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Politics, Institutions, and Secularization

INTRODUCTION

The United States poses significant problems for orthodox theories of secularization. While secularization theorists for years anticipated the inevitable demise of religion at the hands of modernization, religious pluralism, and scientific progress,¹ the United States – a modern, religiously pluralistic, and scientifically advanced country if ever there was one – flummoxed their every prediction. In nearly every respect, relative to other modern, Western countries, it is saturated with religion: churches overflowing with congregants, sky-high rates of belief in God, and a public political culture that begins with prayer breakfasts between clergy and politicians, and ends with speeches ritualistically declaiming “God bless America!” “That the reigning theory [of secularization] does not seem to work has become an open secret,” confessed Stephen Warner en route to proclaiming a “new paradigm” for the study of religion that gave American developments pride of place.²

Yet in at least one important respect, the United States *does* in fact approximate the predictions of sociology’s classical secularization theorists. America’s educational system is extremely – one might say *resolutely* – secular. In fact, it is secular even in comparison to those other modern, Western countries that otherwise cast America’s religiousness in such high relief. Unlike nearly every other Western nation, religious exercises and religious instruction are excluded

¹ Most classical sociological theorists embraced some version of this approach. See Peter Berger. 1969. *The Sacred Canopy: Elements of a Sociological Theory of Religion*. New York: Anchor Books; Emile Durkheim. 1995 [1912]. *The Elementary Forms of Religious Life*, trans. Karen E. Fields. New York: The Free Press; Max Weber. 1946. “Science as a Vocation.” Pp. 129–56 in *From Max Weber: Essays in Sociology*, edited by H.H. Gerth and C. Wright Mills. Oxford: Oxford University Press.

² R. Stephen Warner. 1993. “Work in Progress toward a New Paradigm for the Sociological Study of Religion in the United States.” *American Journal of Sociology* 98: 1044–93, p. 1048.

from American public schools. More striking still, the United States is virtually alone in refusing to provide public support for religious schools; even hyper-secular France funds its system of Catholic schools.³ How did this paradoxical situation come to pass?

American anomalies are often explained by resorting to one American “exceptionalism” or another, yet in this case no obvious candidate suffices. Appeals to national culture might suggest that America’s secular educational system reflects a longstanding desire to keep religion voluntary and separated from state support.⁴ But American education has *not* always been so secular. In fact, for most of American history, religious instruction and devotional exercises held a prominent place in American public schools, and it is only since the 1960s that religion and education have experienced such a total divorce. Others have suggested that America’s unusual religious diversity required it to adopt “a school system which keeps religious plurality out.”⁵ America’s high degree of religious pluralism has certainly contributed to considerable contestation over the relationship between religion and education. Yet other highly religiously diverse countries, such as Canada and Australia, permit far greater ties between religion and education.⁶ Perhaps America’s secular educational system reflects its strong constitutional language disestablishing religion?⁷ America’s Constitution clearly matters, but it is far from determinative. Although the text of the First Amendment has remained constant since 1791, its interpretation has varied wildly over that time, and the contemporary understanding of disestablishment as “separation of church and state” in a holistic sense, disallowing all ties, is less than seventy years old.⁸ Moreover, “separation” is often observed much less strictly – if at all – in other domains, such as social welfare.⁹ Nor, finally, is America’s secular educational system entirely attributable to “judicial activism,” as popular accounts would have it.¹⁰ The Supreme Court certainly played its part, but it was not the only actor with a say in events.

³ Jonathan Fox. 2008. *A World Survey of Religion and the State*. Cambridge: Cambridge University Press, p. 112.

⁴ E.g., Seymour Martin Lipset. 1990. *Continental Divide: The Values and Institutions of the United States and Canada*. New York: Routledge, p. 75.

⁵ David Martin. 1978. *A General Theory of Secularization*. New York: Harper & Row, p. 36.

⁶ On Australian and Canadian pluralism, see Gary Bouma. 2006. *Australian Soul: Religion and Spirituality in the Twenty-First Century*. Cambridge: Cambridge University Press, pp. 75–76.

⁷ Fox, *World Survey*, pp. 134–35.

⁸ Philip Hamburger. 2002. *Separation of Church and State*. Cambridge: Harvard University Press.

⁹ See, e.g., Stephen V. Monsma and J. Christopher Soper. 1997. *The Challenge of Pluralism: Church and State in Five Democracies*. Lanham, MD: Rowman and Littlefield; and Rebecca Sager. 2010. *Faith, Politics, and Power: The Politics of Faith-Based Initiatives*. New York: Oxford University Press.

