religions

MDPI

Article

A Post-Secular Approach to Managing Diversity in Liberal Democracies: Exploring the Interplay of Human Rights, Religious Identity, and Inclusive Governance in Western Societies

Zakaria Sajir

Department of Sociology and Communication, University of Salamanca, 37007 Salamanca, Spain; zakaria.sajir@usal.es

Abstract: This article delves into the pressing challenges confronting liberal democracies in Western Europe as they grapple with managing religious diversity, with a specific focus on Muslim minorities. Historically, the secularization paradigm has been at the forefront of managing such diversity; however, its intrinsic limitations become increasingly evident in the context of super-diversity, underscoring the need for a paradigmatic shift toward post-secularization. Central to this discourse are the nuanced concepts of "culturalization of religion" and "religionization of culture", which illuminate the disparities in treatment between majority and minority religious groups. The article identifies three endogenous limitations intrinsic to liberal democracies: the contested nature of state neutrality vis-à-vis religion and belief, the implementation of this principle through non-neutral judicial tools, and the historically and culturally laden context within which the principle of neutrality is enacted. Drawing on the seminal contributions of Jürgen Habermas to post-secularization theory, the article posits that fostering genuine inclusivity and pluralism in managing religious diversity necessitates a departure from the rigid division between the religious and the secular. Instead, it calls for an acknowledgment of the dialogical relationship between the religious and secular dimensions as they manifest in the public sphere by religious minorities.

Keywords: post-secularization; secularization paradigm; religious diversity; liberal democracies; culturalization of religion; religionization of culture; state neutrality; inclusivity and pluralism

Citation: Sajir, Zakaria. 2023. A Post-Secular Approach to Managing Diversity in Liberal Democracies: Exploring the Interplay of Human Rights, Religious Identity, and Inclusive Governance in Western Societies. *Religions* 14: 1325. https://doi.org/10.3390/rel14101325

Academic Editors: Eduardo J. Ruiz Vieytez and Rafael Ruiz Andrés

Received: 26 September 2023
Revised: 19 October 2023
Accepted: 20 October 2023
Published: 22 October 2023

1. Introduction

The issue of accommodating diversity has been a prominent feature of public discourse, political agendas, and academic discussions on immigration and the integration of immigrant and ethnic minorities since the 1990s. However, the challenge of reconciling diversity is presented today with renewed urgency. This urgency stems from the presence of conflicting pressures and their implications on liberal pluralistic democratic regimes, particularly regarding the development of a truly pluralistic and inclusive structure for managing diversity toward religious and ethnic minorities (Triandafyllidou and Modood 2017).

Liberal democracies are in the middle of contrasting tendencies that ultimately affect their ability to accommodate diversity (Lähdesmäki et al. 2020; Fossum et al. 2020). On the one hand, we witness pressures from globalization, transnationalization, boundary-spanning technological advancements, and migration inflows of ethnic and religious minorities seeking better opportunities, or fleeing war and persecution in their home societies (Richardson 2015, 2021; Clarke 2009; Beckford and Demerath III 2007). All these trends are shifting contemporary secularized and democratic societies into 'super-diversified' societies where diversity itself becomes multidimensional, broad, and fluid (Vertovec 2007). These external tendencies create new and complex challenges for the management of diversity within the boundaries imposed by liberal democratic frameworks, as the cultural, ethnic,

national, social, religious, and linguistic collective identities of post-immigrant ethno-racial, ethno-cultural, and ethno-religious minorities blur and complicate any simple categories or structures of diversity.

As I argue in previous work, ultimately these trends show the necessity to go beyond the obsolete, superfluous, and counterproductive diversity management policies based on the traditional oppositional approach between the religious and the secular, and fully embrace a post-secular perspective more suited to provide a response to this increasing super-diversity, notably with the descendants of Muslim migrants in Europe (see Sajir, forthcoming; for a detailed discussion on the post-secular paradigm, see, e.g., Ruiz Andrés 2022; Fordahl 2016).

On the other hand, we also witness a strengthening of reactive pressures in the form of monoculturalist views, cultural purism, nationalist, and religious identitarian tendencies that are striking back in many societal and cultural arenas, including (social) media and political debates through the rise of populist, nationalist, and extremist movements with xenophobic, anti-immigration, racist, anti-Semitic, and Islamophobic political attitudes and actions within the majority group. Yet these reactive pressures are coming also from minorities themselves, through the re-emergence of religiously inspired, jihadist terrorism, notably from the descendants of migrants, contributing to a vicious and dangerous pattern of symbiotic nourishment between the majority's and minority's secular and religious extremists, which is visible in the rise of populism and the Far Right, (Triandafyllidou and Modood 2017) and in the growing tension between liberal democracy and illiberal interpretations of democracy, and the ensuing progressive democratic backsliding occurring in US and Europe (Bauer and Becker 2020).

Today, the implementation of a pluralist and inclusive approach toward intersecting forms of diversity poses twin challenges for contemporary liberal democracies: one from outside its liberal framework as mentioned above, and one from within its liberal structure, more specifically in the definitional space of the religious and the secular and its visibility in the secular public space (cf. Banchoff 2007). Challenges from outside the liberal framework—such as certain forms or variants of the 'deculturalization' of religion and the rise of 'pure' religion in secular Europe among immigrant religions, especially Salafist Islam (see, e.g., Joppke 2018; Roy 2008), pose significant obstacles.[1] Both external and internal challenges constitute serious obstacles to implementing a pluralist and inclusive approach to managing religious diversity.

In this article, I will focus my discussion on the challenges that are endogenous to a liberal democratic European society, and more specifically, I circumscribe my discussion here to three endogenous and structural factors that I argue to a large extent determine how religious diversity is today understood and defended in Western European societies: firstly, the (contested) nature of the principle of neutrality vis-à-vis religion and belief; secondly, the (non-neutral) tool through which this principle of neutrality is implemented, namely, the judicial branch of the state; and last but not least, the (historically and culturally laden) context in which the principle of neutrality is implemented.

The argument develops in three stages as reflected in the structure of this article. In Section 2, I will discuss to what extent the factors related to the principle of state neutrality vis-à-vis religion and belief constitute the political–legal (or secular, if I may) plane of motion of today's framework of management of religious diversity in Western European societies, and explain how their internal limitations impede the envisioning and implementation of a truly pluralist and inclusive framework of management of religious ethnic diversity in secularized liberal societies, notably when religious and ethnic diversity equates to Muslim minorities of migrant descendant.

After exploring the limitations of state neutrality, in Section 3, I will elevate the discussion to a higher level of abstraction by introducing the concept of a post-secular society, which serves as the theoretical backbone of this study. Drawing primarily on the seminal contributions of Jürgen Habermas (2006, 2008, 2010) and further developments in post-secularization theory by various authors (see, e.g., Casanova 2006), I will elucidate

how the aforementioned endogenous factors are deeply embedded within a secularization paradigm. This paradigm, which underpins the current framework for managing religious diversity in Western secularized European societies and constitutes the religious–cultural plane of motion of today's framework of management of religious diversity in Western secularized European societies, posits an oppositional relationship between the secular and the religious (Casanova 2006; Vaggione 2005; Barbato and Kratochwil 2009; Barbato 2020).

