Alienation and Establishment

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**Abstract:** Is it ever permissible for the state to formally recognize one religion? This article focuses on just one aspect of this complex question. To be specific, a critical examination is conducted of what will be called the alienation argument against establishment, according to which this sort of connection between religion and the state is wrong to the extent that it makes some people feel alienated. Whilst this argument is often dismissed in contemporary academic analyses, considerations of this kind are frequently heard in political commentary and public debate. In this article, the three most important criticisms made of the alienation argument, which are referred to as psychologism, indeterminacy and falsity, are discussed. By arguing that it may be possible to rebut these three objections, at least to some extent, the aim of the article is to mount a partial defence of the alienation argument against religious establishment. Its conclusion is that feelings of alienation should play a significant role in making all-things-considered judgements about the justifiability of particular instances of establishment.

**Keywords:** alienation; religion; the state; establishment; citizenship

1. Introduction

What should the relationship be between religion and politics? This very large and complex question is often discussed in terms of a contrast between separation and establishment. Defenders of separation argue that there must be a significant degree of mutual non-interference between religion and the state, whilst defenders of establishment contend that these two can and should be closely interconnected. For example, Martha Nussbaum (Nussbaum 2008) argues that establishment undermines the equal standing of all citizens, whilst David Miller (Miller 2019) suggests that establishment may have a moderating effect on religious extremism.

Although there is a wide range of arguments made for and against these two positions, the aim of this article is to focus on just one argument against establishment. To be specific, a critical assessment is conducted of what will simply be called the alienation argument. This argument says that establishment is wrong to the extent that it makes some people alienated. As Rex Ahdar and Ian Leigh put it: ‘Perhaps the most recurrent and forceful objection’ to establishment ‘is that a policy of orthodoxy coupled with tolerance is both offensive and alienating towards those who do not adhere to the established faith’ (Ahdar and Leigh 2005, p. 130).

A critical assessment of this argument is worth undertaking because, at least in recent work in the field of religion and political theory, it tends to be mentioned only to be rejected in favour of other anti-establishment arguments.\(^2\) By contrast, in political commentary and public debate the view is

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1 The phrase ‘significant degree of mutual non-interference’ is needed because it is impossible for religion and state not to stand in a relationship of some kind (see Parekh 2019, pp. 204–5)

2 Laborde, up to at least 2013 (e.g., Laborde 2008, 2013), and Bhargava (e.g., Bhargava 2011, 2014) may be exceptions to this rule.
often expressed that a particular state of affairs causes some people to feel alienated, and that such feelings are of considerable significance. Here, briefly, are three examples: First, Swiss Muslim organizations and their representatives reacted to the 2009 ban on minaret building by expressing feelings of just this kind: “Most painful for us is not the minaret ban, but the symbol sent by this vote,” said Farhad Afshar, who runs the Coordination of Islamic Organizations in Switzerland. “Muslims do not feel accepted as a religious community” (Cumming-Bruce and Erlanger 2009). Second, in a comment in The Hindu in 2019, Hilal Ahmed asks: ‘Why do minorities feel alienated in contemporary India?’ (Ahmed 2019). Third, Afua Hirsch, in an article in The Guardian, suggests that ‘The root cause of extremism among British Muslims is alienation’ (Hirsch 2014).

It is partly for this reason that it makes sense to re-examine the alienation argument, and to try to understand why most political theorists reject it. In this article, to be specific, the three most important criticisms made of it, those which will be referred to as psychologism, indeterminacy and falsity, are discussed. The first of these criticisms contends that a normative evaluation of establishment cannot be made on the basis of merely subjective feelings of alienation; the second argues that, even if feelings of alienation did carry normative weight, it would still be impossible to decide whether establishment was justified or not; and the third simply denies the empirical claim that establishment causes some citizens to feel alienated from the state. By arguing that it may be possible to rebut these three objections, at least to some extent, this article’s aim is to try to mount a partial defence of the alienation argument against religious establishment.

2. What Is Religious Establishment?

Before embarking on this task, it is first necessary to explain what is meant by religious establishment. In this article, this is defined as an institutional arrangement in which there is a close connection between one religion and the state, but there is at the same time a degree of separation between the two. As Sune Lægaard puts it: ‘Establishment is when (a) church and state are to some extent distinct, but (b) have specific institutional connections’ (Lægaard 2017, p. 119). Similarly, in cases of what Miller calls ‘liberal’ establishment, ‘there must be sufficient institutional separation between church and state, with each enjoying autonomy in its own sphere’ (Miller 2019).

For the purposes of this article, this simple definition is sufficient. Having said this, the variety of forms that it can take in practice means that a complete account of establishment would have to discuss several specific sub-types, which can be differentiated from one another along two different axes.

