

The Political Origins of Religious Liberty: Initial Sketch of a General Theory

Anthony Gill

Associate Professor
Political Science, Box 353530
University of Washington
Seattle, WA 98195-3530

tgill@u.washington.edu
(206) 543-4718 (o)
(206) 685-2146 (f)
faculty.washington.edu/tgill

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INTRODUCTION

Within the realm of public policy, the issue of religious freedom has become a hot issue in recent years. In 1998, the 105th U.S. Congress passed the International Religious Freedom Act (P.L. 105-292) requiring the Department of State to provide an annual overview of religious liberty and persecution around the world for consideration in foreign policymaking. That same year, representatives from several countries around the world met in Oslo to reaffirm the principles of religious freedom contained in the United Nations' Universal Declaration of Human Rights. Domestically, a number of countries have amended their national constitutions or passed broad-ranging legislation to promote (or inhibit) the rights of religious organizations, including the United States (1993 and 1999), Russia (1990 and 1997), Mexico (1992), Finland (2001) and Colombia (1994).

To date, few scholars have sought to explain the rise of religious liberty in any systematic way. Most studies have either emphasized the consequences of varying forms and levels of religious liberty or regulation (cf. Monsma and Soper 1997; Stark and Iannaccone 1994; Chaves and Cann 1992), discussed the normative implications of varying interpretations of religious freedom (cf. Segers and Jelen 1998),¹ or provided detailed historiographies with little attempt to develop a generalizable theory for the emergence of religious liberty.² Only Finke (1990) and Hanson (1998) have attempted to provide logically developed explanations for the rise of religious freedom, albeit only in one case, the early United States. Part of this general neglect may be attributed to the fact that the answer to this puzzle (if considered a puzzle at all) was theoretically obvious and could be found within the secularization paradigm. From this perspective, religious liberty (as well as religious pluralism and a general decline in spirituality) were seen as natural outcomes of the modernization process. The question of origins of religious liberty was not seen as a question at all.

This paper attempts to remedy the neglect of this important topic in religion and politics by providing a general theoretical framework for studying the origins of religious liberty. Instead of viewing movement towards liberty as a "natural" monotonic process, I

¹ The normative literature on religious freedom, centering mostly around interpretations of the U.S. Constitution's First Amendment, is too voluminous to cite here. For the broad parameters of the debate, see Clarke Cochran's detailed preface to Segers and Jelen (1998).

recast the question in terms of the governmental regulation of religious organizations. The higher the level of regulation, in general, the less religious liberty exists within a society. Doing this allows for temporal variations in the degree and nature of religious freedom. Also, it moves the analysis of the question away from broad-based structural-functional and systemic explanations – which present a myriad of methodological and theoretical problems – and towards an emphasis on human agency. Using a microeconomic approach to religion, I argue that variations in religious liberty can best be explained by examining the political opportunity costs of the main actors involved in defining church-state relations – i.e., political and religious leaders. While still fairly broad, this framework allows scholars to posit a number of environmental contexts and make analytical predictions as to the form and level of religious regulation within a nation.

RELIGION AND POLITICS: THE THEORETICAL STATE OF ART AND THE EMERGENCE OF A NEW QUESTION

For much of the twentieth century, religion and politics was considered of marginal interest to most scholars. Secularization theory, which reigned supreme in the sociology of religion, predicted that spirituality (assumed to be related to superstition) would gradually disappear from social (and private) life with the accumulation of scientific knowledge and the growth of secular bureaucracies. The latter would replace churches as the preferred institutional means of delivering public welfare. But the last two decades of the twentieth century witnessed a resurgent scholarly interest in religion. Nowadays, it is almost trite to begin a piece by noting that the “explosion” of religious fundamentalism – Islamic, Christian and Jewish – has dealt a serious challenge to secularization theory.

Not surprisingly, most of the new research on religion has sought to explain the emergence of religious fundamentalism (e.g., Armstrong 2000; Juergensmeyer 2000; Tibi 1998).³ The broad focus of this literature has been to explain the social *demand* for fundamentalist forms of religion, largely resulting from the tumultuous onslaught of modernization and the related trends of industrialization and urbanization. As Deiros

² In all honesty, I have not had time to engage in a sufficient literature review of the field. For a complete explanation of why this is case, consult Reiser (1997). My wife bet I would not be able to cite this work.

³ See also *The Fundamentalism Project*, a four volume edited set by Marty and Appleby (University of Chicago Press, 1991, 1992, 1993, 1994).

remarks, “converts [to religious fundamentalism] have often been drawn from a rootless and disconnected subculture, from people whose extended family networks disintegrated in the rush to the cities and who therefore had lost much of the social infrastructure needed to survive there” (1991, 161). It is ironic that such explanations use the same variable as secularization theory to turn that theory on its head: “modernization” was not only helpful in explaining secularization in Europe, but it is also seen as the cause of increased religious activity outside of Europe!⁴

In attempt to explain cross-national variations in religious expression and belief without relying on secularization theory, a rival body of literature has arisen lately emphasizing *supply-side* variables, including institutional design, market structure and government regulation (see Warner 1993 for a survey). One of the central findings of this research is that religious monopolies reduce overall levels of religious participation and belief (Stark 1992; Iannaccone 1991).⁵ Moreover, given the assumption of pluralistic religious preferences in society, it is asserted that religious monopolies cannot be maintained except by governmental regulation (Stark and Bainbridge 1987, 96). Chaves and Cann (1992) and Stark and Iannaccone (1994) find a strong negative correlation between the degree European religious markets are regulated and active religious

⁴ Western Europe is seen as the quintessential example of secular society and is used as the basis for comparison. The United States is often seen as an “exceptional” case given unusually high levels of church attendance and religious belief for an industrialized country. While such a noticeable outlier would usually provoke a further examination of the underpinnings of a theory, secularization theorists have largely dismissed the U.S. as an anomaly or, in certain instances, even theorized that religious expression in the U.S. is nothing more than secular rituals (Wilson 1966). It is interesting to note that while the literature linking modernization and secularization largely examines Western Europe, a theoretical linkage between modernity and increased religious zealotry (fundamentalism) is posited for Third World countries. This regional bias in the study of religion mirrors a similar pattern in political economy. Modernization theory (a broader theoretical rubric under which secularization theory falls) concentrates its empirical analysis on OECD countries, while developing nations are analyzed through the lens of dependency theory. It may be the case that the new “social anomie” theories of religious fundamentalism gaining widespread attention owe more to dependency theory than to secularization theory even though both rely on the concept of “modernization” for explanatory leverage.

