



‘Phoenix from the Ashes’: Religious Communities Arising from Globalization

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Abstract

When in the 1960s religious congregations were suffering from diminishing membership, the sociology of religion turned away from the study of organized religion in order to study private religiosity, even though new social forms of religion were emerging. The article addresses first the impact of globalization on the place of religious communities in the fabric of national and transnational society. Labor migration severs the individual from his or her transmitted loyalties and places him or her amid the risks of the labor market. Parallel to this, the nation state conveys public tasks into private hands in the realms of education, health care, social welfare, and sometimes security. Both changes open up new opportunities for religious communities. Second, the paper addresses the subjective side of the shift, focusing on the Abrahamic religions. They claim the promise given to Abraham—that he and his descendants will be blessed and become a great nation—for their communities. When the factual history contradicts that expectation, prophetic and apocalyptic visions of a bright future keep alive that faith. They summon the believers to fight for the well being of their community, to assist and support each other, and to claim public recognition for their community, since it is beneficial to the entire society. The article argues that this model of religious communality enabled believers in the past to appropriate official legal and social forms for their community. Max Weber in his *Economy and Society* also argued that religious communality remains a powerful social order in modern society. According to him its strength derives from the subjective religious expectations of social actors and the positive or negative impact their practices exercise on other social orders such as economy, family, state, and law.

Keywords

congregation; Abrahamic religions; privatization; de-privatization; globalization; Jürgen Habermas; José Casanova; Max Weber; ethics of brotherliness

1. Introduction

For decennia, the subject of religious communities sparked little interest. When in the 1960s church congregations, synagogues, and mosques were suffering from rapidly diminishing membership, the sociology of religion turned its back on the sociology of institutionalized religion in order to study individual religiosity—for example, witness the apposite title given later by Thomas Luckmann to the new research model: “Privatization and Individualization: On the Social Form of Religion in Late Industrialized Societies.”¹ Rather than gazing spellbound at the dwindling connection to church communities and bemoaning secularization, the sociology of religion turned to individual religiosity as the social form of religion that befitted the times. New chapters of modern history of religion were cracked open: the rise of individualism and human rights, civil religion, esoteric models of nature, and apocalyptic models of history.

For a time, scholars and observers may indeed have had the impression that communal religion was losing its relevance. Thus, for example, sociologist of religion Peter L. Berger said in the 1960s that in modern times the exercise of religion was polarized: on the one hand retreating to the private sphere and on the other hand becoming political rhetoric. He states, “insofar as religion is common, it lacks ‘reality,’ and insofar as it is ‘real,’ it lacks commonality.”² A different judgment is made today.³ The continuous growth of faith communities and associations in the United States,⁴ the spread of the US-type communities across the globe,⁵ the downright explosive spread of Protestant churches in Latin America and in the Pacific

¹ Thomas Luckmann, “Privatisierung und Individualisierung: Zur Sozialform der Religion in spätindustriellen Gesellschaften,” in: Karl Gabriel (ed.), *Religiöse Individualisierung oder Säkularisierung. Biographie und Gruppe als Bezugspunkte moderner Religiosität*, (Gütersloh: Gütersloher Verlagshaus, 1996), 17–28.

² Peter L. Berger, *The Sacred Canopy: Elements of a Sociological Theory of Religion* (New York: Anchor Books, 1990), 134.

³ I make a distinction between ‘community’/‘communitarity’ (translocal religion, based on communication, networks and media), ‘congregation’ (local, face to face, organized), and ‘association’ (voluntary, local).

⁴ See Roger Finke & Rodney Stark, *The Churching of America, 1776–1990: Winners and Losers of Our Religious Economy* (New Brunswick, N.J.: Rutgers University Press, 1992).

⁵ Robert Wuthnow, *Boundless Faith: The Global Outreach of American Churches* (Berkeley: University of California Press, 2009).

Rim and elsewhere,⁶ the emergence of mega-churches across the globe,⁷ the wave of foundations of mosque communities in Europe,⁸ the rise of transnational religious diasporas,⁹ virtual internet communities (online religion),¹⁰ religious relief organizations: all these phenomena indicate a strength of religious communities. The farther this research advanced, the less plausibility remained for any compellingly necessary connection between modernization and a social marginalization of religion. The strength of religious communities is due to a severing of world religions from their indigenous territories and transmitted authorities. The religiosity generating communality is de-territorialized and de-traditionalized.¹¹

Religious associations have a place among the cultural orders that continue to determine the social and political existence of people living in a modern disenchanting world. The first scholar to argue this thesis has been Max Weber (1864–1920). In *Economy and Society* (written in 1913, published in 1920/21) he deals in a sequence with household, neighborhood, religion, law, and domination and analyzes each of these societal orderings and powers as types of communal action, identifies the subjective expectations of meaning on the part of the actors, and relates them to economic rationality. The link that joins the neighborhood and the faith community is assistance in emergencies.

Nowadays the independence of the religious order is over and above secured by international law. When the General Assembly of the United Nations in 1948 in Paris adopted the Universal Declaration of Human Rights (UDHR) it posited a link between a natural equality of all human beings

⁶ See David Martin, *Tongues of Fire: The Explosion of Protestantism in Latin America* (Oxford: Blackwell, 1990); David Martin, *Pentecostalism: The World Their Parish* (Oxford: Blackwell, 2002).

⁷ Stephen Ellington, *The Megachurch and the Mainline: Remaking Religious Tradition in the Twenty-First Century* (Chicago: Chicago University Press, 2007).

⁸ Stefano Allievi, *Conflicts over Mosques in Europe: Policy Trends* (London: NEF, 2009), 22–26 presents the figures for European countries and counts 8,701 mosques serving migrants.

⁹ Susanne Hoeber Rudolph & James Piscatori (eds.), *Transnational Religion & Fading States* (Boulder: Westview, 1997).

¹⁰ Heidi Campbell, *Exploring Religious Community Online: We Are One in the Network* (New York: Peter Lang, 2005).

¹¹ Paul Heelas, Scott Lash, & Paul Morris (eds.), *Detraditionalization: Critical Reflections on Authority and Identity* (Oxford: Blackwell, 1996).

and the existence of fundamental rights. “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood” (Article 1). Religious freedom was part of that injunction, and implied the rights of exercising religion in common with others and in public. Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship, and observance (Article 18 of the UDHR).¹²

Though the UDHR did not mention minority rights as such, as the League of Nations had done between WWI and WWII, by this article it acknowledged the legal rights of religious communities. Later the International Covenant on Civil and Political Rights shaped a legal framework for the protection of that right.¹³ Ever since José Casanova’s *Public Religions*¹⁴ in 1994 and the impressive collection of essays on *The Power of Religion in the Public Sphere*¹⁵ in 2011 emerged, this issue has been at the center of various studies revising the secularization thesis. ‘Public religion’ turned into a major category in analyzing religion in modern society.

There are valid reasons, to place the rise of new kinds of religious communities in the context of the social change that comes with globalization. Globalization is a notion that lacks precise definition; it is often associated with labor migration, international networks of travelling and communication, expansion of market economy, and a heightened influence of multinational corporations and institutions such as the United Nations.¹⁶

¹²) United Nations, “The Universal Declaration of Human Rights,” <http://www.un.org/en/documents/udhr/index.shtml> (accessed 28 January 2013).

¹³) Malcom D. Evans, *Religious Liberty and International Law* (Cambridge: Cambridge University Press, 1997), 172–226; Matthias Koenig, “Institutional Change in the World Policy: International Human Rights and the Construction of Collective Identities,” *International Sociology* 23 (2008), 95–114.