A critical examination of this paradigm reveals that when intertwined with the process of culturalization of Christianity,[2] as expounded by Brubaker (2016) and others (e.g., Joppke 2018), a palpable tension emerges between the political–legal and the religious–cultural dimensions of the diversity management framework. This tension, I argue, hinders the realization of truly pluralist and inclusive frameworks for managing religious diversity, rendering them a liberal utopia.

This section will delve into the disparities in treatment between historical religious/secular majorities and religious/secular minorities in the West, particularly focusing on Muslim minorities. I will discuss how the culturalization of Christianity provides a protective layer for the religious–secular majority against the stringent ideology of secularism, while leaving religious–secular minorities, notably Muslims and the so-called "cultural" Muslims, exposed to the secularist whip—a metaphor for the rigid enforcement of secularist principles. This dichotomy, I contend, is detrimental to the establishment of a genuinely inclusive and pluralistic structure for managing religious diversity in liberal democracies.

The concluding section of this article encapsulates the culmination of my argument. Here, I articulate that resolving the tension between the political–legal and the religious–cultural dimensions of liberal democratic action vis-à-vis religious diversity in Western European secular societies necessitates a paradigm shift. We must move beyond secularism and adopt a management approach to ethnic–religious diversity rooted in the post-secularization paradigm. In this paradigm, the boundary between the secular and the religious is envisioned as flexible and dynamic for all, including (Islamic) religious minorities. It is not merely a *de facto* privilege accorded to the cultural–religious majorities through the lens of "shared history", "shared tradition", and "common secular values". This is illustrated by the paradigmatic Lautsi case of the crucifix in public schools in Italy and the ongoing discussion in France regarding the potential ban on wearing abayas in state schools. These examples exemplify the culturalization of the secular–religious majority's religion on the one hand and what I refer to as the "religionization" of the "cultural" brought to the public space by the minorities, notably Islamic communities, on the other.

In conclusion, this article advocates for a transformative shift toward a post-secular society for both the majority and religious minorities. It calls for a society where the boundaries between the religious and the secular are not rigid but dialogical and dynamic. By examining the inherent tensions within the current frameworks and the limitations of state neutrality, this study underscores the urgency of adopting a post-secular paradigm. Such a paradigm offers a more inclusive and pluralistic approach to managing religious diversity.

It recognizes the fluidity of religious and secular identities, symbols, and practices and ensures equal treatment for all, regardless of their religious or cultural background. This shift is essential for moving beyond the current two-tier system of management of religious diversity applied today in Europe. In this system, the majority, through the culturalization of religion, can navigate more freely between the religious and the secular, living *de facto* already in a post-secular society. In contrast, for religious minorities, the lines between the religious and the secular remain rigid and well patrolled by the secularism police. Cultural symbols and practices of minorities are scrutinized, and they are confined to the rigid binary of either secular or religious. Adopting a post-secular paradigm holds the promise of fostering greater social cohesion, mutual understanding, and respect among diverse communities, thereby contributing to the realization of truly inclusive and harmonious societies in a rapidly changing world.

2. Challenges from within the Liberal Democratic Framework

The effective management of diversity, based on a pluralist and inclusive approach, requires democratic institutions to be able to navigate a super-diversified complex context, to come to terms with the increasing influence of diaspora and transnational politics and the role of religion in public space, and manage, with respect to human rights, the claims of participation/representation, visibility, expression, and organization put forward by collective ethnic, cultural and religious, or spiritual-based identities in the secularized public space.

In the field of diversity management, freedom of religion is undoubtedly one of the most important rights within the group of fundamental rights and freedoms. Authors like Francesco Ruffini (1975) and Georg Jellinek (1901) have dedicated their efforts to show to what extent the notion of religious freedom was important to the development of the Western democratic state (Bhuiyan and Zoethout 2023).

Although the notion of natural law has ancient roots, and various proclamations of basic rights have been made over centuries,[3] it was not until 1948 that human rights gained global acknowledgment. The Universal Declaration of Human Rights (UDHR), announced by the United Nations, stands as the most pivotal international document concerning religious freedom, emerging in the aftermath of World War II.[4] Five years later, freedom of religion was adopted in the European Convention of Human Rights (ECHR), a common human rights treaty for the Member States of the Council of Europe. The text of the freedom of thought, conscience, and religion in the Convention is largely similar to that in the UDHR.[5]

Since then, the European Court of Human Rights (ECtHR) has consistently ruled that states have an obligation to facilitate the practice of diverse religions, beliefs, and faiths in a neutral and unbiased manner.[6] However, the exact implications of state neutrality in relation to religion and belief remain unclear and are a subject of debate, given the ambiguous and contested nature of this principle (Smet 2022).

I argue that three factors contribute to challenge the implementation of a pluralist and inclusive approach to diversity management from within the framework of liberal democracies: (1) the contested nature of "neutrality"; (2) the instrument through which the principle of neutrality is implemented; and (3) the historically non-neutral context of implementation of the principle of neutrality.

2.1. The Contested Nature of "Neutrality"

This first point relates essentially to the tension between the universal character of the neutrality principle, as framed in the Convention, and the not-so-universal interpretations given by each particular democracy. Although the notion of state religious neutrality can legitimately be derived from the rights and ideals enshrined in the European Convention on Human Rights (Ringelheim 2017) whereby states are under the obligation to ensure that the principle of state neutrality vis-à-vis religion and belief is respected, in reality, as shown by different scholars in Europe, there are many different interpretations of what neutrality means since the relationship between state and religion is constructed and understood differently in different European democracies (Smet 2022; Robbers 2004; Sealy and Modood 2022).

For example, France is often seen as adhering to a strict separation of church and state, albeit with notable contradictions and exceptions (for more details, see, e.g., Fernando 2021, 2014).[7] In contrast, the United Kingdom maintains a more integrated relationship between church and state. Other countries fall somewhere in between both ends of the continuum. Significantly, these varying constitutional frameworks lead to different interpretations of what "neutrality" means in the context of religion. For instance, while France leans toward a more restrictive form of neutrality, Germany adopts a more open and inclusive approach, and in some countries, like Belgium, the definition of neutrality remains ambiguous (Smet 2022).

These diverse understandings of neutrality have direct consequences for religious freedom and belief in Europe. Public institutions, and especially educational systems, are often battlegrounds for these issues. The way state neutrality is interpreted has immediate

ramifications for several contentious topics (Laborde 2017). These include the conditions under which religious education can be part of public school curricula, the circumstances that allow students and teachers to wear religious apparel, the extent to which civil servants can act based on their religious beliefs, and whether individuals can refuse vaccinations on religious grounds.

I argue that this variability itself is a manifestation of differing sociological realities. In countries with a strict separation, the episteme of law leans toward a rational-legalistic framework that seeks to minimize the influence of religion in public life. In contrast, countries with a closer relationship between state and religion may operate under an episteme that accommodates religious traditions as part of national identity.

