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Norms, Stories, and Ideologies

What We Talk About When We Talk About Political Secularism

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I. INTRODUCTION

In a thoughtful rejoinder to a series of comments on the blog *The Immanent Frame*, Abdullahi An-Na’im resorts to a peculiar strategy to defend the main substantive argument of his magisterial study *Islam and the Secular State* (2008b). Faced with objections regarding his use of concepts such as “secularism” or “civic reason”, An-Na’im drily, and only half-seriously, responds:

I don’t mean to offend theorists in this field, but I wish I could communicate what I mean without ever using terms like secularism and liberalism because they tend to distract rather than facilitate understanding. As I briefly explained in *Islam and the Secular State*, I hesitated in using the term secularism because of its negative associations among Muslims in particular. [...] Since the use of this term is usually the only point of contention whenever I present my proposal to Muslims, I often suggest: “let us call it X, and focus on what I mean.” The same

is true about liberalism, though it is not as notorious among Muslims as secularism. (An-Na'im 2008a)

This desire to resolve, defuse or circumvent controversies around the precise meanings of terms by pragmatically resorting to the “empty signifier” X is understandable.¹ As any member of the academic community probably knows from personal experience, the most vehement disputes in this community frequently deteriorate into endless rounds of terminological hairsplitting, sometimes without any consequence whatsoever for the real world.² All too often obsessive nitpicking over minor conceptual distinctions sadly clouds the debate about substantive arguments.

While it is tempting to sympathize with An-Na'im for trying to steer our attention to the issues he wants to discuss, his appeal to “call it X” also raises some doubts as to its political implications. For it is certainly true that words matter, that the concepts we use in political discourse shape the deliberative space within which civic conversations take place. What is more, legal language cannot, in the long run, be sustained by the inconsistent or arbitrary use of concepts. Therefore, it seems overly optimistic to believe that An-Na'im's proposal to substitute a highly controversial term with the innocent cipher “X” will ease over the complications. And it is complications we encounter when quickly reviewing the recent debate about political secularism. Given the extensive criticism of the long-held assumption that secularization (however defined) goes hand in hand with modernization (Casanova 2006; Turner 2011), the debate around secularism (and its discontents)³ is today profoundly separated in two camps: between those who wish to abandon the language of secularism altogether, and those who wish to refine that very language such that it becomes more attuned to the complex reality of contemporary societies around the globe.⁴

In search of a common denominator, the first camp – let us for brevity's sake call them “abolitionists” – may write on its banner the telling title of Veit Bader's book *Secularism or Democracy?* (2007). Encapsulated in this rhetorically suggestive opposition we can clearly see the basic claim defended by those who seek to overcome the normative and explanatory language of secularism altogether. (Bader 2010; Connolly 1999) Secularism, on this account, poses a serious impediment to the flourishing of (liberal) democracies, whose defense is best provided by a robust

constitutionalism. Thus, we would be well advised to refrain from, and indeed abolish, any reference to secularism in our legal and political language.

The second camp, let us call its members “redescriptivists”, is rather more difficult to unite under a single banner. Perhaps Rajeev Bhargava’s plea for “alternative conceptions” of secularism serves the purpose best: his work is exemplary of most attempts to re-articulate secularism insofar as it envisages global comparisons of secular regimes as productive resources for developing new varieties of secularism. (Bhargava 2006, 2008, 2011) Drawing Euro- and North-centric eyes to the illustrative case of Indian secularism, he engages in a theoretical act of “redescription” (Rorty 1989:90). On this account, what we need is a novel narrative of secularism – new norms, stories, and ideologies – that liberates us from the restrictive and limited account developed in classical secularization theories.⁵ Instead of giving up on the concept of secularism altogether, the adherents to this camp work towards more convincing and sensible articulations thereof.

The purpose of this paper is to intervene in the debate between “abolitionists” and “redescriptivists” by charting the conceptual and normative territory on which both camps stand. Although “abolitionists” and “redescriptivists” disagree on a number of important questions, they also subscribe to several assumptions that unite them in their disagreement. For example, both camps express a profound dissatisfaction with the traditional equation of secularization with modernization. Another point of consensus between “abolitionists” and “redescriptivists” concerns their critical attitude towards the Western bias many narrations of secularism exhibit. However, while I am convinced that this would be a worthwhile endeavor, I will not try to settle the dispute around the use of the word “secularism” by showing the extent to which “abolitionists” and “redescriptivists” simply agree to disagree. Rather, I will try to achieve two goals: (1) uncover three ways in which normative theories of secularism may relate to real world contexts; and (2) distinguish three meta-narratives that structure debates in contemporary societies. In what follows, I mainly focus on the “redescriptivist” camp, whose objective it is to salvage the notion of secularism. The paper, hence, hopes to contribute to a better understanding of the discursive options available in the ongoing controversy, but it does not aim at outlining the debate in its full complexity. For a more

comprehensive account it would be indispensable to also scrutinize and probe the claims of the “abolitionist” camp, which will not be possible here. (Bader 2003, 2009)