⁵ The exception that appears to disprove this theory is Islam. While many Islamic countries maintain religious monopolies and proscribe the proselytizing activities of non-Muslims, religious participation and belief tend to be high in these countries. Not surprisingly, most studies of Islamic fundamentalism tend to favor demand-based explanations since supply-side arguments seem to hold little relevance – there is only one supplier. However, on closer examination it becomes apparent that religious competition is actually intense in these countries, albeit within one broad religious tradition. The institutional structure of Islam is such that individual clergy (*ulama*) must raise their own revenues via active recruitment of members – their career livelihood depends on vigorous participation of the faithful. The lack of an overarching hierarchical institution within Islam (as opposed to Catholicism) results in a wide array of competing groups (Kalyvas forthcoming).

participation. Likewise, Gill (1999) demonstrates that the best predictor of Protestant (often fundamentalist) growth across Latin American countries are not demand-based variables associated with “social anomie” (as measured by urbanization, industrialization and political crisis), but rather the degree of religious freedom within each country.

While supply-side theorists have pointed to the important role government regulation and denominational pluralism play in explaining cross-national variation in religiosity, they have neglected to explain the origins of religious liberty, preferring instead to use it as an exogenous independent variable. Nonetheless, their studies, when taken one logical step backwards, provoke an important question: If variation in religiosity is determined by variations in religious liberty, what explains the variation in latter? Given the demand-based focus of most other studies, it is understandable that this question never really arose until recently.

This is not to say no one has examined how governments regulate religious organizations (to use the language of the supply-siders). Of this group of supply-side scholars, Finke (1990) offers a brief explanation of how religious deregulation came about in early American history (see below). Scholars working from other perspectives have presented other explanations, though none in a rigorous, generalizable fashion. Instead, discussion of this topic is dominated by single case studies where historical contingency plays a large role (cf. Hanson 1998; Helmstadter 1997). For the most part, explaining the origins of religious liberty in a more general manner has been neglected for so long because the “answer” has seemed obvious. Secularization theory, which dominated the sociological literature on religion for more than a century, conditioned the scholarly belief that religious freedom was the natural outgrowth of the demise of spirituality in the public square. Commenting on the general state of the field, Helmstadter notes that

Secularization, in the sense of putting the secular aspects of life at the center and marginalizing religion, has been fitted into the master narrative as a kind of extension of Protestantism, progress, and modernization. To see the decline of religion and the secularization of society as inevitable, was...the logical postscript to the narrative in which liberalism and religious freedom are *seen as predestined goals in the progress of mankind* (1997, 7. Emphasis added).

An “inevitable” and constant global process of modernization is seen as the principle cause of religious freedom. Institutionally, modernization produces greater functional differentiation and larger state bureaucracies, eliminating the public need for church-provided welfare services. Separation of church and state results, one of the first steps towards religious liberty (as it is difficult to have true religious liberty where there is one officially-sanctioned church).

At the ideational level, modernization purportedly coincides with a certain set of values privileging the role of individual (as opposed to communal) choice. Such choice is not possible without freedom of conscience. Casanova summarizes this uniquely Western notion.

...religious freedom, in the sense of freedom of conscience is chronologically “the first freedom” as well as the precondition of all modern freedoms. Insofar as freedom of conscience is intrinsically related to “the right to privacy” – to the modern institutionalization of a private sphere free from governmental intrusion as well as free from ecclesiastical control – and inasmuch as “the right to privacy” serves as the very foundation of modern liberalism and of modern individualism, then indeed the privatization of religion is essential to modernity (1994, 40).

As may be noted, the thesis linking modernity, secularization and religious liberty is a close cousin to modernization theory popular in political science, economics and sociology during the 1950s and '60s. However, whereas modernization theory has come under critical scrutiny at both the theoretical and empirical level, secularization theory and explanations for the rise of religious liberty have yet to face such examination.⁶

While seemingly convincing at a very general level, there are a number of theoretical and methodological problems with this general type of explanation. First, methodologically speaking, a constant cannot explain variation. Both the degree and nature of religious liberty has exhibited extensive variation across nations.⁷ The obvious counter critique here is that “modernization” also varies across. However, without independent measures of “modernization” this explanation risks becoming tautological: The presence of modernity is associated with religious liberty, whereas one of the

⁶ Less so the former (secularization theory) than the latter (explanations for religious liberty). See Warner (1993) for a survey of recent challenges to the secularization thesis.

conditions for being “modern” is having religious liberty. No studies using this explanation implicitly or explicitly, to my knowledge, undertake such a controlled comparison. Moreover, a casual glance of variation in religious liberty using relatively “common sense” measures of “modernization” (e.g., level of industrialization, GDP/capita) suggests that little, if any, correlation exists between these two variables. Monsma & Soper (1997) detail how five Western nations,⁸ all of which could be considered equally “modern,” maintain distinctly different forms of church-state relations. Some of these relationships, they argue, lead to distinct disadvantages for some denominations.⁹ Chaves and Cann (1992) and Stark and Iannaccone (1994) note similar variation across highly modernized West European countries. In Latin America, Gill (1999) quantifies the substantial variation in religious liberty across countries and notes that more “modern” nations such as Argentina, Colombia and Mexico possessed substantially lower levels of religious liberty than “less developed” countries such as Ecuador, Guatemala and Nicaragua. While none of these studies directly measure “modernization,”¹⁰ a casual reading suggests a poor correlation between the level of “modernity” and religious freedom.

A second weakness befalling secularization theories of religious liberty relates to an affliction affecting all broad-based systemic and structural-functionalist arguments – the problem of missing agency.¹¹ The process of secularization, church-state separation and the resulting religious freedom is posited as something that just happens naturally. While it is doubtful that any scholar would admit to such a crude rendering of history, the lack

⁷ For more about conceptualizing and measuring the “degree” of religious liberty, see below.

⁸ The countries are: the United States, the Netherlands, Great Britain, Germany and Australia.

⁹ Monsma and Soper argue that in the cases of Germany and the Netherlands, state sponsorship of multiple denominations is potentially discriminatory towards Islamic groups, which, because of their decentralized nature, cannot be worked into the traditional means of financing these groups. Likewise, in the United States, they argue that a strict separationist interpretation of the First Amendment privileged secularism over religion, thereby acting in a potentially discriminatory manner. Without commenting on the normative implications of their study, the central point for this study is the substantial variation in how religious organizations are regulated (including subsidized) by the state.

¹⁰ Gill (1999) includes various measures of “industrialization” and “urbanization” in a regression analysis where religious pluralism was the dependent variable, though the intent was not to measure “modernization” per se, but “social anomie.” The theoretical argument under scrutiny was that rapid industrialization leads to social anomie, which in turns prompts people to convert to new religious movements. While the link between industrialization and religious liberty was not tested explicitly, no significant collinearity existed between these variables when included in the same regression.

