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ISSN: (Print) (Online) Journal homepage: https://www.tandfonline.com/loi/crss20

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To cite this article: Tina Magazzini, Anna Triandafyllidou & Liliya Yakova (2022) State-religion relations in Southern and Southeastern Europe: moderate secularism with majoritarian undertones, Religion, State & Society, 50:4, 396-414, DOI: 10.1080/09637494.2022.2129242

To link to this article: https://doi.org/10.1080/09637494.2022.2129242

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Published online: 16 Nov 2022.

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RELIGION, STATE & SOCIETY
2022, VOL. 50, NO. 4, 396–414
https://doi.org/10.1080/09637494.2022.2129242

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State-religion relations in Southern and Southeastern Europe: moderate secularism with majoritarian undertones

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ABSTRACT

This contribution studies comparatively three Southern European countries (Italy, Spain, and Greece) and three Southeastern European countries (Albania, Bosnia and Herzegovina, and Bulgaria). Looking beyond historical path-dependencies, we investigate recent developments in terms of state-religion relations. Starting with a thick description of the historical legacies and post-1989 developments, we focus on issues of the last decade, such as the rise of populism and nationalism, the path to EU accession for Bosnia and Albania, the economic and Eurozone crisis of the 2010s, and the refugee emergency of 2015. Our aim is to assess how these have shaped state-religion relations and to categorise the six countries within the typology proposed in the introductory contribution to this collection. Our findings suggest that moderate secularism and liberal neutralism prevail in all six countries. There are, however, important variations in terms of the relevance of majoritarian nationalism in some of them, as the state defines the prevailing religion and has strong historical and institutional ties with that religion. The contribution elaborates on these specificities and concludes with some questions on the importance of the notion of dominant vs qualifying norms and on the role of current challenges in shaping further state-religion relations.

ARTICLE HISTORY
Received 21 February 2022
Accepted 22 September 2022

KEYWORDS
Governance; religion; comparative perspective; Southern Europe; Southeastern Europe

Introduction

Southern Europe, or Mediterranean Europe, is a region that has often been studied in 'clusters', separating the majority-Catholic South West from the Orthodox-majority South East (Madeley 2003; Knippenberg 2007; Sealy et al. 2021). While a sense of historicity is important to grasp the diversity in political, socioeconomic, religious, and cultural patterns, this study shows that, if we focus on the preponderant conceptual characterisation of state-religion relations, the region is made up by more commonalities than differences.

The reason for looking at the six countries highlighted in Figure 1, while acknowledging the significant differences between them, is threefold. A departing consideration is that, as argued by Bracewell and Drace-Francis (1999), we find it important to avoid

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Figure 1. Southern and Southeastern countries covered in this contribution: Albania, Bosnia and Herzegovina, Bulgaria, Greece, Italy, and Spain.

portraying South East Europe as a residual category analysed as a mere reflection or 'defiant mirror' held up to the countries of the North West.

Secondly, we purposefully selected these six countries because while they are seldom taken together, they can be seen as complementary according to the method of difference, as they span the entire spectrum of typologies of relations between the nation and religion (Triandafyllidou and Magazzini 2021, 312). All exhibit different structural conditions, which allows us to infer on the importance of key variables in shaping their governance of religion, namely: Greece has strong ties with a single religion (Orthodox Christianity); Italy and Spain have weak ties with a single religion (Catholicism); Bosnia and Herzegovina has strong plural ties (with Islam, Orthodox Christianity, and Catholicism); and Albania weak plural ties (with Islam, Orthodox Christianity, and to a lesser degree with Catholicism). Rather than studying these countries in pairs along geopolitical dimensions (as southern vs former communist; EU vs non-EU members) or religious ones (Catholic vs Orthodox vs mixed), we explore their complexity and overlapping linkages.

A third and final consideration is a practical one, which has to do with data availability stemming from a research project that focused on these countries and produced original findings between 2018 and 2022,[1] and upon which this contribution is based. Regarding data used and methodology employed, this contribution builds on extensive research of secondary literature, legal and policy measures, and applies the categories and modes outlined in Modood and Sealy, this collection, to the cases of Albania, Bosnia and Herzegovina (BiH), Bulgaria, Greece, Italy, and Spain, looking at both similarities and differences between these countries, and how these relate to issues of secularism and freedom of religion.

During the last twenty years, wide sociopolitical developments have taken place in Southeastern Europe: BiH and Albania are still negotiating a timeline for their

incorporation into the EU and grappling with socioeconomic and political fragility, while Bulgaria joined the EU in 2007, which has created a more stable socioeconomic and political context, including for issues of minority rights and state-religion relations. Meanwhile, these three countries and Greece share historical, cultural, and geopolitical commonalities that can be attributed to their geographical position and their Ottoman past: late nation formation, underlying ethno-religious diversity (which in Greece was largely assimilated into a dominant concept of the homogenous Greek nation), territorial sensitivities that exist to this day, and the importance of Turkey as an important kin-state and geopolitical actor in the southeastern neighbourhood (Gülalp 2017; Triandafyllidou et al. 2019).

However, fissures exist also within 'Southern Europe', where Greece, Italy, and Spain have been members of the EU for a long time. These three countries are characterised by some common socioeconomic characteristics, which became more salient during the 2010s as the Eurozone crisis unfolded – but they also differ significantly (Triandafyllidou 2001, 2007). While the 1990s and 2000s emphasised the challenges of reconnecting the central-eastern with the western part of Europe, the 2010s brought back the North-South division. This commonality of 'fate' was further reinforced by the 2015 (still partly ongoing) refugee emergency, where the geographical position of these countries became an important common denominator.

