'values' (imagined as rooted in Greek and Roman Antiquity, Christianity, and an Enlightened Humanism) and as a departure of a history of endless wars, national antagonism, and actually the culture of homogenization and persecution that characterizes European civilization and that has led to intolerance, persecution and eventually even genocide, as epitomized in the Holocaust which became, as it were, the EU's 'negative founding myth' (Leggewie 2011). It has also distanced itself from its (and broader, 'European') history of colonialism and imperialism, up to simply 'forgetting' it. Even though some qualifications may be expressed,[24] the EU stands out in promoting human rights, and in particular also the freedom of religion.

Indeed, the EU has effectively incorporated the values of 'human dignity, freedom, democracy, equality, the rule of law and respect for human rights in its Charter of Fundamental Rights of the European Union (CFR), proclaimed by the European Parliament, the Council of Ministers and the European Commission in 2000 and enshrined in the Treaty of Lisbon (2009), making it EU law applicable in all member states. It implies that from then onwards also the European Court of Justice is competent for human rights issues, alongside the European Court of Human Rights. 'Unity in diversity' became its motto.

As was already the case with the ECHR, the EU also **implicitly considers the state (and itself) as secular**, allowing certain restrictions for the sake of general interest as stipulated by law.

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23 The historiography of human rights has underwent a revolution since the work of Mark Mazower and Samuel Moyn on the history of human rights and of Peo Hansen and Stefan Jonsson for the (neo)colonial dimension of European integration (incl. the ECHR). See Pasture 2018 and Duranti 2019 for a state of the art of the debates. Peter van der Veer and Saba Mahmood pioneered in bringing in the perspective of non-Europeans. David Sorkin's ground-breaking study of Jewish emancipation (2019) adds a completely new perspective to the debate, of which the impact will only become more evident in the following years.

24 One may certainly observe that Europe's imperial past sometimes reappears as a palimpsest and that the EU's orientation on values sometimes supports a certain 'self-righteousness' that actually hampers its effectiveness and may prevent its ability to listen and learn from others; it can actually become a form of exclusion and intolerance towards those allegedly 'intolerant', in particular Muslims, and a motivation of securitization policies (Brown 2008; Bialasiewicz and Gentile 2022; Forchtner and Kølvraa 2012; Pasture 2020).

Case law in particular strengthened religious freedom against impulses of states who sometimes are tempted to refuse to recognize certain religions, spiritualities or 'sects', in particular in Eastern Europe where dominant churches sometimes gained quasi-established status after 1989.[25] But the EU also recognized the existing church-state relations in the member states (art. 17 of the Treaty on the Functioning of the EU), while the European Court of Human Rights (ECtHR) and the European Court of Justice (ECJ) remain cautious not to declare illegitimate existing regulations, including state churches, if they guarantee religious freedom.

In the meantime the EU also set up a **dialogue between the European Commission and religious representatives**. The origins of this dialogue go back to the 1970s but took off as a result of an initiative of European Commission President Jacques Delors in 1990; it was inscribed in the Treaty of Lisbon (2009) and since a regular dialogue has been initiated, both with representatives of religious institutions as with non-confessional organizations, in particular some humanist organizations (EU 2020; EU 2022). **This evolution follows the pattern of mixed relations and consultation between public authorities and religious and convictional associations that has been observed also at national level. Remarkably the EU includes religious literacy in its foreign policy or 'external action'.**

The Charter of Fundamental Rights (CFR) gave a strong impulse to the EU to promote itself as champion of human rights and to engage in a fight against crimes motivated by racism, xenophobia or religious intolerance, as the European Communities had done since the 1960s (after decolonization). **However, in the late twentieth century the concept of 'minorities' reappeared, as it became apparent that communities, in particular sharing a 'minority' religion in Europe (Muslims, but also Jews) increasingly became considered problematic again by some and experienced discrimination**. In this respect the CFR explicitly forbids discrimination of minorities (art. 21) and claims respecting "cultural, religious and linguistic diversity" (art. 22). Increasingly both the US and the EU promoted a model of religious freedom based on the recognition and protection of religious minorities, particularly in their foreign policy. While well-intended, recent research suggests that this may have unintended effects though (Hurd 2015; Grüll and Wilson 2018).

In parallel, the neutrality of the state, and also of the European courts (particularly the ECtHR) has become questioned. The main scholarly critique is that they adopt a secularist position that in practice reflects a post-Christian understanding of relations between the sacred and the secular and shows an 'asymmetric tolerance', being more tolerant towards Christianity, as part of the dominant culture, than towards minorities, in particular Islam. But criticism also comes from the populist and conservative neo-Christians, who defend the 'Christian' culture as well as from militant secularists (Adrian 2017; Roy 2020, 144-50; Bhuta 2014; Moyn 2014; Martínez-Torrón 2016; Rovinsky 2021; Forst 2011, 543-71).

2.2.4 Religious peace-making in the late twentieth century: The Belfast Agreement and the Ohrid Framework Agreement

RETOPEA also investigated how two late twentieth century conflicts involving religion were settled and pacified, the Belfast Agreement of April 1989 and the Ohrid Framework Agreement (13 August 2001), ending respectively the 'troubles' between Catholics and Protestants in Northern Ireland and the 'insurrection' of the Muslim-Albanian minority in the Republic of

[25] The European Convention of Human Rights nor the Charter of Fundamental Rights of the EU prohibits church establishment though and also the European Court of Human Rights (nor the European Court of Justice) has in any way considered if a state church is in contradiction with the freedom of religion or the non-discrimination clauses, while the ECtHR has accepted unequal treatment (Scolnicov 2010).

Macedonia (since 2019 North-Macedonia). Both actually confirm many of the principles that we observed throughout the centuries, while giving them a few particular twists.

1. In both conflicts **religion was a major, but not the sole issue**, as was the case with all conflicts studied in the project. In either case peace implied **giving up the armed struggle as means to obtain political goals**, which required disarmament of the non-state actors.
2. Both also show how important it is to **involve all partners and communities**, local as well as international. Incidentally in both cases the EU also played a role, more explicitly in the Macedonian case (by appointing a special representative and crisis management missions) but also in the Northern Ireland one.
3. **It is also essential to recognize the pain of the victims and their families and communities**. Failure to find an effective way to do this remains a serious unresolved problem in Northern Ireland. In this respect we can also point out the need **to find ways to commemorate the events in a way that avoids reopening the wounds**. This has been a difficult process though, particularly in the case of North Macedonia, where there are still two very divergent ways of commemoration. In this respect RETOPEA concludes that while attempts at creating inclusive mnemonic practices failed to enthuse the people and were easily recuperated for political goals, memorials and museums focusing rather on the conflicts themselves "may well have a cathartic function for those who might otherwise be tempted to resume hostilities. It offers them a sense that justice has been done to the past, and that they can now look to the future" (Georgieva, Trajanovski and Wolffe 2022: 157).
4. As the comparison with the Early Modern European peace treaties shows, **recognizing the experience of victims on a local or personal level has turned out to be an important factor for successful peace-making**: While the older treaties always started with a formula of oblivion and amnesty for all things that happened in the previous war, the contemporary agreements embrace the collective memory of what happened as the key to reconciliation and transitional justice.
5. **A very important precondition of peace was restoring confidence and trust in the state** – in contemporary democratic societies it means the involvement of the people. In the Belfast agreement this is achieved inter al. by submitting the agreement reached to popular vote alongside representative bodies, as well as the set-up of a proper representative body for Northern Ireland with proportional representation and the inclusion of both communities in the executive body, avoiding the rule of a majority over the minority – thus avoiding the nationalist homogeneity trap. In the case of the OFA this is achieved through constitutional reform, territorial reorganization and the development of a local self-government system.