II. NORMS AND CONTEXTS: THREE WAYS OF RELATING THEM

One of the reasons why the debate on the place of religion in the public sphere remains so vivid is that it taps into a more comprehensive set of methodological issues in political philosophy today. This interest was triggered by what Hilary Putnam has called the “collapse of the fact/value dichotomy”. (Putnam 2002) Political philosophers have absorbed this collapse rather late, in the slightly disguised form of a discussion about the relationship between ideal and non-ideal theory. (Farrelly 2007; Valentini 2009; Wiens 2012) This discussion directly bears upon the controversy around secularism because it is crucially concerned with the question how norms and contexts ought to relate to each other.⁶ This is, of course, one of the social sciences’ fundamental riddles, which at least dates back to the birth pangs of modern academic disciplines. But in political philosophy, and with regard to secularism, the question has lead principally to three kinds of responses: (1) an idealizing approach that seeks to focus solely on the normative dimension of secularism, without paying particular attention to the context; (2) a reconstructive approach that attempts to extract from the context the governing norms of secularism; and (3) a dialectical approach that conceives of norms and contexts as implicating and influencing each other. I will now quickly rehearse each of these approaches. Before that, however, a caveat seems indispensable. As will soon become obvious, this tripartite distinction is ideal-typical: I do not wish to claim that all positions in the current debate fit neatly into one, or only one category. Further, there are many borderline cases that challenge the proposed taxonomy. However, the distinction itself can assist us in organizing the apparently cacophonous debate.⁷

(1) The first answer tries to keep norms and contexts as much apart as possible.⁸ Here, we find a deep concern with analyzing and constructing the morality of separating religion and politics. This concern is often raised in concrete cases that challenge traditional arrangements. Take, for example, some of the philosophically minded discussions of the headscarf issue in France. More often than not, the headscarf issue is debated in terms of a general challenge for liberal modes of toleration. Thus, little attention is paid to the historical and social context within which the issue itself could

become so controversial. Instead, the focus lies on exploring, with as much precision as possible, the ways in which policies in the real world fail to live up to the high ideals of toleration and justice. Authors who pursue this approach normally aim at transcending the context where norms are detected; at the same time they use the context as an occasion to test the applicability of universal and abstract norms, such as toleration and justice for example.⁹

(2) The second response starts from the opposite premises. Here, the assumption is that norms and contexts can never be neatly separated. Rather, norms are always embedded, and indeed conditioned and restricted by the context within which they are invoked. On this account, norms are always relative to the context. Therefore, it does not make sense to investigate a public controversy, such as the one surrounding the headscarf, in abstract or universalistic terms. What is instead needed, is an explanatory and reconstructive approach to secularism that takes the empirical reality seriously.¹⁰ The normative dimension is subordinated in favor of a more anthropological engagement with the context. Proponents of this approach often are skeptical of any attempt to disentangle norms from contexts for they fear that such an operation would jettison the critical verve with which they analyze the controversy.

(3) The third response sits somewhat uneasily between the first two approaches. Here, the relationship between contexts and norms is conceptualized in such a way that they are mutually constitutive. Contexts, on this account, generate norms, and norms generate contexts. Methodologically, this implies that the normative dimension of a public controversy cannot be fully explored without also paying close attention to the context within which it could arise.¹¹ What distinguishes this approach from the second one is that it has a strong interest in the normative dimension of the controversy, and usually aims at offering some tentative solutions to pressing problems of accommodation, for example. But usually the suggested solutions are closely attuned to the context, and thus less universalistic and abstract than in the idealizing approach.

The idealizing, reconstructive and dialectical approaches to secularism tell us different stories about the relationship between religion and politics. They are premised on various foundational assumptions about how norms and contexts ought to be understood. Accordingly, their general outlook on public controversies differs

significantly. While the idealizing approach usually stays at some distance to the intricacies of public controversies, the reconstructive approach first and foremost seeks to further our understanding of the power structures of the particular context. The dialectical approach tries to bridge the gap between the other two approaches by offering a contextually sensitive and normatively plausible assessment of public controversies. Let us now leave these methodological reflections to turn to more substantive discussions.

III. VARIETIES OF SECULAR FORMATIONS: COERCIVE, SEGREGATIONIST AND ACCOMMODATIVE

The three meta-narratives I now want to introduce can be found in several comparative studies of secular regimes. As meta-narratives they merely highlight family resemblances that cut across otherwise highly differentiated policy regimes. Therefore, it must be emphasized at the beginning of this section that it is not the purpose of these meta-narratives to somehow essentialize the complex and shifting boundaries between religion and politics, as if there were just a few ways of configuring them. As recent research on the global scale has made it abundantly clear, the traditional metaphor of a simple and unmovable “wall of separation” between religion and politics is rather misleading a characterization of secularism. Instead of drawing on this metaphor, I will therefore make use of a more flexible conceptual framework proposed by Jocelyn Maclure and Charles Taylor. This framework has the advantage of emphasizing the conflictual core of secularism, by showing that several principles are involved in its defense, principles that do not always interact harmoniously.