¹¹ See Cohen (1994) for an excellent discussion of the weaknesses of structural-functionalism.

of a rigorous causal explanation of the origins of religious freedom leaves us with the sense that little human agency is involved.

Ideational perspectives that suggest religious liberty arises from the diffusion of certain “modern” ideals suffer from a similar problem. Consider W. Cole Durham’s argument. He puts forth the idea that the spread of Enlightenment philosophy (most notably that of John Locke) is the principal determinant for religious freedom.

Contrary to what might initially be thought (and what had been thought for centuries), Lock contended that respect for freedom of choice in matters of religion (and more generally with respect to comprehensive world views) is a source of both legitimacy and stability for political regimes. This insight constituted a kind of Copernican Revolution in political theory.... Locke revolutionized politics by suggesting how religious (and by extension, political) freedom could sow political order from religious seeds that had always been assumed to be the ultimate source of anarchy. The Lockean insight thus opened up the possibility of seeing the political cosmos from a new perspective. By placing respect for freedom at the center of the constellation of values, and by recognizing that respect for freedom and dignity of individuals is itself a moral and religious truth of the highest order, this revolution transformed the grounds for legitimizing and stabilizing political communities. ...This idea was initially theoretical, but it became a central aspect of the “lively experiment” with religious freedom in the United States (1996, 8-9).

Durham continues by noting a general process of “globalization” is facilitating the acceptance of this ideal.

Growing consensus on religious freedom reflects a more general need to address the reality of pluralism in the global setting. ...globalization itself is enhancing our sense of pluralism. ...These patterns of global demographic pluralism are likely to be conducive to religious freedom and application of the Lockean insight into the stabilizing force of respected pluralism in much the same way that American pluralism paved the way for meaningful institutions of religious freedom two centuries ago (1996, 11).

Other such ideational explanations (cf. Meacham 1966) share a similar structure. Modernity gives rise to certain ways of thinking (namely Enlightenment liberalism),

which, when adopted by a sufficient number of people, alters the political environment in favor of religious liberty. Again, the problem of tautology rears its ugly head; we only know that liberal ideas have done their work when we see religious liberty. The presence of religious liberty is taken as a sign that modern (liberal) ideas exist.

However, it must be noted that religious liberty is the product of specific laws made by specific people at specific places in time. The functional explanations inherent in secularization theory and ideational approaches give little indication of the political maneuvering that took place to put these laws into effect. They typically downplay the role of interests, and the ability of humans to make specific choices in situations wherein multiple options exist.¹² This is not to say that ideational theories cannot incorporate the role of human agency. Instead, it is the structural-functional form that these explanations often take that causes the theoretical and methodological problems. As Lave and March (1975) would tell us, we are missing a sense of “process” in these explanations – i.e., the causal mechanisms linking the dependent and independent variables. Understanding why a certain legal pact was made at a specific time is important.

This paper proposes a general deductive theory regarding the political origins of religious liberty that incorporates the role of human agency via the use of rational choice theory. This theory places interests, as opposed to ideas (or culture) at the center of the analysis. Without denying a role of ideational factors (e.g., values, ideologies), rational choice theory provides a useful starting point – the self-interested, utility maximizing individual – from which to build more complete theories. Assuming humans have some degree of control over their own history (as opposed to having their actions predetermined by some structural arrangement), it makes sense to begin with a theory that places human agency at its core.

The success of building a general theory will not only rest upon its empirically accuracy, but also will be determined by its ability to be applied widely and have as much explanatory power as possible, both across space and time. This approach yields an immediate tension. Placing emphasis on empirical validity and human agency pushes one in the direction of “thick description” wherein the specific actions of individuals in

¹² The inherent problem with structural-functional theories is that only one choice exists to make thereby denying the role of human agency.

unique historical situations become all-encompassing in the explanation. Generality is hard to achieve since individuals (with varying interests and calculating capacities) change over time and historical situations rarely repeat themselves in exactitude. Nonetheless, it is nonetheless reasonable to assert that humans behave in patterned ways and any pattern is subject to generality. Striking a balance is critical to gaining maximum explanatory “leverage” (cf. King, Keohane and Verba 1994). The following theory attempts to strike such a balance by arguing that, in general, political actors respond to changing opportunity costs that affect their ability to remain in office and maximize revenue. It will be argued that these are relatively ubiquitous goals shared by almost all political actors irrespective of time or place. Laws pertaining to religious freedom will be affected by how politicians respond to these changing opportunity costs as well as some specific historical conditions. As for the latter, I will outline a general set of conditions that appear to have a general impact on the degree to which religions are regulated. Hopefully, this theory will be useful as a general framework for scholars examining specific cases, making use of a methodology recently termed “analytic narrative” (Bates, et. al. 1998).

AN OPPORTUNITY COSTS MODEL OF RELIGIOUS LIBERTY

Religion has long been considered beyond the purview of economic analysis. It is typically assumed that behavior of religious actors is derived from a set of ideational (theological) principles that transcend the self-interested motivations of homo economicus. Yet while many religious actors may be motivated by “high ideals,” it is still obvious that they exist in a world of scarcity wherein difficult choices about how to allocate resources must be made on a daily basis. For example, a Catholic bishop may face a difficult choice of whether to spend his limited budget on putting more priests through seminary or expanding day care facilities in his diocese. The latter may have the effect of immediately increasing the attendance of young families at services, while the latter has a longer-term (and more risky) payoff of improving the quality of religious services offered. An evangelical Protestant organization might face a difficult choice on whether to send one hundred anxious missionaries to Brazil or Russia. Where are the most converts likely to be made? Even Mother Teresa, perhaps the noblest of souls, has

to tough decisions on how to divy up her scarce time and energy to help the most people (Kwilecki and Wilson 1998).

Likewise, religious actors also must deal with individuals who may not share their same “high ideals.” Successful interaction with such individuals often requires sacrificing strict obedience to high principle for strategic expediency. This is *not* to say that religious actors are hypocrites when it comes to living in the secular world. It merely notes “high principles” do not always guide behavior. A Jesuit president of a Catholic university may decry the crass materialism of modern society and the neglect of the poor, yet aggressively pursue financial contributions, which may have been donated alternatively to homeless shelters, to sustain his university. A preacher calling for greater ecumenical relations between faiths may very well lobby to have restrictions placed on “cults” that are stealing from his flock. All told, rational choice theory provides us with some leverage when explaining tough decisions of resource allocation. The theory does not tell us much in the way of what a specific individual’s “high ideals” or other preferences may be, but many general preferences can be safely assumed and used as the basis for theory testing. Thus, to the extent that religious actors and institutions exist in a world of scarcity, economic theory can have some bearing on explaining behavior in this realm.

The Religious Marketplace.

To begin the process of building a theory of the origins of religious liberty, it is first worthwhile to begin with a number of definitions. These definitions will help delineate the scope of the study as well as help to place the issue of religious liberty in a framework analogous to economics.