The ambiguity surrounding what "neutrality" means can indeed be a significant barrier to creating an inclusive and pluralistic society. This is not merely a legal issue rather, above all, a sociological one (Fokas 2015), as different communities may have different interpretations of what neutrality should entail. I argue that for the establishment of truly pluralist and inclusive social and political infrastructures of management of religious diversity at the local, national, and regional level, it is imperative to (continue to) discuss the challenges raised by different sociological understandings of the principle of state neutrality vis-à-vis religion and belief in Europe's liberal democracies (see also Smet 2022).

2.2. The Instrument through Which the Principle of Neutrality Is Implemented

The second factor that interferes with the implementation of a pluralist and inclusive framework of diversity management relates to the specific tool used to guarantee state neutrality vis-à-vis various religions, faiths, and beliefs. This second factor touches upon a second type of tension that relates to the intersection of religion and law, and more specifically to the degree of "disconnect between the workings of the laws and the workings of the societies in which these laws operate" (Fokas 2015, p. 159).

More specifically, this point refers to the process of "judicialization of religious freedom" as has been called by some scholars (Richardson 2015, 2021).[8] As elucidated by Richardson (2021, p. 5), this notion is an extension of the "judicialization of politics", a term rooted in political science. The latter term emphasizes the growing inclination in contemporary societies with relatively independent judicial systems to entrust contentious political matters to judicial resolution. This delegation often transpires either due to conflicts between the legislative and executive branches or because these branches opt to sidestep the responsibility of making challenging decisions (Hirschl 2011). The reasoning can be extended to issues about the management of religion, an especially controversial area in increasingly pluralistic societies where members of different faiths live together. In such situations, courts are preferred to the legislative and executive branches of the state to make difficult decisions concerning religion.

The European Court of Human Rights (ECtHR) stands as arguably the most pivotal judicial body globally for matters concerning religious freedoms and other civil and human rights. It functions as the ultimate adjudicative authority for an expansive population exceeding 800 million, spread across the 47 member states of the Council of Europe (COE).

Several countries within the COE have transitioned from the former Soviet sphere in Eastern and Central Europe. Legal scholar Wojciech Sadurski, in his seminal 2005 study, delves into the transformative role of constitutional courts in these regions. He highlights the symbiotic relationship between these courts and the ECtHR's initiatives. Sadurski (2005) posits that the ECtHR is progressively assuming a position akin to a Supreme Court within the Council of Europe's judicial framework, reminiscent of the role played by the United States Supreme Court. Extending Sadurski's analysis, his 2009 work introduces the notion of the "pilot judgment". This concept suggests that the ECtHR is now rendering decisions intended to serve as legal precedents for COE Member States, thereby asserting its primacy over national laws within the member states (Sadurski 2009).

In light of these developments, there has been a surge in scholarly interest focusing on the role of judicial systems in managing religious pluralism. This is especially pertinent

given the recent legal and social controversies surrounding religious symbols in predominantly Christian countries such as Italy, France, Canada, and the United States (see, e.g., Fokas 2015; Joppke 2018; Beaman 2020). The 2011 Lautsi v. Italy case, which questioned the display of crucifixes in Italian public schools, has been particularly instrumental in catalyzing European discourse on the subject of neutrality and display of religious symbols, considering their unique contexts and nuances (see, e.g., Temperman 2012).[9]

Sociologists and jurists have addressed the problematic nature of judicial engagement in the religious realm from different angles. Three major perspectives can be discerned in this context. The first set of works problematizes the role of judicial intervention in religious matters. Beginning with the question of whether judicial courts are the appropriate venues for determining the meaning of religious symbols in liberal and pluralistic societies, these works ultimately underscore the general inadequacy of legal resolutions for such issues. They suggest that an over-legalization of religious matters could risk diminishing religious practices to mere formalities, thereby losing their spiritual and communal aspects (see, for example, Scharffs 2012; Fokas 2015). Interestingly, this perspective aligns with the view expressed by Maltese Judge Giovanni Bonello in his concurring opinion in the Lautsi case:

> A European court should not be called upon to bankrupt centuries of European tradition. No court, certainly not this Court, should rob the Italians of part of their cultural personality. (Lautsi and Others v. Italy, 18 March 2011 [Grand Chamber], No. 30814/06, par. 1.2, concurring opinion J. Bonello)

As Smet (2022) astutely observes, the legal principle of state neutrality toward religion is not just a response to Europe's sociological landscape of religious diversity, it also shapes that landscape in return. This reliance on judicial mechanisms to enforce neutrality creates new social dynamics. Individuals, whether religious or not, find themselves adapting to the varying demands of neutrality, which in turn hampers the development of a genuinely inclusive and pluralistic approach to managing religious diversity, by adding to the already complex sociological landscape of religious diversity new and unneeded layers of complexity (see also Davie 2012).

The tension between the epistemes of law and religion becomes most palpable within this first perspective on the judicialization of religious freedom. Law, operating within a rational-legalistic framework, aims for universal definitions and rigid categorizations. Religion, conversely, is guided by an episteme that cherishes the ineffable, the transcendent, and the deeply personal—a quality that is increasingly significant when taking into account the worldwide processes of religious individualization taking place not only within Western and Christian scenarios (for more details on this point see the discussion in Fuchs et al. 2020). This epistemic dissonance results in legal systems that are ill equipped to capture the nuanced and fluid nature of religious practices and symbols. In its pursuit of neutrality and universal applicability, the law often reduces complex religious phenomena to simplistic legal categories, failing to grasp their fluid and contextual essence. This reductionist approach is not only partial but also superficial, as it struggles to translate the religious episteme into legal terms.

A second group of scholars has taken a more pragmatic approach. Considering the limitations highlighted so far, they try to go beyond this impasse by asking how can these be dealt with to promote rights. These authors have focused on the strategies and normative lines of reasoning that reconcile the ongoing presence of religious symbols in the public square with principles of state neutrality and religious pluralism for the majority (see, e.g., Astor and Mayrl 2020), and how these can open up new opportunities for religious minorities and the non-religious to gain a measure of visibility in the public square (Astor, forthcoming).

The third perspective on judicial engagement focuses on the implications of this process on the relationship between the majority–minority. These works have instead pointed out how judicial involvement can serve to maintain the privileges of historically dominant religious traditions (Astor et al. 2017; Mancini 2009; Thebault 2017; Beaman 2020, 2021; cf. Richardson 2015; Posner 1987; Evans 2006). For example, in her work, "The Impossibility of Religious Freedom", Winnifred Sullivan (2018) observes that despite

the constitutional guarantee of religious freedom in the US, the fundamentally Protestant perspective of the American courts renders true religious freedom unattainable under the law. Essentially, religious practices that deviate from Protestant interpretations of religion find themselves outside the scope of protection for religious freedom.

Interestingly, although Richardson (2015, p. 14) presents a substantially positive view of this process of judicialization of religious freedom, arguing that judicial bodies are increasingly circumscribing the influence of dominant religious groups while concurrently creating space for minority faith traditions,[10] the author himself underscores a noteworthy exception in this trend: the ECtHR, among other judicial institutions, appears to grapple with cases that involve Islam. As pointed out by the author, this suggests that the move toward greater religious tolerance and inclusivity may not be uniformly implemented across all religious communities, thereby introducing a layer of complexity to the judicialization phenomenon.

