Introduction

On 17 June, 1963, the United States Supreme Court banned the devotional reading of the Bible and the saying of the Lord's Prayer in American public schools. Finding that the practices unequivocally constituted "religious exercises," it declared that they were "required by the States in violation of the command of the First Amendment that the Government maintain strict neutrality, neither aiding nor opposing religion."[1] The decision, coming on the heels of a decision the previous year prohibiting nondenominational prayers in the public schools,[2] firmly closed the door on nearly two hundred years of religious exercises in American schools. It also fed a strong backlash. Religious and political leaders denounced the decision, school officials around the country defiantly vowed to continue the practices irrespective of the decision, and scores of federal legislators introduced Constitutional amendments to reverse the decision.[3] Nevertheless, these efforts ultimately failed, and within twenty years official Bible reading and school prayer had virtually vanished from schools outside the South, while even in the South their frequency had declined substantially.[4]

Just five months later, half a world away, Australian Prime Minister Robert Menzies shocked political observers by announcing in a campaign speech that he intended to begin to provide federal funding for science education, to be made "available to all secondary schools, government or independent, without discrimination."[5] The proposal represented a marked departure from

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[1] *School District of Abington Township* v. *Schempp*, 374 US 203 (1963), pp. 225–26.
[2] *Engel* v. *Vitale*, 370 US 421 (1962).
[3] Joan DelFattore. 2004. *The Fourth R: Conflicts over Religion in America's Public Schools*. New Haven: Yale University Press, pp. 98–126.
[4] Richard B. Dierenfield. 1986. "Religious Influence in American Public Schools." *The Clearing House* 59(9): 390–92, p. 391.
[5] R.G. Menzies. 1963. *Federal Election, 1963: Policy Speech of the Prime Minister*. Sydney: Government Printer, p. 22.

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Australia's longstanding policy, dating to the late nineteenth century, against providing funding to religious schools. Following his reelection, Menzies implemented his proposal over his opponents' accusations that he was trying to buy Catholic votes. The legislation was "conceived in chicanery, born in duplicity, and nurtured on deceit," declared the opposition leader; while another Member of Parliament lamented that "the political bribery" the bill represented had "never been surpassed in Australia's history."[6] Nevertheless, the legislation passed easily, and was quickly followed by a spate of additional subsidies that cemented "state aid" to religious schools as a permanent feature of the Australian educational landscape.[7]

Separated by space but not by time, these two scenes are important moments that heralded the arrival of new *secular settlements* – that is, relatively stable sets of policies governing the role of religion in particular social domains – in each country. Secular settlements have become an important focus of research on secularization in recent years.[8] Responding to the persistent vitality of religion around the world, scholars have increasingly abandoned the classic "secularization thesis," which predicted that religion would decline as societies became more modern.[9] As the fortunes of the secularization thesis have waned, scholars across the humanities and social sciences have become increasingly attuned to the varied arrangements that govern religious life in the contemporary world, and have begun to catalog, interpret, and analyze this diversity.[10]

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[6] Australia. House of Representatives. 1964. *Commonwealth Parliamentary Debates*. Canberra: Government Printer, 14 May, pp. 1980, 1930.

[7] Ian R. Wilkinson, Brian J. Caldwell, R.J.W. Selleck, Jessica Harris, and Pam Dettman. 2006. *A History of State Aid to Non-Government Schools in Australia*. Canberra: Department of Education, Science, and Training.

[8] Philip S. Gorski and Ateş Altınordu. 2008. "After Secularization?" *Annual Review of Sociology* 34: 55–85, p. 76.

[9] E.g., Peter Berger. 1969. *The Sacred Canopy: Elements of a Sociological Theory of Religion*. New York: Anchor Books.