Def. 1: Religious goods are fundamental answers to the deep philosophic questions surrounding life that have as their basis some appeal to a supernatural force.¹³

Def. 2: A religious firm (i.e., church or denomination) is an organization that produces and distributes religious goods.¹⁴

¹³ Stark and Bainbridge provide a more specific definition of religious goods based upon a theory of compensators (1987, 25-42).

¹⁴ “Produces” here could also mean “interpret from divine revelation.” The question of where religious beliefs come from, or their ultimate validity, is not the focus of this study. Also, the author acknowledges

Def. 3: A **religious marketplace** is the social arena wherein religious firms compete for members and resources.¹⁵

Axiom 1: Religious preferences in society are pluralistic.

Normally we do not think of churches as equivalent to manufacturing plants or retail stores. But, in essence, these organizations do supply things that people want by the mere fact that people attend religious services voluntarily. These consumers (parishioners) purchase these goods with their financial contributions and time commitments.¹⁶ As with most marketplaces, religious markets can be monopolized or highly competitive. Given the natural low barriers to entry into the religious marketplace,¹⁷ and assuming a variety of religious preferences in society, the “natural” state of the religious market is one of competitive pluralism (Stark 1992). This assumption differentiates this analysis from cultural explanations. Culturalists tend to assume a high degree of homogeneity in religious beliefs within national boundaries – i.e., the natural market state is one of homogenous preferences. For purposes of this analysis, we will take the “varied preferences” assumption as an untested axiom.¹⁸ The main implication of the “varied preferences” assumption is that such apparent homogeneity (e.g., Catholicism in Latin

that the term “church” carries Christian connotations, but will be used interchangeably with “religious firm” for the sake of rhetorical simplicity.

¹⁵ Gill (1998) makes the argument that proselytizing religions are primarily market-share maximizers. That is, churches seek to win over as many parishioners to their spiritual message as possible. See below.

¹⁶ The very nature of religious goods make them difficult to price. Because they are largely “ideas” and difficult to prevent their diffusion, free riding is a common problem with religions – people can learn about the answers to life without paying for the provision of those ideas. As the computer age has demonstrated, policing intellectual property rights is a difficult task; theology may represent the ultimate in intellectual property. For a discussion of how the medieval Catholic Church priced its theological goods (including indulgences) see Ekelund, et. al. (1996).

¹⁷ It is relatively cheap to create an ideology and start disseminating it. There are very few capital costs associated with startup religions. However, low barriers to entry do not guarantee market success as many Internet firms are now discovering. And although low barriers to entry exist in the religious marketplace, there still may be a significant economy of scale in the production of religious goods. Since religious goods are credence goods and require credible testimony about the quality of the good, there may be “strength in numbers.” The adage that “five hundred million Muslims can’t be wrong” applies here. As for an economic analogy, anybody can start an e-commerce website, but it helps to be Amazon.com.

¹⁸ It is possible to test this assumption. One possible methodology would be survey research. However, in a monopolized market, respondents may not be aware of religious alternatives and would either claim a preference for the monopoly faith or no preference at all. If many respondents reply the latter yet indicate a strong belief in God or “importance of religion,” this could be taken as indirect evidence that a plurality of religious differences does exist that the monopoly religion cannot satisfy (cf. Gill 1999b). Alternatively, a historical study could be conducted. When laws regulating non-monopoly religions are relaxed, religious activity would tend to increase if the “varied preferences” assumption holds. For examples of such a test, see Stark and Iannaccone (1994) for Europe and Finke and Iannaccone (1993) for the United States.

America) is due to the presence of a religious monopoly. Such a monopoly can only be maintained by governmental regulation. Stark and Bainbridge argue that

[n]o religion can achieve a monopoly out of its own resources alone. No faith can inspire universal, voluntary acceptance, except, perhaps, in time, primitive societies. ...unmet religious needs will prompt competing religious groups in a society as long as a free market exists. Religious monopoly can be achieved only by reliance on the coercive powers of the state. Neither Roman Catholic nor Protestant clergy could prevent religious dissent (heresy). Only the king's soldiers, or the threat of the king's soldiers, could suppress religious dissent (and then only to a degree, for even at the height of Catholic dominance of Europe, dissent flourished in all the cracks and crannies of society and constantly burst forth) (1985, 508).

Observing this relationship between religious pluralism and government coercion sets up the definition of religious liberty.

Def. 4: Religious liberty (or freedom) represents the degree a government regulates the religious marketplace.¹⁹

Such a definition may seem trivial, but it shifts the analysis towards the examination of specific regulatory laws aimed at religious organizations. Broad-based ideational theories of religious liberty shy away from examining specific laws and see the level of religious liberty in society as a property of the general ideological milieu. Such laws can be as encompassing as constitutional declarations of the right to free conscience, or as specific as zoning regulations on church property. Indeed, the latter may be more important than the former in determining the exact level of religious liberty within a society (though the former is a basic prerequisite). As the general economic literature on economic regulation points out, small and specific regulations can have enormous impact on the conduct of commerce in society. Today, almost every country provides some constitutional guarantee of religious freedom. Upon closer examination, however, the

¹⁹ While not central to the thesis, "religious toleration" can be defined as the level to which norms in society allow for the operation of dissenting sects. It is possible to have a deregulated religious economy with high levels of religious intolerance. As religious intolerance can impose significant costs on religious minorities – from social ostracism to outright violent attacks – these social norms/values can play a substantial role in limiting the religious activity. The foregoing analysis is restricted, however, to the actual

specific manner in which religious groups are regulated can vary extensively (Gill 1999a; Monsma and Soper 1997; Chaves and Cann 1992).

Just as commercial businesses have different preferences for the degree of regulation in society (e.g., over tariff rates), so to do religious firms. By adding one additional axiom, we are able to derive a proposition related to these preferences.

Axiom 2: Proselytizing religious firms are market-share maximizers; they seek to spread their brand of spiritual message to as many followers as possible.

Proposition 1: Hegemonic religions will prefer high levels of government regulation (i.e., restrictions on religious liberty) over religious minorities.²⁰ Religious minorities will prefer laws favoring greater religious liberty.²¹

While most economic analyses take firms to be profit-maximizing entities, here I take declared goal of proselytizing religions at face value – they want to spread the “Word of God” to as many people as possible (given the limitations of their own resources). This keeps the spirituality within religion and avoids critiques of materialistic reductionism. (An economic analysis does not necessarily imply an actor is out for material gain; it merely says the actor is trying to maximize some given goal.) By way of this axiom, it becomes possible to derive policy preferences. Spiritual monopolies that have a captured market prefer to keep the barriers to entry in the religious marketplace high. Although rhetorically in favor of freedom of conscience, they will seek laws requiring minority religions gain official permission of the government to proselytize, restrictive visas on foreign missionaries, zoning and media restrictions on alternative faiths, etc. In contrast, minority religious groups that could potentially win converts in an undersupplied religious economy will seek legislation lowering restrictions on “religious trade.”

origin of actual legislation. To the extent that governments do not choose to monitor and enforce their own laws pertaining to religious freedom, this study could intersect with the study of religious intolerance.