Unlike Albania, Bulgaria, and BiH that remain predominantly countries of origin or transit of migration flows, Greece, Italy, and Spain have experienced significant labour-related migration that has altered their socio-demographic composition. These developments have raised important new challenges for state-religion relations in Southeastern Europe.

This contribution starts with a brief comparative overview of the historical legacies that characterise each country in the pre-1989 period, identifying the main religious groups in their population. We then describe the events that ensued in the post-1989 period with special attention to recent developments in the field of state-religion relations and governance of religious diversity. We follow on by discussing the models that we can identify in the region and the ways in which the main legal frameworks governing state-religion relations (dominant operative norms) and the practical qualifications of the former (qualifying operative norms) play out.

Nation-states and religions in Southern and Southeastern Europe before 1989: a complex picture

Roman Catholicism and Eastern Orthodoxy, resulting from the Great Schism of 1054 that split Christianity into two churches, remain to date the two largest religions practised in the Southern European region, which, however, also hosts significant Muslim populations that constitute majorities in contemporary Albania and BiH. By contrast, Muslim minorities were virtually absent in Spain and Italy between the seventeenth and nineteenth centuries, having been expelled, killed, or forcefully converted, and began to constitute a significant minority as a result of immigration from the 1970s onwards.

The historical past of Albania, BiH, Bulgaria, and Greece is marked by the Ottoman Empire and its gradual dismemberment leading to nation-state formation in Southeastern Europe. An independent Greek state was established in 1821 through a national war of

independence against the Ottoman Empire, and an independent national Bulgarian state was established in 1878. Albania became independent from Ottoman rule in 1912 while BiH passed from Ottoman to Austro-Hungarian rule in 1878.

Orthodox Christianity played an important role in both Bulgarian and Greek cultural identity. Under the Ottoman Empire, both Bulgarian and Greek Orthodox Christians maintained the right to religious self-governance – as per the millet system – but Bulgarians were subordinated to the Greek Patriarchate. Following the establishment of the Bulgarian national state in 1878, state-religion relations were shaped by subsequent constitutions: while the first (1879) and the most recent (1991) Bulgarian Constitution establish Orthodox Christianity as the dominant religion over the others, the two socialist Constitutions (of 1947 and 1971) relied on the complete separation of church and state.

Similarly to Bulgaria (except in communist times), Greek national identity has been closely intertwined with Orthodox Christianity. What has been labelled the 'historical anxiety' of the Greek state, fuelled by geopolitical tensions in the Balkans, found expression in a dominant national discourse of ethno-cultural and religious homogeneity that left little room for minorities, particularly Muslims (Baltsiotis 2011, 18). This discourse remained dominant until the 1990s when the quest of the Turkish Muslim minority for further recognition and the arrival of large immigrant populations opened up debate on the accommodation of minority religions.

The cases of BiH and Albania, although sharing the Ottoman legacy with Greece and Bulgaria, differ significantly. BiH represents a unique multi-religious polity, quintessentially 'Balkan' in the sense of diverse but also fragmented (Todorova 1994). From the twelfth century onwards, different historical periods have been dominated by different religious groups. With the Ottoman conquest in the fifteenth and sixteenth centuries, Islam advanced and gained in prominence in BiH with respect to other religions and compared to other Balkan provinces. Towards the end of the seventeenth century, the number of Christians had diminished significantly, whilst the strife between certain groups of Orthodox Christians and Catholics continued. The Muslim population also decreased in the nineteenth century as a result of uprisings leading to the Treaty of Berlin in 1878, and during this period Serbs and Croats started claiming that Muslims from BiH were of Croatian (Catholic) and Serbian (Orthodox) origin. Such claims intensified with the Austro-Hungarian regime (1878–1919), during which Christians were informally privileged.[2]

Albania's historical path was different as the mainly Muslim population remained loyal to the Ottoman Empire until the twentieth century. The Albanian independence movement was largely guided by the Albanian diaspora in neighbouring countries, which led to a strengthening of the Catholic and Orthodox movements (Zhelyazkova 2000, 2001). When Albania became independent from the Ottoman Empire in 1922,[3] religious diversity emerged as a potential problem. The notion of a civil religion emerged therefore as a way to downplay the divisive role of religion for the sake of national unity: the relationship between the state and the religious constituencies was about the presence of a 'supra-religious national consciousness', ultimately guided by the state (Elbasani and Puto 2017, 56).

The 1922 Albanian Constitution set the stage for radical political secularism in the country, incorporating the idea that the state should not have an official religion (Elbasani and Puto 2017; Yakova and Kuneva 2021). With religion viewed as a divisive threat, under

the short rule of King Ahmet Zogy (1924–1928) the ideals of unity, a-religiosity, and European modernity gained ground, leading to strict control of religious group activities by the state.

Despite their common historical legacy, it is clear that Albania, BiH, Bulgaria, and Greece have followed different paths in terms of state-religion relations. We can identify some commonalities in the dominant role of religion in shaping national identity and the reluctance to accommodate minorities in Greece and Bulgaria, although Bulgaria's communist interlude has shaped these dynamics in different ways. However, BiH and Albania have sought to address religious diversity differently. Albania has done so through preferring a civic concept of the nation and the state, while BiH – as a member of the former socialist federation of Yugoslavia – relied on the subordination of religious and national dimensions to a broader Yugoslav identity, which eventually proved unsuccessful.

