

Legal Centralization and the Birth of the Secular State

Noel D. Johnson and Mark Koyama

George Mason University

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Introduction: Religious Persecution or Religious Toleration



Religious Persecution: Cathars ejected from Carcassone (1209).
Part of the Albigensian Crusade.

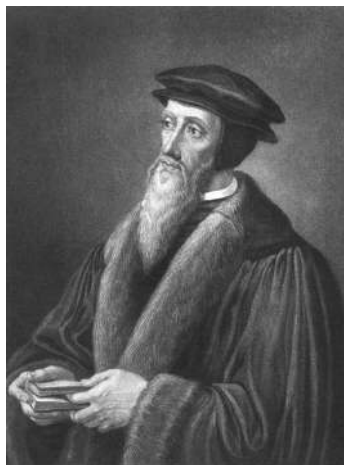


Religious Toleration: Henri IV converts to Catholicism (1593)
at St. Denis. Issues the Edict of Nantes in 1598.

Introduction: Changing Ideas or Changing Institutions?



Michael Servetus. Theologian, Cartographer, Physician, Humanist. Condemned by Catholics and Protestants alike for his non-trinitarian views. Burned at the stake by order of Protestant Geneva in 1553 while attempting to escape Catholic Inquisition.



Jean Calvin. "Whoever shall maintain that wrong is done to heretics and blasphemers in punishing them makes himself an accomplice in their crime and guilty as they are."

Introduction: Changing Ideas or Changing Institutions?



Stele erected in Geneva in 1903 by supporters of Calvin to preempt a different memorial emphasizing tolerance. Inscription: "Duteous and grateful followers of Calvin our great Reformer, yet condemning an error which was that of his age, and strongly attached to liberty of conscience according to the true principles of his Reformation and gospel. . . ."



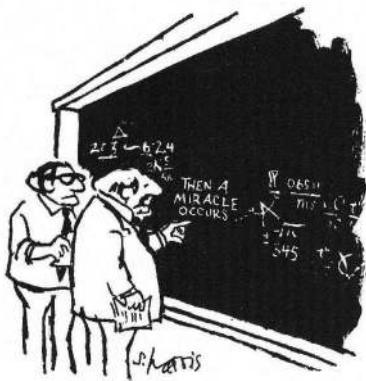
The statue meant to be erected in Geneva was eventually erected in Vienne. Torn down by Vichy government in 1941. Eventually copy made and still stands today.

Introduction: Legal Centralization and the Secular State

- Today, secular states are the norm in the developed world and the cornerstone of political liberalism.
- '[r]eligious freedom is not just one liberal freedom among others . . . it is the prototypical liberal freedom, a cornerstone of modern political rights' Blackford (2012).
- The conflicts of the Reformation period in Europe gave birth to modern notions of tolerance and the secular state (Rawls, 1993; Zagorin, 2003; MacCulloch, 2003; Kamen, 1967; Head, 1998).
- But did Tolerance stem from **Enlightened Philosophy** or **Enlightened Self-Interest**?

Analytic Narrative: Integrating Theory with History

- **Analytic Narrative** is a social science methodology in which theory is integrated with history.
- The theory makes explicit the assumptions and (hopefully) falsifiable predictions of the researcher and then history is used to validate or refute these assumptions and predictions.
- The purpose of this theory is to explain how **legal centralization** and **religious secularization** are related.



"I think you should be more explicit here in step two."

Heterogeneity of Belief



Transubstantiation vs Consubstantiation?



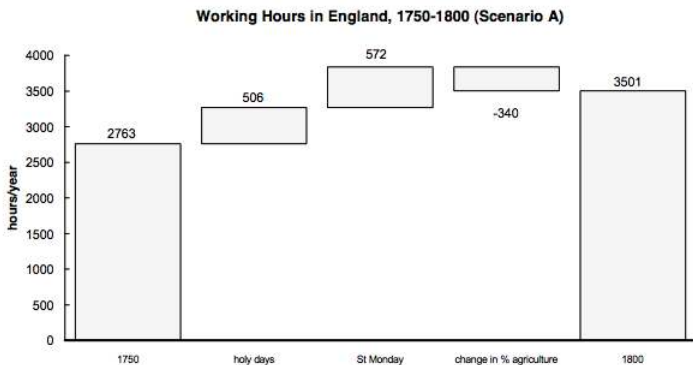
Who interprets the sacred texts?

