

‘Power and the reification of “religion” in prisons’

James A. Beckford

University of Warwick

Introduction

There is a sense in which all intellectual work on religion has a reifying effect. Scholars in the humanities and social sciences necessarily construct religions as particular kinds of object. That is, they take some human emotions, ideas, artefacts and activities and frame them as things called ‘religions’. Accounts of these religions provide the basis for inferring something called ‘religion’ at a higher level of abstraction. Reification or hypostatisation is involved when this abstraction is regarded as being a real and independent entity in its own right.

Agreement to work with a variety of concepts of ‘religion’ is common among scholars, although disagreements tend to receive disproportionately great attention. Indeed, heated disputes have erupted between, on the one hand, scholars who find the concept of ‘religion’ unworkable because it is indelibly stained by its origins in particular historical circumstances (Fitzgerald 2007) and/or Christian theology (McCutcheon 2003) and, on the other hand, those who have pragmatic reasons for continuing to use the concept, albeit critically (Strenski 1998; Beckford 2003). What many scholars overlook, however, is that human beings do not live their lives entirely in accordance with the categories and concepts constructed by intellectuals. The fact is that human cultures – as the sedimentary deposits of millennia of embodied thinking, feeling and acting – are not logical structures. On the contrary, they are rich in variations, contradictions, ambiguities, uncertainties, mysteries, failures – and nonsense.

The central aim of this paper is to investigate what happens – in spite of all the uncertainty about the category of religion – when certain institutions seek to impose meaning and order on what counts as religion. More or less independently

of the academic controversies about definitions of religion, non-religion and spirituality, there are social settings where struggles commonly take place to impose or to resist particular notions of religion for practical purposes. This represents reification as a social and political practice: not just as a philosophical operation. I shall argue that prisons offer a particularly clear demonstration of how the struggles over the reification of religion occur in the context of relations of power.

An analysis of the reification of religion in the prison systems of France and England and Wales (hereafter ‘Britain’ for the sake of convenience) will occupy the central part of this paper. It will then situate the processes of reification in the context of power relations.

Reification and religion in prisons

The British and French prison systems reflect many of the characteristic features of the States that are responsible for them (Beckford, Joly and Khosrokhavar 2005). For present purposes, the most important difference between these two countries concerns the space permitted in the public sphere for expressions of religion. Since 1905 the French Republic has enshrined the principle of *laïcité*, which effectively excludes religion from most – but not all – spheres of public life on the grounds that the State must be neutral towards all religions. By contrast, the British State is legally, historically and culturally intertwined at many levels with two established Christian churches: the Church of England and the Presbyterian Church of Scotland. They regard themselves as ‘national’ churches rather than ‘state’ churches, but the fact remains that relations are close between them and the State in England and Scotland. As a result, these two churches and many other religious organisations are continuously active, if not always as visible as they would choose, in the British public sphere.

The differences between the spaces occupied by religion in the public sphere in France and Britain find their echo in the place accorded to religion in each country’s prisons. The principal differences can be summarised as follows. In French prisons, official recognition of the religious identity of prisoners is

virtually non-existent; the provision of prison chaplains and facilities for collective religious practice is meagre and uneven; and religious personnel are marginal to prison management. The situation in British prisons is quite different in so far as the religious (and ethnic) identity of prisoners is officially recorded, recognised and reflected in various aspects of daily life; the law requires the appointment of chaplains in all establishments; the provision of facilities for collective religious practice is good for prisoners associated with many faith traditions; chaplains are integrated into the management structure of prisons; and the functioning of chaplaincies is audited with reference to the Performance Standard on Religion.

This is not the place to explore all the subtle qualifications that could be made of the sharp contrast between the place officially made for religion in French and British prisons. I simply intend to use the unqualified contrast between them as a device for introducing the corresponding differences in their respective ways of reifying religion. In part, prisons merely amplify reification processes that are common in the wider society; but in other respects they introduce some distinctive features.

France

Like all institutions of the French Republic, the *Administration pénitentiaire* (or Prison Service) is subject to the constitutional stipulation that France should be a unitary and secular (*laïc*) State that is separate from, and neutral towards, all religions. Indeed, it is illegal for the State to gather information about the religious or ethnic identity of its citizens. On the other hand, the relevant law (*le Code de Procédure pénale*) also holds that prisoners have the right to meet their religious, moral or spiritual obligations (Art. D432) and to be informed, on arrival in prison, of the opportunities to meet a representative of their religion (Art. D436).