2.2.5 Religion in a plural world

Since the 1960s, religious diversity in Europe has considerably increased, among other as a result from increased affluence, education and mobility, including migration. **Globalization and (De)Colonization** have played a huge but complex and multifaceted role in this process. They contributed obviously – not everywhere to the same extent though – to **migration to Europe**, as many migrants have another religion than the one dominating in Europe. Especially Islam grew in this way (esp. Sunnis, Alevi's, Shi'ites, Alawites and Ahmadiyya), besides Hinduism, Buddhism, Jainism, Bahá'í and Sikhism. Far less known, but certainly at least as important, is that especially Asian 'missionaries' had been propagating Asian religions and spiritualities in the West since the early 1900s. Their activities brought Asian religions such as Buddhism and

Hinduism to the West (actually certain religious movements such as Hare Krishna in the late 1960s), but they also introduced spiritual practices disconnected from their religious origins (yoga, meditation), blurring the lines between religion, spirituality and the profane. They hence contributed to what later became known as New Age or New Spirituality and by the late twentieth century fundamentally transformed the religious, spiritual and cultural landscape *in the West(Campbell 2007; Pasture 2011; 2013). In their wake also North and South American as well as African religious movements manifested themselves, including Pentecostal and Holiness Churches, The Church of Jesus Christ of Latter-Day Saints, Jehovah's Witnesses, as well as so-called 'new religious movements' such as Scientology. Also new spiritualities and paganism – based on 'reinvented' local spiritual traditions – gained following. They are all part of **continuously changing patterns of religious transformation and globalization of religion throughout the nineteenth and twentieth century, creating complex patterns of interaction between "the four corners of the world"**. They also led to religious boundaries – including between the religious, the spiritual and the secular – becoming blurred and porous, leading to religious patterns and practices that 'orthodox' (as well as scholars) find inconsistent (e.g. Catholics believing in reincarnation, Reformed joining Pentecostal services, atheists emphasizing the 'Christian' nature of Europe against Islam, …), which also contributed to de-Christianization and deconfessionalization (Pasture and Schellekens 2022; Pasture 2011; 2013).

An important development is that **most if not all major religious institutions and religious movements now appear to endorse the principles of religious freedom**, including Islam – at least in Europe (see below) – and the Catholic Church.[26] The latter, which explicitly opposed religious freedom until the Second Vatican Council, since has retreated from its historical opposition to the liberal-secular state and emerged as a champion of religious freedom. To be sure much reservations exists with the Orthodox Churches – esp. the Russian, Bulgarian and Serbian Orthodox Church – against 'western values', ecumenism and pluralism (Ramet 2006; 2019). However, at the same time **Orthodox militants are at the vanguard of interconvictional dialogue**, "defending the traditional view of Orthodox church in terms of respect for all beliefs, beside all theological conceptions" (Petar Gramatikov, URI Global Trustee for Europe, https://www.uri.org/petar-gramatikov).

The 'liberalization' of the Catholic Church opened the way for a more collaborate relationship between the Church and the state in France, as the school law (the law Debré) of 1959 that introducs state subsidies for Catholic schools illustrates. France along with other European states adopted similar measures to integrate other institutionalized religions, in particular Islam, but as these are structured in very different ways, this has not worked very well anywhere (also not, as was repeatedly emphasized, at European level). Indeed, the instances and procedures created with the intention to establish a dialogue with other religions, spiritualities and worldviews do so (not all to the same extent though) as if these were structured and operated the same way as Christian churches, with a strong organizational structure and relying on 'authoritative voices' and religious or convictional 'leaders'. That,

[26] It is delicate to make such a claim though, as most world religions do not have a universal authority that can make definite statements. With regard to Islam we focused on the Mardin Declaration (2010) and the Marrakesh Declaration on the Rights of Religious Minorities in Predominantly Muslim Majority Communities (2016) (see below), but one should recognize that in contemporary Muslim countries, particularly in the Middle East (particularly Afghanistan, Iran as well as the Gulf States), religious freedom is not respected. Also in secular Muslim states as in Southeast Asia, such as Indonesia and Malaysia where Islam has a privileged position, other religions can be discriminated. See in this respect the Pew Government Restrictions Index 2021, which lists also Malaysia and Indonesia as having "high" or "very high" levels of government restrictions (incidentally the list of countries with high government restrictions includes also some European countries such as France, Bulgaria and Ukraine). See Pew 2021 (esp. annex 1).The formulation of human rights also owes much to interreligious interactions. On this subject see Loeffler 2023.

however, is rather not the case. Moreover they hardly take in account the diversity within these religions and spiritualities. Hence these consultative structures rarely, if ever, meet the expectations. Paradoxically, the result is a closer association, also symbolically, between state and Christian churches, especially since the 1980s, and some sort of uneven recognition of non-Christian religions.

One of the reasons is what anthropologist Elayne Oliphant (2020) with regard to contemporary France recently dubbed 'banal Catholicism', **the fact that Catholicism remains very present in society while remaining largely 'invisible' (hence 'banal'). Far from a weakness, this 'banality' is actually a force**. In fact this banal omnipresence is what has allowed churches to remain prevalent in many European countries notwithstanding profound de-Christianization. It also allows the secular state to collaborate with Christian organizations and associations, as they appear inoffensive. This banality, however, also offers leads to anchor projects of political re-Christianization, as is exemplified in the highly successful theme parc of the Puy du Fou in France which attracts millions but conveys a hardly hidden political message of reactionary Catholicism (Galland 2022; Besson et al. 2022). Moreover social movements inspired by Catholic thinking (albeit very different interpretations) play an increasing important role in French civil society, with clear political implications (Bolzonar 2023).

In the meantime, after having been considered increasingly irrelevant until the 1970s, religion became viewed as contentious again. In fact religion re-entered the political discourse in the US already since the 1960s, when Christian evangelicalism re-emerged as a political force: religious conservatives engaged in a culture war and impacted seriously on American politics under the presidencies of Richard Nixon (1969-1974), Ronald Reagan (1981-1989), George H.W. Bush (1989-1993) and George W. Bush (2001-2009), while 'Born Again' evangelical Jimmy Carter (1977-1981) was inspired by more progressive evangelical ideals. In a different vein in the 1970s and 1980s distrust of religion arose especially among intelligentsia and state authorities as the result of the so-called anti-cult movement: the popularity, proselytizing activities and alleged 'brainwashing' techniques of certain so-called 'new religious movements' along with several sex and abuse of power scandals, provoked virulent reactions and incited governments to 'monitor' and curtail 'cult' activities, implicitly undermining (the support for) religious freedom (Barker 2017). From the late 1970s onwards, religion furthermore became associated with violence and intolerance. The Iranian Revolution, the ayatollah Khomeini's *fatwā* ordering the execution of Salman Rushdie, and the series of Islamist terrorist attacks against the West put particularly Islamist radicalism in the spotlight. Moreover, already in 1989 the idea of violently 'homogenizing' nation-states and expelle religious minorities re-emerged in the Balkans, first in Bulgaria and then particularly in the Yugoslav wars characterized by ethno-religious 'cleansing', mass murder and genocide. But it also affected wider reactions also elsewhere in the West, in particular in criticism of 'multiculturalism'.

One should note that many of these tensions often do not so much oppose religious communities against each other as set up religious extremists against ordinary people, not the least co-religionists. From a global perspective the main victims of Islamist terrorism are Muslims, and their attacks in Europe or the US certainly does not spare Muslims either, while inversely also white Christian nationalism in the US mainly kills white Christians. In the 2000s militant secularists, less violent though, when they target Muslims using blasphemy and ridicule do not distinguish between radicals and moderates – their attempts to marginalize religion and in particular Islam this way incidentally do not quite have the desired effects. Such actions constitute the core of what has been labelled 'post-secular' conflicts about norms and values, which created 'strange alliances' between secularists and conservative Christians for whom religion offers mainly a source of cultural identity or legitimacy rather than a source of

spiritual inspiration (illustrative perhaps of a changing meaning of religion, and certainly not an argument not to take the religious reference seriously) (Stoeckl 2020; Balkenhol and Van den Hemel 2019). **They found themselves a common 'enemy' in Islam** (with Jews often as 'collateral damage', although Anti-Semitism rises in Europe also independent from this dynamic) **but also in what they view as liberal, 'woke' multiculturalism**.

In this context some eminent philosophers as well as political authorities argue that religious difference should be removed from the public sphere, that the public space should be 'neutralized' and 'de-ethnicized', and minorities assimilated in the 'majority' – or rather an imagined homogenous white conservative population considered as the majority. They state that banning religion from the public space constitutes a way "of fairly integrating minorities as equal citizens" (Modood and Sealy 2022, 868, referring to Laborde 2008). They believe that the separation between church and state, or broader between state and religion, implies and demands that the state be 'neutral'. The history of the separation between state and religion shows how problematic that view is, as it is effectively the result of a centuries-long struggle for leadership of Christendom. Hence "the separation of religion and state is not a neutral view about religion; it is a very definite view" (Modood and Seeley 2021, 5; Kymlicka 1995, 108). In this respect it is also worth pointing out that the freedom of religion after WW II was particularly promoted in opposition to the secularist communist regimes, in particular in the USSR and Eastern Europe, so quite different from the secularist argument (Moyn 2019). **The history of religious toleration an emancipation rather suggests a different perspective, as it actually shows how religion was increasingly *recognized* in the public space. In fact, the whole idea of encapsulating religion in the private sphere ignores the social and collective dimensions of religion. In blatant contrast to the secularist principle of state neutrality, we argue that the public space is not a secular space by definition, but rather, as Marietta van der Tol and Philip Gorski (2022) recently likewise observed, a trans-liminal space of encounter.**

Hence the late Alfred Stepan – who particularly studied the contemporary relationship between secularism, religion and democracy in Western *and* Islamic societies – argues for **the right of religious actors (both individuals and groups, thus including movements) to advance their values publicly in civil society and to sponsor organizations and movements in political society, as long as their actions do not impinge negatively on the liberties of other citizens or violate the law, and considers it as one of the 'twin tolerations' essential for a democratic society**. After all, democracy is about "conflict regulation that allows open competition over the values and goals that citizens want to advance". So whoever uses no violence, respects the rights of others and follows the democratic rules should be allowed to advance his/ her interests, goals and values "both in civil society and in political society". Stepan nevertheless also emphasized a minimal 'distance' of religion from government: "Religious institutions should not have constitutionally privileged prerogatives that allow them to mandate public policy to democratically elected governments (Stepan 2000, 39-40). Our analysis rather supports that view.