¹⁴) José Casanova, *Public Religions in the Modern World* (Chicago: Chicago University Press, 1994).

¹⁵) Cf. the recent publication Eduardo Mendieta & Jonathan VanAntwerpen, *The Power of Religion in the Public Sphere: Judith Butler, Jürgen Habermas, Charles Taylor, Cornel West*, afterword Craig Calhoun (New York: Columbia University Press, 2011).

¹⁶) Cf. Gordon Anthony, “Public Law, Pluralism, and Religion in Europe: Accommodating the Challenge of Globalisation,” *Revue Européenne de Droit Public* 17 (2005), 47–73, here 47.

Two tendencies in particular are affecting religious communities: the expansion of market economy even in the realm of social services and a retreat from public social tasks on the part of the State. Both tendencies have had an effect on religious communality. Labor migration forced by the labor market severs the individual from transmitted loyalties as neighborhood, family, tribe, and nation and places him or her amid the risks of the marketplace. Parallel to this, the State conveys public tasks into private hands in the realms of education, health care, social welfare, and sometimes even in security. This situation is the opportunity for religious communities to take over public tasks and become public actors in the field of politics.¹⁷

Most interesting are attempts to understand and explain this career of religions in terms of the specifics of religious communality in the modern world. A noticeable contribution in this respect is a reflection by Jürgen Habermas in his 2004 discussion with Joseph Ratzinger. According to Habermas, the duties as citizens of a state are largely fixed by law, but this does not apply to their role as members of society. This is particularly true when one considers that the powers of markets and bureaucracy do no longer provide the social integration of the citizens by means of a mutual solidarity. Under such conditions, Habermas argues, we must be ready to extend reason beyond its own borders and advance “solidarity with those who are oppressed and insulted, hastening the coming of the messianic salvation.”¹⁸ Citizens in a democratic state who are interested in maintaining this mode of social integration have good reason to establish a social bond independent of the rules of market and law with the help of religion and to claim public recognition for it. With these ideas in mind, Habermas, in the discussion on whether there were “pre-political foundations [for] the democratic constitutional state,” answered in the affirmative.¹⁹

¹⁷ These considerations are based on research done into the change of statehood. See the concise compilation of a broad research program in Philipp Genschel, Stephan Leibfried, & Bernhard Zangl, “Der zerfasernde Staat. Vom Wandel des Subjekts moderner Politik,” *Vorgänge* 2 (2008), 4–13.

¹⁸ Jürgen Habermas & Joseph Ratzinger, *Dialectics of Secularization: On Reason and Religion*, trans. Brian McNeil (San Francisco: Ignatius Press, 2006), 41. See for a discussion of Habermas’ idea of translating the sacred into a semantic resource: Rudolf Langthaler & Hera Nagl-Docekal (eds.), *Glauben und Wissen: Ein Symposium mit Jürgen Habermas* (Vienna: Oldenbourg, 2007).

¹⁹ *Ibid.*, 5.

2. Faith and Trust in the Community: Judaism, Christianity, and Islam

A religiosity independent of territory or traditional hierarchy is a highly specific phenomenon. By no means have all religions developed it. Often religious belonging falls under existing social ties such as a domestic community, family, descendants, tribe, or nation. Furthermore, other criteria for belonging often supersede the religious—for example, age and gender. All of this changes, however, when a religious community itself turns into the object of faith. This happened with those communities that understand themselves as heirs of Abraham.

Now the Lord said to Abram: “Go from your country and your kindred and your father’s house to the land that I will show you. I will make of you a great nation, and I will bless you, and make your name great, so that you will be a blessing. I will bless those who bless you, and the one who curses you I will curse; and in you all the families of the earth shall be blessed.” (Gen. 12: 1–3 [NRSV])

The history that followed is one of migration and settling, one of blessing and one of curse. The three religions of Judaism, Christianity, and Islam, community religions *par excellence*, regard themselves as bearers of the promise given to Abraham. This was the point of departure for Francis E. Peters, who studied the three religions along the history of that promise: from the contestations by the heirs until their full institutional expressions in Judaism, Christianity, and Islam. The heirs of the promise formed communities of chosen people, practiced common ethics, preserved prophetic messages in sacred scriptures, regulated their worship of God, developed attitudes of world denial, and were at the center of sophisticated theologies. When Peters published a fourth edition of his book in 2004 (the first has appeared in 1984) he revised the text.²⁰ The story, he now tells, is a story not only of similarities but also of differences, not merely of interconnect- edness, but likewise of grave conflicts.

The notion of ‘Abrahamic religions’ is popular nowadays for this particular experience of conflict, as John L. Esposito explains in his foreword to Peters’ book. \Guy G. Stroumsa was appointed to the first chair of the Study of Abrahamic Religions at the University of Oxford in 2010 and traced the

²⁰ Francis E. Peters, *The Children of Abraham: Judaism, Christianity, Islam*, new ed., fore- word John L. Esposito (Princeton: Princeton University Press, 2004).

path “From Abraham’s Religion to the Abrahamic Religions” in his Inaugural Lecture.²¹ According to an investigation by Aaron W. Hughes the concept emerged in the fifties and sixties of the twentieth century when people of various sorts shored up a common legacy of Judaism, Christianity, and Islam against a dangerous enemy: secular materialism. After the attacks of 11 September 2001 the meaning of the concept changed and it became now an ecumenical term to promote peaceful relations among the three religions that are perceived as hostile to one another.²² The notion, which reveals its recent history, imagines religious communities in terms of pressing topical issues.

When studying family resemblances between the concept of community in Judaism, Christianity, and Islam, one observes some recurring elements.

- (1) The believers see themselves as the addressees of a pledge of election and salvation, their belonging to the community becomes an article of their faith: they are ‘Sons of Israel,’ the ‘Ekklesia,’ the ‘Ummah.’ Their community has a sacred history of its own apart from the secular history of the world. Concepts like prophecy, messianism/Mahdism, and apocalypticism give expression to experiences of persecutions, banishments, expulsion, bereavement, poverty, defeat, and debasement by hostile powers and envision a reversal of the fate of the victims. They will be the ones who are saved, while the evil ones will be annihilated. The course of history is paradoxical.
- (2) The believers promote militancy and steadfastness in times when the existence of their community is threatened. The members are expected to advance against apostasy, blasphemy, and eventually even to die as martyrs for the faith.
- (3) The believers request that the members of the community assist people in need, stand by them, and save them from delivery into slavery or dependency (religious solidarity ethic).
- (4) The religious community claims recognition by the social powers of the society and demands legitimacy, or rather legality. The members regard their community and its social design as an example or even a public good for the entire society.

²¹ Guy G. Stroumsa, “From Abraham’s Religion to the Abrahamic Religions,” *Historia Religionum: An International Journal* 3 (2011), 11–22.

²² Aaron W. Hughes, *Abrahamic Religions: On the Uses and Abuses of History* (Oxford: Oxford University Press, 2012).

This kind of community can become a model for quite diverse social forms. According to Arjun Appadurai, an American cultural anthropologist from Bombay, locality is not natural, but produced: is relational and contextual, constituted by a sense of social immediacy, by technologies of interactivity, and by the relativity of contexts. A shift from a self-evident neighborhood to a production of locality is taking place. Neighborhood refers to situated communities in which models of living together are differently realized.²³

When the four characteristics of religious communality are shaping a local unit, it is possible that the loyalty of the believers to their actual belief community diverge from their loyalty to the social ordering of the society. A divergence between the faith community and the society at large—between a social-integration and a system-integration—enables the rise of social ambivalence of religions. Under these circumstances a religious community can create but also destroy a social bond. Judaism, Christianity, and Islam all generated such tensions in their history.