Administrators of French prisons interpret these rights to apply mainly to what prisoners are allowed to do and to keep in the privacy of their cells. Thus, it is acceptable for prisoners to wear conspicuous symbols of their religious identity in their cells but not in the public areas of prisons. As for the rights to collective activities such as attending religious services, they are ‘more honoured in the

breach than the observance’ – except for the regular services run for the benefit of Catholics. Justification for the relative privileges enjoyed by Catholic prisoners is often phrased in terms of tradition or culture rather than religion, thereby preempting a clash with the principle of *laïcité*. In itself, this is an interesting example of a discourse that reifies religion as something essentially private that also happens to be part of ‘traditional’ French culture.

Another aspect of reification in the French prison system is the insistence on officially treating all religions as if they were the same. In theory, the State cannot legally recognise differences between religions, so they are all lumped together as an undifferentiated entity in a single category. In other words, they all enjoy equal rights to very little. In practice, however, mainstream Christian religion is regarded as the norm.

A third aspect of the reification in French prisons is the widely held belief that religion, unless confined to the private sphere, represents a basis for engendering ‘communitarianism’. This is understood to be a collective expression of religion that threatens to short-circuit the direct relationship between citizens and the State by creating an alternative focus for political identity and loyalty. As such, communitarian religion allegedly represents a threat to security and good order not only in prisons but also in the wider society. This intolerance of religions that aspire towards communal forms of activity, especially if they seem to have a political intent, is of a piece with the French Republic’s relentless suspicion and harassment of controversial religious movements (Beckford 2004; Palmer 2008).

England and Wales

There is much more to be said about the reification of religion in British than in French prisons. This is because religion receives a high degree of recognition, respect and resources in the British system – but at the cost of being subject to considerable regulation. None of this is surprising in view of the long history of mainstream Christian churches’ contributions towards the philosophy and practice of incarceration in Britain. The outcome is that religion probably enjoys a higher profile in British prisons than in the society outside them.

Reification begins with the repeated assertion by Government ministers and prison officials that religion is important for the rehabilitation and resettlement of prisoners. For example, a consultation document published by the National Offender Management Service stated that

This consultation paper seeks to promote the work of faith-based organisations with both adult and young offenders, and explore further actions that Government can take working in partnership to strengthen engagement with the faith-based sector as well as its role in service delivery (National Offender Management Service 2007, 1).

This official discourse – partly political, partly administrative – constitutes religion as a force for moral improvement and social cohesion that needs to be carefully tended and applied.¹ As such, it is also ‘normalised’ in the sense that every prison is expected not only to foster religion in its approved forms but also to be routinely assessed on the basis of how well religion ‘works’ in each establishment. The main Performance Standard for Religion, for example, requires that

All establishments enable prisoners to participate in corporate worship and other religious activities that encourage their spiritual and personal development whilst in custody, and in preparation for release into the community. (HM Prison Service 2006, 1)

Although the personal dimension of religiosity is not ignored, the emphasis of the official policies is firmly on the corporate and public aspects of religious activities in British prisons. In this way, religion takes on the properties of a thing that is recognised primarily for its place in the corporate life of prisons.

¹ For a statement of the wider policy framework within which the British Government currently favours partnership with faith-based organisations, see the Department for Communities and Local Government 2008.

Reification of religion also occurs in the official documentation that circulates in British prisons. In particular, the 167-page Religion Manual² serves as a compendium of information about the faith traditions and communities that are recognised by the Prison Service. It is designed to keep governors, prison officers, chaplains and chaplaincy volunteers informed about the religious traditions with which prisoners choose to identify. In compressing the messiness and variability of religious traditions into skilful but brief summaries, the Manual actually performs a double reification. The first reification reduces religion to only those traditions that have been formally recognised. Thus, paganism and veganism recently acquired their own sections in the Manual after being recognised as ‘permitted religions’ – despite the fact that the section on veganism begins with ‘1.1 Veganism is not a religion but a philosophy’. On the other hand, the Manual is silent about, for example, the Watchtower Society, Scientology, Rastafarianism and the Nation of Islam.

The second reification brought about by the Religion Manual reduces each religious tradition to a list of shared characteristics such as ministry, corporate worship, private worship, festivals, beliefs, theology, diet, dress, toiletries, work, artefacts, marriage, funerals, and groupings within the tradition. Although the Manual’s predecessor originated largely as the work of a single Anglican Assistant Chaplain General at the chaplaincy headquarters, subsequent updates and re-writes have drawn on the expertise of the Prison Service Chaplaincy’s own group of Faith Advisers. As such, it is authoritative and well adapted to its main function of permitting prison staff to discover quickly what it means for prisoners to identify with particular religions. It serves as an essential point of reference when prison staff have to decide whether a prisoner’s – or a chaplain’s – claims about the obligations of his or her faith are credible and acceptable. In this way, each permitted tradition is translated into a set of operational definitions. For example, the practice of Judaism is defined in terms of, among other things, dietary requirements, festival celebrations, special clothing, male circumcision, and so on. The emphasis is on behaviour, artefacts and activities, thereby