Heterogeneity of Belief



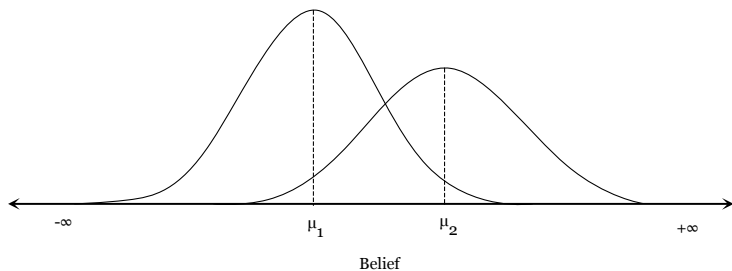
Basilica of Our Lady of Scherpenheuvel (Belgium). Created from the remains of the healing Scherpenheuvel tree, which was cut down by order of Catholic Church in 1604.

Heterogeneity of Belief



A snapshot into rituals of daily life. Change in time allocation in England between 1750 and 1800 (Voth, 2001)

A Theory of Legal Centralization and Religious Toleration



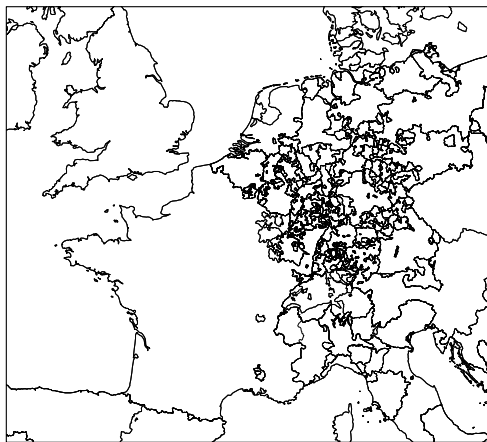
The distribution of beliefs in two regions.

Religious Orthodoxy and Political Control



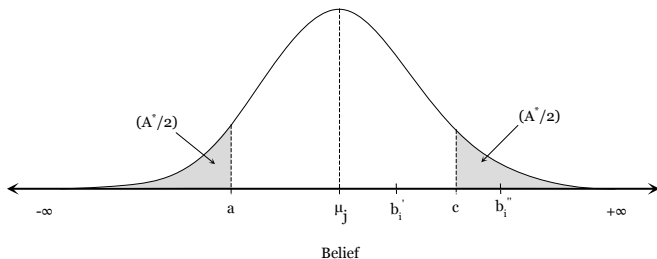
Henry IV and the Walk to Canossa (1077). During the medieval period, legitimization of royal power relied on good relations with the church. For example, the Investiture Controversy (1075-1122) between the Holy Roman Emperors and the Catholic Church contributed to the long-run fragmentation of German states.

Religious Orthodoxy and Political Control



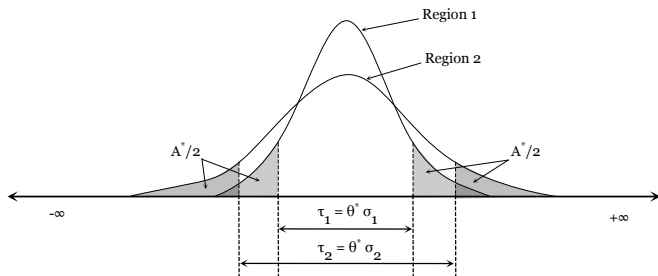
Sovereign boundaires of Holy Roman Empire and its neighbors, 1700.

Religious Orthodoxy and Political Control



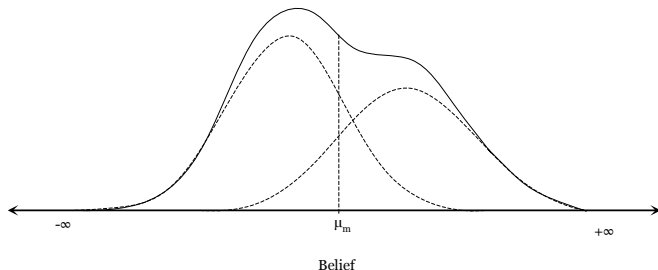
Government defines the extent of **toleration** as interval $[a, c]$. Individual b_i' is non-heretical. Individual b_i'' is a heretic. Populations in the shaded areas are **persecuted** for their beliefs.

Religious Persecution vs Religious Toleration



Result 1: **Persecution** and **toleration** are not equivalent concepts. Region 1 and 2 **persecute** the same proportion of their populations. However, **tolerance** is greater in Region 2 since heterogeneity of belief is higher in that region.

Toleration and Legal Centralization



Legal Centralization means a government is imposing a common legal standard across multiple regions. It legislates for the distribution of the underlying distributions.