2.1. *Judaism*

When, after their return from the Babylonian exile in the fifth century C.E., the Jews of Palestine called their community back to life in Jerusalem and the surrounding area, the Persian rulers allowed them self-government. Biblical regulations, granted the official status of a 'law (*dat*) of heaven,' were binding for all inhabitants of the province of Juda, and a corresponding adjudication was instituted. The citizens of the new legal organization were obliged to pledge to the Persian governor Nehemiah (himself a Jew) that they would forbid their children to marry non-Jews, would not carry out business on the Sabbath, and would forgo the produce of the land and the debts owed to them every seventh year. In this they also assumed the responsibility to release on a regular basis those Jews who were enslaved to Jewish debtors. Thus they strengthened the Deuteronomic requirement that the land of Palestine remain in God's possession and be only privatized conditionally. Belief in this disallows all equanimity toward the needs of a co-believer; furthermore, it demands support of widows, orphans, slaves,

²³ Arjun Appadurai, "The Production of Locality," in: idem, *Modernity at Large: Cultural Dimensions of Globalization* (Minneapolis: University of Minnesota Press, 1996), 178–200.

strangers, and those who are ill.²⁴ The social order was founded on revealed rules that prescribe solidarity among the members of the community.

When in the second century C.E. Greek rulers together with apostates wanted to disempower this ordering of Jewish communal life, the Jews rose up in opposition, led by the Maccabees. Those who died in opposition to the godless and apostate were celebrated as martyrs. The Book of Daniel came into being in this time as well, disengaging the salvation history of the Chosen People from the history of the world-empires. Thus the original model for an apocalyptic reading of political history was born.

In Israel, the Torah was not reserved to the priests but addressed the entire people. The claim that the document possessed a public dimension made it possible for Jews to adopt for their own communities the legal forms that were in force in cities of the Hellenistic kingdoms and the Roman Empire, such as the Greek association and the Roman *collegium*. This meant that the relationships among the members, which had been given a religious codification, now also became legally binding.²⁵ Thus the members' religiosity gained legal and political connectedness both internally and externally.²⁶ Many centuries later, a similar legal principle was followed by the Jewish organizations responsible for the 'repatriation' of Jews to Palestine. Before the state of Israel existed, immigration to Palestine was supervised by the World Zionist Organization and the Jewish Agency. Even after the State of Israel came into existence, they continued on as bodies with far-reaching, independent powers involved in the settlement of Jews within Israel.²⁷

²⁴) Hans G. Kippenberg, *Die vorderasiatischen Erlösungsreligionen in ihrem Zusammenhang mit der antiken Stadtherrschaft* (Frankfurt: Suhrkamp, 1991), 119–138.

²⁵) Hans G. Kippenberg, "Nach dem Vorbild eines öffentlichen Gemeinwesens: Diskurse römischer Juristen über private religiöse Vereinigungen," in: Hans G. Kippenberg & Gunnar Folke Schuppert (eds.), *Die verrechtlichte Religion: Der Öffentlichkeitsstatus von Religionsgemeinschaften* (Tübingen: Mohr Siebeck, 2005), 37–63.

²⁶) Tessa Rajak, "Was There a Roman Charter for the Jews?" *Journal of Roman Studies* 74 (1984), 107–123, and Rajak, "Jewish Rights in the Greek Cities under Roman Rule: A New Approach," in: William S. Green (ed.), *Approaches to Ancient Judaism* (Studies in Judaism and Its Greco-Roman Context), vol. 5 (Atlanta: Scholars Press, 1985), 19–35; see also Karl Leo Noethlichs, *Das Judentum und der römische Staat. Minderheitenpolitik im antiken Rom* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1996), 34–36 and Noethlichs., *Die Juden im christlichen Imperium Romanum (4.–6. Jahrhundert)* (Berlin: Akademie Verlag, 2001), 58–71.

²⁷) John Quigley, *The Case for Palestine: An International Law Perspective*, rev. ed. (Durham: Duke University Press, 2005), 17–19 and 118–119.

2.2. Christianity

With respect to the concept of religious communality, Christians walked in the footsteps of Judaism, yet they introduced a correction of enormous consequence. The foundational Christian text, preaching solidarity with the needy, comes from the Gospel of Matthew. “Just as you did it to one of the least of these who are members of my family, you did it to me” (Matt. 25: 40). Here Jesus explains the fate awaiting the righteous versus the damned on the Day of Judgment when they ask why they would inherit the Kingdom of God rather than eternal punishment (Matt. 25: 31–46). The real brother is not recognizable by virtue of his belonging to the Jewish nation, but by nothing else than his need: hunger, thirst, homelessness, illness, or imprisonment. To recognize this need is *the* test of faith; solidarity is a free and spontaneous act, not restricted to a particular group

To accomplish this task, early Christians brought associations into being. Their members were expected to pay into a common fund used by the leader to support orphans, widows, the sick, prisoners, and strangers (e.g. Justin, 1st *Apology*, 67: 6). The Christian communities further took this to pay for the burial of impoverished members. Although up to the time of Constantine, Christians were persecuted for refusing to take part in the cults of the cities and the Roman Empire, they were nevertheless able to organize themselves across the entire empire. The reason for this was probably that socially beneficial associations were exempt from the existing prohibition to found associations without official permission.²⁸ Most communities developed unobtrusively, expanding outward from the hub of a baptized family household. They accepted slaves and foreigners, and adjusted their living space to ritual requirements.²⁹ It was within these associations that the concept of the martyr as saint arose, who had

²⁸ R. L. Wilken, “Christianity as a Burial Society,” in: idem, *The Christians as the Romans Saw Them* (New Haven: Yale University Press, 1984), 31–47; and Hans G. Kippenberg, “Christliche Gemeinden im römischen Reich: *Collegium licitum* oder *illicitum*,” in: Manfred Hutter, Wassilios Klein, & Ulrich Vollmer (eds.), *Hairesis: Festschrift für Karl Hoheisel zum 65. Geburtstag* (Münster: Aschendorff, 2002), 172–183.

²⁹ L. Michael White, *Building God’s House in the Roman World: Architectural Adaptation among Pagans, Jews and Christians* (The Social Origins of Christian Architecture), vol. 1 (Valley Forge, Penn.: Trinity Press, 1996); and White, *Texts and Monuments for the Christian Domus Ecclesiae in Its Environment* (The Social Origins of Christian Architecture), vol. 2 (Valley Forge, Penn.: Trinity Press, 1997).

relinquished his or her life due to unshaken refusal to make sacrifices to pagan deities. The modern secular constitutional law regarding corporations and associations derives from pre-Christian Roman law and to this day it guarantees the public recognition of religious solidarity.

2.3. *Islam*

In Islam, performing the prescribed prayers alone does not establish an orthodox Muslim. The foundational text on this is found in the Qur'an, Sura 2: 177:

It is not piety that you turn your faces to the east and to the west. True piety is this: to believe in God, and the Last Day, the Angels, the Book, and the Prophets, to give of one's substance, however cherished, to kinsmen, and orphans, the needy, the traveler, beggars, and to ransom the slave, to perform the prayer, to pay the alms. And they who fulfill their covenant when they have engaged in a covenant, and endure with fortitude misfortune, hardship and peril, these are they who are true in their faith, these are the truly god-fearing.