² Prison Service Order 4550 ‘The Religion Manual’ was first issued in 2000 and has been continuously adapted.

reinforcing the idea that any religion can be understood as a delimited object or entity if the intention is to establish the minimum requirements for practising it in prisons. The pressure to produce 'recipes' for recognised religions is understandable in the context of prisons, where the opportunities to practise these religions are counterbalanced by operational limitations on what can be permitted without causing undue problems.

A further feature of the reification of religion in British prisons is a direct result of the growth of religious diversity in the prison population since the mid-twentieth century. At the beginning of this process, many Christian chaplains took the initiative to facilitate religious and spiritual support for prisoners wanting to practise the principal world religions other than Christianity (Beckford and Gilliat 1998). By the start of the twenty-first century, however, Christian chaplains were increasingly working alongside leading representatives of faith traditions who had been appointed to assist the Prison Service Chaplaincy in two capacities: as members of the Chaplaincy Council and as individual Faith Advisers. Their advice on appropriate ways of practising their respective religions in prisons has been critical to the implementation of a multi-faith form of chaplaincy. They have become touchstones for the authenticity of the religious practices of prisoners, but they cannot possibly be representative of all the different strands, schools or factions within their own faith traditions. In effect, the influence that they exercise is helpful for the Prison Service in so far as they are in a position to offer apparently authoritative guidance on matters of belief, morality and practice. But the authority that they wield also contributes towards reification of religion by condensing their widely diverse faith traditions into supposedly core obligations or requirements. No doubt, this makes life easier for prison officials but it also reifies heterogeneous faith traditions into limited sets of practices.

Before leaving the issue of reification, it is important to add that the Prison Service Chaplaincy of England and Wales was in the vanguard of official schemes to recognise religions other than Christianity. The appointment in 1999 of the first Muslim Adviser to the Prison Service marked a watershed in multicultural and multi-faith policies. The integration of leading representatives of various

faith communities into the consultative apparatus of the chaplaincy service was a further step towards making the category of religion more inclusive. Yet, these developments have also had the effect of crystallising the impression that the faiths recognised by the Prison Service represent ‘normal’ religion. In other words, a process of reification has converted selected religions into the category of normal religion.

The cachet of recognition by the Prison Service – along with other public and voluntary organisations – is undoubtedly a valuable mark of acceptance. The Pagan Federation, for example, declares that

The Pagan Federation from its beginning in 1971 campaigned to have Paganism recognised as a valid spiritual path and for the rights of Pagans to hold and practise their beliefs openly without fear of retribution or condemnation from those who viewed these beliefs as being evil or otherwise. The Pagan Federation has been succesful [*sic*] in this area. Paganism is now officially recognised. The Pagan Federation continues to work both alone and with other Pagan Organizations in promoting awareness of Paganism to individual Government departments, the general public and individual enquirers. (Emphasis added)³

Indeed, the Prison Service now permits prisoners to practise paganism, including the possession of ‘incense and holder’, ‘a flexible twig for wand’, a ‘hoodless robe’, rune stones, a chalice and Tarot Cards. The latter item is particularly revealing about the regulation of a permitted religion: ‘The cards are for personal use only and may be withdrawn if used inappropriately (e.g. telling fortunes)’ (HM Prison Service 2007, 8). This is one of the accommodations that the Pagan Federation presumably accepted in its negotiations for recognition by the Prison Service. Nevertheless, the fact that the British State confers official recognition on selected religions – subject to certain conditions – could be an inducement to the representatives of other religions to bring their practices into line with the norm in order to achieve recognition. This is notably a point of contention among

³ <http://www.paganfed.org/intro.php> Accessed 18 February, 2009

religious organisations whose applications for registration as charities in law have been rejected by the Charity Commissioners.

Power relations and the reification of religion

This section of the paper extends the argument that the reification of religion in the prison systems of France and Britain cleaves to the contours of each country's relations between religions and the State. The focus of discussion is the relationships of power that shape the processes of reification – and resistance to them.

The term 'power' can refer to the capacity of social actors to set the public agenda; it can also refer to the capacity of actors to compel others to act in certain ways even if they have objections. Both senses of the term are relevant to life in prisons.

