



## **RELIGION, POLITICS AND MIGRATION: IMPACTS ON THE STRUCTURES OF CONTEMPORARY STATES**

*Maktor Queiroz do Rêgo<sup>1</sup>*

### **ABSTRACT**

The purpose of this article is to briefly analyze the dialectical relationships that are established between the spheres of politics and religion and their consequences in contemporary migratory processes, as well as trying to realize that these processes are assimilated within the structures of States and , we verified how religious differences are reflected as a process of social stratification institutionalized by legal statutes - specifically in Western countries, self-declared as secular states. We will try to briefly examine how these nuances between these apparently disconnected universes have generated profound institutional crises in contemporary societies, as well as, we intend to demonstrate in a concrete way the existence of a project of instruction of democratic and republican institutions with the intention of reestablishing an order in the West. Theocratic, based on the ancien régime, albeit in a new guise.

**Keywords:** Religion. Politics. Migration. Minorities. Secular.

### **INTRODUCTION**

In recent decades, the West has been experiencing a process of resurgence of xenophobic and racist feelings, as a result of the implementation of public policies that enabled the integration and participation of minorities in the spaces of power in Western societies. Ethnic groups that profess heretical beliefs have always been harassed and relegated to experience a secondary citizenship, unable to participate in the decision-making processes of the societies in which they are inserted.

The assimilation of these groups to areas previously reserved exclusively for members of a white and Christian elite, could not happen without any shudder and resurgence in the hosts of the dominant groups, thus we can witness in recent years the strengthening of extreme right groups in several

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<sup>1</sup> Mestre em história. (UEPB)



western countries, especially in the epicenter of modern capitalism: the United States of America.

We saw with incredulity the rise of the motto: Make America Great Again, which we could translate as: do not touch the structures of American society, minority groups must recognize their subordinate “place” within this cosmovision. It is no coincidence that this process of the rise of fascism took place shortly after the arrival of a black man as President of the Republic of that country. Barack Obama has been endlessly accused of not being an American, precisely because of the sense that ethnic groups can only be assimilated within the structures of the State in a condition of not fully exercising citizenship, of not occupying spaces of power. We will try, through this brief sketch, to demonstrate how fallacies the principle of the Secular State and respect for Religious Diversity.

### **RELIGION, POLITICS AND MIGRATION**

How many diasporas were created from the relationship of proximity and sometimes even symbiosis between the spheres of politics and religion? Laws par excellence derive from religious precepts, as we can see in all codes based on sacred books.

Even in the West, where theoretically there is a separation between the universe of religion and politics, according to the criteria of Enlightenment rationalism, even there we are faced with the so famous hypothetical universal norm of Hans Kelsen, which would precede all constitutions and give them foundation . Although Hans Kelsen is a legal positivist philosopher, he seems to suffer from a certain conceptual absence in his thesis, which brings him closer to his opposite: natural law, which defends the presumption of all norms in nature and ultimately in the divine emanation of laws. According to the eminent jurist:

“If Law is conceived as a normative order, as a system of norms that regulate the conduct of men, the question arises: What is it that grounds the unity of a plurality of norms, why does a given norm belong to a given order? And this question is closely related to this



other: Why is a norm valid, what constitutes its foundation of validity?" (KELSEN, 2010).

The foundation of the law, the law of the law, the institution of the institution, the origin of the constitution is a performative event (DERRIDA, 2020), we can assure that the social orders inaugurated by the constitutions, have their justification in abstractions, but that the real factors of power certainly ensure the structures of contemporary societies and obviously no matter how great the effort of the West to relegate the space of religiosity to the sphere of individuality, obviously it has not been successful in its intention.