¹⁰ E.g., Jane Lampmann. 2005. “Bringing the Case against Judges.” *Christian Science Monitor*, 13 April. For a more scholarly version of this argument, see Barbara M. Yarnold. 1998. “The U.S. Supreme Court in Religious Freedom Cases, 1970–1990: Champion to the Anti-Religion Forces.” *Journal of Church and State* 40: 661–72.

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Courts cannot call their caseloads into existence, for one thing,¹¹ and secularizing trends were already well underway by the late 1940s when the Court began to rule against religion in education.¹² Indeed, the closer one looks, the more puzzling it becomes. What accounts for America's strict secularism in the educational domain?

In this book, I argue that the secularization of American education can only be understood in terms of certain peculiarities of its administrative, electoral, and judicial *institutions*; and in terms of the *political campaigns* through which its religiously and epistemologically diverse constituencies realized a particular understanding of secularism. Moreover, it is an outcome that was perhaps uniquely achievable in the United States thanks to its specific institutional features. In particular, its decentralized system of education, its democratic and expansive vision of public law, and its rigid two-party system created an institutional infrastructure favorable to those actors who sought more secular outcomes. Ultimately, I argue that America's uniquely secular educational system owes as much to its permeable institutional structure as it does to its religious pluralism or constitutional guarantees.

Secular Antipodes? Australia and the United States in Comparative Perspective

I develop this argument through a comparison with Australia. By comparing the United States against a highly similar country, I am able to identify subtle differences that had an important impact on the development of religious education policy in each country. For the purposes of this study, Australia provides an excellent comparative case. As former British colonies, the two nations share many similar traits, such as a common language, a common-law legal system empowered with judicial review, and democratic systems of government organized on a federal model.¹³ Moreover, Australia is uncannily similar to the United States in terms of the supposed "exceptionalisms" outlined above. Table 1.1 shows that both nations are highly religiously pluralistic. While not as riotously diverse as the United States, Australia is nevertheless home to a wide array of denominations; neither today nor during the pivotal 1960s did any single religious group hold a majority market share in either nation.¹⁴ Historically, moreover, the Protestant majority in each country has

¹¹ Charles R. Epp. 1998. *The Rights Revolution: Lawyers, Activists, and Supreme Courts in Comparative Perspective*. Chicago: University of Chicago Press, pp. 18, 37–38.

¹² See below, Chapter 3.

¹³ Gerald Baier. 2006. *Courts and Federalism: Judicial Doctrine in the United States, Canada, and Australia*. Vancouver: UBC Press.

¹⁴ The statistics for Australia in Table 1.1 reflect official census data; the 1961 data is drawn from Commonwealth Bureau of Census and Statistics. 1962. *Census Bulletin No. 23: Summary of Population for Australia*. Canberra: Government Printer, Table 16, p. 21; while the 2011 data can be found in Australian Bureau of Statistics. 2012. *Reflecting a Nation: Stories from the 2011*

TABLE 1.1. *Religious diversity in Australia and the United States*

	Australia		United States	
	1961	2011	1958	2008
Catholic	24.9%	25.3%	25.7%	25.1%
Anglican	34.9%	17.1%	—	1.1%
Baptist	1.4%	1.6%	19.7%	15.8%
Methodist/Congregationalist/Uniting Church	10.9%	5.0%	14.0%	5.3%
Lutheran	1.5%	1.2%	7.1%	3.8%
Presbyterian	9.3%	2.8%	5.6%	2.1%
Nondenominational Protestant	—	—	19.8%	14.2%
Pentecostal/Charismatic/Holiness	—	1.1%	—	3.5%
Latter-Day Saints	—	0.3%	—	1.4%
Orthodox	1.5%	2.6%	—	—
Other Christian	3.7%	4.2%	—	3.1%
Buddhist	—	2.5%	—	0.5%
Muslim	—	2.2%	—	0.6%
Jewish	0.6%	0.5%	3.2%	1.2%
Other non-Christian	0.1%	2.0%	1.3%	1.6%
None/No answer	11.1%	30.9%	3.6%	20.2%

shared space with a sizable Catholic minority. As Figure 1.1 shows, Catholics have been a significant minority in both nations since the mid-nineteenth century, and the Catholic proportion of each country’s population has been roughly equivalent since the 1930s.¹⁵