In contrast to Christian practices, in Islam specific groups of community members have a documented title to receive support by their brethren in faith: the poor, the needy, managers of alms tax, slaves (to pay for their liberation), those in debt, travelers, participants in a jihad (Sura 9: 60), and converts. All Muslims are obliged, relative to their means, to apply themselves toward justice and the common good (*maṣlaḥa*), to pay legal alms-tax (*zakat*), and to support the needy with free-will donations (*zadaqa*).³⁰ Rulers as well emerge as benefactors to the needy: state welfare systems replaced them in a limited and even decreasing fashion. Overwhelmingly, help to those in need is the duty of the religious community.³¹

³⁰ Jacqueline S. Ismael & Tareq Y. Ismael, "Cultural Perspectives on Social Welfare in the Emergence of Modern Arab Social Thought," *The Muslim World* 85 (1995), 82–106. On the current practice of 'financial worship' and 'waqf' see Jonathan Benthall & Jérôme Bellion-Jourdan, *The Charitable Crescent: Politics of Aid in the Muslim World* (London: I. B. Tauris, 2003), 7–28 and 29–44. Nancy J. Davis & Robert Robinson, *Claiming Society for God: Religious Movements and Social Welfare. Egypt, Israel, Italy, and the United States* (Bloomington: Indiana University Press, 2012).

³¹ Rudra Nita, "Globalization and the Decline of the Welfare State in Less-Developed Countries," *International Organization* 56 (2002), 411–445; Michael Bonner, Mine Ener, &

The Islamic support system operates in the sphere of civil society. Well-off Muslims, including rulers, can donate their own personal assets to the Islamic community, by means of *waqf* ('foundations') income from land, rents, industries, or financial sources donated to Islamic institutions or groups.³² Islamic law does not know a corporate body in judicial terms as per Roman law, but Muslim scholars fashioned analogous concepts.³³ Private Islamic associations assuming communal tasks have increased enormously in the last decades. It is estimated that in the Arabic world the number of NGOs has grown from 20,000 in the mid-1960s to over 70,000 by the end of the 1980s.³⁴ They are voluntary, small, and local and they predominantly serve in areas of health and education. In no way are they primarily religious, yet they show impressively that citizens of Islamic states are taking on responsibility for communal issues. The Society of Muslim Brothers has contributed to the founding of countless associations, without themselves being officially recognized by the State as an organization per se. This only changed recently with the Arab Spring 2010.³⁵ Some of these associations define the line between the public and private anew, seeing in specific religious activities a performing of public tasks.³⁶ In this way a

Amy Singer (eds.), *Poverty and Charity in Middle Eastern Contexts* (Albany: SUNY, 2003), part 3, The State as Benefactor.

³² Henry Cattán, "The Law of Waqf," in: Majid Khadduri & Herbert Liebesny (eds.), *Law in the Middle East* (Origin and Development of Islamic Law), vol. 1 (Washington: Middle East Institute, 1955), 203–222; Jan-Peter Hartung, "Die fromme Stiftung [*waqf*]: Eine islamische Analogie zur Körperschaft?," in: Hans G. Kippenberg & Gunnar Folke Schuppert (eds.), *Die verrechtlichte Religion: Der Öffentlichkeitsstatus von Religionsgemeinschaften*. (Tübingen: Mohr Siebeck, 2005), 287–314.

³³ Joseph Schacht, *An Introduction to Islamic Law* (Oxford: Clarendon Press, 1964), 155–157; Doris Behrens-Abouseif, "The *Waqf*: A Legal Personality?," in: Astrid Meier, Johannes Pahlitzsch, & Lucian Reinfandt (eds.), *Islamische Stiftungen zwischen juristischer Norm und sozialer Praxis* (Berlin: Akademie, 2009), 55–60.

³⁴ Saad Eddin Ibrahim, "Civil Society and Prospects of Democratization in the Arab World," in: August Richard Norton (ed.), *Civil Society in the Middle East*, vol. 1 (Leiden: Brill, 1995), 29–54, figures on 39; Jonathan Benthall & Jérôme Bellion-Jourdan, "NGOs in the Contemporary Muslim World," in: idem, *The Charitable Crescent: Politics of Aid in the Muslim World* (London: I. B. Tauris, 2003), 85–110.

³⁵ Brynar Lia, *The Society of the Muslim Brothers in Egypt: The Rise of an Islamic Mass Movement 1928–1942* (Reading: Ithaca Press, 1998); Mariz Tadros, *The Muslim Brotherhood in Contemporary Egypt: Democracy Redefined or Confined?* (London: Routledge, 2012).

³⁶ Diane Singerman, "The Networked World of Islamist Social Movements," in: Quintan Wiktorowicz (ed.), *Islamic Activism: A Social Movement Theory Approach* (Bloomington: Indiana University Press, 2004), 143–163.

domain has arisen between rulers and ruled that is structurally similar to the public realm in Western legal culture.³⁷ Private religious values invaded ethics of solidarity and became a driving force behind the expansion of social networks. In this way the needy can obtain support in the areas of education, health, legal assistance, and personal security, services that citizens in certain regions of the world—especially in areas or situations of crisis—no longer receive from the State. The readiness of these groups to act independently of the State and to provide public services implies a further weakening of the State's public functions.

3. Religious Communities as Social Actors

Judaism, Christianity, and Islam adopted existing legal and social forms when practicing their communal religious solidarity. Today's forms of religious communality show a similar variety. Synagogues in Judaism, churches in Christianity, or mosques in Islam have of course never been the only forms of community inside the religions. Research into religious community cannot stop at traditional institutions, especially as they have mostly lost their State-guaranteed monopoly. New methods and concepts are required.

First of all one must consider the situation of civil society. In the area between State, market economy, and the private sector today there are many organizations characterized by a high degree of social self-organization, operating according to varying legal forms. "The actors in civil society in the public sphere also include faith communities, at any rate when they [...] appear in the plural, and hence as competitors, rather than as a State church with a monopoly."³⁸ With this statement, Gunnar Folke Schuppert

³⁷ There is ample literature on the application of the concept of public and Islamic societies: Dale F. Eickelman & Jon W. Anderson (eds.), *New Media in the Muslim World: The Emerging Public Sphere*, 2nd ed. (Bloomington: Indiana University Press, 2003); Miriam Hoexter, Shmuel N. Eisenstadt, & Nehemia Levtzion (eds.), *The Public Sphere in Muslim Societies* (Albany: SUNY, 2002); and Armando Salvatore & Dale F. Eickelman (eds.), *Public Islam and the Common Good* (Leiden & Boston: Brill, 2004), 3–27.