For instance, by examining three high-profile decisions concerning the Islamic headscarf, we can see that the ECtHR has legitimized the curtailment of religious freedom in favor of liberal state principles (Joppke 2013). In the first of its Islamic headscarf cases, Dahlab v. Switzerland (2001), involving a school teacher who was banned from teaching in a primary school for dressing in traditional, modest clothing including a headscarf, the ECtHR found the headscarf "difficult to reconcile [. . .] with the message of tolerance, respect for others and, above all, equality and non-discrimination that all teachers in a democratic society must convey to their pupils".[11] "It is no small paradox to deny tolerance by invoking the 'message of tolerance', but it shows the exclusive possibilities inherent in even this most innocuous of liberal principles, 'tolerance'", as Christian Joppke (2013, p. 602) commented in relation to this case.

In the second notorious ECtHR headscarf case, Şahin v. Turkey (2005),[12] involving a university student who was prohibited from study because she wished to wear a headscarf in her lectures and examinations, the ECtHR, after invoking the principle of gender equality and the notion of secularism, considered the restrictions placed on wearing religious apparel "necessary to protect the democratic system in Turkey", and added that "[a]n attitude which fails to respect that principle [secularism] will not necessarily be accepted as being covered by the freedom to manifest one's religion and will not enjoy the protection of Article 9 of the Convention." (ECtHR, Sahin v. Turkey, decision of 10 November 2005, at par. 114.). "The Court seems oblivious to the coercive nature of state intervention and any messages that this action might send about intolerance and discrimination", commented Carolyn Evans (2006, p. 14) in analyzing these two cases.

The third high-profile decision concerning an Islamic headscarf, Dogru v. France (2008), involved a school pupil who was expelled from school for wearing a headscarf during physical education classes. In this case, the ECtHR justified the decision to repress religious freedom by indirectly invoking the previous two cases mentioned above and referring to stereotyped notions of gender equality (see Evans 2006 and Joppke 2013, on this point) and the principle of secularism:

> [I]n France, as in Turkey or Switzerland, secularism is a constitutional principle, and a founding principle of the Republic, to which the entire population adheres and the protection of which appears to be of prime importance, in particular in schools. The Court reiterates that an attitude which fails to respect that principle will not necessarily be accepted as being covered by the freedom to manifest one's religion and will not enjoy the protection of Article 9 of the Convention. (ECtHR, Case of Dogru v. France, decision of 4 December 2008, at par. 72.)

The landmark cases, including the Lautsi case examined in this article, offer valuable insights into how judicial institutions, notably the European Court of Human Rights (ECtHR), understand and define the concept of religious freedom. Moreover, these cases reveal the complex reality that, even though the rulings are framed within universal guiding principles, the judicial process of defining, understanding, and operationalizing religious

freedom is intrinsically context-dependent, situational, and relational (see, e.g., Evans 2001; Richardson and Garay 2004; Richardson and Shoemaker 2008).

This analysis serves as a precursor to the forthcoming discussion on the third intrinsic limitation within the liberal paradigm, which undermines the actual enjoyment of religious freedom for minority communities.

2.3. The Historically Non-Neutral Context of Implementation of the Principle of Neutrality

While the principle of state neutrality is heralded as a cornerstone of liberal democracies, its application in Europe, particularly concerning Muslim minorities, reveals inherent biases. This is not merely a reflection of the contested nature of the principle itself or its problematic judicial interpretations. Instead, it underscores a deeper, historical tension rooted in the narrative that positions 'Muslims' and 'Islam' as the antithesis of European liberalism. As Joppke (2013) astutely observes, the demarcation of an 'us' versus 'them' is crucial in shaping a collective identity, with 'Muslims' and 'Islam' often serving as the contrasting 'Other' against which European liberalism defines itself.

In Europe, when discussing the management of religious diversity, Muslim minorities are often the primary focus. This is not merely due to their increasing numbers, driven by migration, demographic changes, and religious switching (Pew Research Center 2017; Mohamed and Podrebarac Sciupac 2018). It is also a reflection of Europe's historical relationship with Islam, marked by conflict, suspicion, and a struggle for cultural and religious dominance (Pirenne [1937] 1970). Contemporary manifestations of this tension are evident in public opinion attitudes toward Islam and Muslim minorities (Ramadan 2017; Asad 2003), the spread of Islamophobic narratives (Ruiz Andrés and Sajir 2023), and the persistent efforts of Muslim communities to secure equal rights, civic participation, and public visibility (Kuppinger 2014; Martínez-Ariño 2021). Adding another layer to this complex state of affairs is the spread of the "Judeo-Christian tradition" narrative among European theologians, politicians, historians, and philosophers. As Cohen (1971) termed it, the "Myth of the Judeo-Christian tradition" emerged, ironically, after long-standing Christian hostility toward European Jews. This narrative is further reinforced by the phenomenon of 'vicarious religion,' where Christianity, despite being actively practiced by a minority, is implicitly accepted by the majority as part of their identity and culture, thereby sustaining the unequal application of the legal framework (Davie 2006, 2007). Simultaneously, Islam's significant role in shaping European culture and history has been minimized or portrayed as antagonistic to the European identity. Instances of indigenous European Islam are often treated as anomalies rather than integral facets of European history (for a detailed discussion on the Judeo-Christian tradition, see Nathan and Topolski 2016).

Thus, the so-called principle of state neutrality, while theoretically impartial, is applied within a context steeped in historical biases against religious diversity, particularly Islam and its followers. This context, shaped by centuries of interaction between Christendom and Islam, challenges the very premise of neutrality and calls into question the efficacy of current frameworks in managing religious diversity in a truly inclusive manner.

However, to fully grasp the challenges of implementing a genuinely inclusive and pluralist approach to religious diversity, one must delve into the intricate origins of both human rights and the secularization process. While many narratives emphasize the secular origins of human rights, sidelining religion's role, it is crucial to recognize the significant contributions of major world faiths, including Christianity, to our understanding of human rights. For instance, John Nurser (2005) highlights how certain figures perceived international human rights law as a secular embodiment of "Christendom", influencing foundational documents like the Universal Declaration of Human Rights. However, this perspective is not without debate. Hans Joas (2013) posits a different genealogy of human rights, arguing that although they have roots in religious traditions, their genesis is distinctly modern, resulting from a process of "sacralization" of every human being. Joas's work underscores the complexity of tracing the origins of human rights and the interplay between religious and secular influences in their development.

Furthermore, the secularization process in the West, as we understand it today, is deeply intertwined with Christianity's universalizing dynamic. As Prakash Shah (2015) notes, for Christianity to expand its reach, it had to transcend its distinct religious identity, leading to a form of secularization that does not negate religion but rather obscures Christianity's unique religious essence.