Census. Canberra: Australian Bureau of Statistics. Data for the United States are from a 1958 United States Census Sample Survey, as reported in William Petersen. 1962. “Religious Statistics in the United States.” *Journal for the Scientific Study of Religion* 1(2): 165–78, p. 169; and from the 2008 American Religious Identification Survey, available in Barry A. Kosmin and Ariela Keysar. 2009. *American Religious Identification Survey (ARIS 2008)*. Hartford, CT: Trinity College, p. 5. Because the United States Census does not track information on religion, religious statistics in the United States before 1970 are notoriously fragmented. Accordingly, the data for Table 1.1 and Figure 1.1 are drawn from different sources. The slight discrepancy between the percentage Catholic reported in Table 1.1 (approximately twenty-six percent) and that reported in Figure 1.1 for 1958 (approximately twenty-three percent) reflects the different estimates in each data series.

¹⁵ Catholics formed a larger proportion of the Australian population in the nineteenth century thanks to extensive convict transportation from Ireland. Notably, however, as I discuss below, this did not translate into greater political power for Australian Catholics; if anything, American Catholics were more successful in obtaining their preferred education policies during the nineteenth century. Population estimates for Australia in Figure 1.1 are drawn from Australian Bureau of Statistics. 2006. *Year Book Australia, 2006*. Canberra: Government Printer, Table 12.26, p. 376; and W.W. Phillips. 1986. “Religion.” Pp. 418–35 in *Australian*

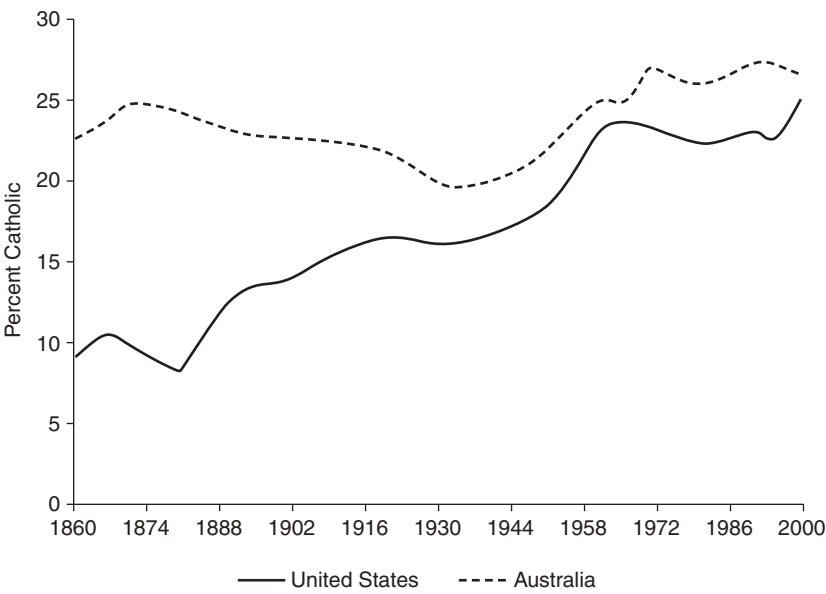


FIGURE 1.1. Catholic population, 1860–2000

Also like the United States, Australia’s Constitution contains a disestablishment clause. In fact, Section 116 of the Australian Constitution was modeled explicitly after the United States’ First Amendment, in what one Australian legal scholar has called a “fairly blatant piece of transcription.”¹⁶ Accordingly, the two countries share nearly identical constitutional language regarding the relationship between church and state.¹⁷ Moreover, Australia also has a longstanding tradition of ties between religion and education. In fact, between

Historical Statistics, edited by Wray Vamplew. Sydney: Fairfax, Syme, and Weldon, pp. 421–26. Figures for the United States are drawn from Susan B. Carter, Scott Sigmund Gartner, Michael R. Haines, Alan L. Olmstead, Richard Sutch, and Gavin Wright. 2006. *Historical Statistics of the United States*. Millennial Edition Online. Cambridge: Cambridge University Press, Tables Aa6–8, Bg334–348; James Hennesey. 1981. *American Catholics: A History of the Roman Catholic Community in the United States*. New York: Oxford University Press, p. 173; and Toby J. Heytens. 2000. “School Choice and State Constitutions.” *Virginia Law Review* 86 (1): 117–62, p. 135.

¹⁶ Clifford L. Pannam. 1963. “Travelling Section 116 with a U.S. Road Map.” *Melbourne University Law Review* 4: 41–90, p. 41.