³⁸ Gunnar Folke Schuppert, "Skala der Rechtsformen für Religion: Vom privaten Zirkel zur Körperschaft des öffentlichen Rechts. Überlegungen zur angemessenen Organisationsform für Religionsgemeinschaften," in: Hans G. Kippenberg & Gunnar Folke Schuppert (eds.), *Die verrechtlichte Religion: Der Öffentlichkeitsstatus von Religionsgemeinschaften* (Tübingen: Mohr Siebeck, 2005), 21. Gunnar Folke Schuppert, *When Governance Meets Religion:*

points to the fact that today's legal forms and hence communal forms for religions are detaching from their traditional institutions. This is one of the main reasons that dwindling attendance at worship-services cannot be the exclusive indicator of decline of religion. The question, for example, of what remains of Christianity after the 'un-churching' of society is among the hot topics of present examinations and cannot be answered summarily.³⁹

Second, it is recognized that, thanks to new social forms, private religiosity can enter the public sphere. A 'de-privatization' of religion (Casanova) is basic to the constitution of religions in civil society today. This public character is fundamentally distinct from the traditional forms of State religion.⁴⁰ One need only think of the bitter arguments in the US over the prohibition of abortion or the legal protection of homosexual partners' cohabitation. These 'culture-wars,' flaring up as they do especially before elections, are led by religious organizations confronting the State.⁴¹

Even in Europe this new situation of religious communality has been acknowledged. In her 1994 study of Great Britain, Grace Davie pointed out that reduced church-ties can correspond entirely with a greater spread of religious beliefs, and coined the phrase "believing without belonging."⁴² In further studies, Davie has queried the possibility that religious beliefs are transmitted in 'un-churched' conditions and can even generate some kind of mobilization of religion as we in Europe are experiencing it now. According to her analysis, churches in Europe today have become de facto voluntary associations; they are actors in civil society and as such able to mobilize agreement and support for disputed issues. Those supporting the voice of the churches are not necessarily also active practicing members in

Governancestrukturen und Governanceakteure im Bereich des Religiösen (Baden-Baden: Nomos, 2012).

³⁹ On this problem, see Hugh McLeod & Werner Ustorf (eds.), *The Decline of Christendom in Western Europe, 1750–2000* (Cambridge: Cambridge University Press, 2003).

⁴⁰ Casanova, *Public Religions*.

⁴¹ James Davison Hunter, *Culture Wars: The Struggle to Define America. Making Sense of the Battles over the Family, Art, Education, Law and Politics* (New York: Basic Books, 1991). For a critical look at the empirical scope of the concept, see Morris P. Fiorina, Samuel J. Abrams, and Jeremy C. Pope, *Culture War? The Myth of a Polarized America*, 2nd ed. (New York & Toronto: Pearson Education & Longman, 2006).

⁴² Grace Davie, *Religion in Britain since 1945: Believing Without Belonging* (Oxford: Blackwell, 1994).

one of its congregations. For this social relationship she coined the notion: “vicarious religion.”⁴³

4. The Social Capital of Religious Communities in a Globalizing World

The study of these various legal and social forms of communal religion requires a move of the subject. The organizations and institutions of synagogue, church, and mosque are not the primary units of analysis, but rather the actions of the believers, the meaning they attribute to them, and their effects in the society at large. In the US a concept was developed that is fruitful for the analysis of this new reality: the concept of social capital. One scholar to mention particularly in this regard is Robert D. Putnam, professor of Public Policy at Harvard University, who had researched the effectiveness of regional governments that were newly established in Italy in 1970s and whose jurisdiction extended over a broad spectrum of public tasks. In his study Putnam came across surprisingly large differences in implementation of reform: in the north of the country they were successful; in the south, by contrast, they failed. The reason he found was different socio-historical conditions. In northern Italy, active associations of citizens have long existed and are accustomed to managing the common affairs of the cities. In the south, however, the citizens were dependent upon landlords and expected solutions for local problems to come ‘from those above.’⁴⁴ The practice of civil engagement in the north represented a ‘social capital’ that was crucial for the economic and political success of the regional governments.

After he published his study, Putnam applied his new insight to the US. He observed an erosion of American civil society. A symptom over the previous two decades is the tendency of Americans to go bowling alone, rather than with others. Later *Bowling Alone* became the title of a book by Putnam. Putnam interpreted the evidence of the lonely bowler in terms of Alexis de Tocqueville’s classic work, *Democracy in America*.

⁴³ Ibid., “Vicarious Religion: A Methodological Challenge,” in: Nancy Ammerman (ed.), *Everyday Religion: Observing Modern Religious Lives* (New York: Oxford University Press, 2007), 21–37.

⁴⁴ Robert D. Putnam, Robert Leonardi, & Raffaella Y. Nanetti, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton: Princeton University Press, 1993), 130–131.

Alexis de Tocqueville attributed the success of democracy in America to an unusual national propensity for civil engagement. Recent empirical research in a wide range of contexts has confirmed that the norms and networks of civic engagement (now re-baptized “social capital”) can improve education, diminish poverty, inhibit crime, boost economic performance, foster better government, and even reduce mortality rates. Conversely, deficiencies in social capital contribute to a wide range of social, economic, and political ills.⁴⁵

Quick action was apparently the order of the day, since this unique capital had been increasingly on the decline—with the lone exception of religious communities.

[R]eligious people are unusually active social capitalists. [...] [R]eligious involvement is a crucial dimension of civic engagement. [...] [T]rends in civic engagement are closely tied to changing patterns of religious involvement.⁴⁶

Social capital consists—according to Putnam’s convincing definition—of “networks, norms, and social trust,” and promotes “co-ordination and co-operation for mutual benefit.”⁴⁷ Its market-value depends fully on its being in constant circulation and possessing the virtually miraculous characteristic of growing even as it is being spent. The more intensively people rely on personal connections and put trust in one another, the greater the capital becomes; conversely, the less intensively, the lower its value.⁴⁸ In the US Congress, Republicans and Democrats alike were encouraged to take action by Putnam’s diagnosis—Republicans with their belief in the superiority of individual initiative and market over State measures; and the Democrats with their trust in the stimulating effect of social legislation. Thus it happened that in 1996 these two camps decided together upon a reform of the welfare laws: religious communities were to be included in the allocation of

⁴⁵ Robert D. Putnam, “Democracy in America at Century’s End,” in: Axel Hadenius (ed.), *Democracy’s Victory and Crisis* (Cambridge: Cambridge University Press 1997), 27.

⁴⁶ *Ibid.*, *Bowling Alone: The Collapse and Revival of American Community* (New York: Simon and Schuster, 2000), 65–79; here, 67 and 69. Cf. Hans G. Kippenberg, “The Social Capital of Religious Communities in the Age of Globalization,” in: Panayotis Pachis & Donald Wiebe (eds.), *Chasing Down Religion: In the Sights of History and the Cognitive Sciences*, Festschrift Luther Martin (Thessalonike: Barbounakis, 2010), 215–232.

⁴⁷ Putnam, “Democracy in America at Century’s End,” 31.

⁴⁸ James S. Coleman, *Foundations of Social Theory* (Cambridge, Mass.: Belknap Press & Harvard University Press, 1990), 321.

the State welfare budgets—despite the American Constitution’s forbidding any financing of religious communities by Congress.⁴⁹

Solidarity with those in need is a religious value for all three Abrahamic religions. Yet ‘need’ as a category is not timeless: need and the ethical requirements of solidarity and support change according to economic and social circumstances. Economist Amartya Sen refuses to define poverty in merely quantitative terms or to measure progress by means of the growth of the gross national product or a rise in incomes. An economic development worthy of the name consists in something else, something more than this—namely, in the expansion of human capabilities: “There are good reasons for seeing poverty as a deprivation of basic capabilities, rather than merely as low income.”⁵⁰ Sen’s insight here opens up a broader perspective on the globalization of markets than an either/or approach: either welcoming it on economic grounds or condemning it on ethical grounds. The new economic circumstances entail a change in the religious ethics of solidarity. Social networks and competencies become the most valuable gift that can be given to the needy, since they facilitate their self-realization. The ethics of religious solidarity anchors the Abrahamic religions in the mechanisms of the global markets.⁵¹

Despite these impressive accomplishments, a word of warning is necessary. One should not be too quick to draw the conclusion that social capital is always and under all circumstances productive for civic society. It is indeed true that the transactions mediated by social capital promote the maintenance of social norms, as well as mutual trust and support, and give

⁴⁹ Alexander-Kenneth Nagel, “Charitable Choice: The Religious Component of the US-Welfare Reform: Theoretical and Methodological Reflections on ‘Faith-Based Organizations’ as Social Service Agencies,” *Numen* 53 (2006), 78–111.