[10] This literature is large and growing. For a sampling of recent contributions, see Birol Başkan. 2014. *From Religious Empires to Secular States: State Secularization in Turkey, Iran, and Russia*. New York: Routledge; Peter Berger, Grace Davie, and Effie Fokas. 2008. *Religious America, Secular Europe? A Theme and Variations*. Burlington, VT: Ashgate Press; Linell E. Cady and Elizabeth Shakman Hurd, eds. 2010. *Comparative Secularisms in a Global Age*. New York: Palgrave Macmillan; Craig Calhoun, Mark Juergensmeyer, and Jonathan VanAntwerpen, eds. 2011. *Rethinking Secularism*. New York: Oxford University Press; François Foret and Xabier Itçaina, eds. 2011. *Politics of Religion in Western Europe: Modernities in Conflict?* New York: Routledge; Daphne Halikiopoulou. 2011. *Patterns of Secularization: Church, State, and Nation in Greece and the Republic of Ireland*. Burlington, VT: Ashgate; Janet R. Jakobsen and Ann Pellegrini, eds. 2008. *Secularisms*. Durham, NC: Duke University Press; Hans Joas and Klaus Wiegandt, eds. 2009. *Secularization and the World Religions*. Liverpool: Liverpool University Press; Monika Wohlrab-Sahr and Marian Burchardt. 2012. "Multiple Secularities: Toward a Cultural Sociology of Secular Modernities." *Comparative Sociology* 11: 875–909. It should be noted that, while all of these works seek to understand and analyze the varied forms of religion in public life, they

This research demonstrates that apparently subtle differences in how religion is incorporated into or excluded from public life can have major consequences for important social outcomes. Differences in secular settlements can affect a society's religious vitality and degree of religious diversity.[11] They can also affect political life, by governing access to the public sphere, spurring popular mobilization, and contributing to political conflict.[12] The particular features of secular settlements have even been linked to such disparate and seemingly unrelated outcomes as patterns of economic development, the incorporation of migrant populations, and educational stratification.[13] Understanding where secular settlements come from and why they persist or change is therefore an important question.

Despite this profusion of scholarship, our understanding of why different countries adopt the secular settlements that they do remains limited. Classic explanations, following the secularization thesis, have emphasized the effect of large-scale structural shifts, such as the rise of the state or increasing economic

can adopt quite different objects of study, among them discourses, ideologies, and policies. This book, with its focus on secular settlements, adopts a more narrow definition than some of these works. For good overviews of these conceptual distinctions, see the introduction to Calhoun et al., *Rethinking Secularism*; and José Casanova. 2009. "The Secular and Secularisms." *Social Research* 76(4): 1049–66.

[11] Roger Finke and Rodney Stark. 2005 [1992]. *The Churching of America, 1776–2005: Winners and Losers in Our Religious Economy*. 2nd edn. New Brunswick, NJ: Rutgers University Press; Anthony Gill. 1998. *Rendering unto Caesar: The Catholic Church and the State in Latin America*. Chicago: University of Chicago Press; Steven Pfaff. 2008. "The Religious Divide: Why Religion Seems to Be Thriving in the United States and Waning in Europe." Pp. 24–52 in *Growing Apart? America and Europe in the Twenty-First Century*, edited by Jeffrey Kopstein and Sven Steinmo. Cambridge: Cambridge University Press; Rodney Stark and Roger Finke. 2000. *Acts of Faith: Explaining the Human Side of Religion*. Berkeley: University of California Press.

[12] Talal Asad. 2006. "French Secularism and the 'Islamic Veil Affair.'" *Hedgehog Review* 8(1/2): 93–106; Craig Calhoun. 2011. "Secularism, Citizenship, and the Public Sphere." Pp. 75–91 in Calhoun et al., *Rethinking Secularism*; José Casanova. 1994. *Public Religions in the Modern World*. Chicago: University of Chicago Press; James Davison Hunter. 1991. *Culture Wars: The Struggle to Define America*. New York: Basic Books; Ted G. Jelen. 1998. "Research in Religion and Mass Political Behavior in the United States: Looking Both Ways after Two Decades of Scholarship." *American Politics Quarterly* 26(1): 110–34; William Martin. 1996. *With God on Our Side: The Rise of the Religious Right in America*. New York: Broadway Books; Zehra Fareen Parvez. 2011. "Politicizing Islam: State, Gender, Class, and Piety in France and India." Ph.D. Dissertation, Department of Sociology, University of California, Berkeley.