²⁰ This proposition is an example of how rational choice theorists can derive logically the preferences of actors rather than merely stating them as given. As noted elsewhere (Gill 1998, 195-96), a major critique of rational choice theory is that it takes preferences as given. However, this does not mean that preferences simply are asserted in an ad hoc or tautological fashion. Careful attention must be paid to justifying the assumed preferences as I have attempted to do here. Being explicit about these assumptions allows other scholars to modify the assumptions and play out the theoretical logic to see if alternative, testable implications can be advanced.

²¹ In the case where a traditionally dominant religion exists under a state with an explicit “atheistic” (or anticlerical) ideology (e.g., Soviet Union, Mexico 1917-94), the dominant religion can be thought of as a minority player in that it does not wield the coercive power to counter the dominant producer of social values and norms. I need to think about this more.

We can further derive from this proposition the preferences of religious groups under pluralistic conditions, where no one firm commands a majority market share – i.e., every denomination is a minority denomination. In such situations, all religious firms will prefer a minimum level of religious liberty that allows both themselves and others to practice freely (within reason).²² Imposing restrictions on one faith could potentially lead to religious conflict wherein one’s own denomination finds itself under repressive legislation. Ecumenical relations are most likely to flourish under such conditions (Stark, forthcoming). An interesting test case for this proposition is the Roman Catholic Church. In Latin America where Catholicism has been dominant for five centuries, the Church has actively sought restrictions on Pentecostals and other upstart evangelical groups (Gill 1999c). However, in post-Soviet Russia, where Catholics are an expanding denomination, the Vatican has been pressing for greater access against the cries of the historically dominant Orthodox Church (Kutznetsov 1996 [check cite]). Likewise in Asia, Catholics are seeking less restrictions on regulations. Here we have an instance of an institution whose leaders’ preferences are determined by their self-interested position in the religious marketplace rather than some constant theological precept. If theology was dictating policy preferences in this case, we would expect the Catholic Church to maintain a consistent position across countries.

Political Incentives in the Religious Marketplace.

As defined above, religious liberty is a matter of governmental regulation. As such, we should expect the incentive structure of politicians (defined broadly for the time being as legal decision-makers) to play a significant role in determining the level (and form) of religious freedom in society. Why would politicians want to regulate (or deregulate) religious organizations? This moves us to the central question regarding the origins of religious liberty. We begin with two basic assumptions about the general preferences of policymakers derived from the work of Geddes (1994), Ames (1987), Levi (1988) and Mayhew (1974), among others.

Axiom 3: Politicians are primarily interested in their personal political survival.

Axiom 4: Politicians seek to minimize the cost of ruling.

²² “Within reason” is important here as it is unlikely that Lutherans or Catholics in the United States would argue favorably for the unrestricted rights of a religion that practices human sacrifice.

Policymakers may be driven by a plethora of ideological influences, but if they are not in power their goals are largely unachievable. They may also seek power for power's sake (or the fame and possible fortune that it bestows). In whichever case, retaining power the primary (instrumental) goal to achieving these other ends. Staying in office requires resources. The more resources expended to retain power, the less available for achieving other goals. Politicians have three general mechanisms for ensuring the compliance of a population – coercion, patronage and ideological legitimacy. Of these three means, the latter is the least costly,²³ leading us to the following proposition.

Proposition 2: Politicians will seek ideological compliance of the population when possible.

This naturally provides an incentive for church-state cooperation in that religions tend to be the primary producer of societal norms and values (Gill 1998, 52-53). To the extent that citizens agree that obedience to the government is morally correct or in their best interest, politicians need not devote resources to coercion or paying off constituents. The conveyance of this ideological legitimacy frequently comes from the endorsement of religious leaders. Clergy tend to be among the most trusted officials in society. This is due in large part to the inherent nature of producing religious goods. Since religion is, at its very essence, a credence good, consumers may tend to be skeptical about purchasing such goods unless they have some signal about the good's future quality. Suppliers of these goods maintain a strong incentive to develop creditworthy reputations. Clergy frequently live austere lives, suffer other sacrifices (e.g., celibacy) and engage in rather costly rituals to cultivate an aura of trust among parishioners. In situations of uncertainty, people will look to trusted leaders for guidance. It can be expected that a priest will give *carefully considered* advice that is in the best interest of his parishioners. If the priest constantly makes poor political decisions thereby leading his flock to harm, it is unlikely that he will be successful in "selling" his spiritual message. In other words, clergy often act as guiding voices in the secular realm, providing information that would otherwise be costly or unavailable to citizens.²⁴ Having trusted priests endorse the government or

²³ For an extended discussion of this assumption, see Gill (1998, 50-52) and Taylor (1982, 11-20).

²⁴ This leads to a number of testable propositions tangential for this study. Namely, people with little access to information about politicians (e.g., because of illiteracy, lack of access to televised news, etc.) will tend to place more credence in the recommendations of clergy when considering political action. Also,

governmental policies is one means of reducing the costs of ruling. This endorsement comes at price as religious officials are likely to ask for favors in return, which may entail significant regulations on other religions or government subsidies. As we shall see below, the ability of a religion to obtain these demands is a function of the religious market structure.

Politicians also seek to neutralize rivals. Churches offer one potential focal point from which a rival ruler/party can rally opposition. The main reason is that religious organizations possess several features that are helpful in solving collective action problems, the basic problem inherent in any (mass-based) opposition movement (cf. Lichbach 1995). First, members of a religious community typically hold shared values and mutual expectations about behavior. This enhances trust among individuals, which in turn lowers the uncertainty associated with mutually cooperative behavior in situations resembling a prisoners' dilemma or assurance games (cf. Chong 1991). Trustworthy leadership is also essential for collective action. Leaders advocating risky action (e.g., protesting a government) will only be successful to the extent that their followers trust their choices of action (cf. Guevara xxxx). People rarely follow strangers blindly into some dangerous situation. As noted above, religious organizations usually rely on such leadership. Numerous other factors also enhance the ability of religious groups to quickly mobilize collective action, including regularized meetings, financial resources, etc. For rulers concerned with their political survival, maintaining a tight regulatory control over this potential rival source of authority provides a strong incentive for tamper with laws related to religious liberty in order to enhance their political position. This may entail restricting the freedoms or reducing the exclusive legal privileges of particular denominations, especially those that are institutionally aligned with, and unable to back away from a commitment to, a strong rival. Alternatively, it may entail co-opting the support of a religious group with preferential legislation that directly benefits the church in question or restricts the activities of competitive denominations.