But there is something else going on as well. The debate on the 'neutrality' of the state, today often extended to the public space, ignores some other important changes in the religious landscape: **there is fundamental transformation going on which fundamentally alters our understanding of religion, and hence also how we must imagine ways of or realizing toleration and peaceful coexistence** (comp. Depaigne 2017). One important feature is that the significance of the traditional world religions in Europe is declining, not so much because its numbers are – in the case of Islam they are actually growing, albeit mainly through immigration – but because the variety *within* these religions increases, particularly with regard to values and norms which became central in contemporary political debates and conflicts. Moreover **the new spiritualities further blur the boundaries between the sacred and the secular, while**

religion becomes less about personal 'belief' and more about connection and identity. This has consequences for the regulation of religion, increasing the risk of what William Connolly has called 'over-coding' (Connolly 1995, 167; Hurd 2015, 48).

Moreover, while the 'modern' (i.e. nineteenth century) definition of religion especially emphasizes individual belief, which can relatively easily be 'privatized' – one of the premises of secularism – these dimensions are far less central in the contemporary understanding of religion, which stresses the communal, identitarian, cultural and relational aspects of religion. **Belief in this respect appears not only less central, but even 'liberated' from religion**: in contemporary society 'belief' became dissociated from religion and has, in contrast, proliferated (Žižek 2001, 122 and 146–50).[27] In the analysis of UC Berkeley historian Ethan Shagan (2018), this proliferation "creates the conditions for peace in a diverse society" (10), but that may be an overly optimistic conclusion: **if European history teaches us one thing, it is at the very least that peace and toleration do not follow automatically from a multiplicity of incommensurate beliefs**.

The issue of the hijab, so very prominent in the public debate today, illustrates the issues at hand particularly, and also exposes the problematic nature of the argumentations about the 'secularity' of the public space (esp. in Francophone countries); moreover it also constitutes a **very concrete issue many young people are confronted with** (if not always directly). The perception of the hijab as an Islamic symbol, illustrating the suppression of women and as an act of proselytization, threatening the 'neutrality' of the state indeed could not be more removed from how many young Muslim women – at least in Europe – view it.[28] While it certainly happens that young girls are forced to wear a hijab also in Europe, there is actually very little evidence that it is a widespread practice. To the contrary, research shows (young) women in Europe describing wearing the hijab as a sign of cultural identity, as a virtual 'safe space', and even as sign of postcolonial resistance and anti-patriarchal liberation (El Guindi 1999; Fadil 2018; Joppke 2007; Henkes and Kneip 2009, 271-272, Korteweg and Yurdakul 2014; Moyn 2019; Scott 2017, esp. 16ff; Sinclair 2013; Zempi 2016; Zempi and Easat-Daas 2022). That the hijab is – or is it? – a religious symbol actually appears secondary. It may be for its opponents, but for those who want to wear it, the hijab appears to refer to a cultural identity or to oppose an alleged denial of their freedom of religion or expression. Such differences matter, as policies ignoring divergent perceptions run a high risk of alienating the people targeted. The purpose of banning a hijab and similar semi-religious symbols may be emancipation and liberation – what often is the official legitimation, though perhaps not always the real motivation – the results may be exactly the opposite, and subject these women to intolerance, alienation, and exclusion, and lead to politization of religion. In fact, it reminds of what happened in colonial contexts where secularism became associated with imperialism

27 "Secularization has not segregated belief from the world, it has instead opened the world to belief, liberating it from the demands Christianity placed upon it" ; "In modernity, belief is the space in which rival claims subsist as commensurate alternatives" (Shagan 2018, 293; 10). If they really are commensurate is the question though.

28 No doubt there also exist examples where the hijab is promoted and even imposed upon young women by conservative and extremist Islamists. Moreover, in some Muslim societies such as in the Saudi-Arabia and the Gulf states, Iran, and Afghanistan religious clothing is forced upon women in the most discriminatory manner, which surely complicates the issue also in Europe – at the time of writing in Iran women (and men) are fighting a brave but difficult battle, provoked buy the death of a young girl by the Iranian 'morality police' for not properly wearing her headscarf, against a ruthless theocratic Iranian regime that shows not the slightest respect human rights and freedoms. But our assessment and the academic literature on the subject suggest the situation in Europe is fundamentally different. We elaborate a bit on the question of the hijab because it is a very general issue that nicely shows the dilemma's and one that many young people are particularly familiar with and sensitive for.

and repression: that the opposition to 'identitarian secularism'[29] often refers to post- and de-colonization arguments is hence significant.

The issue is particularly important with regard to young people, who rather than failing to see the underlying secularist reasoning of prohibitions, value authenticity and self-expression most and may therefore be particularly sensible to measures denying these, especially in the name of abstract principles that appear hypocritical, irrelevant (as perceived a pertaining to a bygone era) and that they hence perceive as pure islamophobia and racism (compare esp. Lipovetsky 2021). It is perhaps the domain where the 'assymetrical tolerance' is the most obvious, and risks "making Muslims decreasingly tolerant of non-Muslim symbols" risking creating "a downward spiral of intolerance (…) in which citizens no longer tolerate other life modes and merely try to promote their own " (Van Waarden 2017, 4). It also illustrates a trend to expand the concept of the 'public sphere' into domains that are traditionally considered private and deeply personal, such as clothing. Clearly then, we get far removed from novel ideals about 'respect' or 'esteem' toleration as proposed by some contemporary authors (see above), and are finding ourselves again more in line with the long European history of intolerance, fear of diversity and longing for homogeneity.

2.2.6 Contemporary debates on peace and toleration in Islam

Especially after the rise of a radical, violent Islamism and the emergence of Islamist terrorism on the one hand and of Islamophobia, moreover becoming more widespread, on the other hand, some leading Muslims looked for ways to strengthen 'moderate' and peaceful traditions in Islam. RETOPEA has in particular focused on public initiatives such as the Mardin Declaration (2010) and the Marrakesh Declaration on the Rights of Religious Minorities in Predominantly Muslim Majority Communities (2016), among other (see Hindi et al. 2022).[30] These initiatives delve into the Islamic tradition to identify ways to legitimize toleration and peace today in opposition to those who try to find in the same tradition arguments for violence and terror. The conference of Mardin for example re-examined the 'Mardin Fatwa', a judicial opinion by the medieval Syrian theologian Ibn Taymiyya (1263-1328) in which the latter argued that Muslims can live in peace in 'mixed' or 'composite' (*murakkab*) countries – and do not need to emigrate to countries that are ruled according to the sharia – as long as they were able to fulfil their religious duties: these territories constitute a separate space or 'domain', called *Dār al-Ṣulḥ* ('domain of peace') or *Dār al-'Ahd* ('domain of the pact'), between the *Dār al-Islām* ('domain of Islam)' and the *Dār al-Harb* ('domain of war', of the 'infidels'). This interpretation of the fatwa at the Mardin Conference incidentally goes against older interpretations seeing the fatwa as an appeal to violence, based on an erroneous translation of the original text. It points at the need to critically engage also with Islamic scriptural traditions.