Spain and Italy, with the Catholic Church playing an important part in state formation, present a different historical background. Spain, one of Europe's oldest countries, was largely born out of religious struggles between Islam and Catholicism, with the latter being established as the state religion under the rule of Catholic monarchs during the fifteenth and sixteenth centuries, which were marked by the persecution and expulsion of non-Catholics (Jews, Muslims, 'Moriscos', Roma) and the establishment of the Spanish Inquisition. Spanish Constitutions (1812, 1837, 1845, 1876) all asserted Roman Catholicism as the only official legal religion in Spain, a position confirmed by a Concordat signed in 1851 by the Spanish government and the Holy See. In 1931 the short-lived Spanish Republic renounced the Concordat in its secular Constitution, which was the first measure implementing a strict separation between religious and government affairs in Spain. The Civil War (1936–1939) that ensued became strongly entrenched along religious lines, with the Catholic Church supporting the uprising of Francisco Franco in 1936, and ended with a four-decade-long dictatorship, which re-established Catholicism as the state religion (Urrutia Asua 2016; Magazzini 2021b).

Similarly to Spain, the Catholic Church in Italy has always been, beyond a religious institution, a political one. One of the most powerful entities in the peninsula, the Papal States controlled most of what is now considered central Italy for about a millennium and played a crucial role in the formation of the Italian state. Even though most of its territories were lost to the Kingdom of Sardinia in 1861 (when King Vittorio Emanuele II of Sardinia was proclaimed King of Italy),[4] it was not until 1870 that Italian troops conquered Rome, putting an end to the temporal power of the pope. Following the First World War and the rise to power of Mussolini's fascist dictatorship, Italy signed the Lateran Treaty with the Holy See in 1929, which created the Vatican City State and restored many of the prerogatives of the Catholic Church (Kertzer 2015). This agreement preceded by two decades the one reached between the Holy See and Franco's Spain, with both countries displaying similar features of fascist dictatorships adopting National Catholicism as part of their ideological identity.

During the twentieth century, following the end of the First World War, church-state relations in Southern and Southeastern Europe were marked overall by a stronger state role, which can be seen as a logical consequence of relatively young nation-states consolidating (with the exception of the Iberian peninsula). During the Second World War, the former Kingdom of Yugoslavia and BiH turned into a theatre of embittered

conflicts and infighting driven by radical ideologies. In 1941 the Bosniak Young Muslims movement was founded, a kind of pan-Islamism resulting 'from a politicisation of Islam following contact with fascist and communist ideologies' (Bougarel 2017, 66). The state's grip over religion intensified during the communist period, during which Socialist Yugoslavia (1945–1990) promoted a policy of subordination of religious institutions, which came to be viewed as ideological enemies of the new regime (Ballinger and Ghodsee 2011). The period was marked by attempts on behalf of the federal state to address ethno-religious divisions by engineering loyalty to an a-religious nation of Yugoslavs.

Bulgarian society was subjected to a process of forced secularisation, with the Orthodox Church losing its autonomy and public presence (Mancheva 2019, 2021). The Albanian state took the ideas of a-religiosity and national unity to an extreme, officially endorsing atheism in its 1976 Constitution and repressing all forms of religious expression (Zhelyazkova 2000; Yakova 2019; Karataş 2020). Consequently, the state cut off financial support to religious institutions and repurposed most religious buildings, and religious convictions become grounds for persecution and arrest.

Meanwhile, Spain, Italy, and Greece – albeit for different periods of time – all experienced far-right dictatorships centred on the pillars of anti-communism and national ideologies that presented the countries as the outposts of Christian values and civilisation against the threat of anarchism and atheism. Christianity, whether Orthodox or Catholic, played a strong political role in identifying the 'national' community. In Spain, under Franco's dictatorship (1939–1975) 'National Catholicism' represented one of the main tenets of the government's ideology. This meant not only that the Catholic Church's privileges were restored (as well as the monarchy's) and that Catholicism was re-established as the only state religion, but also that the role of the Church in both private and public life reached its peak, sanctioned by the 1953 Concordat (Muñoz Mendoza 2012). It was not until the transition to democracy and the 1978 Constitution that a gradual separation between the Catholic Church and the Spanish state was agreed upon, with Catholicism still holding a privileged position (Griera, Martínez-Ariño, and Clot-Garrell 2021, 5–6).

Similarly, in Greece, long after the end of the junta's rule in 1974 and the establishment of the Third Hellenic Republic, the view of Greece as an Orthodox Christian nation has remained, and the presence of Islam is still largely perceived as a rival cultural element that could threaten the homogeneity of the Greek 'ethnos' (Skoulariki 2010, 302).

In Italy, the form of government (from monarchy to republic) and the overall regulatory framework changed with the democratic 1948 Constitution in the aftermath of the Second World War, which incorporated freedom of religion and the separation of state and church in its fundamental values. However, the framework to regulate relations with the Catholic Church remained that of 1929, and it was only in 1984 that the Lateran Pacts were revised to remove the statement positing Catholicism as Italy's state religion.