⁵⁰ Amartya Sen, *Development as Freedom* (Oxford: Oxford University Press, 2001), 20.

⁵¹ According to Putnam, religious communities in the US contribute financially to social services in the area of fifteen to twenty billion dollars annually (*Bowling Alone*, 67–68). In a Dutch study, the financial value of volunteer work in mosques is calculated on socially relevant activities of sixteen of a possible 475 mosque-communities in Holland. Data examined considered help rendered in crises, childcare, language instruction, tutoring, and other activities that otherwise had to be organized and paid for by the State. The volunteer work carried out by the mosques ‘saves’ the Dutch state approximately one hundred and fifty million Euros (see Jaap van der Sar, Roos Lombo-Visser, & Welmoet Boender, “Moskeeën gewaardeerd. Een onderzoek naar het maatschappelijk rendement van Moskeeën in Nederland” (Utrecht: Oikos, 2008), <http://www.nuansa.nl/documentatie/onderzoeken/moskeen-gewaardeerd> (accessed 1 February 2013).

access to goods in short supply. As Alejandro Portes notes, however, precisely this effect can generate threats to the ordering of civil society if the participants monopolize the resources for their own group, exclude members of other groups, put pressure on one another to conform, limit individual freedom, or isolate themselves in ghettos or gangs.⁵² Similarly, the de-privatization of religion, as analyzed by Casanova, need not necessarily benefit the common good: it can also lead to a conflict with the State and legal order and to the formation of a ‘counter-public.’⁵³ For that reason Putnam dissected the impact of ‘social capital’ according to its antagonistic orientations: either internal (bound by commonality between like members) or external (building bridges between socially unequal parties)—in short, bridge building versus homogenizing capital.⁵⁴ On the whole, from the bridge building one may expect positive effects on civil society at large and from homogenizing social capital, negative ones. The process of separating public functions from State administration open religious associations new fields of practices that are, from the perspective of state control, ambivalent.

5. Max Weber on the Link Between Neighborhood and Ethics of Brotherliness

When moving the analysis from organizations to the actions of the believers in order to assess the impact of religions on the societal order, Max Weber’s approach is helpful. Max Weber sensed that a religious ethics of ‘brotherliness’ would become even more important under modern market conditions. In order to demonstrate this, he turned to the phenomenon of the neighborhood, which is one of the forms of community that he relates to economic activity in his book *Economy and Society*. He dealt in sequence with the household, then with neighborhood, religion, law, and domination

⁵² Alejandro Portes & Patricia Landolt, “The Downside of Social Capital,” *The American Prospect* 26 (1996), 18–21.

⁵³ Muhammad Qasim Zaman, “The Ulama of Contemporary Islam and their Conceptions of the Common Good,” in: Armando Salvatore & Dale F. Eickelman (eds.), *Public Islam and the Common Good* (Leiden: Brill, 2004), 129–155, here 151–152.

⁵⁴ Robert D. Putnam & Kristin A. Goss, “Einleitung,” in: Robert D. Putnam (ed.), *Gesellschaft und Gemeinn. Sozialkapital im internationalen Vergleich* (Gütersloh: Bertelsmann, 2001), 15–43, here 27–31.

and analyzed each of these societal orderings and powers as based on types of communal action to which the actors attribute subjective meanings.⁵⁵

Neighborhood and religious community are linked by emergency assistance. When a household gets into difficulties, a neighbor is asked to help. This is true both in rural villages and in the apartment blocks of a big town. There too, the neighbor is the expected helper in need, so that “neighborhood is the typical locus of brotherhood.”⁵⁶ In reality, brotherliness is certainly not the norm between neighbors; often enough, this ‘ethics of the people’ is ignored due to personal hostility or a conflict of interests. Indeed, neighbors can become particularly bad enemies. Nonetheless, “The essence of neighborly social action is merely that somber economic brotherhood practiced in cases of need.”⁵⁷ The faith community assumes the neighborhood association’s obligation to aid those in need and translates it into the injunction to ‘brotherliness.’ It is above all in the prophetic faith communities that assistance and aid to those in need are detached from spontaneous neighborly reciprocity and become the demands of a religious ethic. Indeed, these can take on the radical form of a specifically religious ‘attitude of love’ or ‘communism of love’—which in turn contributes to a disenchantment of the world’s realities.⁵⁸ Weber regarded the transformation of neighborly reciprocity into a religious ethics of ‘brotherliness’ as so fundamental to the development of modern society that he returned to it specifically in his famous “Intermediate Reflection” (*Zwischenbetrachtung*)—dealing with the religious rejections of the world and their directions. His treatment there is more condensed and more dramatic. Religiosity that centers on salvation transforms the old economic neighborhood ethics into a relationship between siblings in the faith. The obligation to help widows, orphans, the poor, and the sick becomes a fundamental ethical commandment one’s own salvation depends on.⁵⁹ The extent of the obligation is defined by the way in which the experience of the irrationality of the world

⁵⁵ Weber’s analytic model is presented with precision by M. Rainer Lepsius, “Eigenart und Potenzial des Weber-Paradigmas,” in: Gert Albert, Agathe Bienfait, Steffen Sigmund, & Claus Wendt (eds.), *Das Weber-Paradigma. Studien zur Weiterentwicklung von Max Webers Forschungsprogramm* (Tübingen: Mohr Siebeck, 2003), 32–41.

⁵⁶ Max Weber, *Economy and Society: An Outline of Interpretative Sociology*, eds. Gunther Roth & Claus Wittich (Berkeley: University of California Press, 1968), 362.

⁵⁷ *Ibid.*, 363.

⁵⁸ *Ibid.*, 581–583. The phrase ‘communism of love’ was coined by Ernst Troeltsch.

⁵⁹ Hans H. Gerth & C. Wright Mills (trans. & eds.), *From Max Weber: Essays in Sociology* (Oxford: Oxford University Press, 1946), 328–330.

is processed. When believers regard the word in principle and everywhere as the reality of incomprehensible suffering, the ethics of brotherliness bursts through all societal barriers and becomes universalistic. The more consistently it is practiced, the greater it is in tension with the structures and powers of the world; and the more this conflict leads to the consolidation of the autonomous political and economic laws of the world, the more irreconcilable is the dissonance between the religious value of brotherliness and the reality of the world. Paradoxically, an increasing faith and trust in the religious community makes the ethics of brotherliness an engine for detaching social structures and powers from all the subjective expectations placed in them in the search for meaning.