The discussions in the wake of the Mardin declaration circulated around concepts such as 'tolerance' (*tasāmuḥ*), religious freedom (*ḥurriyyat al-dīn/ḥurriyat al-'ibāda*), peace (*salām/ṣulḥ*), and fraternity (*ukhuwwa*) as well as *raḥma* (compassion), *maṣlaḥa* (the common good), *ʿadl* (justice) and *ḥikma* (wisdom), pointing at "an overlapping of two different frames of reference: the language of Islam and that of human rights" (Hindi et al. 2022, 171). There remain differences though. For example, the Arabic concept referred to 'tolerance' used in contemporary Islam, *tasāmuḥ*, includes a sense of reciprocity; it is translated as mutual

[29] We use the term identitarian here similar to Etienne Balibar (2018), who speaks of 'identitarian laïcité'. This is a broader meaning than that of some political scientists (such as Cas Mudde) who refer to identitarianism as a particular far-right political movement originating in the French 'Nouvelle Droite'.

[30] Another recent important document is the Bahrain Declaration for Religious Tolerance of September 2017, which underscores the freedom of religion.

tolerance or mutual forgiveness. One can view it as a including a dimension of respect and esteem that contemporary 'western' thinkers such as Rainer Forst and Elisabetta Galeotti advocate as well.

While the Mardin Declaration focused on Muslims in societies where Muslims were a minority but allowed to practice their religion, the Declaration of Marrakesh, issued in 2016 while ISIS established a 'caliphate' in Iraq and religious minorities in the Middle East were persecuted, discussed the 'rights of religious minorities in predominantly Muslim majority communities'. The Conference of Marrakesh aimed at proposing an alternative vision to that of an intolerant, illiberal, violent and reactionary religion prevalent in the West and in contrast wanted to present a moderate and tolerant face of Islam. The Conference reimagined the Constitution of Medina to propose a new idea of 'contractual citizenship' (*muwāṭana ta'aqūdiyya*), based on justice (*'adl*) and equality (*musāwā*) before the law, emphasizing what the conference saw as the fundamental values of Islam in plural societies, namely kindness, honour, cooperation and solidarity, reconciliation, human fraternity and interaction, wisdom, commonweal, being just with others, mercy and peace (Bayyah 2016a: 8-9; Hindi et al. 2022).

In the same vein Pope Francis and the grand imam of Al-Azhar in Cairo, Ahmad al-Tayyeb, in February 2019 in Abu Dhabi (UAE) signed a declaration on *Human Fraternity – For World Peace and Living Together* pleading for tolerance and peace, adopting "a culture of dialogue as the path; mutual cooperation as the code of conduct; reciprocal understanding as the method and standard". Remarkably both agreed on accepting freedom of belief and describing the "pluralism and the diversity of religions, colour, sex, race and language" as willed by God.[31]

As these are top-down initiatives, emanating from an elite group of religious scholars and moreover sponsored by governments with their own agendas and not beyond reproach as regards human rights and their treatment of religious minorities, their impact may be limited. **Nevertheless they show how the rich history of Islam and in particular the use of ethical principles about ʿ*adl* (justice), *istiṣḥsān* (the public good), *tasāmuḥ* (mutual tolerance) and *Ṣulḥ* (peace and reconciliation) may constitute a basis for mutual understanding, toleration and peace, either in Muslim societies or in a plural world – both being fundamentally compatible and equivalent.**

2.2.7 Conclusions with regard to the history of toleration and peace in the Modern Era

Contemporary scholarship – be it in history, philosophy or social sciences – draws a clear line between the era before and after the late eighteenth century, with the French Revolution as symbolic dividing line, certainly with regard to issues pertaining to religion. We already put that view into perspective, as it is entirely based on a 'Western' chronology and thus inapplicable outside (Western) Europe/ Christendom and North America. But also in Western/Christian Europe – to which the following assessment largely is refrained – many continuities prevailed and change happened gradually, and not always in a linear and unidirectional way. Emphasizing the difference obscures the important role religion plays in modern European society and how much Christianity remains an important social, cultural and political force, even if it offers less political legitimacy and – something we did not elaborate here – its impact on science and economy also declined considerably. Some scholars suggest that Christianity morphed into 'cultural capital', giving way to national and racial identities and a 'romantic secularism' (Stroumsa 2019), but that view ignores many continuities. Moreover, it suggests

[31] *Document on Human Fraternity for World Peace and Living Together*, 4 February 2019 https://www.vatican.va/content/francesco/en/travels/2019/outside/documents/papa-francesco_20190204_documento-fratellanza-umana.html. Thanks to Jürgen Mettepenningen.

that secularization constitutes a break, while also before the French Revolution dimensions of life and politics were secular – international politics is a clear example – while political secularism, as practiced in Europe (particularly in France) to a large extent follows Gallican traditions of state control over churches: separation of church and state often means freedom *from* religion but far less *of* religion. While the introduction of human rights appears to constitute a fundamental difference with Medieval and Early Modern practices of arbitrary 'identity rules', they also originated in existing theories of 'natural rights' and Biblical principles. Moreover, Europe continued to privilege religious homogeneity and granting, or refusing, toleration to collectivities, although some modalities but particularly the framing did change. However, it is only after WW II and the Holocaust on the one hand, and decolonization on the other hand, that a new understanding of religious freedom could take root.

This happened against a fundamentally transformed religious or convictional landscape. The changes can be summarized as follows:

1) **A continuing de-Christianization**: the impact of organized Christianity has declined and continues to do so, even if there are signs of renewal and an increased identification with the Christian tradition from a cultural or identitarian position. The latter in part aims at opposing Islam as an 'alien' tradition but certainly also is imagined a defence of traditional Christian or European values rather than in terms of personal belief or spirituality.
2) **Pluralization and increased complexity**, through a growth of the number of Muslims, of different allegiance (Sunnis, Shiites, Sufis, Allevi's, etc.) and people of other organized religions, as well as non-institutionalized spiritual expressions, blurring the line between religion, spirituality and the secular. **Perhaps the most dramatic exponent here is the dissociation of religion and belief, whereby belief is less central in religion, which becomes more 'ritualistic', spiritual, communal or identitatrian, and *belief becomes generalized in secular contexts and secularism***.
3) **Pluralism became embraced as a positive value** after WW II and particularly since the 1960s, which was after all above all a revolution of values (and thus the start of the so-called 'culture wars', which are rather about norms and values) – hence also demands for 'respect toleration' and multiculturalism were advanced, a clear departure from the negative ways toleration traditionally has been viewed in European history. The EU and its forerunners in particular have been promotors of this thinking, distancing themselves from both intra-European intolerance and from colonization.
4) Far from having disappeared**, religion, either in its institutionalized forms, material expressions, or in spiritualities, is everywhere**: in academic and political discourses and debates (not the least in claims about its irrelevance), in museums, TV films, pop music and games as well as life-style magazines, everywhere people gather together. **Nevertheless it also appears as 'the last taboo'**: as we noticed when talking with young people about religion, they indeed encounter religion everywhere as mentioned, but hardly even have the opportunity to talk about it. They often enthusiastically welcomed the opportunity we offered to do so in the project, but sometimes did not even know the religion of their classmates and friends: it is something they seem to be unable to talk about, apparently out of some pudeur. Judging on the more polemical debates in newspapers and on social media, many adults have difficulties to talk about it too, but for different reasons and in a different way.
5) One cannot dissociate this observation from the fact that religions also entered the public debate through violence and terrorism, mainly from Islamist origins, which, in turn, has contributed to the rise of islamophobia, religious intolerance and populism. The result is, unfortunately, that **religion is perceived as source of conflict again**.

This has contributed to new conflicts unhappily labelled 'post-secular' (unhappily as obviously they did not suggest a departure from a 'secular age' or a return of religion, neither some sort of 'reflective stance'). 'Culture wars' is in that sense certainly a better term (even if they are more about norms and values than about 'culture'), though the contemporary culture wars also differ from the nineteenth and twentieth century ones (which were not entirely the same either: Weir 2018). What characterizes the new culture wars is that they do not necessarily oppose religious and secularist forces, but that they lead to quite different oppositions that cut through these divisions. As the Austrian sociologist Kristina Stoeckl argues, these conflicts are "not conflicts between secular and religious worldviews, but between liberal-progressive positions and conservative-traditionalist positions" (Stoeckl 2020, 14), with profound implications for the geopolitical imagination of conflicts – with Russia (at least until the Russian invasion of Ukraine) as a symbol of strength and rejuvenation against the 'decline of the West' (in itself not an unfamiliar theme in the culture war narratives of the twentieth century either, though the alternative is very different). Stoeckl furthermore observes that there are no easy – if any – solutions for these conflicts, all the more so because tolerance for dissent actually decreases.