[13] Robert J. Barro and Rachel M. McCleary. 2003. "Religion and Economic Growth across Countries." *American Sociological Review* 68: 760–81; Joel S. Fetzer and J. Christopher Soper. 2005. *Muslims and the State in Britain, France, and Germany*. Cambridge: Cambridge University Press; Matthias Koenig. 2005. "Incorporating Muslim Migrants in Western Nation States: A Comparison of the United Kingdom, France, and Germany." *Journal of International Migration and Integration* 6(2): 219–34; Steven Pfaff and Anthony J. Gill. 2006. "Will a Million Muslims March? Muslim Interest Organizations and Political Integration in Europe." *Comparative Political Studies* 39: 803–29; Louise Watson and Chris Ryan. 2009. "Choice, Vouchers and the Consequences for Public High Schools: Lessons from Australia." Unpublished manuscript, Faculty of Education, University of Canberra.

development.[14] Yet these explanations have proven too broad to account for fine-grained, yet demonstrably significant, variations in secular settlements. More promisingly, a number of recent works have focused on secularization as a political project.[15] Recognizing that a more secular society advantages some actors and disadvantages others, these accounts have placed interests, conflict, and strategic action at the center of our understanding of secularization. At the same time, however, these accounts have tended to focus so intently upon secularizing actors' interests and strategies that the broader context of their political struggles often fades from view. In particular, the most important political context of all – the state – is often a mere shadow in these accounts.

This book tells the story of how secularizing (and anti-secularizing) actors encounter the state, and how those encounters contribute to the ultimate development of secular settlements. The central contention of this book is that political institutions matter to the course of secularization. Secularization may be fundamentally political at its core, but those political struggles are conceived and carried out within institutional contexts that shape both how they unfold, and whether they unfold at all. Explaining variation in secular settlements requires integrating those contexts more centrally into our theories of religious change.

In bringing the role the state plays in secularization into sharper focus, I seek to answer both a particular historical question and a general theoretical one. The historical question is why the United States and Australia developed such dramatically different secular settlements after 1960 despite their many demographic, constitutional, and historical commonalities. For most of their histories, Australia and the United States featured quite similar secular settlements, permitting religion in the public schools while prohibiting public aid to religious schools. Yet in the wake of World War II, the two nations diverged, ultimately creating new settlements that redefined the appropriate relationship between religion and the state in education. The direction and timing of these settlements is peculiar, to say the least. Ironically, it was the United States, with

[14] Steve Bruce. 2011. *Secularization: In Defence of an Unfashionable Theory.* New York: Oxford University Press; Pippa Norris and Ronald Inglehart. 2004. *Sacred and Secular: Religion and Politics Worldwide.* Cambridge: Cambridge University Press.

[15] Anthony Gill. 2008. *The Political Origins of Religious Liberty.* Cambridge: Cambridge University Press; Philip S. Gorski. 2003. "Historicizing the Secularization Debate: An Agenda for Research." Pp. 110–22 in *Handbook of the Sociology of Religion,* edited by Michele Dillon. Cambridge: Cambridge University Press; Philip S. Gorski. 2005. "The Return of the Repressed: Religion and the Political Unconscious of Historical Sociology." Pp. 161–89 in *Remaking Modernity: Politics, History, and Sociology*, edited by Julia Adams, Elisabeth S. Clemens, and Ann Shola Orloff. Durham: Duke University Press; Ahmet T. Kuru. 2009. *Secularism and State Policies toward Religion: The United States, France, and Turkey.* Cambridge: Cambridge University Press; David Martin. 1978. *A General Theory of Secularization.* New York: Harper & Row; Christian Smith, ed. 2003. *The Secular Revolution: Power, Interests, and Conflict in the Secularization of American Public Life.* Berkeley: University of California Press.

its unusually pious and God-fearing citizenry,[16] which adopted one of the *most* secular educational systems in the world. More surprising still, it did so near the height of the Cold War, when geopolitical considerations had otherwise amplified the already strongly religious timbre of American political culture.[17] In Australia, meanwhile, the new settlement drew the state and religious schools into a closer embrace just as Australians' personal religiosity began a precipitous decline.[18] Over the ensuing years, religion and education would become ever more intertwined even as increasing numbers of Australians drifted away from their churches.[19]

The answer to this question lies in how the state structured a series of political conflicts over religious education that began in the mid-nineteenth century. In the United States, political institutions created a *permeable state*, characterized by decentralized and democratically accessible institutions that granted widespread access to decision-makers and posed relatively few barriers to actors who sought to challenge the religion-friendly settlement of the nineteenth century. America's decentralized system of educational administration facilitated challenges to pan-Protestant religious exercises in the public schools by religious minorities and educational professionals, which led to a slow attenuation of religion's position in public education over the early twentieth century. Further, America's highly democratic approach to public law enabled a coalition of Protestants, Jews, and civil libertarians to wage a campaign through the courts to define the First Amendment in uncompromising terms.