In the Jewish question Marx demonstrated how the situation of the Jewish people in Europe was linked to the conception of the Christian State, of the State as a representation of a religious confession and also as an expression of a blood heritage - the demand for a secular State would represent for the Jewish people the possibility of assimilation within the structures of the diverse nation-states of nineteenth-century Europe. Behind many mass migrations we always have in the shadows the specter of religious wars, religious persecutions. Marx adds that:

“In France, in the constitutional state, the Jewish question is the question of constitutionalism, the question concerning the partiality of political emancipation, how the appearance of a state religion is maintained there, albeit in an inexpressive and self-contradictory formula, namely, in the majority religion formula”. (MARX,2010).

It is true that there are other things, of course - other interests: economic, political, military, etc, which legitimize "certain expedients of oppression and persecution of certain ethnic and/or religious groups. In this perspective, the State demands from its subject the confession of belonging that manifests itself almost inexorably, in the confession of principles originating from the “official” religion of the State, the other groups embitter the clandestine and persecution of their religious and cultural manifestations, the tolerance of the secular State rehearses a certain mystique, covering with a veil your true nature of bigotry.



In Western democratic societies today. The power project of religious groups that aim to build a homeland of the gospel or Jesusland, would represent nothing more than the return of the State to its former format, a theocratic, univocal State, which would only support subjects who subrogate belonging to it by confession of creed and blood inheritance. It is the tragedy announced, history repeats itself as a farce, we do not lack examples in the recent past and in the present of many eastern societies, of the humanitarian drama that this path represents, especially in terms of mass migrations, refugee camps, the exiles and widespread killings in the name of the faith. This state of affairs often reflects the picture of evil and the worst in the atrocious forms of wars and persecutions.

Religious wars are installed surreptitiously in the structures of contemporary societies. Liberal democracy ensures in its constitutional texts freedom of expression and freedom of worship, the religious expression that intends to be hegemonic, knows that it has to use these two scopes, often in a contradictory and ambiguous way to occupy spaces within the State and of their institutions, once these spaces are occupied, a process of delegitimization of plurality, of religious diversity, is triggered. By its very nature, according to the situation of interests of its employees, the church must be “democratic”, in the sense of making access to sacred values general. From a sociological point of view, the leveling process is parallel to the political struggles of the bureaucracy against the political privileges of the aristocratic strata (WEBER, 2015).

Notably, hierocracy has similarities with political bureaucracy, in the struggle for occupying spaces and status in power structures. Men and religions are above all historical constructions, if for some religious expressions the spiritual exercise must be to contemplate the world without interfering in its construction - it is quite true that for the religious manifestations that developed in the West from the 15th century onwards, a rational ethics of the world according to divine commandments is assumed,



the option for the non-contemplative posture of the world is emphatically manifested in the second generation of the Protestant Reformation.

According to Calvin's theology, human beings would be God's favorite creatures, endowed with rationality and will. For Calvin, man is only realized through work. Weber states that: all forms of ethics are rational, obviously including here religious ethics, manifestly sedimented in the *ratio naturalis*, which, as we stated above, underlies the *jusnaturalist* conception of law and ultimately serves as a presupposition for the constitutional aspirations of Nation-states in Europe and in the new world, especially in North America, where the theory of predestination arrived even before the arrival of the colonists, since the constitutional pact was still agreed on the Mayflower on the way to the northern colonies. In the meantime, we have:

“Today's modern groupings, particularly political ones, are of the "legal" type of authority; that is, the legitimacy of the holder of power to issue directives is based on precepts rationally established by enactment, convention or imposition. And the legitimacy to establish these precepts is based on a rationally dictated or interpreted constitution.” (WEBER, Max. Pág. 39, 2015).