Hence, the old ways loom large over the present, especially via the continuing ideals of homogenization, apparent in assimilationist policies towards minorities, through different treatment of religions and spiritualities – or the continuing privileged position of Christianity as well as organized secularism – and in the new 'culture wars', which recall old ones, even though the religious landscape has become radically different and more plural. Accepting this plurality and evaluating it positively, remains an issue. What also appears is a lack of understanding of the nature, and the depth of the transformation, which makes that traditional concepts of pacification and toleration may not be entirely adequate. European public authorities, national as well as trans- and international, have initiated forms of dialogue with religious institutions, but did not adapt to these different realities: the dialogue is very much based upon the model of Christianity, with its established institutional structures, but ignores the differences within religious institutions and even more the diversities of other religions, spiritualities and worldviews, including secular. **Hence there is a case to make that while religious diversity has increased, public institutions did not adapt effectively** (Klausen 2010).[32]

PART 3: EXECUTIVE SUMMARY AND CONCLUSIONS

1. Religion in conflict

A first observation which emerged from our discussion is that **it is not obvious to conclude what is a religious conflict or when religion is at stake**. Hence **it is often more important to analyse how and why religion becomes an issue, and what that exactly means** – context is everything here. In fact one should rather ask when and why, and under which circumstances, something is labelled as religious (Heyden 2022). Maybe there is a need/ a possibility to de-emphasize religious factors and to identify and recognize the different and often changing dimensions of so-called 'religious' conflicts, as the historical examples show how solutions can then be found by following different routes. This being said, one should also caution against dismissing religious factors, and more general values, as simply substitutes for 'deeper' economic or political causes. If it is invoked, there surely is a reason for – the issue is often to understand what that is, and how to address it. It may be a smokescreen, a way to intensify a conflict, but it may also be that it points at cultural and identitarian issues, including

[32] These structures were not subject of research in RETOPEA, and these observations remain based on anecdotical evidence – there is hardly critical research on the subject either.

belief, which in itself can be of paramount importance. Hence also in contemporary culture wars religious references should be taken seriously, albeit through critically analysing their meaning, taking in account more cultural and communitarian dimensions (Aroua, Bitter and Mason 2021; Heyden and Mona 2018. See also Van den Hemel 2021). In any case religious conflicts are complex and multidimensional, and the balance between diverse factors depends on context and may change.

No doubt then that religion has often been a source of conflict. However, there is plenty of evidence to conclude that religion is neither more or less violent than other worldviews, while also conflicts between confessions or currents within a certain religion are neither less violent nor easier to resolve than between different religions or worldviews. Debates on religious toleration and peaceful coexistence tend to single out religion as a particular phenomenon, disconnected from its broader context and considered as a separate category. This is particularly unfortunate, as **not only is it often difficult (and in a way even impossible) to isolate 'religious issues' from other factors and dimensions in a conflict, but the relationship between different dimensions may be continuously changing**. **Moreover, there is a tendency to narrow down religion to 'belief', which ignores the multifaceted nature of religion and the changed meaning of it, in which belief has become less important and communitarian, identitarian, mystic and ritualistic dimensions more prominent**. In any case religion was hardly ever the sole element in a conflict in the past, as it is today neither.

Religion has neither ever been a mere promotor of peaceful living nor the sole reason for conflicts. The meaning of religions (as for secular worldviews) for a society must be found on a grayscale between peaceful ideals that can be found in all religions (along with motives for violence as well) and the often contentious outcomes. Religion can effectively be a stabilizing factor for societies and a source of cultural achievements of all kinds in arts, education and social responsibility. Today, the contributions that religions (or rather religious leaders) may have for peacebuilding is being emphasized. The moderating impact of political and social organizations referring to a religious inspiration has been noted as well (e.g. Parry 2010). In our research we have in particular pointed attention to the role of interconvictional associations such as Religions for Peace (RfP) and United Religions Initiative (URI) – which does not limit itself to faith communities – active at grassroots level, and of certain Islamic movements in entering a dialogue and connecting with people of other faiths in plural societies. However, although their actions appear to have positive impact, especially at local level, it went beyond the scope of the RETOPEA project to assess their effectiveness.

Looking at European history it is obvious that religious conflicts were (and still are) not so much between different religions or denominations, but about power, about who controls the state, the church, and the people. Discussions about separation between church and state are not necessarily about dealing with religious diversity and religious antagonisms (rather not, actually), as is the dominant way it is presented in the literature, but about the leadership in Christendom. That was quite clearly the case in European Middle Ages, but remained so after the wars of religion and arguably also after the French Revolution and at the Congress of Vienna (1815), albeit that the balance of power had decisively shifted and the state was 'secularized – i.e. the state dominated and organized the religious field: the question remained rather which place there was for religious actors (increasingly diverse) and how (in)dependently they could act, particularly in the public space. Christian churches (as well as Judaism, the main non-Christian religion in Europe), and eventually even the Catholic Church after Vatican II, largely accepted the secular order insofar it guaranteed enough liberty to develop religious activities.

Contrary to expectations, however, the state has become contentious again, as a result of the pluralization of the religious landscape, the appearance of religious (mainly Islamist) violence – emphatically *not* of the arrival of Islam as such – and the emergence of new 'culture wars' about 'traditional' vs new pluralist and 'woke' norms and values. Hence control over the state has become a key issue again, with the result that it becomes harder for the state to appear neutral. That is highly problematic, as for achieving religious peace and toleration the state may play a major role. As the history of state – church separation also shows, separation *can* contribute to religious peace and toleration, *if* it is perceived as bipartisan. However, that is incompatible with, for example, a militant 'Christian nationalist' attitude (as e.g. promoted by Christian nationalists in the US, Poland and Hungary) or, adversely, an activist secularist one, as in France, in particular by certain extreme right movements but arguably also within the present government and party of President Macron as well as the French (and to a certain extent European) judiciary. Our analysis suggests that a positive accommodational attitude that respects the 'twin tolerations' as Alfred Stepan formulated (2000; 2011), may be preferable, though further research is certainly needed. But clearly a radical secularist position is ill-suited for the contemporary realities.

Stepan's twin tolerations refer to **the public domain, and claim that this should not be viewed as a secular space as the radical secularist position maintains, but as one of encounter, as a 'trans-liminal' space** in the terms of Marietta van der Tol and Philip Gorski (2022). This suggests a recognition of the public role of religion, which actually should be further investigated to realize the many forms religion are present and to fully realize the impact of banal forms of religion being there. But is also need for a dialogue on the limits. Stepan mainly concerned himself with democratic expressions, of politics, of the imperative to recognize the *autonomy* of the state, and that is important, but contemporary debates are about other issues, sometimes raising questions of conflicting values and human rights – the case of ritual slaughter jumps to mind, though it is also a good case to question argumentations.

In addition, we observe that the religious landscape has changed fundamentally, undermining the simple division between the realms of the sacred and the secular (which arguably always has been overstated: the division itself is part of a secularist agenda). In fact, research has pointed at the deep similarities and interconnectedness between secularism and religion (esp. Asad 1993; 2003). **But as 'spiritualities' blur the boundaries between religion and the secular, and 'belief' democratizes and (at least to some extent) dissociates itself from institutional religions, the fundamentals on which the dichotomy is based, lose significance and relevance. Hence discussions about the 'religious' character of certain clothing – the headscarf for one – turn into dialogues of the deaf.**

In this respect RETOPEA suggests to move away from a simple dichotomy between religion and the secular to address the complexities of their mutual relationship and interaction. In European history, especially the interrelatedness of religion and political system has been a source of contention, but here as well, it is important to acknowledge the complexities, ambiguities and varieties in this relationship. **In contemporary 'post-secular' societies, however, the secularist reaction is to re-emphasize the opposition between the secular and the religious, which in the current religious landscape is inappropriate and often counterproductive.**

2. The past as palimpsest

A second major conclusion refers to the many continuities in European history. **In this respect we need to start with a caution though, in itself important: it remains difficult to propose an integrated and inclusive vision of European history.** Notwithstanding the tremendous impact

of Jews and Judaism on Europe's culture and society – from Maimonides and Spinoza to Mahler and Einstein – **histories of Europe largely ignore this legacy and discuss Judaic history almost exclusively in terms of antisemitic violence.** While relations between Christians and Jews were often strained and Jews functioned as scapegoats and the quasi-eternal 'other', which illustrates the fundamental penchant for homogeneity and fear of diversity of Western culture, of Christendom in particular, it is only part of the story and Jews were able to live together with Christians and make an unparalleled contribution to European culture nonetheless. Nevertheless, today, after the Holocaust almost wiped out the Jewish presence in Europe, the survivors are still trying to reconnect not only with their rich past but also with the present communities in order to avoid the horror to be repeated again. In the meantime their historical significance is hardly recognized, least of all by those who like to cherish the 'Judeo-Christian' origins of Western/ European culture, unaware, so it seems, of the ambiguous if not outright antisemitic origins of the concept (Topolski 2020, Topolski and Nathan 2016), and rarely, if ever, displaying much recognition of the specific Jewish contribution to European culture.