In the case of French prisons, the law on *laïcité* places limits on the scope for co-operation between the representatives of faith communities and prison authorities. Admittedly, a small number of senior (or 'national') prison chaplains help officials in the *Administration pénitentiaire* to oversee the work of prison chaplaincies, and a Muslim Chaplain in Chief has been part of the administrative machinery for a few years. But there is no framework for routinely consulting leading representatives of faith communities; nor is there agreement among them about the conditions in which prisoners are permitted to practise religions. Instead, the power to decide what counts as religion and how religions will be practised lies overwhelmingly with administrators and politicians at the national and regional level in consultation with the Directors of individual prison establishments. This arrangement makes it almost inconceivable that the French Republic could regard itself as being in partnership with faith communities or organisations. Instead, the State merely applies the basic rules under which the practice of religion is permissible in law.

The Catholic Church,⁴ some Protestant churches⁵ and Muslim organisations⁶ in France have bodies with special interest in ministry to prisoners, but they have no official standing in the eyes of prison officials. They are not listed on the *Administration pénitentiaire*'s website and are entirely dependent on their own resources to finance their activities. The training of chaplains takes place mainly in their own denominations, and there is no national standard for the performance of chaplaincies. Many chaplains see themselves as 'outsiders' in the prison system. In the words of a Protestant chaplain 'the prison service barely includes the chaplaincy in its concerns. Chaplains are not part of the administrative staff. They remain people "from the outside" and not "from the inside", and this is probably better for the prisoners' (Rey 2006, 2, trans J.A.B.). It is not clear whether the *Service d'inspection* of French prisons or each establishment's *Commission de surveillance* routinely comment on chaplaincies in their reports submitted to the Garde des Sceaux. Some of the reports are subject to 30-year or 60-year rules of disclosure.

All these features of the position occupied by chaplains in French prisons indicate that they are relatively weak in relation to the power exercised by members of prison staff. Since they do not form part of the formal authority structure or the informal hierarchy of esteem, they enjoy considerable freedom from bureaucratic control. But their collective capacity to influence policy or decision-making is not strong. Individually, they may be able to wring occasional concessions from prison directors, but they have very little collective power to change structures or procedures.

The power of chaplains in British prisons is widely thought to have declined in the latter half of the twentieth century – partly as a reflection of the weakening capacity of religion to shape public policies in general and partly as a result of the growing importance attached to professions allied to psychology, psychotherapy

⁴ Aumônerie catholique des prisons.

⁵ La Fédération Protestante de France has a committee on 'Justice et Aumônerie des Prisons'.

⁶ Le conseil français du culte musulman, the most inclusive co-ordinating body for Muslim organisations in France, lists the appointment of chaplains in prisons as one of its objectives. See <http://www.portail-religion.com/FR/dossier/islam/pratique/institutions/CFCM/index.php> Accessed 17 February, 2009.

and social work in prisons. Nevertheless, structures are still in place which allow chaplains, especially those serving full-time in prisons, to try to influence the treatment of prisoners.

Beginning with the most visible structures, virtually all of the 140 prison establishments in England and Wales have purpose-built or adapted premises for the collective practice of religion. For example, HMP Long Lartin, an establishment predominantly housing male prisoners serving sentences of at least four years, has two Christian chapels and a range of multi-faith rooms. Pressure from Muslim authorities has succeeded in persuading prison managers either to install suitable facilities for ritual ablutions in close proximity to rooms used for Friday prayers or to make alternative arrangements.

Chaplains are another part of the visible structure of religion in British prisons. The law requires every establishment to have at least one chaplain and as many others as are consistent with the size and composition of the prisoner population. As a result, it is common to find chaplains and chaplaincy volunteers working in prisons every day of the week. They are organised into teams in each establishment, sharing offices and access to the spaces used for worship, meditation or study. Many establishments have chaplaincy committees that co-ordinate resources and responsibilities. Organising religious festival celebrations falls to the chaplains, and occasionally they also stage multi-faith activities. In some places, chaplains also arrange for religious groups from the locality of their prisons to share worship with inmates.

The visibility of chaplains extends, in many establishments, to their participation in prison-wide activities. Some are invited to attend the daily briefing and discussion with Governors; others are involved in interviewing prisoners at the point of their reception into the establishment; still others make a daily visit to prisoners being held in segregation units or in healthcare centres. Moreover, chaplains often take part in meetings to discuss sentence planning, suicide awareness, applications for release on licence, links with families, 'race equality' and compassionate reasons for temporary release. Indeed, one of the criteria by

which the members of HM Inspectorate of Prisons assess establishments is in terms of how well the chaplains ‘work closely with other staff in the prison for the benefit of prisoners’.⁷ Each of these forms of participation in the daily round of official activities offers to chaplains the opportunity to exercise some degree of public influence. For example, an Anglican chaplain assumed the duties of the Faith and Diversity Officer in an establishment that had failed to appoint one. In addition, it is not uncommon for prison officers and governors to consult chaplains informally about the welfare of individual prisoners – and for chaplains to make representations on behalf of prisoners who have sought their help. Chaplains are the first to admit that the amount of power that they exercise over prison officials is small, but many of them have a strong belief that they can make a difference. And some of their duties are ‘statutory’ in accordance with the Prison Act 1952.