Regardless of institutional arrangements, the twentieth century has seen Southern Europe's societies secularise, with a steady decrease in church attendance and religious weddings (Evans and Baronavski 2018). In Southeastern Europe secularisation was imposed by the communist regimes and had strong impact in suppressing religion. However, the importance of religious identity re-emerged in Yugoslavia following Tito's death in 1980, when religious institutions experienced a revival interweaving with ethno-

religious identities, and tensions rose in the federation. Nationalist agendas and narratives fostered deep rifts between Serbs, Croats, and Bosniaks, who had co-existed peacefully until then (Kiper and Sosis 2020). After 1989 such religious and ethnic re-awakenings followed suit across the region.

Renegotiating state-religion relations in the post-1989 context

The different experiences of Southern and Southeastern European countries became apparent in the early 1990s as communist regimes imploded after the fall of the Berlin wall, precipitating radical transformations in Southeastern Europe.

The Yugoslav federation broke up with a bloody civil war between its republics, informed by both ethnic and religious divisions. It became apparent that the forced secularisation imposed during communist times had not been successful: in BiH's 1991 census only 6% of its population identified as Yugoslavs while over 90% identified with one of the three major ethno-religious groups (Bosniaks 43.5%, Serbs 31.2%, Croats 17.4%) (Alibašić and Begović 2017, 21). Conflicting ideologies and ethno-religious tensions from the 1940s resurfaced during the 1990s, when a war fought over ethno-religious lines and symbols (1992–1995) left the country divided and in need of reconceptualising state-religion relations and the relationship among its communities. The Dayton Accords established a federal system that presented many shortcomings particularly regarding the implementation of federal decisions at the local level. An attempt was made by the Party of Democratic Action (*Stranka demokratske akcije*) in the 1990s to infuse pan-Islamism into the nascent Muslim nationalism, thus substituting communism with Islam as a political ideology (Bougarel 2017). This, however, failed and brought disenchantment with both politics and religion. Even after the death of the main divisive leaders, the cleavages created during the war remain and the religious institutions revived after the fall of communism continue to be involved, often controversially, in political and public life. As a result, BiH is probably the most 'extreme' case in which ethnic and religious identities are still fused: Muslims commonly identify as Bosniaks, Orthodox Christians as Serbs, and Catholics as Croats. In order to manage such diversity, present-day BiH promotes a model of separation of state and religion including the principles of religious freedom and equality of all religious communities, with an explicit prohibition on religious communities spreading hatred towards other religious communities. However, given the context of the country's divided society the implementation of the principle of equality of religious communities is not always easy nor straightforward.

In Albania, by contrast, the first postcommunist provisional Constitution (1991) declared the country a secular state (Dyrmishi 2016), allowing for freedom of religion. Members of religious communities (mostly Muslims) who had suffered greatly under communism actively supported the New Democratic Party (*Partia Demokrate e Re*) and mobilised in politics. The loose control on religious institutions from the state around this time made it possible for some foreign religious groups from Muslim-majority countries in the Middle East to establish a presence in Albania. By 1998 there were reports that various Islamic organisations from abroad had established political links in Albania to launch terrorist cells in the country (Yakova and Bogdanova 2022; Hayrapetyan 2017). This period coincided with the installation of a Socialist Party (*Partia Socialiste e Shqipërisë*) government, which implemented more stringent security measures, prosecuted suspected

terrorists, closed Islamic charities, and expelled from the country those considered to present a threat (Elbasani and Puto 2017).

It was in this context that the current Albanian Constitution (1998) took shape to set up broader provisions for the governance of religious diversity in the country. Apart from declaring state neutrality and no official religion, the Constitution established religious freedom and collaboration between the state and religious institutions for a 'common good', reflecting the notion of a 'civic religion' that characterised the short-lived period of independence before communism. Albania's *laïcité* moved away from total separation between church and state, and secured close state supervision of religion by maintaining close state-religion cooperation. The Muslim community, through the Albanian Muslim Community (*Komuniteti Mysliman i Shqipërisë*), plays an important role in supporting such state supervision. As the only Muslim authority granted permission to negotiate with state institutions, it is seen as acting as intermediary between the state and Muslims and as a safeguard against radical versions of Islam (Elbasani and Puto 2017). However, the state also has close ties with the Bektashis, Catholics, Orthodox Christians, and evangelical Christians. This approach can also be observed in a 2018 official appeal to EU institutions by the leaders of the five major religious communities in support of Albania's EU accession (Agenzia D'Informazione 2018). In 2012 Albania introduced the Law on Non-Discrimination, which also protects freedom of religion and belief (OHCHR 2017).

In Bulgaria the strong policies of promoting atheism came to an end with the fall of the regime in 1989, and the new Bulgarian Constitution (1991) was drafted stating explicitly that – while religious institutions are separated from the state – freedom of religious expression is a fundamental right. The Constitution also stipulates that the state should assist the different denominations in the country to promote interreligious tolerance.[5] According to the Constitution, denominations have equal rights and standing, however the majority Orthodox denomination is identified as a 'traditional' one, which puts it in a favourable position, while minority denominations must register at the Sofia city court to operate in the country. Even though the Orthodox Christian majority (approximately 76%) is privileged in its relations to the state, Bulgaria's various minorities[6] are represented in the Council of Religious Communities and are protected by Bulgaria's institutional framework. The legal protections enshrined in the Constitution are comprehensive, but their practical application is still not always effective, and minority individuals and organisations still try to find everyday solutions for their problems (Grekova, Kyurkchieva, and Kosseva 2013). Overall, having undertaken such institutional reforms in the 1990s, the governance of religious diversity in Bulgaria was not much affected by the EU accession in 2007.