Likewise it remains difficult to include Europe's Islamic past. Even if Europe is *not* just created through an opposition with Islam, the idea of Europe effectively is developed on the basis of (Latin) Christendom (Pasture 2015). That is also the case in the following paragraph – although **integrating Islam can be a way to create a more inclusive history, and offer bridges to the different Muslim communities in Europe today.**

One rather surprizing conclusion of our analysis is that the traditional division between a 'pre-modern' and a 'modern', 'liberal' society tends to conceal continuities and 'palimpsestic' reappearances. The Enlightenment and revolutions of the late eighteenth century were important moments in the history of toleration and religious freedom, but they need to be put into perspective, as they were one factor among many, and they also had opposite consequences (even if 'blaming' the Enlightenment of all modern vices, from colonialism to genocide, would be ludicrous, there are connections).[33] In fact, some ideas that emerged within the Radical Reformation advocated more radical forms of toleration and state - church separation than the Radical Enlightenment thinkers formulated.

The implication of these continuities is that European society is not particularly well prepared to deal with religious diversity and pluralism, as it was not in 1600, in 1800, nor in 2000. The nation/ state is represented as a break with older forms of statehood, and indeed it is in many respects, but it was also imagined ideally as homogenous similar to Western Christendom, albeit considered largely in ethnic terms. This created an opposition between the majority and minorities, which are perceived as potentially undermining the unity of the nation and destabilizing the political order. Minorities were, and still are, hence easily subject to requirements of assimilation or persecution. To be sure ideals of equality, universalism and the rule of law contributed to the legal protection of minorities. However, the ambiguities of their origins, including the association with colonial-like practice of capitulations imposed upon the Ottoman Empire, goes a long way in explain why this legal protection rarely offered solace. Also the League of Nations – notwithstanding efforts to follow up on them – was not able to guarantee them. Some of the most extreme manifestations of intolerance happened in the twentieth century, with the Holocaust as absolute low. The latter also illustrates a process of 'racialization' of religious differences, which has been feature of European politics

[33] There is a huge literature on the ambivalences of the Enlightenment. The special issue on *Enlightenment and Modernity* in the *International Journal for History, Culture and Modernity*, 8:3 (Dec 2020) offers a good introduction to the debate.

since the mid-nineteenth century. Also in communist countries the ideal of homogenization persisted, encroached on class interests, notwithstanding Leninist interpretations of cultural diversity. In reality religion in particular became subject of repression, expurgated from the public sphere, and subdued to class/ state interests.

In fact, only since the 1970s – after WW II, the Holocaust, and decolonization – (religious) pluralism became valued positively in Western Europe, as is particularly illustrated by the EU. Clearly though, the issue is far from settled, as conservative counter-movements emerged, and the ideal of national homogeneity reappears today, particularly in contemporary debates with regard of Islam, multiculturalism and the re-emergence of assimilation policies.

This reality qualifies one of the fundamental myths of 'modernity', the idea of gradual progress. Also the history of toleration is easily imagined as one of gradually increasing toleration and an evolution towards religious freedom. Our conclusions, however, do not support that view. To be sure from a theoretical or philosophical perspective it may appear that the concept of religious rights inherent to human nature constitutes a fundamental, qualitative difference. In practice though, **religious rights and religious freedom carry on many of the same issues as does toleration/tolerance. Again, what does it mean in practice, what belongs to religion that must be accepted and tolerated, and what not?** Moreover, **toleration actually covers a far larger set of domains in which religious difference is (or is not) recognized, than religious freedom.** In fact religious freedom refers only to personal belief and worship, today often understood as a private matter and strictly confined to certain sacred spaces (which are also viewed as problematic by some, cf. the debates on mosques and minarets in contemporary Western Europe). **This limitation rooted in a particular European-Christian tradition of separating sacred and secular that underpins modern secularism, in practice largely negates the meaning of religion, even of worship, as a collective and public act.**

In this respect one should refer to **another legacy of the past when collective identity rules regulated religious diversity**: **the unequal treatment of different religions, spiritualities and worldviews,** which survived into modern and contemporary times, as a true palimpsest, notwithstanding the emphasis on equality and universality that are so central to the modern democratic state model. In spite of all rhetoric about the separation between church and state, no European state has really cut all ties with Christian church(es). Even in the French case there are numerous (and *increasing*) connections, ambivalences and connivences.[34] **Europe – the individual countries, the EU – should finally find a way to treat all religions and worldviews equal.** Equal treatment, however, **does not mean identical**.

One of the main problems is that religions, spiritualities and secular worldviews are not 'structured' and institutionalized in the same way and to the same extent – indeed spiritualities for example distinguish themselves by refusing strict hierarchies, boundaries and institutional shapes. The challenge is in finding ways to recognize different worldviews in different ways. While RETOPEA cannot suggest concrete ways to achieve equality, it allows for strongly suggesting that the current forms are not sufficient and appropriate. This includes ways to set up concertation structures for dialogue and consultation with religions and worldviews. Almost every country in Europe as well as the EU have set up such consultation mechanism, sometimes separate for different religious communities (esp. Islam). They all suffer from the same problem: they in vain try to identify 'representative' actors that are supposed to speak for the community at large. But as these communities (including non-religious ones) are not

[34] In fact, as mentioned, the French state also subsidizes Catholic education. Contemporary scholars refer to the concept of *catholaïcité* to point at fundamental connections between Catholicism and *laïcité* (Morin 1990; Baubérot 2004, 185; Balibar 2018, 163; Oliphant 2020, esp. 13-23).

structured in this way, the framework is doomed from the start. This also applies to the 'structured dialogue with representatives of churches, and religious, non-confessional and philosophical organisations' set up in the framework of art. 17 in the EU, which, even if it encompasses both religious and non-religious partners, according to various observers remains limited to a select number of 'high representative' figures but is not representative for the wide diversity of worldviews in Europe today. **It appears particularly important to reach out to grassroots organizations and communities rather than the prestigious leaders without much connection to what happens on the ground.**

The inequality in the treatment of religions and worldviews is of course also a legacy of Europe's past as Christendom, based on a privileged alliance between 'secular' power and one church. Most importantly in this context though, is that **rights and liberties always were, and still are today, more subject to arbitrariness than we would like to admit**. Evidently human rights are not always respected, and if, how and to which extent they are, depends on the political and judicial context. In principle the state is expected to guarantee that fundamental rights are upheld, but also how they are interpreted (a task of the judiciary). However, discussions about the Islamic headscarf illustrate how prominent the idea that religious expressions (leaving aside the question if the headscarf can be considered a religious symbol at all) are to be 'tolerated' or 'granted', remains strong in Europe, either because one considers the state as secular/ 'neutral', as in France, or, in contrast, still as essentially 'Christian' (as in some German *Länder*), even if this Christian character is understood as 'culturally Christian' as in Italy (a view supported by the European Court of Human Rights in the *Lautsi* case) (Sinclair 2013; Henkes and Kneip 2009, 271-272, Joppke 2007; also Forst 2013, esp.543-573). The latter discussions also illustrate how demands for the 'secularization' of the public sphere and for cultural assimilation, even when introduced in the name of 'equality' and freedom, actually reintroduce intolerance, discrimination, and exclusion.

In this context it is less surprizing that the 'export' of Europe's principles of equality and freedom to other, more diverse societies in the past turned out highly problematic, not only when this happened in the slipstream of colonialism. As regard colonialism we should remind that it obviously never belonged to the objectives of European colonizers to promote ideals of liberty and equality. Although far from consistently, they sometimes did introduce principles of secular government though (as particularly the British did in their Asian colonies), but as secularism became associated with imperialism and colonization, it resulted rather in politicizing religion.[35] However, also in the Ottoman Empire the introduction of European principles of religious freedom – mingled as they were with imperial ambitions to undermine the unity and stability of the Empire – turned out unsuccessful in the long run, while it contributed to its demise.

Looking at the different dimensions and 'levels' of religious toleration and freedom that we distinguished, it may appear that contemporary (Western) Europe regards diversity fundamentally different than it did in the past. Religious discriminations and forms of intolerance that prevailed in the past, such as limitations on what we call civil rights, have become as good as unacceptable – at least as primary measures: one may argue that banning public expressions of one's religion or culture such as the hijab in practice risks excluding the wearer from education and the labour market, in blatant contrast though to the stated objectives of guaranteeing neutrality keeping education and the labour marker open, even of emancipation and liberation. In this respect we should caution that aiming at 'restoring' an imaginary homogenous past certainly is counterproductive in terms of maintaining or

[35] It was not part of RETOPEA to investigate the significance of (de)colonization, but obviously it is an important dimension that needs to be taken in consideration when discussing interconvictional dialogue.

stimulating interconvictional peace, and in contrast risks undermining and annihilating peaceful coexistence – the history of Europe's violent past makes one fear for the worst.