Rogers Brubaker (2016) sheds light on the rise of a phenomenon he labels "reactive Christianity" in Northern and Western Europe, a term paralleled by Andrew Sullivan's (2020) "Christianism", posited as a counterpart to Islamism. This evolving form of Christianity is increasingly seen as the cornerstone of secular and liberal values, embodying human rights, tolerance, and gender equality. While connections between Christianity, liberalism, human rights, and secularism have historical roots, the contemporary intertwining of Christianity with secularity in political discourse signifies a new development. Brubaker pinpoints three crucial factors driving this transformation: (1) The secularization in Northern and Western Europe, the most secularized region globally, has experienced a notable decline in religious adherence, with a dominant viewpoint among Europeans associating modernity with secularity and perceiving religiosity as a sign of backwardness. (2) The culturalization of religion: In this predominantly secular context, Christianity is reinterpreted in cultural or civilizational terms, detaching from its theological foundations and allowing Christianity to be valued as a cultural identity rather than a religious one. According to the author, this process restores Christianity's privileged status as a 'culture' in a secular European setting where it has lost such standing as a religion, due to the liberal state's commitment to religious neutrality

Lastly, the comparative civilizational framework: The growing importance of contrasting Christianity with Islam has aided this shift, fostering a refreshed view of Christianity, not just as a religion, but as a civilizational identity.

Building upon Brubaker's perspective, I introduce the concept of "religionization" to depict the undue emphasis placed on the religious aspects of cultural practices brought into the public space by minorities, notably Islamic communities (cf. Brubaker 2016). This process flattens the identity of Muslim minorities by reducing them solely to their religious dimension, making them more vulnerable to the "secular whip". Drawing on Ninian Smart's insights, it is essential to highlight that religion is inherently multidimensional, encompassing doctrinal, mythological, ethical, ritual, experiential, institutional, and material dimensions (Smart 2000). The "religionization" process, by overlooking these diverse dimensions, negates the complexity and richness of the religious and cultural practices of Muslim minorities. A prime example of this is the ongoing debate in France regarding the potential ban in state-run schools on wearing abayas, a garment that Muslim-origin women themselves consider more of a cultural expression rather than a singularly religious symbol (Schofield et al. 2023).

Having delved into the internal factors that pose challenges to establishing a genuinely pluralistic and inclusive approach to managing religious diversity within liberal democracies, the forthcoming section will shed light on the degree to which contemporary practices of managing religious diversity in liberal societies are entrenched in a secularization paradigm. This paradigm perceives the relationship between the secular and the religious as inherently antagonistic. The section will further articulate the imperative to transcend this restrictive paradigm, advocating for the adoption of a post-secular perspective that fosters a more harmonious and nuanced understanding of the interplay between the religious and the secular, thereby enhancing the approach to managing religious diversity.

3. Toward an Inclusive Future: Embracing Post-Secularization

> A secular state does not guarantee toleration; it puts into play different structures of ambition and fear. The law never seeks to eliminate violence since its objective is always to *regulate* violence. (Asad 2003, p. 8, (emphasis in original))

In drawing this discourse to a close, it is essential to revisit and deepen our understanding of the foundational concepts of secularization, secular, and secularism. These notions,

deeply ingrained in the fabric of Western societies, advocate for a rigid and hierarchical demarcation between the religious and the secular. This often results in the relegation of religious expressions to the private sphere, thereby marginalizing diverse voices. The challenges and disparities highlighted throughout this paper are intrinsically tied to the secularization paradigm, which has historically approached religious diversity through a lens of opposition and control. However, it is crucial to note that the implementation of frameworks for managing religious diversity, based on a rigid division between the religious and the secular, yields disparate implications for majority and minority groups.

The limitations of the secularization paradigm become glaringly apparent through the dual phenomena of the culturalization of religion and the religionization of culture. The former allows the majority to navigate the continuum between the religious and the secular, as exemplified by the Lautsi case. In contrast, the latter, epitomized by the ongoing debate surrounding the abaya in France, highlights how the cultural practices of religious minorities are often misconstrued as religious. This misinterpretation leads to restrictions based on a perceived incompatibility with European secular values, further marginalizing minority voices.

In response to these inherent inequalities and to foster a more inclusive and equitable approach to managing religious diversity, this paper ardently advocates for a paradigmatic shift toward post-secularization, as eloquently theorized by Jürgen Habermas (2006, 2008, 2010). Habermas' theory, with its three central components, offers a nuanced perspective that views the relationship between the religious and the secular as dialogical and interdependent, recognizing the symbiotic coexistence of religious beliefs and secular reasoning in contemporary societies (Barbato 2020).

The post-secularization paradigm, enriched by the insightful contributions of scholars like José Casanova (2006) and Mariano Barbato (2020, 2012), envisions a pluralistic arrangement that is receptively open to both religious and secular arguments. It values the multifaceted religious heritage of society without imposing an exclusivist creed, thereby acknowledging the coexistence between diverse religious and secular dimensions for both majority and minority groups. This paradigm celebrates differences without fostering fear or division, paving the way for a more harmonious society.

Adopting a management framework based on the post-secularization paradigm holds significant promise in addressing and rectifying the inequalities perpetuated by the secularization paradigm. It facilitates a more nuanced, compatible, and dialogical relationship between the religious and secular dimensions for all communities. This contributes to a genuinely pluralistic and inclusive approach to managing religious diversity. The Lautsi case and the ongoing debates in France underscore the pressing need for this paradigmatic shift and serve as catalysts for meaningful reformation.

The theoretical debate on post-secularization can serve as a foundational pillar and guiding light in the endeavor to create a truly pluralist and inclusive framework for managing religious diversity. This framework acknowledges the fluidity of the relationship between the religious and the secular, even when brought to the public sphere by religious minorities. However, it is essential to recognize that the effort required for this integration is often doubly demanding for religious minorities. They not only have to translate their religious premises into a secular language but also navigate a landscape where this secular discourse is still culturally clothed in Christian narratives, a phenomenon termed as 'banalcatholicism' by Griera and Clot-Garrell (2015). This subtle, often unnoticed presence of Christian norms and values in secular spaces can act as an additional layer of complexity for religious minorities, reinforcing the need for a more nuanced and inclusive approach to religious diversity (Ungureanu 2013; Griera and Clot-Garrell 2015).

In conclusion, this discourse serves as a clarion call for a collective reevaluation and reformation of our approach to managing religious diversity. By acknowledging the limitations of the secularization paradigm and wholeheartedly adopting the inclusive and equitable principles of the post-secularization paradigm, we can extend these principles to religious minorities. This shift in management of religious diversity can move us away

from a logic of fear and control of "the religious" toward a logic of mutual dialogue and understanding. The imperative to transcend the restrictive secularization paradigm and embrace a post-secular perspective has never been more urgent. The path forward, illuminated by the insights of renowned scholars, offers hope.

Funding: This research received no external funding.

Conflicts of Interest: The author declares no conflict of interest.

Notes

1 It is crucial to note that not all forms of deculturalization of religion are illiberal. For instance, Islamic feminists and progressive Christians also advocate for a deculturalization of religion to detach it from its patriarchal (cultural) undertones.