A largely overlooked aspect of the potentially powerful position of chaplains in British prisons arises from the governance procedures that control all establishments. The work of chaplains counts towards overall, annual assessments of the extent to which each prison meets the Prison Service’s performance standards. The ‘performance indicators’ for religion carry the same statistical weight as do the measures of other activities in prisons. In addition, each establishment’s Independent Monitoring Board is required to assess the effectiveness of chaplaincy work and to report on it in their annual reports. Some of these reports complain that the chaplains are overworked. Finally, HM Inspectorate of Prisons⁸ routinely examines chaplaincy activities in both its announced and its unannounced inspections of establishments. The Inspectorate’s published reports, which are returned to the UK House of Commons in the first instance, attract public interest on occasion, especially in the wake of controversial incidents in prisons. For present purposes, it is interesting to note that the report for 2007-08 not only recognised the ‘important, but sensitive role of the Muslim chaplain and the need to support his role generally’ but also suggested ‘the need to deploy the skills of Muslim chaplains more effectively: for

⁷ <http://inspectorates.homeoffice.gov.uk/hmiprison/docs/expectations-2008?view=Binary> p.128. Accessed 18 February, 2009.

⁸ <http://inspectorates.homeoffice.gov.uk/hmiprison/> Accessed 19 February, 2009.

example, they could play a role in improving the cultural awareness of staff and prisoners by becoming more involved in training'.⁹ This suggestion seems to echo a tendency reported in recent annual reports from HM Inspectorate of Prisons towards a widening gap between Muslim prisoners' degree of satisfaction with the provision of religious facilities for them and their growing perception that they are subject to unfairness and victimisation in other aspects of prison life. Now that religion functions alongside 'race', gender and disability in the Prison Service's categorisation of 'diversity' issues, the role of chaplains has acquired new-found significance. The salience of religion in prisons has increased as a result of being placed, for administrative and evaluative purposes, in the diversity category.

To sum up, the power relations affecting the place of religion and of religious personnel are very different in French and British prisons. Religious activities are marginal to the life of French prisons; chaplains have very little involvement in non-religious activities; and representative organisations outside prisons exercise virtually no influence over policies or practices. By contrast, religious activities and personnel are strongly entrenched in British prisons. Religious activities are an important, fully resourced and legally required part of the cycle of activities; chaplains are active *ex officio* in many consultative and decision-making capacities; representative religious organisations are routinely consulted by prison authorities; and the official monitoring of the quality of prisons takes explicit account of the standards of religious and spiritual care. It seems, then, that the framework of power relations affecting British prisons is, relative to French prisons, much more permissive and supportive of recognised religions.

Conclusion: power, salience and expediency

It is important to clarify the central thrust of this paper. It does not claim that religion is a powerful force in British prisons: it merely argues that institutional frameworks and relations of power permit religion to have a higher degree of salience in British prisons than in their French counterparts. In other words,

⁹ <http://inspectors.homeoffice.gov.uk/hmiprison/docs/annual-report-2007-2008/annual-report?view=Binary>, p.38.

religion enjoys a relatively higher profile in British prisons than in French prisons as a consequence of the differences between their respective frameworks of relations between the state and religions.

The reason for emphasising this point about relativity is that the distinction between the salience and the importance of religion is not always as clear as it should be among sociologists of religion. The salience of religion in the public life of Western democracies may sometimes be high, but the evidence that public policies and their implementation are driven primarily by religious values is weak – with the exception of the USA during George W. Bush’s presidency. I see no reason to disagree with Bryan Wilson’s (1985, 15) claim that ‘Religion has lost its presidency over other institutions’.

This is not to say that religiously motivated actors do not contribute energetically to public debate or public life. Nor is it to deny that the discourse and rhetoric of public debate can draw on religious ideas and symbols. Indeed, religion hits the headlines from time to time in Western democracies, but this is not because it is a major determinant of important strategies or decisions. In fact, France continues to exclude religion from the Republic’s institutions, while the British government enters into expedient partnerships with faith communities in order to achieve its policy objectives. The reification of religion in the prisons of France and Britain clearly illustrates these contrasting patterns of exclusion and expediency.

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