Toleration and Legal Centralization

- In general, the mixture distribution over beliefs will exhibit large higher order moments.
- Since there are costs and benefits to religious persecution for the government, this creates incentives for centralizing authority to increase tolerance.

Toleration and Legal Centralization

- The mean of the mixture distribution is given as:

$$\mu_m = \sum_{j=1}^n \omega_j \mu_j \quad (1)$$

- The variance of the mixture distribution is:

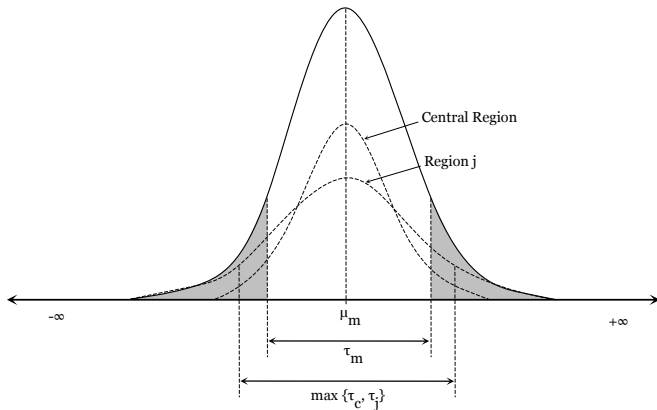
$$\sigma_m^2 = \sum_{j=1}^n \omega_j \left[(\mu_j - \mu_m)^2 + \sigma_j^2 \right] \quad (2)$$

- Define an increase in tolerance as occurring if, after centralization, the bounds of tolerance have increased for both regions.

Toleration and Legal Centralization

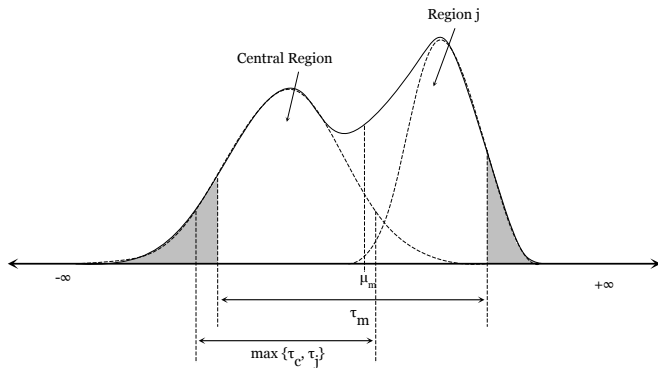
- We say region j has more 'cohesive' religious beliefs than region k if $\sigma_j < \sigma_k$.
- We say region j has more 'deviant' religious beliefs than region k if $(\mu_j - \mu_m)^2 > (\mu_k - \mu_m)^2$.
- **Result 2** Secularization is more likely to accompany legal centralization the more cohesive and deviant are the religious beliefs of the underlying regions.

Toleration and Legal Centralization



Case 1: Secularization decreases after centralization. Region j has **low cohesiveness and deviance**.

Toleration and Legal Centralization



Case 2: Secularization increases after centralization. Region j has **high cohesiveness and deviance**.

Summary of Results

- **Result 1:** Persecution and toleration are not equivalent concepts.
- **Result 2:** Secularization is more likely to accompany legal centralization the more cohesive and deviant are the religious beliefs of the underlying regions.

Catharism and the Intolerant State

- Who were the Cathars? Dualist and gnostic beliefs. Criticized organized church. Centered in the southwest of France.
- Pope Innocent III viewed them as a threat as did many other Catholic leaders of the day.
- But the Pope also acknowledged the lack of unity of belief in the region of the Cathars: Characterized clergy in the south as... 'blind creatures, dumb hounds, who can longer bay....'



Franciscan friars attempting to convert Albigensians

The Albigensian Crusade



Kingdom of France in 1154. Angevin holdings in red. Capetian holdings in green. Cathar regions in purple.



France in 1223. Angevin holdings reduced to Brittany. Capetian rule the rest.

The Albigensian Crusade



Simon de Montfort, 5th Earl of Leicester. Promised land by Capetian ruler Philippe II to lead the Albigensian Crusade against the Cathars. Killed at the siege of Toulouse (1218)



Raymond VI of Toulouse. Resisted the encroachments of Capetians into south of France. Eventually loses his lands.

Were the Cathars an Organized Religion?

Christianity south of the Loire was often . . . very different from that of other parts of Europe ...Local saints and their festivals, commemorations and customs were cherished with corresponding fervour. Doctrine, on the other hand, cannot have been at all clearly or precisely disseminated or understood among lay people, and was doubtless subject to a good deal of local variation in its expression. – (Moore, 2008, 120)



The Midi-Pyrénées today.