2 For a detailed discussion on the relationship between religion and culture, see Shah (2015), and more specifically, the notion of "culturalized religion", along with a review of other related concepts, see Astor and Mayrl (2020).

3 For a detailed review of the most important texts and events that contributed to the development of human rights, democracy, and fundamental freedoms see, for instance, Lewis (2003), Finke and Martin (2014), and also Richardson (2015).

4 At least three important dimensions of the freedom of religion can be deduced from Article 18 of the UDHR: (1) the freedom to have a religion; (2) the freedom to manifest a religion publicly; and (3) the right to change one's religious belief or life stance. This third form also implies the freedom to renounce all religions (this particular interpretation of the third form of religious freedom is known also as the 'right to apostasy').

5 Article 9 ECHR: 1. Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice, and observance. 2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health, or morals, or for the protection of the rights and freedoms of others.

6 See, for instance, Lautsi v. Italy (2011) ECtHR 2412, para 60. See also Leyla Şahin v. Turkey, (2005) ECtHR 819, par. 107; Folgerø and Others v. Norway (2007) ECtHR 546, par. 74; Izzettin Doğan and Others v. Turkey (2016) ECtHR 387, par. 107.

7 France's laïcité, commonly perceived as a strict church–state separation, is marked by both historical and contemporary intricacies. A prime example is the status of Alsace-Moselle, a region in northeast France bordering Germany, which, being outside France during the 1905 laïcité law's enactment, continues to adhere to the Napoleonic Concordat. This recognizes and financially supports specific religions, including Catholicism, Calvinism, Lutheranism, and Judaism. A unique outcome of this arrangement is the French President's role in nominating the Archbishop of Strasbourg and the Bishop of Metz. The 1905 law itself allows for state-funded clergy in designated public roles and upholds the maintenance of religious structures built before 1905. The Debré law of 1959 adds another layer, sanctioning state subsidies for predominantly Catholic private religious schools. President Macron's recent symbolic actions further underscore the evolving nature of secularism in France, suggesting a more intricate relationship between the religious and the secular than the often-portrayed unified French secularism model.

8 The term "juridification" used by Habermas (1987) has a similar meaning.

9 Lautsi and Others v. Italy, 18 March 2011 [Grand Chamber], No. 30814/06. In this case, Ms. Soile Lautsi asserted that the presence of the crucifix in Italian state school classrooms violated both her and her children's right to religious freedom, and she argued that it amounted to an enforced religious regime. The Lautsi case serves as a microcosm of differing perspectives on religious symbolism in public spaces. Italian courts maintained that displaying the crucifix in state schools symbolized not just Christian beliefs but also "a symbol of equality, freedom and tolerance; and a symbol of the Italian state's secular bias" (characterizations made by the Italian Administrative Court, Lautsi 2009, para. 13). Contrarily, the European Court of Human Rights' (ECtHR) initial ruling found this to be a violation of the European Convention on Human Rights, particularly Articles 2 and 9, which safeguard educational rights and freedom of thought. However, upon appeal, the Grand Chamber of the ECtHR reversed this, granting member states a "margin of appreciation" in such matters. It concluded that the crucifix could be seen as representing both secular and religious values. The concurring opinion of Judge Power further argued that the crucifix, even if solely a Christian symbol, was passive and did not amount to indoctrination, thus not infringing on parental rights.

10 To substantiate this assertion, the examples utilized are centered on decisions from the ECtHR, French Supreme Court, Germany's Constitutional Court, and the U.K. Supreme Court, which were favorable to Jehovah's Witnesses and the religious movement known as Scientology. Consequently, these rulings do not pertain to major religious minorities.

11 ECtHR, Dahlab v. Switzerland, decision of 15 February 2001, p. 13.

12 In this case, the European Court of Human Rights, sitting as a Grand Chamber was composed of: Mr L. Wildhaber, acting as President, and the judges: Mr C.L. Rozakis, Mr J.-P. Costa, Mr B. Zupančič, Mr R. Türmen, Mrs F. Tulkens, Mr C. Bîrsan, Mr K. Jungwiert, Mr V. Butkevych, Mrs N. Vajić, Mr M. Ugrekhelidze, Mrs A. Mularoni, Mr J. Borrego Borrego, Mrs E. Fura-sandström, Mrs A. Gyulumyan, Mr E. Myjer, and Mr S.E. Jebens.

References

Asad, Talal. 2003. *Formations of the Secular: Christianity, Islam, Modernity. Cultural Memory in the Present*. Stanford: Stanford University Press.

Astor, Avi, and Damon Mayrl. 2020. Culturalized Religion: A Synthetic Review and Agenda for Research. *Journal for the Scientific Study of Religion* 59: 209–26. [CrossRef]

Astor, Avi. Forthcoming. Crèche Controversies: State Neutrality and the Display of Public Nativity Scenes in the US and Europe. In *Religious Diversity in Post Secular Societies—Conceptual Foundations, Public Management and Upcoming Prospects*. Edited by Zakaria Sajir and Rafael Ruiz Andrés. Boundaries of Religious Freedom: Regulating Religion in Diverse Societies. Cham: Springer.

Astor, Avi, Marian Burchardt, and Mar Griera. 2017. The Politics of Religious Heritage: Framing Claims to Religion as Culture in Spain: The Politics of Religious Heritage. *Journal for the Scientific Study of Religion* 56: 126–42. [CrossRef]

Banchoff, Thomas. 2007. Introduction. In *Democracy and the New Religious Pluralism*. Edited by Thomas Banchoff. New York: Oxford University Press, pp. 3–16. [CrossRef]

Barbato, Mariano, and Friedrich Kratochwil. 2009. Towards a Post-Secular Political Order? *European Political Science Review* 1: 317–40. [CrossRef]

Barbato, Mariano. 2012. Postsecular Revolution: Religion after the End of History. *Review of International Studies* 38: 1079–97. [CrossRef]

Barbato, Mariano. 2020. Postsecular Plurality in the Middle East: Expanding the Postsecular Approach to a Power Politics of Becoming. *Religions* 11: 162. [CrossRef]

Bauer, Michael W, and Stefan Becker. 2020. Democratic Backsliding, Populism, and Public Administration. *Perspectives on Public Management and Governance* 3: 19–31. [CrossRef]

Beaman, Lori. 2020. *The Transition of Religion to Culture in Law and Public Discourse*. London: Routledge.

Beaman, Lori. 2021. Our Culture, Our Heritage, Our Values: Whose Culture, Whose Heritage, Whose Values? *Canadian Journal of Law and Society/La Revue Canadienne Droit Et Société* 36: 203–23. [CrossRef]

Beckford, James A., and Nicholas Jay Demerath III, eds. 2007. *The SAGE Handbook of the Sociology of Religion*. Los Angeles: SAGE Publications.

Bhuiyan, Md Jahid Hossain, and Carla M. Zoethout, eds. 2023. *Freedom of Religion and Religious Pluralism*. Leiden and Boston: Brill Nijhoff, vol. 16. Available online: https://brill.com/edcollbook-oa/title/61481 (accessed on 19 October 2023).