3. Religious peace-making and toleration

While dealing with religious diversity is not Europe's strongest, Europeans did become expert in religious peace-making. Europeans also developed theories (incl. theologies) of toleration that explicitly regulate religious coexistence. It is on these that RETOPEA concentrated.

Taking in account the variety of situations and important differences and changes over time, there are a few recurrent observations that can be formulated as conclusions and recommendations for improving toleration and peaceful coexistence. Although we may distinguish between inter-state interactions, states' engagements with their subjects or citizens and social cohesion and inter-personal relationships, these recommendations actually are relevant in all circumstances. They are intended as principles that may guide discussions and initiatives, including negotiations, about improving convictional toleration and peaceful coexistence. Incidentally one should interpret 'state' here in a broad, synecdochical sense: much of what is stated here with regard to 'states' applies to local and regional authorities as well as to international ones, including the EU.

1) After a lifetime of studying religious peace-making in Early Modern Europe, historian Wayne te Brake concluded that **"European history shows that if the essential foundation of religious war is ideological intransigence, the essential foundation of religious peace is political compromise"** (Te Brake 2021). Our research for RETOPEA can only confirm the latter conclusion. This first of all implies – and the relevance of this observation today will escape no-one – that in conflicts and peace-making one has to **refrain from imposing one interpretation of truth**. That was impossible in the wars of religion but is also the case today: truth is always contested, and finding an agreement is usually impossible without compromise, intellectual flexibility and political will. One should attempt to find an agreement in which the difference is respected, even if that does not necessarily imply that the other viewpoint is appreciated and viewed as equally valid. While ideally one may dream about a society where everyone respects and esteems the other's opinion and conviction, that often is too much asked in practice. There is a lot to agree with the seventeenth-century Puritan minister Roger Williams that both civility and candour are required, also implying the need for all partners to 'thicken one's skin' (Bejan 2017; Van den Hemel 2021). **But that does *not* imply that religious issues should not be discussed: point is to find an agreement, taking in account as many contested issues as possible, that can be acceptable to all**.[36]

2) Re-establishing **peace requires the involvement of a plurality of actors**, local/ domestic as well as (inter-) national, religious and non-religious (see also Richmond 2005 and Paris 2004). **If all cases of peace-making have in common a great deal of pragmatism, they also point at the need to consider various local factors** and to establish **an open dialogue between the different relevant religions and worldviews.** The case of the failed Ottoman Reform Edict – a complex issue though – should caution against any regulation, also implying religious equality and freedom, without extensive dialogue and considering the local context. It is sometimes possible to appeal to an arbiter/third party,

[36] See in this respect also the results of the 'context-sensitive analysis of conflicts with religious dimensions' developed in the framework of the Interfaculty Research Cooperation (IRC) *Religious Conflicts and Coping Strategies* at the University of Bern (dir. Prof. Dr. Katharina Heyden, https://www.religious-conflicts.unibe.ch/index_eng.html). For an introduction see (94) How to cope with Religious Conflicts? Insights from History (flashMOOC) | Katharina Heyden - Academia.edu).

a function the United States played with regard to the Belfast agreement or the EU (and the US) with regard to the Ohrid Agreement. However, it is paramount that all consider an arbiter as "fair, honest and impartial".

3) The focus on peace-making traditions also offers a different perspective on what Ayşe Zarakol (2020: 70) recently argued, namely that 'liberal' (multicultural) diversity regimes may be ill-equipped during period of crisis: toleration and domestic peace arrangements easily appear to crumble if challenged by external threats. Zarakol effectively points at a risk that merits further investigation, but our research suggests the opposite is also true: introducing toleration and accepting diversity actually defuses conflicts.

4) Especially with regard to youth, **current identity politics with regard to religion and secularity undermine trust in public institutions as well as in the media**, as these may be perceived as biased and offensive, as comes to the fore particularly with regard to alleged 'religious' clothing. The issue is not so much a lack of understanding – even though there is a need for convictional literacy – as a dissociation from politics based on traditional stances that have lost their original meaning (as the religious – secular divide).

5) This is all the more important as our examples suggest that **trust and confidence in the state and its institutions and peace-making policy in contemporary societies are essential to establish and guarantee peace and toleration**. **However, one cannot simply assume that the state can function as neutral partner in current culture wars and post-secular conflicts, which mainly concern values, norms and laws (Stoeckl 2020) and are about the role of the state itself.** Understandably groups that feel discriminated and unjustly targeted in their beliefs and cultural identity distrust the state. In this respect the advocates of state 'neutrality' ignore the underlying inequalities and power struggles by promoting the views of the assumed majority or 'enlightened' elites. But – at least when not themselves in power, as in Poland and Hungary – also conservative Christians and so-called 'populists' who oppose 'progressive' ('woke') values feel betrayed by the state as they feel these values are promoted by cultural elites and the state, which then appears as all but neutral as well and thus to be challenged. In this respect **public authorities (at different levels) tend to become actors in their own right**, for example secularist in the French case, Christian nationalist in the US.

   Our assessment points at the need for the public authorities, whatever the level (local, national, European, …) to be accepted widely as a relatively disengaged 'referee' if they want to be able to function as a guarantee of the liberty of all. Hence, **public authorities, *including the judiciary*, should be careful and avoid appearing as an actor in their own right, too militant in defence of one particular position**.

6) In this respect we would like to return to the contentious issue of **religious freedom and toleration**. Situating the development of religious freedom in different narratives of toleration and emancipation put the concept somewhat into perspective, not only because its origins are more complex than the traditional story of 'enlightenment' suggests (in more meanings than one) but also because its meaning refers 'only' to belief and worship, the latter interpreted in a very narrow and non-consequential way (e.g. by restricting houses of worship). However, we also **emphasize that these basic liberties are far from guaranteed anywhere in the world and remain contested, today even in particular, including in (Western) Europe.** European courts have regularly had to remind governments that they do not have the right to decide about 'good' and 'bad' religions, to interdict proselytizing, or prevent people from converting or abandoning religion. The debate on religious 'sects' or 'cults' in the 1970s-1980s left a legacy of distrust towards religions and spiritualities that is sometimes hard to overcome. **But also**

independent of this legacy there is a strong tendency among public authorities to privilege 'traditional', known religions – the main Christian churches, even Islam, rather than 'new' religious movements. And while private beliefs are usually more easily respected, this is far less the case with regard to public expressions of religion, even for worship, particularly in public. Moreover there is a neat tendency today to downplay religious rights in moments where different 'rights' apparently clash, as, e.g., with regard to ritual slaughter (something we did not cover in this report)[37]. The latter case incidentally also illustrates that the judgements even of the highest competent European courts are often criticized by scholars for adopting an implicit Christian bias (above). It all shows that there is still a long way to go. But still, to achieve peaceful coexistence arguably more is needed.

7) **In that respect we refer to a society in which the state guarantees the 'twin tolerations' of mutual respect according to which the state – or broader, public authorities – do not interfere in religious communities and religious leaders respect the latter's autonomy (Stepan 2001; 2011). This implies the state provides space to different religions and worldviews also in the public sphere.** In this respect several authors, often finding inspiration in non-Western cultural traditions, have made the case for 'multicultural secularism' or an 'accommodational' position, which has also been described as "the respect all, positive cooperation, principled distance model" (Stepan 2000; 2011), according to which public authorities support religions as positive for society, *provided that they include similar space for non-religious worldviews and 'nones'* (Berlinerblau 2022, esp. 76-87, 186; Modood and Seely 2021, see also contributions of Rajeev Bhargava and Gurpreet Mahajan, inter al. in Triandafyllidou and Modood 2017).[38] In this respect we may remind that in our plural societies, the most diverse religious communities actually live together quite peacefully most of the time, even though occasionally violence erupts, often as the result of foreign politics, e.g. between Catholics and Protestants in the US during the Northern Ireland Troubles, between Muslims and Jews re the anti-Palestinian policies of Israel, or between Muslims and Hindus reflecting the interreligious tensions in India between nationalist Hindus (the *Hindutva*) and Muslims.