First, there are different degrees of recognition of religion by the state. In some cases, a religious community may enjoy such a high degree of recognition from the state that we can say it is established. Below this high level, another such community may still enjoy a considerable degree of recognition, but one falling short of establishment. Members of a third religious community may complain that it is not provided with an adequate degree of recognition at all; perhaps it is merely tolerated or not even that.

Second, there are also different dimensions of recognition and establishment, so that a state might recognize a particular religion in one way but not in others. For instance, one state might enable a religious organization to play a role in the implementation of some of its policies, but not grant that organization any kind of symbolic recognition. Another state might grant a particular religious community considerable symbolic recognition but provide no funding to maintain that community’s

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3 See, for example, Eatwell and Goodwin (2018, pp. xxi–xxii, 132) and Tamir (2019, pp. 429–32).
4 I thank Esma Baycan Herzog for suggesting this example to me.
5 It should be noted that Lægaard is using the word ‘church’ to ‘denote any organized form of religion that states might have institutional links to.’ In other words, it ‘is not necessarily limited to Christian churches’ (Lægaard 2017, p. 119–20). For further discussion of establishment, and in particular its relationship to secularism, see Lægaard (2013).
religious buildings or support its schools, and so on. Since not all such states will recognize religions along all of the same dimensions, direct comparison between cases of establishment will not be easy.\(^6\)

The differences between the sub-types of establishment located at different points along these two axes are important, and they may be important for the alienation argument in particular. It may be the case that the closer the connection between a religion and the state, the greater the degree of alienation experienced by those not of that religion, and it may also be the case that some dimensions of recognition cause more alienation than others. Perhaps giving a particular religion a symbolic role to play in the life of the state is significantly more alienating for non-adherents than granting that same religion access to certain funds.\(^7\)

In this article, these complexities will be put aside in order to focus on the alienation argument against a generic form of establishment rather than against sub-types of that form. Furthermore, this article will focus exclusively on cases of establishment in which only one religion is established; it will not discuss the possibility of *multiple* or *plural* establishment.\(^8\) A complete evaluation of the normative standing of the alienation argument would have to reintroduce the complexities which these simplifications remove.

### 3. The General Form of Alienation Arguments

With this account of religious establishment in mind, it is now necessary to describe the general form taken by alienation arguments, before laying out the anti-establishment version.

The idea of alienation has a long and complex history. The word itself descends from the Latin verb *alienare* and noun *alienatio*, before it entered the English language in the late fourteenth century. As a philosophical concept, it emerged in the work of the German idealists of the late seventeenth and early eighteenth century, and it remains strongly associated with the Hegelian and Marxian traditions of philosophy.\(^9\)

It may be argued that, in these traditions, alienation involves an element of self-alienation or self-estrangement, in which an individual loses something of themselves, which others may come to possess, and which may then be turned against that individual. Such a pattern of thought can be found in Feuerbach’s critique of Christianity (Feuerbach [1841] 2008) and Marx’s analysis of the capitalist labour process (Marx [1844] 1975).

This conception of alienation is different to that found in debates about religious establishment. No version of the argument that such establishment causes alienation suggests that some citizens have had something taken from them by the state, something which has then been wielded against them. For the purposes of the argument here, therefore, it is necessary to use a somewhat broader conception, according to which alienation is a state of affairs in which someone is disconnected from something, where that disconnection is judged to be problematic in some way. For instance, Catherine Lu suggests that alienation ‘refers to the experiences of disconnection, disruption and distortion’ that agents can have in relation to themselves, others, and the world in general (Lu 2017, p. 188).

In order to describe this broader conception in more detail, it will be useful to draw on David Leopold’s essay on alienation. He argues that this condition ‘obtains when a separation between a subject and object that properly belong together, frustrates or conflicts with [a] baseline

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\(^6\) For lists of possible dimensions of establishment, see, for example, Modood (2019, p. 183) and Seglow (2017, pp. 190–91). See also Parekh on ‘multiple secularisms’ (Parekh 2019, pp. 214–15).

\(^7\) ‘The national flag, for example, might display partiality for a particular religion and alienate followers of other religions or none. The kind and degree of alienation and marginality it could generate however would be nothing compared to that generated by a law or policy blatantly privileging that religious community and giving it more rights and resources’ (Parekh 2019, p. 206).

\(^8\) See, for example, Brudney’s ‘equal support establishment’ (Brudney 2005, p. 817); Modood’s suggestion that establishment needs ‘pluralising’ or ‘multiculturalizing’ (Modood 2019, pp. 150, 205); and Seglow’s ‘multi-faith’ or ‘plural’ establishment (Seglow 2017, p. 190).

\(^9\) For interesting contemporary work on alienation in the tradition of Critical Theory, see Honneth (2012) and Jaeggi (2014).
connectedness or harmony’ (Leopold 2017). With this formulation in mind, it may be suggested that
alienation arguments include a number of different elements:
1. _a subject_: an account of who is alienated
2. _an object_: an account of who or what they are alienated from
3. _a separation_: an account of the experience of alienation
4. _a baseline_: an account of the relationship there could be or should be (or was in the past) between
   subject and object
5. _an evaluation_: an account of why alienation, judged against the baseline, is bad.