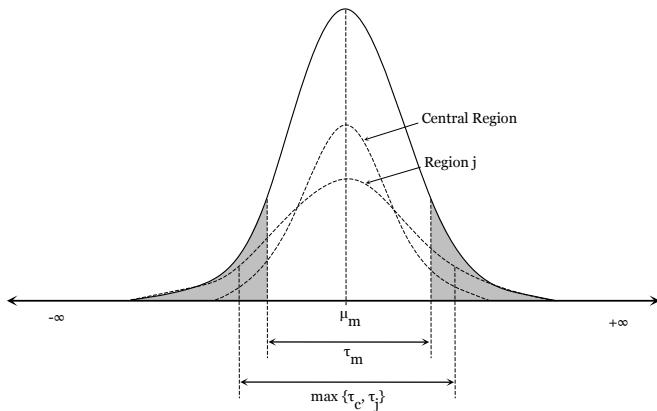
Were the Cathars an Organized Religion?

[n]o systematic dualist philosophy comes through the confessed thoughts of all these men and women; rather, instead of valid generalizations, a collection of vague generalities appear to have been recorded at Saint Sernin.
– (Pegg, 2001, 79)



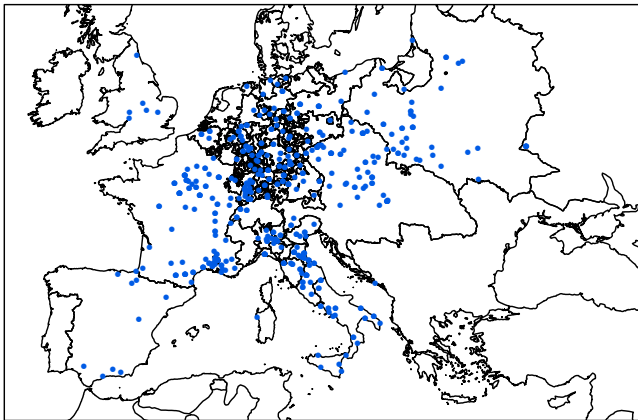
Basilica of Saint Sernin in Toulouse. Site of inquisition in 1245-6. Records of the inquisitors well preserved.

Intolerance and Legal Centralization



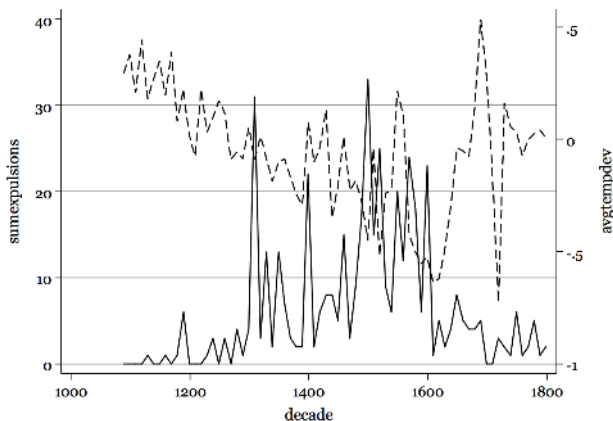
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The Birth of a Persecuting Society?



Jewish expulsions in Europe, 1080-1800.

The Birth of a Persecuting Society?



Jewish expulsions and mean temperature deviation across Europe, 1080-1800.

The Reformation and the Birth of Tolerance



The sale of indulgences.



The church door on Wittenberg Cathedral where Martin Luther posted his 95 theses in favor of reform of the Catholic Church in 1517.

The State Confronts Protestantism

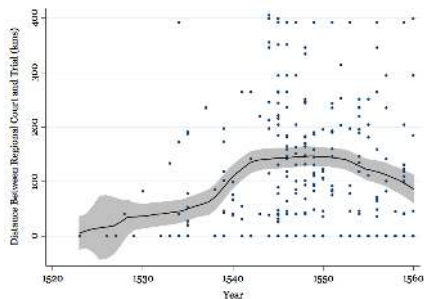


A placard denouncing the Catholic church. Appeared throughout Paris and other cities (and on the King's bedroom door) on the night of October 17, 1534.



Francis I takes part in a reparation ceremony in the center of Paris in the aftermath of the Placards Affair (1534).

The State Confronts Protestantism



Distance of Heresy Executions in France from Regional Parlements, 1520-1562. After the Edict of Fontainebleu (1540) the number and scope of trials dramatically increased.



The distance of heresy executions from the seat of regional Parlement of Provence.

The Decriminalization of Heresy



Catherine de Medici, in an attempt to calm growing tensions between Catholics and Huguenots issues the Edict of Saint-Germain in January 1562. Decriminalizes Protestant belief throughout France.