Brubaker, Rogers. 2016. *A New "Christianist" Secularism in Europe*. The Immanent Frame. Available online: https://tif.ssrc.org/2016/10/11/a-new-christianist-secularism-in-europe/ (accessed on 19 October 2023).

Casanova, José. 2006. Religion, European Secular Identities and European Integration. In *Religion in the New Europe*. Edited by Krzysztof Michalski. Budapest: Central European University Press, pp. 23–42.

Clarke, Peter B., ed. 2009. *The Oxford Handbook of the Sociology of Religion*. Oxford: Oxford University Press. [CrossRef]

Cohen, Arthur Allen. 1971. *The Myth of the Judeo-Christian Tradition, and Other Dissenting Essays*. New York: Schocken Books.

Davie, Grace. 2006. 'Religion in Europe in the 21 St Century: The Factors to Take into Account'. *European Journal of Sociology / Archives Européennes de Sociologie / Europäisches Archiv Für Soziologie* 47: 271–96. [CrossRef]

Davie, Grace. 2007. 'Vicarious Religion: A Methodological Challenge'. In *Everyday Religion: Observing Modern Religious Lives. Edited by Nancy T. Ammerman*. Oxford: Oxford University Press. [CrossRef]

Davie, Grace. 2012. 'Law, Sociology and Religion: An Awkward Threesome'. *Oxford Journal of Law and Religion* 1: 235–47. [CrossRef]

Evans, Carolyn. 2001. *Freedom of Religion under the European Convention on Human Rights*. Oxford: Oxford University Press.

Evans, Carolyn. 2006. The "Islamic Scarf" in the European Court of Human Rights. *Melbourne Journal of International Law* 7: 52–73.

Fernando, Mayanthi L. 2014. *The Republic Unsettled: Muslim French and the Contradictions of Secularism*. Durham: Duke University Press.

Fernando, Mayanthi L. 2021. Rinse and Repeat: French Secularism as Political Theater. Berkley Center for Religion, Peace & Affairs. 13 May 2021. Available online: https://berkleycenter.georgetown.edu/responses/rinse-and-repeat-french-secularism-as-political-theater (accessed on 19 October 2023).

Finke, Roger, and Robert R. Martin. 2014. Ensuring Liberties: Understanding State Restrictions on Religious Freedoms. *Journal for the Scientific Study of Religion* 53: 687–705. [CrossRef]

Fokas, Effie. 2015. Sociology at the Intersection between Law and Religion. In *Routledge Handbook of Law and Religion*, 1st ed. Edited by Silvio Ferrari. London and New York: Routledge.

Fordahl, Clayton. 2016. The Post-Secular: Paradigm Shift or Provocation? *European Journal of Social Theory* 20: 550–68. [CrossRef]

Fossum, John Erik, Riva Kastoryano, Tariq Modood, and Ricard Zapata-Barrero. 2020. *Governing Diversity in Europe's Plural Spaces: A Path to New Normativities*. Working Paper Series Number 46, Winter 2020; Barcelona: Interdisciplinary Research Group on Immigration—Universitat Pompeu Fabra. Available online: https://repositori.upf.edu/bitstream/handle/10230/45565/GRITIM-UPF%20WP_Winter2020.pdf?sequence=5&isAllowed=y (accessed on 19 October 2023).

Fuchs, Martin, Antje Linkenbach, Martin Mulsow, Bernd-Christian Otto, Rahul Bjørn Parson, and Jörg Rüpke, eds. 2020. *Religious Individualisation: Historical Dimensions and Comparative Perspectives*. Berlin and Boston: De Gruyter. [CrossRef]

Griera, Mar, and Anna Clot-Garrell. 2015. Banal Is Not Trivial: Visibility, Recognition, and Inequalities between Religious Groups in Prison. *Journal of Contemporary Religion* 30: 23–37. [CrossRef]

Habermas, Jürgen. 1987. The Theory of Communication Action. In *Vol. 2: Lifeworld and System: A Critique of Functionalist Reason*. Translated by Thomas McCarthy. Boston: Beacon Press.