¹⁷ Compare the United States Constitution, Amendment I (“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof”), and the Australian Constitution, Section 116 (“The Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Commonwealth”). The “no religious test” portion of Section 116 is derived from Article V of the American Constitution.

roughly 1880 and 1960, Australia and the United States shared nearly identical policies toward religion and education. Each nation permitted religious instruction in its public schools, although the different states of each federation embraced this possibility to a different extent; and each nation broadly prohibited any kind of direct support for religious schools.¹⁸

Despite these similarities, however, Australia today looks quite different from the United States. Whereas the United States, largely through a series of court rulings, moved to exclude religious exercises from the public schools while maintaining its barriers against direct funding for religious schools, Australia moved in the opposite direction. Through a series of federal and state legislative initiatives, Australia began to provide massive direct financial support for religious schools beginning in the 1960s.¹⁹ Overall, nongovernment schools in Australia now rely on government subsidies for more than half of their annual income;²⁰ in some schools, public financing underwrites up to eighty percent of operating costs.²¹ At the same time, Australia retained a place for religion in the public school curriculum. Today, most government schools permit clergy or lay representatives to teach regularly timetabled “special religious instruction” (SRI) classes; and collective worship, prayers, and even Bible reading continue to feature in the curriculum.²²

This situation obviously contrasts greatly with the American situation, where prayer, Bible reading, religious instruction, and even moments of silence are forbidden; and only indirect funding (such as tax credits, transportation subsidies, and loans of supplies and services) is permitted.²³ The type of direct support either for religious education or for religious schools that Australia embraces would be inconceivable in the United States. Viewed in comparative perspective against Australia, then, our puzzle deepens still further. Why did the United States come to embrace a supremely secular approach to religion and education *even as* an extremely similar country with which it once

¹⁸ See below, Chapter 2.

¹⁹ 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.

²⁰ Ministerial Council on Education, Employment, Training, and Youth Affairs. 2007. *National Report on Schooling in Australia 2007*. Carlton, Vic.: Ministerial Council on Education, Employment, and Youth Affairs, p. 27.

²¹ John Luttrell. 2008. “Come to Our Aid: Funding Catholic Schools in NSW since 1800.” Unpublished manuscript, Catholic Education Office Sydney, p. 1; Marion Maddox. 2014. *Taking God to School: The End of Australia’s Egalitarian Education?* Sydney: Allen & Unwin, p. 92.

²² Cathy Byrne. 2014. *Religion in Secular Education: What, in Heaven’s Name, Are We Teaching Our Children?* Leiden: Brill.

²³ See generally John Witte, Jr. 2005 [2000]. *Religion and the American Constitutional Experiment*. 2nd edn. Boulder, CO: Westview Press. It should be noted, however, that restrictions on public school devotionals apply to the schools and not to the students; there are no prohibitions on voluntary student-initiated religious activities that do not disrupt the functioning of the school day.

shared nearly identical policies moved in the *opposite* direction, toward greater church–state collaboration?

AMERICAN EDUCATION AND SECULARIZATION THEORY

These puzzles, while interesting in their own right, are also useful for helping us to think about secularization and religious change more generally. Secularization theory is currently undergoing a period of great intellectual ferment, as scholars attempt to come to terms with the collapse of the classical paradigm. As the persistence of religious belief and activism has undermined longstanding assumptions about the relationship between modernity and religion, social scientists have begun to reexamine and refine secularization theory, to clarify in what respects it may continue to hold. It is now widely understood that secularization may occur (or not) along multiple dimensions. Declines in individual belief and practice (*micro-level secularization*) are analytically distinct from internal changes to religious organizations that bring them into closer conformity with the secular world (*meso-level secularization*), which in turn are to be distinguished from the differentiation of social spheres in ways that render them autonomous of religious authority (*macro-level secularization*).²⁴ These forms of secularization are potentially independent of one another, such that meso- and macro-level secularization may occur even if micro-level secularization does not.²⁵

While much of the original scholarship challenging the classic secularization thesis focused on micro-level secularization,²⁶ scholars have recently taken a renewed interest in understanding how secularization, understood as a macro-level process of institutional differentiation, takes place.²⁷ Rather than asking why people stop believing in God or going to church, these studies instead ask why religion comes to take a less and less prominent role in various social spheres over time. In so doing, scholars have largely abandoned the search for a transhistorical, teleological account of the position of religion in society. Instead, recognizing that secularization appears to be both widely

²⁴ Karel Dobbelaere. 1981. "Secularization: A Multi-Dimensional Concept." *Current Sociology* 29: 1–216.