Meanwhile, the early 1990s were the years in which both the Italian and Spanish states reached formal agreements with representatives of minority religions. Spain signed agreements with the Islamic Commission of Spain (*Comisión Islámica de España*), the Federation of Israelite Communities of Spain (*Federación de Comunidades Israelitas de España*) and the Federation of Evangelical Religious Entities of Spain (*Federación de Entidades Religiosas Evangélicas de España*) in 1992, while Italy acknowledged Waldensians, Seventh-Day Adventists, Judaism, evangelical Christians, and Lutherans. The number of religious minorities recognised by the Italian state continued to widen in the 2000s (to include Greek Orthodox Christians, Mormons, Buddhists, and Hindus), but still left out religions perceived to be at odds with Italian law, importantly Islam (which

represents the largest minority religion in the country) and Sikhism (Pace 2018; Magazzini 2021a).

In the same decades Greece struggled to improve the socioeconomic and political integration of its native Muslim Turkish minority (Antoniou 2005) while also accommodating a significant influx of migrants from neighbouring former communist countries and from South Asia. Despite contestation, important concessions were made to religious minorities including a law (4301/2014) that defines the procedures through which religious minority groups can be recognised as 'religious legal entities' under civil law (Anagnostou 2019) and which automatically recognises most of the existing minority religions and religious institutions (Law 4301/2014 as amended by Law 4972/2022). These developments are a net improvement in the direction of moderate secularism, compared to the previous situation where the Ministry of National Education and Religious Affairs would give a permit upon considering several issues including the status of a religious minority as known religion and the actual 'need' for establishing a church or place of worship (Triandafyllidou and Gropas 2009, 963). Resistance and hostility towards Islam remain, however, with Athens being the last capital in Europe to have a formal mosque inaugurated in 2020 (Al Jazeera 2020).

Recent asylum-seeking arrivals have exacerbated Islamophobic discourses (Kedikli and Akça 2018). While such narratives are by no means exclusive to Greece, here these trends – along with a severe economic crisis during the first part of the 2010s – have fuelled the rise of the far right and related racist, anti-Semitic, and Islamophobic movements. In Bulgaria too, particularly since the refugee flows of 2015–2016, there has been a rise in far-right discourse against migrants, but also against other minorities (such as LGBTQ+) (Stoynova and Dzhekova 2019; Wesolowsky 2021). Such discourses were also supported by the Bulgarian Orthodox Church, especially around the 2015–2016 refugee emergency (Leustean 2021).

The rise of far-right, anti-immigrant, and Islamophobic discourses identified in Greece and Bulgaria are in evidence in Italy too, where the economic crisis of the 2010s also favoured the rise of extreme right-wing parties such as la Lega (League) and Fratelli d'Italia (Brothers of Italy), which exploit a general frustration with the lack of social mobility by portraying Muslim immigrants as threatening national values and culture (Kaya 2020; Kaya and Tecmen 2021). However, in both Italy and Greece grassroots solidarity movements have also formed and consolidated in recent years with the aim of promoting migrant rights as well as fighting hate discourse. Pope Francis, the current head of the Catholic Church, has been outspoken in highlighting the plight of refugees and migrants, as well as promoting interfaith dialogue, and religious minorities (such as the Waldensians) have also been active in promoting inclusion initiatives towards newcomers (Bauböck and Mourão Permoser forthcoming).

Spain here diverges from the other two countries of Southern Europe: while the legacy of four decades of 'National Catholicism' is still reflected in the Catholic Church's privileged position, and society was also harshly hit by the economic crisis of the 2010s, immigration concerns have so far not led to the same degree of anti-immigrant rhetoric in mainstream political parties. This does not, however, translate into a virtuous governance of religion model, since the strong guarantees of freedom of religion enshrined in the legal system often do not translate into practice (Ruiz Vieytez 2012), and support for the far-right party Vox has been steadily growing since 2016 (Barrio, Alonso Sáenz de Oger, and Field 2021; Zanotti and Turnbull-Dugarte 2022).

Table 1. Modes and norms for the governance of religious diversity.

Incorporated within Majoritarian Nationalism	• Strong state identification with one religion • May or may not include toleration for other religions • May or may not include personal religious laws • In radical cases the state takes over or controls the institutions and followers of one or more religions (e.g. Diyanet) • The state may come to be controlled by religious parties (e.g. AKP, Muslim Brotherhood)
Secularist Statism	• State control of religion • The state excludes religion from the political and the civic, confining religious freedom largely to the private sphere • This mode of secularism may be self-defined as part of the national identity • May include some support of some religions, but religion mainly seen as belonging to the private sphere
Liberal Neutralism	• Moral individualism – freedom of conscience • Anti-assimilation and equal civic standing of all religions • Religions are officially and socially tolerated • Active 'de-othering' but no 'recognition'
Moderate Secularism	• Moral individualism – freedom of conscience • Religions may enjoy equal or unequal status but all are officially and socially tolerated • Religion seen as a public good in need of support (e.g. funding of faith schools) • Religion might also be seen as in need of regulation (to match some prevailing values e.g. issues of women bishops/single sex marriage) e.g. social attitudes that undermine tolerance and respect for religion and religious diversity (in interfaith relations and beyond religion) • Mutual autonomy but restricted neutrality, including 'weak' establishment and unequal recognition • Religious and non-religious citizens give each other generally accessible/dialogical reasons in politics

Modelling state-religion relations in Southern and Southeastern Europe

Our aim in this section is to identify the main models of state-religion relations (see Table 1) that capture the six case studies described above by referring to the framework established in Modood and Sealy, this collection, and applying the distinction between a 'dominant operative norm' (DON), a dominant feature of state-religion relations in a country, and a 'qualifying operative norm' (QON), a provision that limits, adjusts, or modifies the operative norm in a way that tempers (or exacerbates) the state's approach to religious diversity.