Massacre of Vassy, March 1562. Duc de Guise comes across large number of Huguenots holding church service in barn. Things get out of hand and hundreds die. The French Wars of Religion begin.

The Decriminalization of Heresy

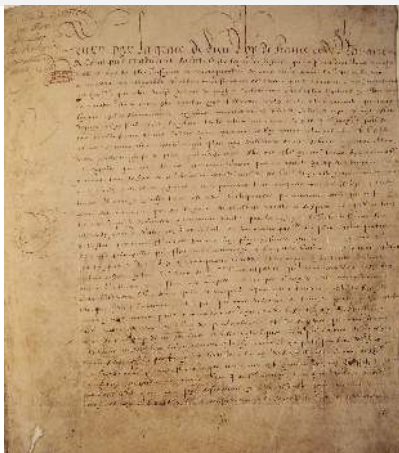


The Saint Bartholomew's Day Massacre (1572). Six days after wedding of King's sister Margaret (catholic) marries Henri III (Huguenot). Thousands (mainly Protestants) are murdered.

The Decriminalization of Heresy

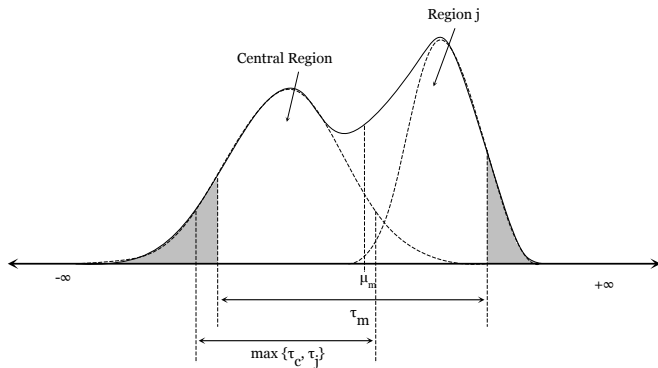


Religious Toleration: Henri IV converts to Catholicism (1593) at St. Denis.



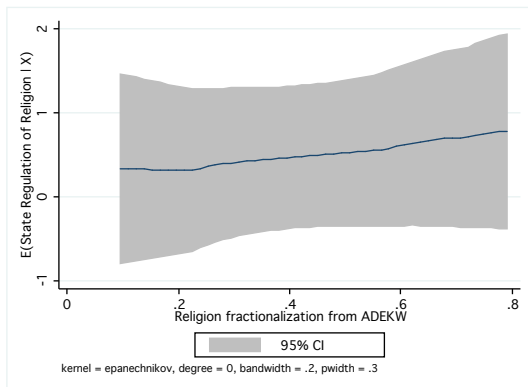
The Edict of Nantes is issued in 1598. Renewed until 1685 when it is revoked by Louis XIV. The Revocation is largely ignored from 1724 onwards.

Toleration and Legal Centralization



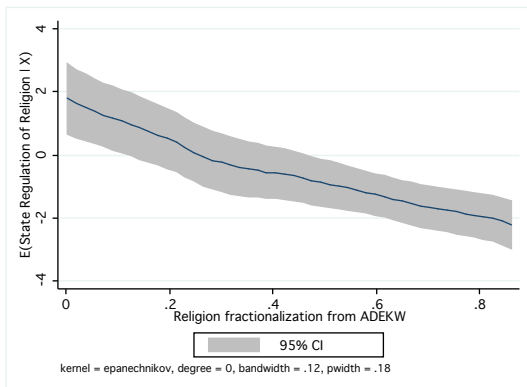
Case 2: Secularization increases after centralization. Region j has **high cohesiveness and deviance**.

Conclusion: Secular States and Religious Heterogeneity Today?



Correlation between religious fractionalization and government regulation of religion for states with **low capacity** as measured by tax revenues per capita.

Conclusion: Secular States and Religious Heterogeneity Today?



Correlation between religious fractionalization and government regulation of religion for states with **high capacity** as measured by tax revenues per capita.

Conclusion: Enlightenment or Enlightened Self-Interest?



John Locke. *Letters
Concerning Toleration*
(1689 - 92)



Pierre Bayle.
*Philisophical
Commentary* (1686)



John Milton.
Areopagitica (1644)

Conclusion: Enlightenment or Enlightened Self-Interest?

Paris vaut bien une messe
– Henri IV (1593)



Henri IV. Rules France until his assassination on 14 May 1610 by Catholic fanatic François Ravaillac.

Conclusion: Enlightenment or Enlightened Self-Interest?



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