it should be noted that this hypothesis builds upon the political economy of interest groups that suggests such groups act as information conduits for rationally ignorant voters. Since religious clergy tend to reflect a wide range of class and sectoral interests, their recommendations should be more pertinent to broad, general issues not affecting an individual's specific welfare. Occupational groups (e.g., the trial lawyers association) usually provide more finely-tuned information on these issues. This general hypothesis also

Predicting which situation is more likely will depend on a more specific specification of the political and religious environment in question. The bargaining power of the relevant actors – both secular and religious – will condition the outcome for regulatory legislation. Nonetheless, the discussion above points us in the direction of several testable propositions about the relative bargaining power of church and state that can then form the basis for a more historically-based analytic narrative. The propositions will be followed by a brief empirical discussion meant to illustrate the hypothesized relationships. This discussion should not be taken as a definitive test, but rather as an initial attempt to demonstrate the empirical plausibility of the proposition.

The first proposition establishes a general prediction about the deregulation of the religious marketplace and is based on the opportunity costs facing secular leaders.

Proposition 3: (Opportunity Costs Proposition). To the extent that political survival, revenue collection and economic growth are hindered by restrictions on religious freedom, or subsidies to a dominant church, religious regulation will be liberalized or left unenforced (de facto liberalization). In other words, when restrictions on religious liberty have a high opportunity cost measured in terms of political survival, government revenue and/or economic growth, deregulation of the religious market results.

This hypothesis challenges the notion that religious liberty is the result of a shift in political philosophy (or the victory of one group holding a more liberal political philosophy). One of the central failings of ideational explanations is that they typically view the debate over religious liberty in isolation from other concerns in the polity; religious liberty is simply a question of two sides debating “right” or “wrong,” with one side eventually prevailing. In reality, though, legislation on one issue (e.g., religious liberty) rarely occurs in a vacuum. The reason for specific policy choices in one arena may be connected to seemingly unrelated issues. This proposition directs scholar’s to look for evidence of potential policy tradeoffs, something ideational perspectives do not do effectively. The general vagueness of this hypothesis, however, is both its principal strength and weakness. By not identifying more specific tradeoffs, the proposition can be

suggests that professions that deal more in credence goods will have a stronger reputation for trustworthiness than those that deal with more tangible goods.

used to examine a wide array of political settings, both longitudinal and latitudinal. The guiding theoretical principle is that some policy tradeoff affecting a politician's self-interest will be in play during periods of religious deregulation or increased regulation. But by not being more specific, the proposition risks tautology. Observation of a change in religious policy can be taken as evidence that political survival is at risk. While the careful use of an analytic narrative can help alleviate this problem in historical and comparative case studies, I will attempt to lay out additional propositions that specify more specific environments when religious deregulation (or increased regulation) might occur.

Situations of Political Competition.

I begin this exercise by noting that political survival varies according to the presence of viable opposition candidates for power – i.e., the level of political competition. Politicians facing intense rivalries tend to have shorter time horizons (higher discount rates) and less bargaining power relative to social actors. These factors are likely to affect policy making decisions.²⁵

Proposition 4: The presence of viable secular rivals to power increases the bargaining power of religious organizations, *ceteris paribus*.²⁶

Proposition 4a: If one religious organization commands hegemonic loyalty among the population,²⁷ and is not tied to any secular political actor, the bargaining power of that church increases, *ceteris paribus*. Regulatory policy towards religion is likely to favor the dominant church and be discriminatory towards minority denominations.

Proposition 4b: If a church is institutionally linked or credibly committed to one political faction, regulatory policy will favor that denomination if the affiliated faction holds power. Conversely, religious deregulation, punishing the dominant

²⁵ OK, by all admissions, this is the point where I start to lose confidence in the logic of my model. Any and all suggestions for improving the model forthwith are greatly appreciated.

²⁶ An alternate proposition could be proposed here: Political uncertainty increases the bargaining power of religious groups as religious leaders are helpful in ameliorating uncertainty. This proposition is worth exploring in an expanded work.

²⁷ The issue of “hegemonic loyalty” will become an important issue here. In contemporary Latin America, the Catholic Church is considered to be “hegemonic” and a majority of people nominally affiliate with Catholicism. However, in several countries the active, church-going Protestant population equals, and perhaps even exceeds the active Catholic population – Brazil, Chile and Guatemala are the central examples. Calling the Catholic Church “hegemonic” in these instances may be a misnomer.

church and rewarding spiritual competitors, is likely when the church's favored faction loses.

Proposition 4c: If several competing denominations exist, none with hegemonic dominance, regulatory policy will tend not to discriminate among them (i.e., increased religious liberty). In other words, the presence of competing religious denominations reduces the bargaining leverage of any one particular group, leading politicians trying to curry favor with all.

Situations of Minimal Political Competition.

Where political rivalry is minimal, the goal of political survival becomes less pressing and time horizons lengthen. The opportunity costs of various policies are likely to shift. Policies that bought a politician immediate support under intense competition, but which harmed long-term economic growth and revenue collection, are likely to be more costly relative to longer-term policies in a new, less competitive environment. For instance, candidates running for election are more likely to propose tax cuts than political leaders with secure tenure. These shifts in political opportunity costs may potentially affect church-state relations.

Proposition 5: As political tenure becomes more secure, the bargaining power of religious groups wanes.

Proposition 5a: Given that restrictions on religious liberty entail monitoring and enforcement costs, politicians will be less likely to enforce them as their political tenure becomes secure.²⁸

Proposition 5b: As enforcement of restrictions on religious freedom decreases, religious pluralism increases in society (by way of axioms 1 and 2).

In all likelihood, supporting an established church and keeping legal restrictions on minority religions are relatively inexpensive tasks.²⁹ For most secure governments, the matter of church regulatory policy will simply become a moot issue. (As much as I would like to think my research in church-state relations is a central topic in political science, I

²⁸ Likewise, subsidization of religious groups becomes more expensive in that as political survival becomes secure, supporting an established church yields decreasingly fewer benefits to the politician.