On the whole, and despite their diverse historical trajectories, the countries analysed have moderate secularism as their predominant mode of governance. As can be seen in Table 2, which offers an overview of how each country can be classified in relation to its dominant operative and qualifying operative norms, all case studies have strong protections for freedom of religion (which are codified in their constitutions). While the

Table 2. Modelling state-religion relations in Southern and Southeastern Europe.

	Majoritarian nationalism	Secularist statism	Liberal Neutralism	Moderate secularism
Albania		QON		DON
BiH	QON			DON
Bulgaria	QON	QON		DON
Greece	DON			QON
Italy	QON			DON
Spain	QON			DON

QON = Qualifying Operative Norms; DON = Dominant Operative Norms.

dominant features of state-religion relations are largely shared across the different cases, the countries differ with regard to their qualifying norms (QONs), with Albania and Bulgaria displaying some characteristics of secular statism while Greece, Spain, Italy, and BiH show noticeable traits of majoritarian nationalism. Liberal neutralism (a mode that applies to other cases analysed in this collection) is not present in any of the six cases, neither as DON nor as QON.

Constitutional principles, realities on the ground, and the role of qualifying norms

Overall, the Southern and Southeastern European modes of governance of religion analysed here are all rooted in the concept of freedom of religion based in freedom of conscience and moral individualism. This is the dominant operative norm (as defined by Modood and Sealy in this collection), which favours the toleration of different religions and supports the modes of moderate secularism, in which religion is seen as in need of some form of support and regulation.

The freedom of religion element, which is characterised by the promotion of moral individualism and freedom of conscience, with the state officially tolerating all religions, can be found in Article 3 of the Italian Constitution,[7] which enshrines protection from discrimination on the basis of religion (among other characteristics). This principle is further articulated in Articles 19 and 20 of the Constitution, which state that 'Anyone is entitled to freely profess their religious belief in any form, individually or with others' and that 'No special limitation or tax burden may be imposed on the establishment, legal capacity, or activities of any organisation on the ground of its religious nature or its religious or confessional aims'. Additionally, Article 8 posits that 'All religious denominations are equally free before the law'.

In Bosnia and Herzegovina, the Constitution[8] also establishes freedom of religion and prohibits any discrimination on the grounds of religion, while additional legislation stipulates the equal rights of all religious communities and establishes BiH as a multi-confessional country.

In Albania, the recognition of individual freedom of religion serves as a stepping stone for religious community freedom, since all religious communities are regarded by the state as juridical persons. The Albanian Constitution[9] speaks of the rights of minorities and justifies them through the prism of the person's inherent right to dignity, making it explicit that religious communities have the freedom to practise/express their beliefs and their religious belonging.

In the current Spanish framework, religious rights and freedoms are enshrined in the Constitution[10] under the section 'Fundamental rights and public liberties'. Article 16 explicitly guarantees freedom of ideology, religion, and worship for individuals and communities, and that 'no one may be compelled to make statements regarding his religion, beliefs, or ideologies' which represents the cornerstone of an approach based on freedom of conscience and toleration for all religions, therefore placing Spain in the freedom of religion mode.

While moderate secularism is the dominant norm in governing state-religion relations in the region, a closer look at the institutional framework and at additional norms

enshrined in law and implemented in practice reveals a more nuanced picture that reflects the specific historical experiences of each country.

In both Spain and Italy, the historical relations between the state and the Catholic Church are reflected in their constitutional and legal frameworks. In Spain, the same Article 16 of the Spanish Constitution which speaks of freedom of religion adds that there shall be no state religion but that 'The public authorities shall take the religious beliefs of Spanish society into account and shall consequently maintain appropriate cooperation with the Catholic Church and the other confessions'. This specification acknowledges that the state's neutrality is limited: public authorities are mandated to cooperate with the Catholic Church, which is therefore given a special level of recognition.

These norms enshrined in Article 16 of the Spanish Constitution are elaborated further in the 1980 Organic Law on Religious Freedom (no.177), which emphasises moral individualism and freedom of conscience. According to this Religious Liberty Law, the only restrictions that the state can impose with regard to the right to religious freedom have to do with public security and with the principle of doing no harm to others. Overall, one can therefore place Spain within the mode that is centred on freedom of religion and moderate secularism, while affording a different degree of support to different religions, with Catholicism benefitting from historical ties to the state.