²⁵ José Casanova. 2006. "Rethinking Secularization: A Global Comparative Perspective." *Hedgehog Review* 8: 7–22; Mark Chaves. 1994. "Secularization as Declining Religious Authority." *Social Forces* 72: 749–74; Dobbelaere, "Secularization"; Anne Mark Nielsen. 2014. "Accommodating Religious Pluralism in Denmark." *European Journal of Sociology* 55(2): 245–74.

²⁶ See, e.g., Rodney Stark and Roger Finke. 2000. *Acts of Faith: Explaining the Human Side of Religion*. Berkeley: University of California Press.

²⁷ In addition to those studies detailed below, see also José Casanova. 1994. *Public Religions in the Modern World*. Chicago: University of Chicago Press; Philip S. Gorski. 2000. "Historicizing the Secularization Debate: Church, States, and Society in Late Medieval and Early Modern Europe, ca. 1300 to 1700." *American Sociological Review* 65: 138–67; and Olivier Tschannen. 1991. "The Secularization Paradigm: A Systematization." *Journal for the Scientific Study of Religion* 30(4): 395–415.

variable and even reversible,²⁸ secularization theorists have instead begun to ask what accounts for the variety of “secular settlements” – or relatively stable sets of policies governing the role of religion in public life – that are visible in the contemporary world.²⁹

In this context, the American and Australian cases should be understood as but two possible “secular settlements” among many. Indeed, studying them as historical outcomes can teach us a great deal about secularization and religious change more generally. In addition to helping to shed light on why America adopted its particularly strict secular settlement in education, a comparative study such as this permits us to ask more general questions about why different states adopt different policies toward religion; what processes and mechanisms lie at the heart of secularization and desecularization; and how secular settlements relate to broader social, political, and religious dynamics. Accordingly, the goal of this book is twofold: First, to provide a better explanation for the divergent paths and secular settlements of Australia and the United States; and second, to identify common processes and mechanisms in the two countries’ histories that have the potential to contribute to our understanding of secularization in other settings.

Accounting for Variations in Secular Settlements: Existing Approaches

What accounts for the secular settlements we see today? Secularization theorists have offered up four primary approaches to explain why states adopt particular secular settlements. Two of them, the modernization approach and the *ancien régimes* approach, focus primarily on structural features of a society. Another two, the rational choice approach and the secular movements approach, focus instead on the agents advancing particular settlements (and their interests and motives). While each approach has certain strengths, none ultimately allows us to make satisfactory sense of the American–Australian comparison.

The Modernization Approach

As the contemporary successor to classical secularization theory, the modernization approach attributes religious change to broad structural shifts associated with modernity, such as the growth of the state, economic development, urbanization, or the rise of science. Some, like Steve Bruce, argue that these modernizing trends promote secularization by undermining the communal and cognitive foundations of religious belief and practice.³⁰ Others, like

²⁸ E.g., Gorski, “Historicizing the Secularization Debate: Church, States, and Society.”

²⁹ Philip S. Gorski and Ateş Altınordu. 2008. “After Secularization?” *Annual Review of Sociology* 34: 55–85, p. 76.

³⁰ Steve Bruce. 2002. *God Is Dead: Secularization in the West*. Oxford: Blackwell Books; Steve Bruce. 2011. *Secularization: In Defence of an Unfashionable Theory*. New York: Oxford University Press.

Pippa Norris and Ronald Inglehart, argue that modernity drives secularization by increasing a society's level of "existential security." The more prosperous a nation becomes, in their view, the more secular it is likely to become.³¹ Most relevant for our purposes, Phillip Hammond has argued that the American trend toward strict separation of church and state was driven by "structural features of modern-day America – especially religious pluralism and government's inevitable involvement in our lives," which made strict separation more or less inevitable irrespective of any political interventions pro or con.³²

The modernization approach would therefore explain divergence in secular settlements by reference to variations in how "modern" each country is. However, this does not enable us to explain the divergent policies of Australia and the United States, since both countries are modern, highly developed nations.³³ Indeed, the Australian trajectory is particularly problematic. The postwar era was a period of massive economic growth in Australia, accompanied by rapid religious and ethnic diversification and the dramatic expansion of the welfare state.³⁴ Yet even as these quintessentially modernizing trends were operating at full force, Australian educational policy was drawing church and state into a closer embrace. Modernization approaches alone cannot account for the variations between the United States and Australia, nor can they account for why Australian policy desecularized even as it modernized in the postwar era.