By contrast, Australian political institutions created an *insulated state*, characterized by a centralized structure and elaborate gatekeeping mechanisms that buffered state officials and neutralized a variety of parallel political challenges. Australia's centralized educational systems and relatively inaccessible approach to public law offered religious minorities and professionals none of the advantages that the American system provided. However, Australia's system of preference-voting and flexible party structure did facilitate a political campaign by Catholics to obtain funding for their school system in the postwar era, a goal American Catholics were unable to attain thanks to unfavorable coalition dynamics within America's rigid two-party system. In short, political conflicts were the driving force behind the policy changes of the 1960s, but these conflicts produced different settlements because they were waged in different kinds of states.

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[16] Norris and Inglehart, *Sacred and Secular*, pp. 83–95.
[17] Jonathan P. Herzog. 2011. *The Spiritual–Industrial Complex: America's Religious Battle against Communism in the Early Cold War*. New York: Oxford University Press.
[18] Gary Bouma. 2006. *Australian Soul: Religion and Spirituality in the Twenty-First Century*. Cambridge: Cambridge University Press, p. 53.
[19] Marion Maddox. 2014. *Taking God to School: The End of Australia's Egalitarian Education?* Sydney: Allen & Unwin.

This explanation suggests a new answer to a more general theoretical question: why do states adopt particular policies governing religion in public life? By focusing on the state, I seek to develop an account of the emergence and transformation of secular settlements that takes both political *conflicts* and political *contexts* seriously. I call this a *political-institutional approach* to secularization. I argue that secularization is primarily driven by multiple forms of political conflict. These conflicts involve different sets of stakes, engage different groups of actors, and play out over time as political processes. Throughout this book, I focus on three primary processes that were dispositive in the American and Australian cases: state-building, professionalization, and religious conflict. These processes are general – that is, each process engages similar actors, deals with similar stakes, and is otherwise recognizably patterned – and each contributes in its own way to a decline in religious authority in the educational sector. At the same time, however, the ultimate outcome of any given process is neither preordained nor identical. Instead, they vary in their strength and influence thanks to the way they interact with other processes and with a nation's distinctive institutional terrain. In sum, therefore, I argue that secular settlements emerge from the interaction of common secularizing processes and specific political institutions.

Focusing on the interaction of processes and institutions lays the foundation for a broader comparative theory of secularization. By identifying the political processes behind the emergence of secular settlements in Australia and the United States, this study develops a set of analytical tools that can be extrapolated to other contexts where secularization has occurred. While this focus on processes does not promise to yield a new "grand theory" of secularization, it does permit us to identify patterns in the politics of secularization, and to develop some bounded generalizations about the conditions of possibility for the emergence and transformation of new secular settlements elsewhere in the developed world.

Similarly, by examining how these processes interact with their institutional contexts, this study provides some general insights into how institutions shape the course of secularization. Political institutions play two key structuring roles in secularization: (1) they structure the conflicts between religious, professional, and political actors over the role of religion in public life; and (2) they contribute to the formation of actors motivated to alter settlements in more or less secular directions. This dual role played by institutions – mediating and constitutive – makes them indispensable to understanding the emergence of new secular settlements. They act as essential links between macro-level social change and the strategies of individual actors and social groups in ways that cannot be accounted for in existing theories that focus on one or the other alone. By placing them at the center of its analysis, this study reclaims political institutions as an important focus for research into comparative secularization.

My political-institutional approach also improves our understanding of the politics of secularization in a number of ways. First, it broadens our

understanding of the actors behind secularization, their motives, and their origins. Existing political theories of secularization tend to focus on actors with a fairly narrow range of anticlerical and self-aggrandizing interests.[20] Rational-choice variants in fact explicitly assume a fixed and narrow set of preferences that are presumed to motivate all secularizing actors.[21] But the politics of secularization are far more complex and multiple than this. Some secularizing actors are motivated by the defense of religious tenets; others by collective interests; and still others by practical motives that are orthogonal to religion but that nevertheless have secularizing effects. Thinking about secularization as the outcome of multiple political processes that capture different kinds of political conflict allows us to relate this diversity of motives and interests to the secular settlements that result.