8) As particularly research on 'radicalization' (a highly problematic concept: see Fadil, Ragazzi and de Koning 2019) has demonstrated, there may be a risk that "being too accommodative towards religio-conservative demands (…) may end up normalising intolerant views and nativist agendas", as Nicholas Chan argues happened in Malaysia (GREASE 2022). Our historical analysis suggests though that suppressing dissident voices also contains risks, in particular as it undermines legitimate authority. That appears to be actually happening, particularly among youth. At a more fundamental level it undermines the democratic nature of the state as well.[39]

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37 See e.g. the assessment by an American legal scholar, Jeremy A. Rovinsky (2021), ("How the ECJ Butchered Both Religious Freedom and Animal Welfare") about the European Court of Justice's decision to confirm a Flemish law to ban traditional ritual slaughter (in case-336/19, 10 Sept. 2020).

38 The accommodationist model is often associated with Asian practices. In this respect we can refer to the H2020 project Radicalisation, Secularism and the Governance of Religion: Bringing Together Diverse Perspectives (GREASE, http://grease.eui.eu/) (e.g. the regional workshop on Governing Religious Diversity Through Deep Respect for Religion: Asian Approaches, 9 June 2022. See http://grease.eui.eu/events/action~agenda/exact_date~6-6-2022/. Though the GREASE researchers are well aware of the risk, we would nevertheless caution against idealizing Asian practices, as complex colonial legacies, modern fundamentalism and political populism threaten accommodational arrangements (certainly Malaysian, Indonesia and Indian recent history offers cautionary examples).

39 More research is certainly needed. There are parallels with the literature on militant democracy, but this has focused mainly on political parties. See Bourne 2022 for a recent state of the art (and helpful mapping exercise).

9) This being said, there certainly is **need for religious dialogue and literacy**, in society broadly speaking as well as particularly among youth. The RETOPEA designed method of working with historical sources (clippings) and docutubes offers one way to achieve this. However, traditional educational structures often do not allow such innovative, active approaches. More flexibility for schools to arrange teaching would be helpful. **In addition, media literacy and the ability to critically assess information is also essential and should be promoted.**[40]

10) **This brings us to a next observation that it is of utmost importance to find ways of coming to terms with the past, especially a past of violent conflict.** History is indeed often contentious, and different communities view the past in different, often partisan ways. The different perceptions of Ottoman history in Central and (South) Eastern Europe (see e.g. Ilić 2020) as well as of Catholics and Protestants in Northern Ireland come to mind, as well the different memories of religious people, secularists and populists about the diverse school and culture wars in nineteenth and twentieth century Europe. There is distrust also in scholarship, but it must be admitted that scholarship too is divided as interpretations diverge. Historians have often acted as 'ideologues' of nationhood and sometimes still contribute to nationalist narratives even if the professional historical academia today repudiates this role (Berger and Conrad 2015). **Coming to terms with history is an important dimension of pacification though**. In its educational project RETOPEA proposes an **active engagement with history through historical sources.** That approach can also be used in other contexts as it gives agency to the participants. **We suggest to use this method to create a dialogue about the past between different actors, with professional historians, if possible 'outsiders', offering tools to engage with**. It is certainly important to (re)write textbooks and history curricula in an inclusive way (see Ilić 2020; Zupančič, Kočan and Ivaniš 2020). Furthermore **in cases of violent conflicts ways to remember the past must be foreseen which gives due place to the victims, avoiding glorification of perpetrators of crimes**.

11) Conflictual memories certainly exist with regard to Islam, while we have shown that actually Muslim societies have a 'better' record with regard to peaceful religious coexistence than pre-modern – and in many ways also *modern* – Christendom-Europe. Hence we conclude that one should refrain from generalizing caricatural depictions of Islam as intolerant and backward and to acknowledge the complexity of each context and time. Hence we firstly **recommend to emphasize more nuanced understandings of Islam** in education, in information distributed by the EU in the framework of its information activities (e.g. by the European Parliament Anti-Racism and Diversity Intergroup ARDI) as well as in museums (see, however, our conclusions and recommendations with regard to the representation of religion, and particularly of Islam, in museums). **Recognizing the inclusive, moderating, conflict-solving and peace-promoting traditions in Islamic history and stimulating modern scholarship about them may help strengthen contemporary Muslim initiatives for peace and toleration, and may also be promoted in general and Islamic education, as teaching about these traditions in general as well as in Islamic education may offer young Muslims ways to integrate in contemporary liberal societies and also offer non-Muslim youth ways to connect with them**.

Moreover, while the hierarchical model behind the traditional ways of accommodating religious difference in Muslim societies makes them unsuitable for modern democratic societies, concepts such as 'tolerance' (*tasāmuḥ*), religious freedom (*ḥurriyyat al-*

[40] Recommendations with regard to education and cultural policy constitute the subject of separate policy documents.

dīn/ḥurriyat al-ʿibāda), peace (*salām/ṣulḥ*), and fraternity (*ukhuwwa*) as well as *raḥma* (compassion), *maṣlaḥa* (the common good), *ʿadl* (justice) and *ḥikma* (wisdom), may nevertheless be referred to not only to appeal to Muslims but also more generally to reimagine a society of peaceful coexistence.

12) Throughout history **women appear to have been particularly subject to intolerance**, although our sources cannot confirm that they suffered disproportionately from religious discrimination in the Medieval and Early Modern period (if we exclude the persecution of witches, which were predominantly women). To be sure women religious dissenters did challenge the patriarchal order and women played a major role in the transmission of belief. **In today's 'post-secular' conflicts, gender is undoubtedly a crucial factor:** these conflicts focus particularly on family and gender issues, and with regard to debates about the public visibility of religion, Muslim women are particularly targeted (Scott 2017; Fadil 2018).

    Although our research did notice the role of some women in peace-making procedures, they remained marginal in diplomatic and government milieux that were predominantly male. More sustained research is necessary to see if in daily life women played a significant role in promoting toleration and defending freedom of religion.[41]

Our conclusions and recommendations correspond to recent insights within peace studies about religious peace-making, particularly those of Richmond (2005) and Paris (2004) who likewise support inclusive and hybrid peace-making engaging external and internal actors in peace-making (a state of the art in Svensson 2021), international relations and cultural 'diversity regimes' (Christian Reus-Smit, Andrew Hurrell, Ayşe Zarakol) as well as religious governance (Triandafyllidou and Magazzini 2021), including 'post-secular' conflicts and culture wars, and enrich them with additional case studies.[42] They point at the need for pragmatism, to contextualize conflicts and to take in account the different dimensions, religious, political, economic, mnemonic, etcetera: isolating one dimension without taking the complex and often dynamic intertanglements will not be sustainable in the long term and will not lead to lasting peace (even though sometimes short-term goals can still be preferable to continuing violence). We plead for organizing a dialogue with all partners, secular and religious. Although RETOPEA did not further investigate this dimension, we suggest that religious actors may play a role as peace-brokers as well. In this respect the model of interconvictional associations such as Religions for Peace (RfP) and United Religions Initiative (URI) (including religious as well as non-religious actors, atheists, 'nones' and new spiritualities) promoting dialogue constitutes an interesting and inspiring model, also because they start from 'lived religion' rather than well-defined and circumscribed, normative definitions of religions popular among theologians, administrators, jurists, social scientists as well as polemical authors. The EU certainly can play a key role in promoting the solutions that we have suggested as well – it has actually shown the way how Europe can leave behind its demons and come to a new understanding of religious diversity.

In this respect our research has moved beyond the current state of the art by **fundamentally questioning some of the standard narratives in academia about religious freedom and toleration**. The most important conclusions in that respect are, on the one hand (1), **the changing meanings of religion and of the place of religion in society**, which impact the debate

41 One women that we focused on in the 'clippings' is the seventeenth century religious reformer Anne Hutchinson. See https://www.retopea.eu/s/en/item/6118.

42 One conclusion that also emerges from our research is how much these literatures remain isolated, not only from other research strands but also from each-other, even if they focus on similar issues and if they explicitly aim at transcending (disciplinary) borders (an example of the latter is Phillips and Reus-Smit 2020, which also provides a state of the art of this literature).

on toleration and (peaceful) coexistence; on the other hand (2) **we are able, by combining different literatures about and approaches of church-state relations, religious freedom, toleration and emancipation, to show why current practices remain trapped in incomplete assessments and may be counterproductive**. Moreover we (3) have also **emphasized the peace-making and tolerant traditions in Islamic history, which are also part of European history and should be integrated in our current assessment to create an integrated, inclusive history of Europe, especially in education, formal as well as informal** – in the latter's respect we have in particular drawn attention to exhibitions and museums. It implies rewriting European history, reimagining the way religion in general and Islam in particular is represented and depicted.

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