In the next section, it will be explained how this general schema, suitably fleshed out, can
accommodate not only Feuerbach’s and Marx’s accounts of alienation, but also arguments which
hold that alienation is caused by religious establishment.

4. The Alienation Argument against Establishment

Turning, then, to the alienation argument against religious establishment, there are several
different ways in which each element of the general schema can be filled in. This is, of course, not
surprising. Whilst they may be similar, no two alienation arguments against religious establishment,
and no two evaluations of these arguments, are identical in all respects. It is necessary to discuss some
of the differences between these accounts here, since they shape the criticisms of the alienation
argument which are discussed next.

4.1. The Subject

The alienation argument contends that, when the state formally recognizes one religion, it is
members of other faiths who experience alienation. In addition, most of these arguments suggest that
‘non-religious citizens’ may also be alienated by establishment. That is to say, agnostics, atheists and
the like may feel excluded from a state which formally recognizes a religion.

Thus, Jonathan Seglow says that ‘some citizens’ who endorse a particular ‘religious or secular’
doctrine will be alienated (Seglow 2017, p. 191). Similarly, Lægaard suggests that citizens not ‘of the
established church’ (Lægaard 2017, p. 121)—which includes both religious minorities and those of no
faith—will experience alienation. Cécile Laborde¹⁰ makes a finer point: minority faith citizens will be
alienated by the majority establishment, whilst ‘non-religious citizens’ will be alienated in all cases
of establishment (Laborde 2008, pp. 90–91; and see Laborde and Lægaard 2020, p. 180).¹¹

4.2. The Object

From what—or from whom—are the groups of citizens just identified alienated? It will come as
no surprise to learn that the state is the organization referred to most frequently in this context. To
give just one example, Seglow focuses on the religion-endorsing state and its various institutions
(Seglow 2017, p. 192).

However, Matteo Bonotti refers to the object as the ‘state’ but also as the ‘polity’ (Bonotti 2012,
p. 346). Daniel Brudney also refers to both the state and the polity, and appears to make a formal
distinction between the two:

Most [citizens] do see their connection to the state as important, and so most would feel
harmed by being demeaned and excluded by state actions. But the degree of harm depends
on one’s view of one’s proper relation to the state and one’s fellow citizens generally—to

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¹⁰ As was mentioned in an earlier note, Laborde has changed her views about alienation. Up to at least 2013
she endorsed a version of the alienation argument, but by 2017 she had become a critic of it, and some of her
criticisms will be discussed below.

¹¹ Later on, it will be explained why Tariq Modood, by contrast, claims that at least some religious minorities
may positively welcome majority establishment.
the broad political community, “the polity”—and of the importance of that relation in one’s overall good (Brudney 2005, p. 820).

Here Brudney seems to suggest that a loss of sense of connection may be experienced not just from the state—understood as a set of political institutions—but also from the polity—understood as a community of citizens. Other readings of the alienation argument also refer to the political community as that from which some citizens may be alienated (e.g., Lægaard 2017, p. 121; and Laborde 2013, p. 84).

4.3. The Separation

The subject’s experience of alienation is one of being demeaned or disparaged by the state, and/or feeling excluded from or not belonging to it.

For instance, Brudney suggests that most citizens ‘would feel significantly demeaned and excluded if they believed that state institutions were expressing a disdainful view of their religion’ (Brudney 2005, p. 819). In somewhat different terms, Seglow argues that citizens ‘experience alienation because they (invariably if not universally) endorse certain moral interests, and they see that those interests are set back by state establishment’ (Seglow 2017, p. 192). Using the same sort of language, Miller considers the argument that ‘members of minority religions … experience church establishment as demeaning or marginalising’ (Miller 2019, p. 12).

Most of these commentators make it clear that alienation is to be understood in psychological terms. Thus, Lægaard argues that ‘the relevant sense of alienation is the psychological relation of citizens to their state’ (Lægaard 2017, p. 121). Indeed, he suggests that one of the ‘defining features’ of the alienation argument is ‘the psychological understanding of alienation as actual mental states’ (Lægaard 2017, p. 123). In the same way, Brudney contends that ‘the issue of modest establishment rests on one’s sense of how important it is to have a strong psychological connection to the broad political community’ (Brudney 2005, p. 812).

Despite certain differences in emphasis, what is common to all of these accounts is the idea that alienation is a subjective experience. According to Leopold, subjective alienation is ‘characterised in terms of how subjects feel, or think about, or otherwise experience, the problematic separation’. In describing it this way, these commentators are—implicitly or explicitly—rejecting an idea of objective alienation, which is ‘characterised in terms which make no reference to the feelings, thoughts, or experience, of subjects’ (Leopold 2017). For instance, people could be described as objectively alienated if their life circumstances prevented them from achieving self-realization, even if they had no inkling that this was the case.13

4.4. The Baseline

Thus far we have seen that alienation involves a relationship between (at least) two parties in which the subject of alienation has a deficient relationship with the object. The way in which this idea of deficiency is fleshed out depends in part on what Leopold calls the ‘baseline connectedness or harmony’ which there could be or should be (or which existed in the past) between the subject and the object (Leopold 2017).