6. Cultural Diaspora and Transnational Religion

For the new forms of religious community, new concepts have been developed. Two of these—'cultural diaspora' and 'cultural enclaves'—I would like to examine further here. James Clifford introduced the notion of cultural diaspora, in order to distinguish it from a national 'minority.'⁶⁰ A diaspora community finds itself in a triadic social relationship: not only does it stand, as a minority, in relation to the nation state; it is also a community that extends beyond the nation state. Clifford takes the case of the inhabitants of a place in Mexico, whose friends and relations have moved to a city in California. Despite the physical distance, those in California maintain their home connection so effectively that one may speak of a single community. Out of the border crossing that once irreparably separated people, modern technologies of communication and transport forge a new kind of communality. In place of a gradual assimilation of the migrants into the US culture, what arises is a sustained existence within several social circles. In their new homeland these migrants establish a pluralism that covers nationality, language, culture, law, and—not least—religion. The province becomes the place of cosmopolitanism.⁶¹ This updated concept of diaspora is

⁶⁰ James Clifford, "Diasporas," *Cultural Anthropology* 9 (1994), 302–338.

⁶¹ The breadth of this diversity is the subject of the volume: Matthias Koenig & Paul de Guchteneire (eds.), *Democracy and Human Rights in Multicultural Societies* (Paris: UNESCO, 2007).

employed in socio-scientific attempts to take into account the transnationality of culture and religion.⁶²

Extensive study has been done on the essential, basic traits of the Islamic diaspora in Europe. Islam, which in the Near East targets the re-Islamization of society and also the State, unfolded in Europe in the shape of an ethical manner of conducting one's life; Olivier Roy has spoken of 'neo-Islamism' or 'post-Islamism' in this connection.⁶³ The *fatwas*, legal opinions of Islamic scholars for laymen, represent one case in this regard. The Prophet, in his revelation-speeches, told the believers: "Let there be one community [*umma*] of you, calling to good, and commanding right and forbidding wrong" (Sure 3: 104 see also 3: 110; 9: 71).⁶⁴ Accordingly, Muslims ordered their behavior on a scale: from that which is required by duty, to what is desirable, to allowed, to reprehensible (the forbidden). Yet what about the situations for which no clear norms or precedents exist? Early on in Islamic history it had been established that in such cases a respected scholar would be consulted. The advisor, or *mufti*, responded to the question by a written answer, which had to contain reference to Islamic law as well as to the *mufti's* legal school. The answer, however, was not legally binding; the person who posed the question had to decide himself or herself whether or not to adopt the advice.⁶⁵

In the diaspora, with its frequent uncertainty about whether specific behaviors were correct or not, the advising institution acquired renewed significance. The Internet became a preferred place for the promulgation of *fatwas*. In the beginning, the World Wide Web consisted of fixed HTML-pages that were put up on the Net for a rather long time and had to be

⁶² E.g. Peggy Levitt, *God Needs No Passport: Immigrants and the Changing American Religious Landscape* (New York & London: The New Press, 2007).

⁶³ The pithy formula employed by Roy, "post-Islamism means the privatization of re-Islamization." See Olivier Roy, *Globalized Islam: The Search for a New Ummah* (New York: Columbia University Press, 2004), 97. Similar observations are made in Werner Schifffauer, *Nach dem Islamismus: Die Islamische Gemeinschaft Milli Görüs. Eine Ethnographie* (Frankfurt: Suhrkamp, 2010).

⁶⁴ Michael Cook, *Forbidding Wrong in Islam: An Introduction* (Cambridge: Cambridge University Press, 2003), 3.

⁶⁵ Muhammad Khalid Masud, Brinkley Messick, & David S. Powers, "Muftis, Fatwas, and Islamic Legal Interpretation," in: idem (eds.), *Islamic Legal Interpretation: Muftis and Their Fatwas* (Cambridge, Mass.: Harvard University Press, 1996), 3–32.

maintained. The arrival of Web 2.0 brought a decisive change to the communication between creators and users of webpages.⁶⁶ Now there arose a possibility of direct communication between advisors and advisees, of spreading significant content among numerous individuals, and of networking among themselves and in chat rooms. Research into English Islamic online services has shown that in this way the authority of the *mufti* is no longer measured by the criterion of their agreement with a legal school, but rather is becoming disassociated from this traditional requirement. Legal opinions thereby become an instrument for propagating the faith.⁶⁷ Texts of this kind are increasing at lightning speed; within a period of a few years, the number of *fatwas* on the Internet rose from ten thousand to twenty-seven thousand.⁶⁸

Deliberations of the correctness or reprehensibility of violent actions have found a forum here: propagation of Islamic activism, militancy, and jihadism is accompanied by a renaissance of legal argumentation; and the advice of a respected *mufti* can alter behavior from forbidden to permitted.⁶⁹ On the webpage Islam Online, one can find many questions about jihad.⁷⁰

Are Chechen fighters in a Moscow theater allowed to take civilian hostages? Yes, they are allowed in order to retaliate for inflicted suffering, was the answer of Sheikh Faysal Mawlawi, member of the European Council for Fatwa and Research (Islamonline.net October 29, 2002). 'Should civilians be attacked during martyr operations in Palestine?', he was queried. No was his answer of

⁶⁶ A wealth of information on this is to be found in Gary B. Bunt, *Virtually Islamic: Computer-mediated Communication and Cyber Environments* (Cardiff: University of Wales Press, 2000); Bunt, *Islam in the Digital Age: E-Jihad, Online Fatwas and Cyber Islamic Environments* (London: Pluto Press, 2003); Bunt *iMuslims: Rewiring the House of Islam* (London: Hurst & Company, 2009). On his website he keeps data current: Virtually Islamic: Research and News about Islam in the Digital Age, <http://www.virtuallyislamic.com> (accessed 1 February 2013).

⁶⁷ Cf. Bettina Gräf & Jakob Skovgaard-Petersen (eds.), *Global Mufti: The Phenomenon of Yūsuf al-Qaradāwī* (London: Hurst and Company, 2009); Bettina Gräf, *Medien-Fatwasa@Yusuf al-Qaradawi. Die Popularisierung des islamischen Rechts* (Berlin: Schwarz, 2010).

⁶⁸ Numbers from Matthias Brückner, "Der Mufti im Netz," in: Rüdiger Lohker (ed.), *Islam im Internet: Neue Formen der Religion im Cyberspace*, vol. 3 (Hamburg: Deutsches Orient-Institut, 2000).

⁶⁹ Hans G. Kippenberg, *Violence as Worship: Religious Wars in the Age of Globalization*, trans. Brian McNeil (Stanford: Stanford University Press, 2011), 85–88.

⁷⁰ Islam Online, <http://www.islamonline.net/english/index.shtml> (accessed 1 July 2011).

October 26, 2003; attacks should be restricted to military targets including Israeli settlers living in the occupied territories. 'Is it true that Palestinian operations against Israelis constitute suicide rather than jihad?', the Sheikh is further asked. No, he responded (July 26, 2007); they are acts of resistance against an enemy who has occupied the land of the Palestinians, destroyed their houses, desecrated their holy places, driven millions of Palestinians from their homes, and replaced them by Jewish settlements. Since the Palestinians have no other weapons of defense, they are allowed to engage in martyr operations—provided their intention is pure.⁷¹

Religious violence, in a larger degree than commonly assumed, is based on arguing. This is evident as well in Islamic discussions on the London bomb attacks of 7 and 21 July 2005, which were controversial also among *muftis*. Some of them saw in the attack a justified retaliation for British aggression in Iraq; Britons were enemies of Islam, thus it was the duty of Muslims to terrorize them. Others objected to the attack upon innocent British civilians with whom Muslims held contractual relations.⁷²

With the genre of *fatwa* being newly established via the Internet, Islam changed into a religion that had to clarify, with the help of transmitted religious knowledge, the requirements of living as a Muslim in non-Muslim cultures. In contradiction to Shmuel Bar and the title of his book, *Warrant for Terror: Fatwas of Radical Islam and the Duty of Jihad*,⁷³ these discussions do not necessarily boil down to violence.⁷⁴ Since responses are contradictory, the final decision about correct acting rests in the asking Muslim believer, as it has always been done. Thus we see, in the communication on

⁷¹ The fatwas referred to derive from IslamOnline accessed in July 2010. In the meantime the website has been changed due to an internal conflict in the company. See for the company Bettina Gräf, "IslamOnline.net: Independent, Interactive, Popular," <http://www.arabmediasociety.com/?article=576> (accessed 1 February 2013); for the conflict, see Mona Abdel-Fadil, "The Islam-Online Crisis: A Battle of Wasatiyya vs. Salafi Ideologies?," *CyberOrient* 5/1 (2011), <http://www.cyberorient.net/article.do?articleId=6239> (accessed 1 February 2013).