The Ancien Régimes Approach

A second approach links secular settlements to the historical presence or absence of an "*ancien régime*" – that is, a political establishment with tight, often formal, ties with a particular church. In his classic comparative analysis of secular settlements in the Christian West, David Martin argues that secularization proceeded differently depending on whether a country was primarily Catholic or Protestant; whether it was religiously homogeneous or

³¹ Pippa Norris and Ronald Inglehart. 2004. *Sacred and Secular: Religion and Politics Worldwide*. Cambridge: Cambridge University Press.

³² Phillip E. Hammond. 1997. *With Liberty for All: Freedom of Religion in the United States*. Louisville, KY: Westminster John Knox Press, pp. 14, 27.

³³ Indeed, Australia and the United States have been comparably modern along multiple metrics for quite some time. In the late nineteenth century, Australia was more urbanized and had a higher GDP than the United States; enrolled a comparable number of children in primary education; and enjoyed flourishing democratic political institutions, a market economy, labor unions, and a developed transportation network. See generally Robin Archer. 2007. *Why Is There No Labor Party in the United States?* Princeton: Princeton University Press; for educational enrollment statistics, see Aaron Benavot and Phyllis Riddle. 1988. "The Expansion of Primary Education, 1870–1940: Trends and Issues." *Sociology of Education* 61(3): 191–210, p. 205.

³⁴ Geoffrey Bolton. 2006 [1990]. *The Oxford History of Australia*. Vol. 5, *The Middle Way, 1942–1995*. 2nd edn. South Melbourne, Vic.: Oxford University Press, pp. 89–110, 139–62.

pluralistic; and – crucially – whether or not it had a state church.³⁵ In countries with a strong established church, political reforms often required a simultaneous overthrow of church and state; consequently, established churches tend to promote more strongly secular outcomes by encouraging anticlericalism. In a similar vein, Philip Gorski has suggested a “sociopolitical conflict model” of secularization, where secularization arises from conflicts between religious and secularist movements. These conflicts take on a particular character depending on how closely connected church and state are at any given time; separationist (and anticlerical) movements emerge in contexts where church and state are closely aligned, while combinationist movements may emerge in contexts where church and state are separate.³⁶

Most recently, Ahmet Kuru has put forward a related argument to explain why modern, secular states pursue different policies toward religion.³⁷ Comparing American, French, and Turkish educational systems, Kuru argues that ideology is the key factor explaining different state policies toward religion. Kuru distinguishes between ideologies of “passive secularism,” seen in the United States and generally permissive of student religious expression and the invocation of God in the Pledge of Allegiance; and “assertive secularism,” seen in France and Turkey and associated with bans on headscarves and no such pledges. These ideologies are, in turn, the result of whether each nation needed to overthrow an *ancien régime* in order to establish itself. In both France and Turkey, the need to overthrow the established order and its religious supporters led to an ideology of assertive secularism and more aggressively secular policies, whereas the United States’ lack of such a *régime* meant that a more conciliatory ideology of passive secularism came to predominate.³⁸

The *ancien régimes* approach would therefore explain divergence in terms of the political dynamics unleashed by the degree of religious pluralism and the presence or absence of an *ancien régime*. Yet these factors too do not permit us to distinguish between the United States and Australia. Both nations are

³⁵ Martin, *General Theory of Secularization*; see also David Martin. 2005. *On Secularization: Towards a Revised General Theory*. Burlington, VT: Ashgate Press.

³⁶ 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, pp. 177–78.

³⁷ Ahmet T. Kuru. 2009. *Secularism and State Policies toward Religion: The United States, France, and Turkey*. Cambridge: Cambridge University Press.

³⁸ Kuru’s depiction of American education is obviously somewhat at odds with that expressed here: his vision is of an American education system less resolutely secular than its European neighbors, whereas mine is of a system in some respects more secular than European systems. In part, this has to do with which policies are emphasized; he emphasizes student dress codes and pledges of allegiance, whereas I emphasize devotional practices and funding for religious schools. Both sets of distinctions are legitimate, and reflect both the complexity of America’s “secular” policies, and the difficulty of developing holistic yet meaningful criteria for cross-national comparisons of secularization.