All of the authors under discussion here provide accounts of the baseline which combine empirical (specifically psychological) and normative elements. Some, however, place more emphasis on the empirical (‘could be’), whilst others lean more heavily on the normative (‘should be’).

Lægaard’s account emphasizes an empirical or psychological baseline: ‘Alienation involves a deficient relation between citizen and state … Citizens are … alienated from the state when they feel unable to identify with the state or feel excluded from the political community’ (Lægaard 2017, p. 121). Similarly, Laborde seems to rely on a psychological baseline when she says that citizens should

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12 See also Laborde (2013, p. 84) and Seglow (2017, pp. 191–92).

13 Jaeggi’s attempt to reconstruct the idea of alienation is prompted by the question of ‘whether there can be objective evidence of pathology that contradicts individuals’ subjective assessments or preferences’ (Jaeggi 2014, p. 29). For some reasons not to use an objective conception of alienation, see Modood (2019, p. 208).
be able to feel like ‘full members of the political community’; they should be able ‘fully to identify with their political institutions’ (Laborde 2013, p. 84).

Seglow, by contrast, provides an account of alienation with a strongly moralized baseline, arguing that alienation ‘involves alienated citizens suffering a normatively problematic relationship with political institutions, at odds with the basic liberal axiom that all citizens should be treated as equals by the state’ (Seglow 2017, p. 192). Brudney offers a similar account, suggesting that the alienation argument rests on the premise that citizens should enjoy a sense of connection to their polity (Brudney 2005). Laborde seems to shift to a more moralized baseline when she argues that ‘modest establishment’ may undermine ‘the ideal of a political community of equals’ (Laborde 2013, p. 86).

The differences between these primarily empirical and primarily normative accounts of the baseline will be of importance in what follows.

4.5. The Evaluation

Finally, given the deficient relationship between subject and object, compared to the baseline of ‘connectedness or harmony’, these authors reach similar but at the same time significantly different conclusions about how this state of affairs—this condition of alienation—should be evaluated. Following the discussion of the baseline, there is a corresponding difference in emphasis between evaluations which foreground the psychological dimension, and those which foreground the normative dimension instead.

Lægaard takes up the first option: establishment is problematic because it causes alienation which is ‘a form of psychic harm’ (Lægaard 2017, p. 121). In this respect, he is following Brudney who also describes alienation as ‘psychic harm’ (Brudney 2005, p. 819). On this aspect of Lægaard’s account, it must be said that he immediately adds a normative condition: such harm is described as ‘bad’ or ‘bad in itself’ (Lægaard 2017, p. 121).14

As we have seen, Seglow’s evaluation of a state of alienation foregrounds the ‘normatively problematic relationship’ between citizens and state (Seglow 2017, p. 192). For him, the evaluation of alienation is in terms of a conception of egalitarian citizenship: those citizens who are not treated as equals are alienated. Laborde offers a similarly normative evaluation: her alienation argument appeals ‘to a conception of citizenship which postulates that all citizens should be able not to feel alienated by their political institutions in light of their deepest beliefs, and that institutions should consequently be framed with that aim in mind’ (Laborde 2013, p. 84; see also Modood 2019, p. 206).

5. The Problem of Psychologism

5.1. The Criticism

The alienation argument against establishment says that such a religion–state relationship is wrong to the extent that it alienates some citizens from the state. In fleshing out this argument, it has been shown that there are significant differences between the ways in which those citizens are identified, the ways in which the state is characterized, and the ways in which the condition of alienation is described and evaluated. It is now necessary to discuss three of the charges most frequently made of this argument, beginning with the criticism of psychologism.

As we have seen, this argument understands alienation to be a psychological state in which a subject feels or experiences disconnection or separation from an object. To be specific, some citizens feel demeaned by and/or excluded from their state. As Lægaard puts it, ‘what matters, according to the alienation account, are citizens’ actual feelings of identification and membership’ (Lægaard 2017, p. 123).

According to the criticism of psychologism, each individual has their own peculiar psychological makeup which means that they react differently to different stimuli. Here Lægaard talks about

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14 This is discussed further in Section 6 below.
people’s ‘idiosyncratic sensibilities’ (Lægaard 2017, pp. 122, 123, 125), whilst Seglow refers to ‘different citizens’ different psychological makeup’ (Seglow 2017, p. 192). In the case of establishment, one member of a religious minority may feel profoundly disconnected from a state which officially recognizes only the majority religion, whilst another member of that same group may be largely indifferent to this state of affairs. As Lægaard says: ‘psychologically robust’ people, although not members of the established church, ‘may not care and accordingly not be alienated’ (Lægaard 2017, p. 122). In a very similar vein, Seglow suggests that citizens ‘who have reason to feel alienated by established political arrangements will generally do so, but not necessarily; there may also be some peculiarly robust citizens who do not experience it that way’ (Seglow 2017, p. 192).