²⁹ A casual glance at the budget of any state with an established church will reveal a pittance spent on supporting that church. Enforcement costs of religious regulations are more difficult to measure, but the lack of major incidents where people are arrested for nonviolent forms of religious worship seems to provide initial evidence that such costs are low as well.

must admit that other matters – e.g., managing the economy, fighting wars – are probably more important in national capitals.) However, if religious pluralism increases and political competition is reintroduced, we are likely to see movement towards religious freedom (a per Proposition 4c). In other words, Props. 5, 5a, and 5b provide for a means wherein the incentive structures of both secular politicians and religious actors can change over time, allowing for gradual progress towards religious freedom. As the aforementioned propositions seem to imply, political competition amongst increasing religious pluralism is the best environment with which to foster religious liberty. To the extent that “modernization” correlates with increasing political competition, this may help to explain the general trend towards religious liberty over the past several centuries. However, the opportunity costs approach to explaining religious liberty leaves a role for human agency and allows for potential reversals in the progress towards religious freedom.

EMPIRICAL DISCUSSION

The theoretical propositions advanced above were designed to be sufficiently general so as to explain church-state relations in a wide array of contexts. At best they provide a general framework and point to the importance of understanding strategic choices in the actual lawmaking process behind religious liberty. To make full use of these propositions, it is necessary to lay out the specific context underlying the decision making process in each case. This enables the scholar to preserve the uniqueness of the case while still being able to generalize about church-state relations. What follows is a very brief discussion of two historical periods: the United States following the War of Independence and Latin America during the 1800s. While both cases set up an interesting contrast, they are not designed to be rigorous test cases. Rather, they are presented as illustrations demonstrating that the theory above is, at a minimum, plausible (Eckstein 1975).

United States.

Contrary to what primary school students in the United States read about the heroic Pilgrims, the colonies were not established as bastions of religious freedom. Quite the contrary, most dissenting sects left Britain not only to escape the oppressive nature of

Anglican establishment but to create a restrictive establishment of their own (Finke 1990, 610-11). Congregationalists dominated New England, Episcopalians and Presbyterians controlled the lower colonies and Quakers conquered Pennsylvania (Finke and Starke 1992, 59-60). Unfortunately for these denominations, the political, social and geographic environment of colonial America made it difficult to prevent even newer dissenters from arriving and claiming land. The easy access to land made it easy for minority religious movements to escape local regulations on their conduct (or avoid paying church taxes to “enemy” denominations). Just as with heresy in Medieval Europe, when centralized policing authorities were rare, enforcement of local establishment laws was too cost prohibitive. The result was a patchwork of locally established churches that tended to reflect the boundaries of the colonies themselves, with the “western” territories open to expansionary sects like the Methodists and Baptists.

While it is commonly noted that religious liberty is more or less guaranteed by the First Amendment of the U.S. Constitution, at the time the “establishment clause” only pertained to the federal government. One must look beyond constitutional declarations to see the real impact of regulatory behavior on religions. There were no proscriptions on individual states from enacting laws deleterious to the freedom of religious belief and practice. Indeed, many state governments continued to sponsor established churches well into the middle of the 19th century. Nonetheless, guarantees on the security of religious practice eventually became part of every state’s legal code (Levy 1999, 79-102). Political and economic realities dictated this conscious choice. First was the general shortage of skilled labor. Excluding potentially useful immigrants would only slow economic production and chisel away at the tax base of local governments, badly in need of revenue at the time (Finke 1990, 611-12). Likewise, strict laws prohibiting the practice of some faiths would also dampen interstate trade. Baptist traders from Rhode Island would be loathe to travel to New York if they were to be subject to legal persecution for their beliefs. Just like creating a common currency was in the individual interests of all states, so to was a minimal level of religious freedom common to all

states.³⁰ A similar trend in religious deregulation occurred in the late 1800s, when labor shortages required the importation of labor from predominately Catholic countries. (Prior to this period, religious liberty was largely the exclusive privilege of Protestants.)

Politically, the enforcement of religious liberty laws would have been frightfully high, especially in frontier states. While some denominations tried to maintain strict control over the beliefs and practices of the local population, de facto religious pluralism and freedom resulted from the mere fact that people could easily up and move if they did not like the laws they were living under (Finke 1990, 612). The abundance of cheap land at this time made exit a simple strategy. Finally, as the theory above predicts, the plethora of denominations nationally (with no one single sect holding a majority) made it politically expedient to allow all to operate freely. Persecution of other denominations by one church would likely invite retaliation and raise the (unlikely) possibility of religious wars. More likely religious minorities could prove to be important swing constituencies in tightly contested elections. Politicians could neutralize this possible unpredictable threat³¹ by making the issue of religious freedom for minorities moot.

Likewise, the smallest (and most expansionary) sects lobbied strongly for religious neutrality as it was in their institutional interests. At this time, the most expansionary sects were the Methodists and Baptists (Finke and Stark 1992, 54-109). And as Levy notes, "Rhode Island...never had an establishment of any kind, and as a stronghold of the Baptists, most vehemently opposed government aid to religion, state or federal" (1999, 83). Hanson (1998) advances a thesis congruent with the opportunity costs approach to religion when he argues that a principal reason for the promotion of religious liberty was that the colonies owed it to the (Catholic) French for assisting them during the Revolutionary War.

The fact that not all states maintained the same degree of religious liberty provides an ample opportunity to test the above propositions more closely. The theory predicts that frontier states and states with the greatest need for foreign labor would be the first to

³⁰ Several states still engaged in taxpayer subsidization of favored denominations well into the 19th century. While this did not restrict a person from believing as they may, it did act as a disincentive to conversion. After all, who would want to pay a religious tithe twice?

³¹ One only needs to consider Condorcet's Paradox or Arrow's Theorem to see how with more than two sects within an electoral boundary social voting preferences could become intransitive. Lacking strong parties at this time, elections were likely to be contested by three or more candidates.

promote religious liberty. More urban states (or urban areas if one could carry the analysis to the city level) with denominations established during the colonial period would be the last ones to deregulate religion.

Latin America in the Nineteenth Century.

Latin America provides an interesting contrast to the U.S. case. Unlike the U.S. where multiple sects were allowed to settle by the King of England's decree (a question worthy of investigation in-and-of-itself), colonial Latin America was dominated by one faith – Catholicism. The matter of negotiating among numerous competing religious groups was simply not an issue like it was in the United States. Political competition did exist, however. Two factions vied fiercely for political power in highly unstable political and social situations – Liberals and Conservatives.³² The former tended to favor urban commercial interests and were influenced by Enlightenment thinkers and the French Revolution. Conservatives, on the other hand, represented rural aristocratic interests and supposedly were suspicious of the new ideas emanating from Europe. Despite their different social bases, both parties found it in their material interests to push for export-oriented economic growth based on primary commodities. Typical histories of the 1800s recall how church policy was the primary difference between these two political factions. Conservatives defended the interests of the Catholic Church against the Liberals, who sought to limit the power of the Catholic hierarchy. Not surprisingly, most of these accounts emphasize the ideological differences as the primary reason behind this divide (cf. Mecham 1966). Nonetheless, even Liberals advanced cautiously against the Catholic Church, realizing the economic and political power it could wield. One of the most famous liberals influenced by European thought – Simón Bolívar – saw the Church as an important political actor and granted it substantial privileges (Mecham 1966, 96). Given the tenuous political situation at the time and the social influence wielded by the Catholic Church, it is no wonder that Bolívar tread cautiously. Ideas gave way to the strategic interest of maintaining power.