Habermas, Jürgen. 2006. On the Relations Between the Secular Liberal State and Religion. In *Political Theologies: Public Religions in a Post-Secular World*. Edited by Hent de Vries and Lawrence E. Sullivan. New York: Fordham University Press. [CrossRef]
Habermas, Jürgen. 2008. Notes on Post-Secular Society. *New Perspectives Quarterly* 25: 17–29. [CrossRef]
Habermas, Jürgen. 2010. *An Awareness of What Is Missing: Faith and Reason in a Post-Secular Age*. Cambridge and Malden: Polity.
Hirschl, Ran. 2011. The Judicialization of Politics. In *The Oxford Handbook of Political Science*. Edited by Robert E. Goodin. Oxford: Oxford University Press. [CrossRef]
Jellinek, Georg. 1901. *The Declaration of the Rights of Man and of Citizens. A Contribution to Modern Constitutional History*. New York: Henry Hold and Company. Available online: https://oll.libertyfund.org/title/la-fayette-the-declaration-of-the-rights-of-man-and-of-citizens (accessed on 19 October 2023).
Joas, Hans. 2013. *The Sacredness of the Person: A New Genealogy of Human Rights*. Georgetown: Georgetown University Press.
Joppke, Christian. 2013. A Christian Identity for the Liberal State? A Christian Identity for the Liberal State. *The British Journal of Sociology* 64: 597–616. [CrossRef]
Joppke, Christian. 2018. War of Words: Interculturalism v. Multiculturalism. *Comparative Migration Studies* 6: 1–10. [CrossRef] [PubMed]
Kuppinger, Petra. 2014. Mosques and Minarets: Conflict, Participation, and Visibility in German Cities. *Anthropological Quarterly* 87: 793–818. [CrossRef]
Laborde, Cécile. 2017. *Liberalism's Religion*. Cambridge, MA: Harvard University Press.
Lähdesmäki, Tuuli, Aino-Kaisa Koistinen, and Susanne C. Ylönen. 2020. *Intercultural Dialogue in the European Education Policies: A Conceptual Approach*. Cham: Palgrave Macmillan.
Lewis, Jon E., ed. 2003. *The New Rights of Man: An Anthology of the Events, Documents and Speeches That Have Shaped Civilization*. London: Robinson.
Mancini, Susanna. 2009. The Power of Symbols and Symbols as Power: Secularism and Religion as Guarantors of Cultural Convergence. *Cardozo Law Review* 30: 2629–68.
Martínez-Ariño, Julia. 2021. *Urban Secularism: Negotiating Religious Diversity in Europe*. Routledge Advances in Sociology. Abingdon and New York: Routledge.
Mohamed, Besheer, and Elizabeth Podrebarac Sciupac. 2018. The Share of Americans Who Leave Islam Is Offset by Those Who Become Muslim. Pew Research Center. Available online: https://www.pewresearch.org/short-reads/2018/01/26/the-share-of-americans-who-leave-islam-is-offset-by-those-who-become-muslim/ (accessed on 19 October 2023).
Nathan, Emmanuel, and Anya Topolski, eds. 2016. 'The Myth of a Judeo-Christian Tradition: Introducing a European Perspective'. In *Is There a Judeo-Christian Tradition? A European Perspective*. Berlin and Boston: De Gruyter. [CrossRef]
Nurser, John. 2005. *For All Peoples and All Nations: The Ecumenical Church and Human Rights*. Advancing Human Rights Series; Washington, DC: Georgetown University Press.
Pew Research Center. 2017. Europe's Growing Muslim Population. Pew Research Center's Religion & Public Life Project. 29 November 2017. Available online: https://www.pewresearch.org/religion/2017/11/29/europes-growing-muslim-population/ (accessed on 19 October 2023).
Pirenne, Henri. 1970. *Mahomet et Charlemagne*. Paris: Presses Universitaires de France. First published 1937.
Posner, Richard A. 1987. The Law and Economics Movement. *The American Economic Review* 77: 1–13.
Ramadan, Tariq. 2017. 'Secularism: Public Space and Visible Diversity'. In *The Problem of Religious Diversity*. Edited by Anna Triandafyllidou and Tariq Modood. Edinburgh: Edinburgh University Press, pp. 93–110. [CrossRef]
Richardson, James T, and Alain Garay. 2004. The European Court of Human Rights and Former Communist States. In *Religion and Patterns of Social Transformation*. Edited by Dinka Marinović Jerolimov, Siniša Zrinscak and Irena Borowik. Zagreb: Institute for Social Research, pp. 223–34.
Richardson, James T. 2015. Managing Religion and the Judicialization of Religious Freedom. *Journal for the Scientific Study of Religion* 54: 1–19. [CrossRef]
Richardson, James T. 2021. The Judicialization of Religious Freedom: Variations on a Theme. *Social Compass* 68: 375–91. [CrossRef]
Richardson, James T., and J. Shoemaker. 2008. 'The European Court of Human Rights, Minority Religions, and the Social Construction of Religious Freedom'. In *The Centrality of Religion in Social Life: Essays in Honour of James A. Beckford*. Edited by Eileen Barker. Aldershot: Ashgate Publishing.
Ringelheim, Julie. 2017. State Religious Neutrality as a Common European Standard? Reappraising the European Court of Human Rights Approach. *Oxford Journal of Law and Religion* 6: 24–47. [CrossRef]
Robbers, Gerhard. 2004. Diversity of State-Religion Relations and European Union Unity. *Ecclesiastical Law Journal* 7: 304–16. [CrossRef]
Roy, Olivier. 2008. *La Sainte Ignorance: Le Temps de la Religion Sans Culture*. Paris: Seuil.
Ruffini, Francesco. 1975. *Diritti di libertà*. Firenze: La Nuova Italia.
Ruiz Andrés, Rafael, and Zakaria Sajir. 2023. Desinformación e islamofobia en tiempos de infodemia. Un análisis sociológico desde españa. *Revista Internacional de Sociología* 81: e236. [CrossRef]
Ruiz Andrés, Rafael. 2022. La Postsecularización. Un nuevo paradigma en sociología de la religión. *Política y Sociedad* 59: e72876. [CrossRef]
Sadurski, Wojciech. 2005. *Rights before the Courts: A Study of Constitutional Courts in Postcommunist States of Central and Eastern Europe*. Dordrecht: Springer.

Sadurski, Wojciech. 2009. Partnering with Strasbourg: Constitutionalisation of the European Court of Human Rights, the Accession of Central and East European States to the Council of Europe, and the Idea of Pilot Judgments. *Human Rights Law Review* 9: 397–453. [CrossRef]

Sajir, Zakaria. Forthcoming. Agency Unveiled: The Interplay of Transcultural Capital and the Post-Secularization Paradigm in the Lives of Muslim Migrant Descendants in Europe. In *Religious Diversity in Post Secular Societies—Conceptual Foundations, Public Management and Upcoming Prospects*. Edited by Zakaria Sajir and Rafael Ruiz Andrés. Boundaries of Religious Freedom: Regulating Religion in Diverse Societies. Cham: Springer.

Scharffs, Brett G. 2012. The Role of Judges in Determining the Meaning of Religious Symbols. In *The Lautsi Papers: Multidisciplinary Reflections on Religious Symbols in the Public School Classroom*. Edited by Jeroen Temperman. Leiden and Boston: Brill Nijhoff, pp. 35–58. [CrossRef]

Schofield, Hugh, Khadidiatou Cissé, and Kaine Pieri. 2023. French Shrug off Muslim Upset at Abaya Ban in Schools. *BBC News*, September 9, sec. Europe. Available online: https://www.bbc.com/news/world-europe-66753665(accessed on 19 October 2023).

Sealy, Thomas, and Tariq Modood. 2022. Diversities and Dynamics in the Governance of Religion: Inter-Regional Comparative Themes. *Religion, State and Society* 50: 469–85. [CrossRef]

Shah, Prakash. 2015. Legal Responses to Religious Diversity (or to Cultural Diversity?). In *Routledge Handbook of Law and Religion*, 1st ed. Edited by Silvio Ferrari. London and New York: Routledge.

Smart, Ninian. 2000. *Worldviews: Crosscultural Explorations of Human Beliefs*, 3rd ed. Upper Saddle River: Prentice Hall.

Smet, Stijn. 2022. State Neutrality and Religious Diversity in Europe. *Oxford Journal of Law and Religion* 11: 1–3. [CrossRef]

Sullivan, Andrew. 2020. Christianism And Our Democracy. The Fusion of Religion and Politics on the Right Has Made Moderation Impossible. Substack Newsletter. The Weekly Dish (blog). 11 December 2020. Available online: https://andrewsullivan.substack.com/p/christianism-and-our-democracy-0cc (accessed on 19 October 2023).

Sullivan, Winnifred Fallers. 2018. *The Impossibility of Religious Freedom*. Princeton: Princeton University Press. Available online: https://press.princeton.edu/books/ebook/9781400890330/the-impossibility-of-religious-freedom (accessed on 19 October 2023).

Temperman, Jeroen, ed. 2012. The Lautsi Papers: Multidisciplinary Reflections on Religious Symbols in the Public School Classroom. In *Studies in Religion, Secular Beliefs and Human Rights*. Leiden and Boston: Martinus Nijhoff Publishers, vol. 11.

Thebault, Deborah. 2017. Who Ever Said That the Nativity Scene Was Religious? *Oxford Journal of Law and Religion* 6: 399–405. [CrossRef]

Triandafyllidou, Anna, and Tariq Modood, eds. 2017. *The Problem of Religious Diversity. European Challenges, Asian Approaches*. Edinburgh: Edinburgh University Press.

Ungureanu, Camil C. 2013. Razón Pública, Religión y Traducción: Prospectivas y Límites Del Postsecularismo de Habermas. *Revista Española de Ciencia Política* 32: 183–201.

Vaggione, Juan Marco. 2005. Reactive Politicization and Religious Dissidence: The Political Mutations of the Religious. *Social Theory and Practice* 31: 233–55. [CrossRef]

Vertovec, Steven. 2007. Super-Diversity and Its Implications. *Ethnic and Racial Studies* 30: 1024–54. [CrossRef]