The construction of a religious identity that intends to be hegemonic in a territory of a nation-state, necessarily presupposes the suppression of other ethnic/religious identities, relegating these expressions to marginality, and the artifice used for this purpose is materialized in the penal codes. Religious practice is a strong factor of social stratification in the most diverse societies, access to spaces of power within the structure of society are reserved for those who share the basic precepts of hegemonic religiosity, even in Western societies where the secular state is intended, the institutions are riddled with obstacles to ethnic/religious diversity. The courts, can be considered as the clearest example of the anti-ecumenical expression of the institutions, in theory, being the secular State - symbolic associations with this or that religious expression should not be allowed, the physical space of the court should be exempt and neutral. It is not what one perceives when we enter a courtroom and are faced with the symbol of the cross next to the goddess Themis, the semiotic perception of this environment leads us to the inevitable



conclusion that the State there is confessed, as a Christian State, any other symbol it will not be tolerated there, as it does not represent the “spirit” of the social body.

From 1789, with the French Revolution and the subsequent promulgation of the Charter of Human Rights, the rights of all men, without distinction of race or religion, began to be recognized. La déclaration des droits de l'homme, express en son article dix que: Art. 10. Nul ne doit être inquiété pour ses opinions de, même religieuses, pourvu que leur manifestation ne trouble pas l'ordre public établi par la Loi. Specifically, the Declaration of the Rights of Man, gave the status of citizen to all who lived in France regardless of their religious confession, the political emancipation of non-Christians spread across Europe in the 18th century and influenced the promulgation of several constitutional charters around the world. whole, sharing its values and principles in different societies, even if in many circumstances, with serious distortions of its precepts. as in Brazil, for example, where the ruling classes appropriate revolutionary concepts to grant a republic of swords under the aegis of the Catholic Church.

Everywhere the State represents the forces of oppression that operate specifically against an ethnic group or a religion as a way of keeping a social structure that is based on exploitation in operation. Leviathan is always breathing fire from his nostrils, scaring minorities far and wide and creating situations of mass displacement to escape his wrath. The history of modern states is also the history of persecution and oppression of minorities, especially religious minorities.

The case of the Jewish people is the classic example of State oppression mechanisms based on ethnic/religious precepts. The Jews were persecuted in the last two millennia, after the destruction of the kingdom of Judea by the Romans, wandering through different countries and continents, sometimes being accepted with some naturalness, sometimes being hostile, but always as non-citizens. The Jewish people, by constituting the State of Israel, affect the Palestinian populations with the same deprivations that have been



imposed on them for centuries. From the example of the State of Israel, we can intuit that the very essence of the State is the exclusion of certain groups, in order to maintain the *status quo*. Modern bourgeois democracy has not been able to remedy these distortions, we often see the corrosion of democratic institutions, being encouraged by certain political groups that at their core intend to impose their religious confession on society as the only acceptable one and for consequent to the prosecution of divergent beliefs, under the protection and imperative of the law. In these contexts, practitioners of “heretical” creeds are left with flight or being hung up.

## **CONCLUSION**

The advances in terms of rights and guarantees achieved in recent centuries in Western societies, especially with regard to freedom of religious expression, a right enshrined in all contemporary constitutional charters, it should be noted that in Brazil, freedom of belief is guaranteed in our constitutional text, at the heart of the stony clauses - that is, it cannot be revoked or extirpated from the constitutional text, nevertheless, this entire legal framework does not empirically prevent our social fabric from being affected by serious endemic pathologies, attacks contumacious to religious diversity.

In recent years, we have experienced the rise to power of a religious segment whose aim is not only to seize political power, but through this - to establish a Theocratic State. As we have shown, in practice the so-called secular States are nothing more than simulacra, since in their hearts the religion of the majority manifests itself as the essence of the State itself. However, even in the midst of persecution and violence, minority confessions and creeds can be based on constitutional principles to have their practices freely assured - the presumption of state secularism, its mechanisms and legal apparatus, has become the great enemy of extremist groups who wish to dissolve the democratic order and consequently all the principles of republicanism, to re-institute a theocratic order, this phenomenon, in our conception, represents a gigantic threat to life and freedom. It is necessary to



focus tirelessly on this issue, so that we can point out possibilities for action and defense mechanisms against this scathing attempt.

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