The same can be said of Italy, where the Constitution references a legal agreement between the Italian state and the Holy See that ensures mutual autonomy between the state and the majority religion. While the Italian Constitution speaks of mutual neutrality, in defining such neutrality between the state and the Catholic Church it refers back to the Lateran Pacts, which were sanctioned in 1929 by Mussolini's dictatorship. Amendments to these Pacts were made in 1985, causing Roman Catholicism to lose its previous status as the official religion of the Italian state. By asserting the political autonomy of the state relative to religion, even though the term secular is never employed ('The State and the Catholic Church are independent and sovereign, each within its own sphere'), the Constitution presents a case of moderate secularism, but one in which the majority religion benefits from unequal support afforded by the state, therefore outlining majoritarian nationalism as a qualifying norm.

Greece offers a case that is close to Italy and Spain in many regards, but includes a stronger focus on the majoritarian religion, including in its Constitution. The Greek Constitution provides for the freedom of religious conscience as inviolable, and for enjoyment of civil rights and liberties independently of religious beliefs (Article 3), and requires all MPs to take a religious or secular oath (in accordance with their beliefs) before entering office (Article 59). However, at Article 3 it also recognises Orthodox Christianity as the 'prevailing religion', thus combining freedom of religion with a strong push for majoritarian nationalism as a qualifying operative norm. The privileged position of the Orthodox Church of Greece (*Ορθόδοξη Εκκλησία της Ελλάδας*) as a national institution has been embedded in the legal order, where relevant legal acts and policies on religious matters take into consideration the interests of the Church (Tsitselikis 2012, 9) and until recently gave the Church the possibility of providing a consultative opinion on the establishment of other 'known religions'[11] (Hatziprokopiou and Evergeti 2014). It is no coincidence that in a 2018 Pew Research Center study, three-quarters of Greek respondents considered being Orthodox Christian important to being truly Greek, while nearly nine out of ten claimed Greek culture to be superior to others (2018, 6). The Orthodox

Church of Greece enjoys the status of a legal entity in public law, and the majoritarian religion is seen by the state as a public good, complemented by relatively weak institutional accommodation of religious diversity (Gemi 2021).

Overall, Greece, Italy, and Spain exhibit significant similarities in the historical relationship between the state and the church that is reflected in both their constitutional principles and in their institutional frameworks for religious governance. Albania and Bulgaria, meanwhile, exhibit stronger frameworks of separation of church and state emanating from their fully secularist experience under communism. The Bulgarian Constitution[12] promotes moral individualism as well as official neutrality of the state towards religious denominations. While religion still retains a strong influence as an important component of the cultural identity of many Bulgarians, Bulgarian society is highly secularised. The Orthodox Christian Synod and the Chief Muftiate remain weak in the context of the communist legacy and postcommunist political rivalries.

Similarly, the present-day relationship between the Albanian state and religion is characterised by respect for mutual autonomy conforming to the principles of moderate secularism, but it includes the presence of some government control of religion, as well as of limited support for religion and cooperation with some religious organisations for common goals (as per the 1998 Constitution and the institutional-regulatory framework that it established). According to Elbasani and Puto (2017), the relationship between the Albanian state and organised religion was shaped by historical, sociopolitical, socio-demographic, economic, and cultural factors, resulting in a balanced two-way autonomy approach which adapts the French *laicité* mode of separation between church and state to the necessities and goals of Albania, privileging the approach that we characterise as secularist statism.

BiH presents a peculiar case. Its legal framework of state-religion relations, as well as its qualifying norm of favouring one religion over others, coincide perfectly with those of Italy and Spain. They are however the product of very different polities and recent history(ies). Following the war fought over ethno-religious lines and symbols, BiH society had to reconceptualise the relationship between the state and its different religious communities. It also had to face the challenge of governing religious diversity based on the principle of equality and freedom from state interference in religious matters. Present day BiH promotes a mode of separation of state from any one religion and includes the principles of religious freedom and equality of all religious communities. Since only limited toleration exists between religious communities, religious communities are prohibited from spreading hatred against other religious communities in order to protect the multi-confessional character of the state. Despite such laws, ethno-religious tensions – sometimes spilling over into political conflict – characterise this country.

In the context of BiH's religious pluralism and divided society, the implementation of the principles of equality of religious communities has thus been challenging. Since each territorial entity is responsible for its own relationship with the religious communities it hosts, such a relationship has often proven highly favourable to the dominant religious group in each territory, particularly in accessing state-level government representation. This has created situations in which some minority religious groups have not been accommodated or respected in ways equal to the respective majority religious group. One example is Republika Srpska, which has been influenced by the geopolitical

aspirations of Serbia through the predominant Serbian Orthodox Church. In this example, the set-up of the BiH system, which has provided substantial powers to local entities, has resulted in the granting of *de facto* privilege to the Serbian Orthodox Christian majority, in the form of funding, construction permits for religious sites, and the distinct status of the Church (Center for the Study of Democracy 2020; Bayrakli and Hafez 2019). Thus, while BiH may adhere to the principles of moderate secularism and freedom of religion, within each of its constitutive entities state-religion relations conform with a majoritarian nationalism mode.

Concluding remarks

Looking at Southern and Southeastern Europe as a whole, despite its numerous internal diversities ranging from historical trajectories to legal systems, the region shares a strong primary legislation rooted in freedom of religion. All countries examined include moral individualism, freedom of conscience, and toleration for all religions in their constitutions and/or primary legislation.

Most countries have built their core legislation on norms of freedom of religion to develop modes of moderate secularism as their way of managing state-religion relations and religious diversity. In practice, this means including provisions to guarantee relative mutual autonomy between state and religion, while offering some support and regulation to religious institutions on behalf of the state.