Further, thinking institutionally allows us to see how secularizing actors' interests may have been constituted, in whole or in part, by the demands and incentives of the state. Scholars have long acknowledged that state churches help to generate anticlerical actors, and this insight has informed many of our newer political theories of secularization.[22] But the constitution of interests is a general institutional phenomenon that extends far beyond state churches.[23] We should expect other political institutions to generate actors with specific interests, including pragmatic or professional interests that incline them toward more secular policies. By adopting a political-institutional approach, we gain the ability to explain where some of these secularizing actors and interests come from in the first place.

A political-institutional approach also acts as a brake against the tendency to view secularization as primarily a project of intellectual elites, undertaken from above and imposed upon an unsuspecting pious population.[24] While secularization does at times take this form, it may also occur from below, through

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[20] E.g., Gill, *Political Origins*; Kuru, *Secularism and State Policies*; Smith, *Secular Revolution*.

[21] Gill, *Political Origins*.

[22] Casanova, *Public Religions*; Gorski, "Return of the Repressed"; Martin, *General Theory of Secularization*. This observation is often traced back to Alexis de Tocqueville. 1988 [1835–1840]. *Democracy in America*. New York: HarperPerennial, pp. 300–01.

[23] Drew Halfmann. 2011. *Doctors and Demonstrators: How Political Institutions Shape Abortion Law in the United States, Britain, and Canada*. Chicago: University of Chicago Press, pp. 16–18, 211–12; Ira Katznelson. 2003. "Periodization and Preferences: Reflections on Purposive Action in Comparative Historical Social Science." Pp. 270–301 in *Comparative Historical Analysis in the Social Sciences*, edited by James Mahoney and Dietrich Rueschemeyer. New York: Cambridge University Press, p. 280; Kathleen Thelen and Sven Steinmo. 1992. "Historical Institutionalism in Comparative Politics." Pp. 1–32 in *Structuring Politics: Historical Institutionalism in Comparative Analysis*, edited by Sven Steinmo, Kathleen Thelen, and Frank Longstreth. New York: Cambridge University Press, pp. 8–9.

[24] E.g., Berger et al., *Religious America, Secular Europe*, pp. 12, 18, 54–56; David Martin. 2005. *On Secularization: Towards a Revised General Theory*. Burlington, VT: Ashgate, pp. 69–72; Christian Smith. 2003. "Introduction: Rethinking the Secularization of American Public Life." Pp. 1–96 in Smith, *The Secular Revolution*, pp. 1, 33, 37.

grassroots campaigns animated largely by conflict among competing religious groups. Theoretically, secularization from below emerges from different processes and benefits from different institutional arrangements than secularization from above. By overemphasizing secularization as an elite project, we have neglected important grassroots dynamics that can propel secularization forward. Further, thinking about secularization as being driven in part by religious conflict complicates any binary characterization of "secular" actors acting against a "religious" population. Ironically, many of the actors promoting more strongly secular settlements have themselves been religious. By incorporating religious conflict as a secularizing process, the political-institutional approach takes these "religious secularists" seriously, and reveals the profound influence they have sometimes had on generating and sustaining new secular settlements.

Finally, by "bringing the state back in" to the study of secularization, this study also provides some interesting insights into the role of religion in American public life, and into American political culture more generally. Specifically, it sheds new light on how the permeable character of the American state – and in particular, its decentralized administrative bodies and broadly accessible legal system – has facilitated, and continues to facilitate, ongoing conflict over religion in public life. Ironically, the root of America's secular education system lies in the strength and vitality of its highly religious people. It is not news that Americans' devotion to their religious beliefs frequently drives conflict with others who hold other, equally powerfully held, beliefs. What I hope will be clearer from this study, however, is the extent to which America's political institutions actively encourage these conflicts. The decentralized, readily accessible American state is, in fact, an engine for religious conflict, allowing religious differences to spill into law and politics at every turn. The contrast with the more centralized and insulated Australian state, where religious differences roil beneath the surface but far less often disturb the gaze of public officials, is striking. This suggests that religious controversies should be thought of as a structural feature of American politics, deeply connected to its institutional design. The specific issues over which battles are fought may change (and have changed), but *conflict* over religion is (and will remain) endemic to American public life.

PLAN OF THE BOOK

Chapter 1 lays out the political-institutional approach to secularization in greater detail, situating it in dialogue with existing theories of secularization and identifying how political processes and institutional contexts work together to produce secular settlements. The remainder of the book is organized in four parts, each of which examines how political processes and institutions interacted to create or transform secular settlements at different points in time.