This criticism of the alienation argument concludes that it is unwise to base normative judgements about the rights and wrongs of certain states of affairs on assessments of their psychological effects on particular (groups of) people. In the present case, feelings of alienation do not provide a robust enough basis on which to make normative claims about the wrongness of establishment. It would appear to be for this reason that, by 2017, Laborde rejected the alienation argument. For her, the ‘wrong of symbolic religious establishment … does not hinge on the presence of subjective feelings of alienation from the state’ (Laborde 2017, p. 135). Instead, her argument is based on a notion of ‘status inequality’ which ‘requires an objective test … which asks whether particular endorsements of religion by the state … can reasonably be construed as “sending a message” of civic exclusion’ (Laborde 2017, p. 135).

5.2. The Response

In considering whether the alienation argument is vulnerable to this criticism, its first premise, that alienation is a psychological state, will be accepted. In other words, there is an irreducible psychological element to any credible account of alienation. If it is not experienced as alienation, then, other than in exceptional cases which would prove the rule, it is not alienation. In this case, an essential part of the wrongness of establishment is that it has a negative psychological impact on some of the individuals affected by it.

Thus any defence of this argument which relies on claims about what a reasonable person might think (e.g., Ahdar and Leigh 2005, pp. 139–40; Lægaard 2017, p. 122; Laborde 2017, p. 135), or which seeks to determine whether someone has good reason to feel a certain way (e.g., Seglow 2017, p. 192), will be eschewed. Any defence of this kind moves too far away from the central idea that establishment causes some citizens to feel alienated and relies instead on the claim that establishment is wrong because it excludes some people from full citizenship. By doing so, such a defence of the alienation argument reduces feelings of alienation to no more than possible ‘indicators’ of such exclusion (Laborde 2017, p. 135).

Having said this, it cannot be denied that different people, each with their distinctive psychological dispositions, will react differently to different external stimuli. But the criticism of psychologism makes too much of this fact since individual variations in psychological responses to a given stimulus do not suffice to show that these responses can be dismissed as merely idiosyncratic.

Compare the case of a state which recognizes only one religion to that of a racist state which mistreats a particular racialized group. There is an extensive body of research on the effects of racism on its victims. To take just one example, Richard Delgado and Jean Stefancic analysed the effects of living in ‘racially charged environments’ (Delgado and Stefancic 2004, p. 15). Focusing in particular on the effects of hate speech on those targeted by it, they describe how it damages ‘a victim’s … self-esteem, feeling of confidence and security, and sometimes, physical and psychological health’ (Delgado and Stefancic 2004, p. 23). 

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15 Compare Feinberg on ‘excessive’ or ‘abnormal’ susceptibility to offence (Feinberg 1985, pp. 34–35).
16 To give another example, stereotype threat theory examines ‘the impact of negative stereotypes and devalued social identities on performance, engagement, sense of belonging, and self-control’ (Inzlicht and Schmader 2011, p. 8).
Even in this case, it is likely that different members of the victimised group will have different reactions to this state of affairs. As a result, say, of varying degrees of psychological resilience, some will be more profoundly disturbed by it than others. However, it does not follow from the fact that reactions are to some degree divergent that the experience of this racialized group should be ignored. It would not be reasonable to try to diminish the seriousness of the psychological damage done to members of this group by pointing out that its members may be affected to somewhat different degrees.

It follows that feelings of alienation can play an important role in the normative evaluation of establishment.

6. The Problem of Indeterminacy

6.1. The Criticism

If the response to the previous criticism was to be accepted, then the judgement that ‘establishment is wrong’ would be ‘robust across variations in individuals’ personal sensibilities’ (Seglow 2017, p. 192). In other words, it would be possible to argue that individuals’ negative psychological reactions to establishment provide one good reason against this sort of connection between state and religion.

In these circumstances, the critics contend, there would still be a problem with the alienation argument. According to the criticism of indeterminacy, even if it is accepted that feelings of alienation should carry normative weight, it is impossible to say in general whether religious establishment is justified or not. This is because different groups will be alienated in different sets of circumstances. Whilst the main focus of the alienation argument is on religious minorities who are said to be alienated when the majority faith is established, this criticism suggests that it is just as likely that the religious majority will be alienated if their faith is not established.