For the first several decades following independence from Spain, the Catholic Church maintained its dominant legal status in Latin America. It was only in the 1850s that we

witness movement against this privileged position. In part, the delay was due to incessant civil wars in many places; church-state policy simply never came up on the agenda with many national leaders lasting only months in office before being overthrown. Indeed, such political instability favored the bargaining power of the Church and no leader sought to alienate it.³³ But during the middle part of the century, the Church faced a serious challenge when (primarily) Liberals expropriated Church lands and other financial assets and began, albeit slowly, deregulating the religious market by making it legal for Protestants to practice their religion freely (though often with prohibitions on proselytism). While this could be attributed to the ideological differences between Liberals and Conservatives, the latter rarely reversed these actions when they took power. Several factors, related to the shifting opportunity costs of Liberals, prompted this movement.

The most important factor in the expropriation of Church wealth related to the fiscal health of the state. With the wars of independence leaving many national economies in shambles, national governments had to borrow abroad. Unfortunately, the inability to jump start their economies led many governments to seek quick solutions to liquidity crises. The easiest way of raising revenue was simply to expropriate (often unused) land from the Catholic Church, the largest landholder in the region. This land could be sold to private interests raising immediate cash.³⁴ Once that land was put to productive use, it could then be taxed. Other revenue streams were also expropriated, including the secularization of marriage and funeral services, which provided a constant (albeit small) source of revenue for local governments. The national registry was also taken away from the Catholic Church, giving the state an important bookkeeping institution for the purposes of taxation. Opposition from Conservatives, who feared the taxation of land, was probably based more on this material interest than a burning passion to please the Vatican. In all these instances, the opportunity cost of continued support for the Catholic

³² The Wars of Independence in Latin America were much more damaging economically than in the United States and the lack of autonomous political institutions during the colonial period meant that the region gained its independence in an institutional vacuum.

³³ An early attempt to limit the judicial powers of the Church in Mexico resulted in a revolt that replaced the executive in short order. See Gill (1999d).

³⁴ Not unlike the strategy surrounding privatization during the debt crisis of the 1980s, except that in the 1800s the state essentially stole the assets they then privatized.

Church was a major financial crisis and the possibility of invasion by Britain and France.³⁵

The expropriation of Church property and social functions did not necessarily impact legislation guaranteeing religious freedoms. Indeed, it is entirely plausible that non-Catholic denominations could have been restricted from engaging in religious activities. The confiscation of Catholic property and laws pertaining to Protestants are not necessarily related. However, in order to weaken the Catholic Church and make resistance to such expropriations less effective, it would be reasonable to assume that Liberals would want to attract rival faiths to loosen the social stronghold the Church had over the population. This is unlikely for several reasons. First, the Catholic Church was already weakened by a substantial lack of clergy and bishops, many who had fled during the turmoil of independence and were not replaced. Second, the Catholic Church never commanded much authority over the majority of the population. Priests were largely absent from rural areas (except to minister to large plantation owners who opposed the Liberals even without prompting from the Church). And even in cities, the clergy focused attention on the wealthy, not the popular classes (see Gill 1999e). The Catholic Church, with a few exceptions,³⁶ simply was not in a position to lead a mass revolt against any government.

Instead, the introduction of (weak) guarantees of religious freedom revolved around issues similar to those found in the United States. As Latin America was seeking to expand its export markets to Northern Europe and the United States, as well as establishing commercial enterprises to receive manufactured imports from these countries, it made sense not to alienate potential trading partners by exposing them to religious persecution. As noted above, these religious freedoms were more restrictive in nature than in the United States. Protestants were not allowed to seek converts in the region. They were even prohibited from importing copies of the Bible (as Bibles were to be only for the use of Catholic clergy, not the population at large)! Wherein the U.S. the presence of multiple denominations, some of which were aggressively evangelistic, made it necessary to allow for churches to proselytize. In Latin America, religion in domestic

³⁵ France did invade and occupy Mexico during the 1860s for failure to make good on outstanding loans.

³⁶ The revolts led by Padres Hidalgo and Morelos during Mexican independence are the exceptions.

politics revolved solely around the only game in town – the Catholic Church. Though the Church did not pose any significant risk of overturning a government, it made little sense to antagonize the hierarchy and more than one needed. Politicians could buy some good will by keeping Latin America exclusively Catholic, even though foreign Protestants were granted “enclaves” of religious liberty to worship as they chose. Eventually, enforcement of restrictions on proselytism waned and Protestants began making inroads, helped along by a major shift in evangelical missionizing in the 1940s (Gill 1998, 82). And as with the United States, the presence of significant variation among Latin American countries provides the basis for a more rigorous comparative examination of the opportunity costs theory presented above.

CONCLUSION

Religious liberty is not something that comes about by mere historical necessity. It is a situation that results from the conscious actions of individuals operating under a variety of environmental constraints. How these constraints affect the incentives that politicians have for deregulating the religious market will play a major role in determining the degree and nature of religious freedom within a country. The theory presented above represents an initial cut at a general framework for understanding the origins of religious liberty. It remains sufficiently general with the intent of being applicable to different countries in different historical eras. It could be critiqued for being too general, and hence vacuous. However, it does represent a major step towards moving the field towards the study of individual action and away from metahistorical processes. The eventual utility of the theory will rest upon its continued specification and ability to stand up to the scrutiny of empirical evidence. That will have to wait for the book to be written. Stay tuned.

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Professor Gill approaches *The Political Origins of Religious Liberty* from a paradigm which would at first glance seem to clash: Rational choice and economic theory. Whether you are a spiritual person or not everyone "knows" religion is just one of those things that will always be around and for some historical and/or cultural reasons people believe it, right? Anthony approaches the idea of religious participation and liberty from what economists would call a "supply-side" perspective. Basically what this means is he largely holds "desire for religious consumption" The oldest theory about the origin of the state is the divine origin theory. It is also known as the theory of divine right of Kings. The exponents of this theory believe that the state did not come into being by any effort of man. In the religious books also the state is said to be created by God. In some religions this conception is explicit, but in others it is implicit. The divine origin of the state is gleaned first the Old Testament of the Bible. *The Origins of Political Order: From prehuman times to the French Revolution* is a 2011 book by political economist Francis Fukuyama about what makes a state stable. It uses a comparative political history to develop a theory of the stability of a political system. According to Fukuyama, a stable state needs to be modern and strong, to obey the rule of law governing the state and be accountable.