Part I examines the emergence of the parallel secular settlements that developed in each country in the mid-nineteenth century. In Chapter 2, I demonstrate

that variations in the state-building process resulted in similar secular settle-
ments, but vastly different administrative structures, in the two nations. In the
United States, common schools developed organically at the local level, often
with the assistance of evangelical clergy. In Australia, by contrast, national
schools were created through the conscious displacement of an existing and
inadequate system of denominational schools. Although in both cases, the
resulting settlement permitted public school religion while prohibiting funding
for religious schools, the administrative structure of education that resulted
was centralized in Australia, but radically decentralized in the United States.

Part II turns specifically to the question of how institutions affected the
trajectory – and politics – of secularization in each country before World
War II. Like most complex historical phenomena, the emergence of new secu-
lar settlements in the 1960s cannot be reduced to the proximate events that
surrounded their immediate fashioning.[25] They were not sudden transforma-
tions, in other words, but instead emerged from developments that occurred
over the course of the preceding century. Part II examines these developments.
Chapter 3 shows how decentralized administrative control in the United States
facilitated both professionalization and religious conflict before 1945, lead-
ing to the slow decline of religious devotionals over the late nineteenth and
early twentieth centuries. America's local school boards provided multiple sites
where religious exercises could be challenged by religious outsiders, and facili-
tated the rise of progressive educational ideas and associations that transformed
educational practice in ways that undermined traditional religious education.
Squeezed from below by religious conflict, and from above by the spread of
progressive education, religious exercises declined in American public schools
between 1870 and 1950. Chapter 4, by contrast, demonstrates how the highly
centralized Australian system of educational administration inhibited these
secularizing processes before 1960. Tight centralized control effectively elimi-
nated local influence over policy and discouraged professionalization among
teachers. Accordingly, religious education in public schools persisted, and even
grew more widespread, until the 1960s. The chapter concludes with a case
study of events in New South Wales since 1960, which vividly demonstrates
the impact that centralization had on religious education. Efforts to decentral-
ize curricular decision-making contributed to a rapid partial secularization of
public education in that state.

Part III turns to developments since World War II, focusing on the contrast-
ing campaigns that dominated each country's renegotiation of its secular set-
tlement at midcentury, and how those campaigns took advantage of openings
provided by different political institutions to craft a new settlement. Chapter 5
examines the effect of legal institutions on secularization in the postwar era.
The combination of relatively easy access to the legal system and a favorable

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[25] Paul Pierson. 2004. *Politics in Time: History, Institutions, and Social Analysis*. Princeton: Princeton
University Press, pp. 16, 79–102.

realist hermeneutic approach made American courts an attractive and recep-
tive target for a campaign by Protestants, Jews, and civil libertarians to exclude
devotional exercises from the public schools. In Australia, by contrast, par-
allel lawsuits were compromised by restrictive standing rules, the absence of
state-level constitutional religious freedom provisions, and an unfavorable
textualist hermeneutic. Chapter 6, by contrast, examines how political par-
ties and voting systems shaped religious policy after 1945. In Australia, the
politics of the Cold War fractured traditional party coalitions, leading to the
creation of a new party dominated by conservative Catholics who advocated
for state aid. Australia's preference-voting system provided incentives for poli-
ticians to pursue Catholic votes, and the ensuing contest for Catholic votes led
to the introduction and entrenchment of aid to religious schools. In the United
States, by contrast, the rigid two-party system and the anticommunist fervor
of the Cold War locked Catholics into a partisan alliance with conservative
Southerners, who were opposed to public aid. The stalemate between Southern
Democrats and Catholics held up legislation that would have granted public
aid to Catholic schools through the early 1960s.

Part IV considers the theoretical and political implications of this analysis.
Chapter 7 draws the threads from these chapters together and unpacks their
implications both for the study of secularization, and for our understanding
of the dynamics of religion in American public life. Finally, in the Epilogue,
I consider how my political-institutional approach helps to make sense of the
current flux in American church–state jurisprudence. I argue that the political
and institutional foundations on which strict separation rests have been under-
mined in recent years, and that a new settlement, similar in some respects to the
contemporary Australian settlement, may be emerging. Drawing lessons from
recent Australian history, I consider how an "Australian" settlement might
function within the American context, and how such a system might affect
American religion, education, and politics.