As Bhikhu Parekh puts it: ‘We may seek to remove all … religious references’ from the state, but that ‘could deeply hurt and alienate the majority’ (Parekh 2019, p. 208), or for Tariq Modood, ‘disestablishment without some institutionalised religious pluralism would mean the general public devaluing of religion and could make groups like Muslims more alienated than the status quo’ (Modood 2019, p. 13; and see p. 207). Bonotti makes much the same point: ‘symbolic establishment … may certainly alienate nonreligious citizens (and believers of those faiths that are not granted symbolic recognition) from the state … However, symbolic separation alienates religious citizens who may feel unable to identify with a polity that does not grant symbolic recognition to their faith(s)’ (Bonotti 2012, p. 346).17

In short, and to put it somewhat crudely, whatever relationship the state has with religion, someone is going to feel alienated. In this case, it is an open question, ethically and politically, whether to alienate the majority by disestablishing, or to alienate the minority by not disestablishing. If the objective was to reduce the total sum of alienation, then in fact establishment would be justified at certain times and not at others.

6.2. The Response

The various responses which could be made to this criticism can be placed on a spectrum from what will be called the minimally moralized to the maximally moralized. It will be argued that options toward both of these extremes should be rejected in favour of something closer to the middle.

First, according to the minimally moralized response, feelings of alienation should be accepted as a brute fact, and the state should take whatever action is necessary to try to reduce or eliminate those feelings. This option is minimally moralized rather than non-moralized because it rests on the assumption that alienation is bad.

This looks like a simple version of utilitarianism, in which alienation is regarded as a disutility, such that its minimization will produce the greatest happiness. There are several problems with this

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17 See also Ahdar and Leigh (2005, p. 144); Lægaard (2017, p. 123); and Seglow (2017, p. 192).
option. First, it relies on a crude form of psychologism, according to which different individuals’ states of psychological distress are straightforwardly commensurable. Second, it may unfairly favour the majority’s feelings about disestablishment simply because it is the majority. More strongly, if disestablishment caused the majority to experience a significant degree of alienation, then this response to the problem of indeterminacy would in practice favour continued establishment. Third, if alienation is bad because it is a negative feeling, then it would rightly be asked why other negative feelings (anger, envy, etc.) should not also be taken into account in the same way. Fourth, this option neglects other plausible normative considerations. What, for example, if attempts to minimize alienation required placing restrictions on individuals’ rights?

Second, the maximally moralized response would contend that, whilst minorities may justifiably feel alienated by establishment, the majority’s feelings of alienation caused by non-establishment are not justified. Laborde makes this argument about racism: ‘Not all and every kind of subjectively felt alienation is problematic at the bar of inclusive citizenship: racist citizens’ alienation towards an anti-racist state, for example, is not rightful alienation’ (Laborde 2017, p. 135). By contrast, of course, members of a racialized group are likely to have rightful feelings of alienation from a racist state. In the case of establishment, it would follow that, since the religious majority’s feelings of alienation in the face of disestablishment are not ‘rightful’, they do not need to be taken into account when deciding what form the relationship between religion and the state should take.

However, as was explained in the previous section, once it is suggested that in some circumstances feelings of alienation are justified, and in other circumstances they are not, the argument shifts away from alienation itself to an argument about the reasons why this is so (see, for example, Laborde’s ‘bar of inclusive citizenship’). As a consequence, feelings of alienation become reduced to no more than a sign that a group may be experiencing unjust treatment.

Rejecting both of these possible responses to the criticism of indeterminacy, what will be called a moderately moralized response will be defended. This begins with the suggestion that a religious minority’s experience of majority establishment is significantly different to a religious majority’s experience of disestablishment. To be specific, the argument is that, whilst both groups may have some sort of negative psychological experience, only that of the religious minority can be correctly described as alienation.

In order to make this argument, it is necessary to return for a moment to the definition of alienation which was introduced earlier. According to that definition, citizens are alienated from the state if they feel that it demeans or disparages them, if they feel marginalized or excluded from it, or if they feel that this state is no longer their state.18

With this definition in mind, although disestablishment might make members of the majority religion feel like they have lost something which had been theirs, this feeling would not be rightly described as one of alienation. A state which treats all citizens, religious and non-religious, with equal concern and respect does not disfavour the religious majority. In particular, such a state does not lower their status below that of other citizens, it does not make them marginal members of their political community, and it does not tell them that they are no longer welcome in that state. If members of the religious majority did have these feelings about disestablishment, this would only prove the truth of the identity politics dictum that ‘when you’re accustomed to privilege, equality feels like oppression’.19 In a phrase, the claim is not that the majority experience alienation which is not rightful, but rather that it is not right to say that it is alienation which this group experiences.

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18 In conversation, Bhikhu Parekh has suggested to me that there might be a difference between an ethical and ontological feeling of alienation toward the state: in the first, I think my state isn’t treating me fairly, whilst in the second the state doesn’t feel like my state at all.