⁷² Reuven Paz, "Islamic Legitimacy for the London Bombings," *PRISM* 3/4, http://www.e-prism.org/images/PRISM_no_4_vol_3_-_Islamic_legitimacy.pdf (accessed February 1, 2013)

⁷³ Shmuel Bar, *Warrant for Terror: Fatwas of Radical Islam and the Duty of Jihad* (Lanham, Md.: Rowan and Littlefield, 2006).

⁷⁴ Rüdiger Lohlker, *Dschihadismus: Materialien* (Vienna: Facultas, 2009); Mariella Ourghi, *Muslimische Positionen zur Berechtigung von Gewalt. Einzelstimmen, Revisionen, Kontroversen* (Würzburg: Ergon, 2010).

correct Islamic practices, that Islam in the diaspora entertains relations not just to the near but alien nation state, but also to the distant but familiar Muslim cultures abroad. The triadic structure becomes the matrix from which a ground-laying alteration of individual religiosity as well as religious community is emerging.

7. Cultural Enclaves and Religious Innovation

The concept of 'cultural enclaves' is derived from the work of Mary Douglas, who thereby designated a community that rigorously cuts itself off from the outside world, and rather than recognizing the transmitted internal hierarchy, follows charismatic authority.⁷⁵ Emmanuel Sivan has adopted the concept in connection with his studies of fundamentalism and developed it systematically by means of comparing cases from the three Abrahamic religions.⁷⁶ This gives rise to a comprehensive phenomenology of a 'strong' religion.

'Fundamentalists' interpret their current situation in terms of the concept of a history of salvation. The faithful believers are forced to lead their life in exile, as foreigners, in an era of unbelief; apostasy and heresy increase dramatically; divine order is losing its authority; people follow self-made norms and laws; arrogance and hubris rule the outside world. The enclave must protect itself with thick walls. Light and darkness stand irredeemably opposed, as do purity and impurity, justice and tyranny. Under these conditions religious authority can no longer be recognized by criteria valid outside the enclave. Believers are now turning to bearers of extraordinary charisma. In particular, the powerfully eloquent preachers of a pure faith are venerated as well as the courageous defenders of the faith.

It is in such contexts that religious innovation takes place that are often difficult to recognize. One example is the warrior against the power of tyranny. The readiness to die needs the approval of religious authorities; otherwise it would be no martyrdom, but just reprehensible forbidden suicide.

⁷⁵ Mary Douglas, "Grid and Group, New Developments," proceedings of a workshop in honor of Michael Thompson (2005), <http://www.psych.lse.ac.uk/complexity/Workshops/MaryDouglas.pdf> (accessed 1 February 2013).

⁷⁶ Emmanuel Sivan, "The Enclave Culture," in: Gabriel A. Almond, R. Scott Appleby, & Emmanuel Sivan (eds.), *Strong Religion: The Rise of Fundamentalisms around the World* (Chicago: University of Chicago Press, 2003), 23–89.

Yet the criteria for this approval have changed. According to the transmitted doctrine not everyone who was ready to give his life in the fight against the infidels could become a martyr; women were excluded; men could only do it if unmarried and with their parents' agreement. These restrictions were abandoned by religious authorities in the 1980s. Ayatollah Ruhollah Khomeini did not consider it necessary that parents give their consent to their children's martyr operation; Ayatollah Muhammad Husain Fadlallah in Lebanon followed suit in this.⁷⁷ A similar judgment appeared in the 1981 Egyptian writing *Al Farida al Ghaiba* ("The Forgotten Duty") by Abd al-Salam Faraj. Its author—a Sunnite—also maintained it was unnecessary that parents agree to the act of martyrdom. The fight is an individual obligation; parents and family need not be asked to agree.⁷⁸ Death by martyrdom has become an individual decision—no longer just for men, but for women as well; no longer just for the unmarried but also for married persons. In this, on the one hand the decision is disassociated from transmitted cultural restraints; on the other hand, however, it is made dependent on the consent by the religious community. Individualization of faith praxis and a strengthening of religious community are going hand in hand.

The fact that charismatics sometimes break with sacred traditions is incontrovertible and does not stain their image—on the contrary, the enclave must render itself independent of the 'outside world' and its 'corrupted' religion. It is inspired by the idea that it may acquire cultural dominance over all of its members by controlling its territory. This includes, among others, social institutions such as hospitals, educational institutions, media (newspaper, radio, television, internet), and institutions for the resolution of legal disputes, as well as services aimed at neighborhood security. A new kind of territorialization is thus a mark of this form of religious community and as such it is generating conflicts, since the controlling of neighboring spaces brings along with it a restriction of the public power of the national state.⁷⁹ This has been graphically shown in a study of a morally rigorous Islamic neighborhood in Cairo, where a stringent religious ethic has become the public order, enforced within the entire

⁷⁷) Kippenberg, *Violence as Worship*, 87.

⁷⁸) Johannes J. G. Jansen, *The Neglected Duty: The Creed of Sadat's Assassins and Islamic Resurgence in the Middle East* (New York: Macmillan, 1986), 200.

⁷⁹) Mark Juergensmeyer, *Global Rebellion: Religious Challenges to the Secular State, from Christian Militias to al Qaeda* (Berkeley: University of California Press, 2008).

quarter. The Egyptian State and the religious community compete with each other for cultural domination in the public space.⁸⁰ ‘Frontiers’ (border-regions) arise, in which social control is contested.

8. Conclusions

When the nation state is losing its control over the public sphere due to internationalization and sub-nationalization, the process operates like a refinery and generates different products. Religious communities are no longer supported by or dependent on the State, but become actors of their own in a field regulated by international and national law and by market-forces. Contrary to what many might expect, for religious communities the loss of State privilege has not necessarily entailed decline. In fact, what has resulted is a diversification of types of religious communities. A global machine is separating religious communities from their home ‘base,’ congregations of migrants from national minorities, established religious authorities from free-floating religious intellectuals, personal decisions from transmitted ethical prescriptions. Finally, and by contrast, a new kind of official, public religious presence has made itself felt, bound up with today’s civic legal social forms of the nation states. It is globalization, with its labor migration and privatization of common social tasks that is stimulating the emergence of the new religious social forms. To understand this process, one should study not religious institutions, but faith and trust in religious communalities, as cultivated by the Abrahamic religions—Judaism, Christianity, and Islam.

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⁸⁰ Salwa Ismail, *Rethinking Islamist Politics: Culture, the State and Islamism* (London: I. B. Tauris, 2003), 58–113.

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