Moderate secularism constitutes the region's overarching, dominant operative norms in law if not always in fact. In most of Southern Europe, when it comes to strong state-religion connections, religion has played a fundamental role in defining the 'imagined ethnos', thus leading to the emergence of significant qualifying norms that shape the actual sociopolitical reality. This means that, in many instances, national and religious identities are intertwined, and that the attachment to Orthodox Christianity as the core element of nation-state identity in Greece, for instance, or to Catholicism in Spain and Italy, makes it difficult to separate ethnicity from religiosity. Indeed, Greek national identity has been historically constructed in opposition to the religious 'Other' in general, and to the Muslim other in particular. Such historical and political contingencies have forged a genuine mode of religious governance whereby Orthodox Christianity has an especially prominent place in the public sphere under the rubric of the 'prevailing religion', which places it in the majoritarian nationalism mode, showing strong ties with a single religion. While such prevalence of the majoritarian religion is not a preponderant conceptual characterisation in the rest of the region, it is however present as a qualifying norm in the cases of Italy, Spain (both of which have weak ties with a single religion), and BiH (where territorial governance is organised in such a way as to allow each region to favour the local religious majority).

Even if not as strong as in France, a degree of secularist statism can be found in Albania and Bulgaria, as a legacy of forced secularisation under communism, but combined with a respect for mutual autonomy and religious freedom driven at least partly by the desire to access the European Union.

On the whole, while the significant presence of majoritarian nationalism as either a dominant or qualifying norm in the region is a worrying sign for religious diversity management, as long as the legal foundations centred around religious freedom are not

completely disregarded in practice, one can hope that ethno-religious conflicts such as those of recent history in the Balkans will not return. Our analysis also shows that historical path dependencies lose their importance as current socioeconomic and political concerns may significantly shape the legal and institutional framework of state-religion relations and the ways in which religious diversity is governed. Thus, the importance of majoritarian nationalism qualifying norms in the case of Italy, Spain, and Greece may also arise as a reaction to an increased immigrant presence and a shifting composition of the population in favour of plurality. By contrast, in Albania and Bulgaria secular communist legacies may find renewed strength in the context of their European integration pathways. Last but not least, in BiH persisting divisions and tensions seem to trump both dominant and qualifying norms, failing to lead to a viable state-religion modality that would allow for greater national unity.

Notes

1. The analysis presented in this contribution is based on country reports elaborated for the Horizon Project GREASE: Radicalisation, Secularism and the Governance of Religion: European and Asian Perspectives (http://grease.eui.eu).
2. Both Catholic and the Orthodox communities benefited from favourable political conditions and significant state subsidies under the Austro-Hungarian Empire, while the Muslim community became marginalised (Tzvetkova and Todorova 2021).
3. While the signatories of the Albanian Declaration of Independence were mostly Sunni Muslims, Bektashi Sufis, Catholics, and Orthodox Christians also contributed to independence (Schwartz 2012).
4. The Kingdom of Sardinia had recognised equal civil and political rights for Jews and Waldensians already in 1848, and favoured a moderate secularism, despite many of its political leaders being Catholics in their private lives (Magazzini 2021a). While maintaining Catholicism as Italy's official religion, the 1848 Constitution adopted a regime of separation between church and state, which was condemned by then Pope Pius IX, who excommunicated the king and the leaders of the Italian government and ordered 'good Catholics' not to recognise its legitimacy (Ercolessi 2009).
5. The Department of Denominations is in charge of easing the dialogue between the state and the denominations. This has also created an informal body, the Council of Religious Communities, composed of representatives from all denominations, and helps foster dialogue between the different denominations and the state.
6. Muslims represent the largest minority at about 10% of the population, but they comprise a diverse range of ethnic communities, from Turks to Roma.
7. Italian Constitution (1948). Official English version available online at: https://www.senato.it/documenti/repository/istituzione/costituzione_inglese.pdf.
8. Bosnia and Herzegovina Constitution of 1995 with Amendments through 2009 (2009). Official English version available at: https://www.constituteproject.org/constitution/Bosnia_Herzegovina_2009.pdf?lang=en.
9. Albania's Constitution of 1998 with Amendments through 2016 (2016). Official English version available at: https://constituteproject.org/constitution/Albania_2016.pdf?lang=en.
10. Spanish Constitution (1978). Official English version available online at: https://www.lamoncloa.gob.es/documents/constitucion_inglescorregido.pdf.
11. The term 'known religion' is referred to in Article 13, paragraph 2 of the Greek Constitution. The full text of the Constitution is available here in Greek: https://www.hellenicparliament.gr/Vouli-ton-Ellinon/To-Politevma/Syntagma/ and in other languages: https://www.hellenicparliament.gr/en/Vouli-ton-Ellinon/To-Politevma/Syntagma. According to the Council of State and the Supreme Court, this term denotes any religion that is public, with no secret rituals or

dogmas, which do not constitute an unlawful union, or a fictitious association or organisation with illegal aims, and its purpose must not negatively affect public order or morals.

12. Constitution of the Republic of Bulgaria (2015). Official English version available online at: https://www.parliament.bg/en/const.

Disclosure statement

No potential conflict of interest was reported by the author(s).

Funding

The research that informs this contribution has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement number 770640.

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