19 The original coiner of this phrase is unknown. See the discussion in O’Toole (2016). Given more time, it would be argued that the majority either knowingly and intentionally misrepresents its experience (possibly with the aim of deceiving others), or it genuinely misunderstands and unintentionally misdescribes how it feels. Instead of alienation, it would be suggested, the majority feels either anxiety about the possibility of losing its current standing or resentment at its perceived loss.
The situation is different for religious minorities when the state officially recognizes only the majority’s faith. In this case, if members of the minority feel that the state demeans and disparages them, that it marginalizes or excludes them, or that it expresses the message that they are not welcome or do not belong in that state, then such feelings would be rightly described as alienation.

This response to the criticism of indeterminacy is moderately moralized because it does not treat feelings of alienation as brute facts, incapable of further explanation; nor does it rest on a distinction between rightful and wrongful alienation. Instead, it says that only the minority’s negative psychological reactions to majority establishment can be accurately described as alienation.\(^{20}\)

Since, therefore, only the minority’s feelings need to be taken into account, it follows that the alienation argument against establishment is not indeterminate. If the religious minority feels alienated by establishment, then this affective experience does count against such a relationship between religion and the state.

7. The Problem of Falsity

7.1. The Criticism

None of the foregoing considerations would matter at all if in practice no one felt alienated by establishment. The third and final criticism of the alienation argument makes just this point, denying the key empirical premise on which it rests. If the establishment of one particular religion by the state does not make members of other religions feel alienated from that state, then individuals’ idiosyncratic sensibilities, and the religious majority’s attitude to disestablishment, would not be an issue.

Nahshon Perez, Jonathan Fox and Jennifer McClure offer the best worked out version of this criticism. Their argument can be presented in three parts.

First, they suggest that it is reasonable to assume that, if the alienation argument is right, then majority establishment will cause religious minorities to feel resentment, which ‘will be reflected in their views and opinions of the state’ (Perez et al. 2017, p. 5). It should be possible, in other words, to find empirical evidence that these minorities feel alienated.

Second, they claim that in fact ‘there is no, or very little, cross-country empirical support to demonstrate that religious minorities in states … that support the majority religion … grow resentful of the state or its organs’ (Perez et al. 2017, pp. 2–3). Thus, the assumption just described does not hold.

Third, they therefore argue that, since establishment ‘does not give rise to resentment vis-à-vis the state’,\(^ {21}\) then it ‘should not be considered as impermissible discrimination’ (Perez et al. 2017, p. 13). Perez and his colleagues conclude that, since it lacks empirical grounding, the alienation argument fails to provide reasons against majority establishment.

7.2. The Response

If Perez, Fox and McClure were able to conclusively demonstrate the falsity of the proposition that majority establishment causes minority alienation, then the whole rationale for this article would be undermined. However, the discussion of this particular criticism has been put third, since it will be argued that it can be refuted, and for the simple reason that Perez and his colleagues are not measuring alienation or its absence.

To see why not, note that they use lack of “confidence in institutions” (Perez et al. 2017, p. 6n33) as a proxy for alienation: ‘We posit that those feeling alienation and resentment towards the

\(^{20}\) This is not as odd an argument as it might at first appear. It is not that unusual for historians and sociologists of emotions to argue that particular states of affect are related to, and can only be experienced within, particular social structures or historical conditions. To give one well-known example, consider Benedict’s distinction between cultures of guilt and shame (Benedict [1946] 1988).

\(^{21}\) More strongly, they claim that ‘the support of religion enacted by given governments, including unequal influence on the government, is positively related to religious minorities’ confidence in civil institutions’ (Perez et al. 2017, p. 10). See also Modood (2019, pp. 13, 207).
government will have lower confidence in the government which makes these variables acceptable proxies for the factors we would ideally like to measure’ (Perez et al. 2017, p. 7n18). To be specific, they assume that, if alienation exists, then those suffering from it will lack ‘confidence in their parliament, the civil services in their country, their government and the police’ (Perez et al. 2017, p. 7).

However, lack of confidence in these institutions would only be a good proxy for alienation caused by establishment if certain strong assumptions held. In particular, it would have to be assumed that members of a religious minority would react to the fact that their religion is not established by losing faith in the reliability of their state’s politicians, civil servants and police officers.

Yet it is difficult to see why they would react in this way. On the contrary, it seems perfectly plausible to suggest that members of religious minorities may feel excluded from the life of their political community insofar as the majority religion is established, without them feeling that various sorts of state officials will discriminate against them. A non-Anglican British citizen can resent the fact that twenty-six Anglican bishops sit in the House of Lords, without being at all concerned that the next police officer who they meet will treat them unfairly. To put this point in the terms introduced in Section 4, individuals may be alienated from their community of citizens without being alienated from their state.

At best, Perez, Fox and McClure have demonstrated that there is no correlation between majority establishment and minority lack of confidence in institutions. They have not demonstrated that there is no correlation between majority establishment and minority feelings of denigration and/or exclusion resulting from that state of affairs. Hence their conclusion does not hold: the continuing confidence of minorities in state institutions and officials does not support the claim that establishment is not alienating and is therefore, at least for that reason, permissible.

Of course, by dismissing this particular criticism of the empirical assumption underlying the alienation argument, it has not been shown that all such criticisms are wrong. For example, Modood offers several sources of evidence to back up his view ‘that the claim that British Muslims are alienated by the Anglican establishment is groundless’ (Modood 2019, p. 13).

First, he cites Anthony Heath’s and Jane Roberts’s report on British Identity in which they say: ‘We find no evidence that Muslims or people of Pakistani heritage were in general less attached to Britain than were other religions or ethnic groups’ (Heath and Roberts 2008, p. 2). Second, Modood refers to Max Wind-Cowie’s and Thomas Gregory’s report for Demos, in which they claim that: ‘Our polling shows that 88 per cent of Anglicans and Jews agreed that they were “proud to be a British citizen” alongside 84 per cent of non-conformists and 83 per cent of Muslims—compared with 79 per cent for the population as a whole’ (Wind-Cowie and Gregory 2011, p. 39).

Even if ‘attached to Britain’ and ‘proud to be a British citizen’ are much closer proxies for the absence of alienation than Perez and colleagues’ measure of lack of confidence in institutions, there is still a gap between the two. Citizens with religious identities may feel attachment to Britain or pride in being British despite feeling that the state, with its close connection to the Anglican church, does not give them the recognition which they think they deserve.

8. Conclusions

The aim of this article has been to suggest that the alienation argument against religious establishment should not be dismissed as quickly as critics including Brudney, Laborde (by 2017), Lægaard, Seglow and others would wish. The article has proceeded negatively, by seeking to undermine three of the most important criticisms made of this argument. First, it has been demonstrated that its psychological foundations are not as fragile as critics claim. Since the significance of variations in the reactions of those alienated by establishment is exaggerated,

Against this argument, see Miller’s claim that, although ‘confidence in institutions such as parliament and government is not a perfect proxy for a subjective feeling of non-alienation, it would be surprising if the alleged marginalising effect of establishment on religious minorities failed to dent their political confidence at all’ (Miller 2019, p. 12–24). See also Laborde and Lægaard (2020, p. 177).
psychological feelings of alienation can play a role in the normative evaluation of this form of religion/state relation. Second, it has been shown that the alienation argument does not suffer from indeterminacy. According to what was called the moderately moralized response to this criticism, only minorities whom the state demeans and disparages, marginalizes and excludes, can rightly be called alienated. Third, the empirical claim that establishment does not cause alienation has been dismissed by showing that lack of confidence in state institutions is different to alienation from the political community.

Before closing, it should be emphasized that this argument has a number of important limitations. Here are two of them.

First, in the discussion of degrees and dimensions of establishment in Section 2, it was stated that this article would focus exclusively on the alienation argument against a generic form of establishment. Therefore, no attempt has been made to take account of the variety of forms which establishment can take in practice. For example, the Anglican Church and British state are closely interconnected at symbolic, institutional and material levels. By contrast, the Swiss state is secular at the federal level, although all but two cantons recognize particular religions, in particular by granting them the power to raise church taxes (Pahud De Mortanges 2015, p. 696). Furthermore, no attempt has been made to take into account the differences between particular religions, and the way in which these differences might have an impact on how their members view majority establishment. According to Parekh, in light of the ‘diversity of religions’, the state ‘cannot be related to all religions in the same way’ (Parekh 2019, p. 203).

Second, although it has been suggested that the alienation argument is only one of a considerable number which may be made about establishment, these other arguments have not been considered and compared to it. On one side of the debate, as we have seen, Laborde argues that establishment is wrong if it undermines the equal standing of citizens (Laborde 2017). Also against establishment, Seglow contends that most of the forms it can take are illegitimate since they cannot be justified on the basis of ‘public reason’ (Seglow 2017). On the other side of the debate, Miller argues that establishment is a dependable way of ensuring that the religion in question does not become extremist: ‘in a society where many citizens continue to hold religious beliefs, there are prudential reasons for wanting to channel these beliefs through an established church whose effect will be to moderate religious extremism of one sort or another’ (Miller 2019). Also on Miller’s side of the debate, Modood suggests that majority establishment may be valued not just by the majority but by minorities too: ‘Muslims and other religious minorities appreciate that establishment is a recognition by the state of the public and national significance of religion. That recognition holds out the prospect of extending state-religion connections’ (Modood 2019, p. 207).

In light of these further arguments, it certainly cannot be claimed that establishment is wrong whenever and wherever it causes some citizens to feel alienated from the state. This is because other considerations may support the case for establishment. What can be claimed, more modestly, is that feelings of alienation should play a significant role in making all-things-considered judgements about the justifiability of particular instances of establishment.  

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23 Compare Lægaard’s remark that it is ‘an empirical and contextually variable question whether any given regime of establishment is problematic according to the alienation account’ (Lægaard 2017, p. 122).
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