In their recent book (2011), Maclure and Taylor insist that we clearly distinguish between two kinds of principles underlying political secularism – that is secularism as a mode of governing the relations between the political and the religious sphere: (1) foundational principles that justify the duty to establish a secular regime; and (2) operational principles that define the mechanisms through which a secular regime is built. Foundational principles answer to the question why a secular regime is needed at all; operational principles establish how it can be realized in practice.¹² To start with the foundational principles, Maclure and Taylor argue that a secular regime is warranted because, to maintain its legitimacy, a liberal state (1) needs to treat its citizens with

equal respect and (2) grant them freedom of conscience. Under conditions of plurality, citizens hold a variety of religious and non-religious worldviews, which are equally reasonable. Thus, the state must not favor one group of citizens over the others, by identifying itself with a specific worldview. Respect for the equal dignity of all human beings therefore grounds the state's neutrality towards all citizens. The other foundational principle of a secular regime derives from the need to protect freedom of conscience. The state ought to ensure that all citizens are unrestricted to express their own religious and non-religious worldviews in an autonomous manner. It has no right to paternalistically decide for the citizens what is good for them. Treating citizens with equal respect and granting them freedom of conscience are foundational principles that guide all secular regimes. As such, we might call them first-order, or intrinsic norms that must not be violated under any circumstances, lest the state forfeits its liberal credentials.

The operational principles are derived from the foundational ones. As second-order principles they are mainly concerned with the institutional realization of the first-order principles. Maclure and Taylor maintain that the "separation of church and state and the neutrality of the state toward religions and toward secular philosophical movements" (2011:23) make political secularism work. These two principles hence provide the means to the ends of treating citizens with equal respect and of granting them freedom of conscience. Maclure and Taylor read the separation of church and state very broadly. "Separation" simply means that a line ought to be drawn between the religious and the political system. This drawing of a line, then, allows for forms of association between the two systems. Indeed, the authors insist that even states with weakly established national churches, such as the United Kingdom or Denmark, would count as secular regimes so long as they adhere to the foundational principles enumerated above.

The chief point in this normative analysis is that the second-order principles to establish secular regimes can be realized in many different ways. While the foundational principles apply in all liberal states, the operational principles are open to many variations. What is more, Maclure and Taylor underline that the normative core of political secularism makes conflicts more or less unavoidable. Since there is not only one principle underlying secular regimes, but rather two, it is inevitable that they will

sometimes clash. Such clashes are far from being exceptional, given that freedom of conscience can be reasonably interpreted more or less extensively. The question is, of course, how this clash will be concretely handled by the state. To draw on an example that Maclure and Taylor invoke as well (2011:24): the controversy around the public display of religious belonging in school illustrates that the foundational principles of secularism are not in full harmony. Simply put, it cannot be *a priori* decided whether wearing the headscarf infringes on the state's neutrality or whether it is simply a symbol whose exhibition must be protected by the principle of freedom of conscience. The various headscarf affairs in several European countries attest to the fact that secular regimes choose different routes to balance these claims. (Saharso 2007)

What, then, are the main models of secular regimes we can isolate according to this hierarchy of principles? Maclure and Taylor argue that the operational principles, governing the separation of church and state and the state's neutrality, may be interpreted in a rigid ("republican") or an open ("liberal-pluralistic") manner. (Maclure and Taylor 2011:27–35) This means that the relationship between intrinsic first-order and derivative second order principles can be crafted through more or less strict connections. Rigidly secular regimes will be strict in their interpretation of the separation of church and state and the state's neutrality, often aiming for civic integration through the exclusion of religion the public sphere. Openly secular regimes will interpret the operational principles as mainly serving the end of the foundational principles, thereby endorsing the flexible negotiation of both the separation of church and state and the state's neutrality.

Drawing on, and adapting the findings of a recent article (Farha 2012), I would now like to propose a tripartite taxonomy to organize the ideal-typical responses of secular regimes to religious pluralism: coercive, segregationist and accommodative. This taxonomy builds on the reflections by Maclure and Taylor, but fleshes them out in terms of models that correspond more closely to real-world cases. After setting up this taxonomy a few clarifications and caveats will be added.

(1) Coercive secular regimes interpret both the separation of church and state and the state's neutrality very rigidly. In fact, they regularly go beyond a hands-off approach to religious pluralism and aim at emancipating citizens from the "yoke" of religion. While

acknowledging freedom of expression as a basic right, they often perceive belonging in religious organizations as either atavistic or as dangerous to the democratic polity. In both cases, the state's response is one of coercion: the individual is forced to relinquish its ties with religion when entering the public sphere, and religious organizations do not receive any kind of support from the state. One of the main characteristics of this type of secular regime is that it seeks to establish and fortify a well-guarded border between private and public spheres. Accordingly, coercive secular regimes endorse the privatization of religion and distrust any display of religious belonging in the public sphere.

Their history is often riveted by long-drawn battles between the state and church. Coercive secular regimes have emerged from fierce antagonism, their profile sharpened while combatting with religious organizations. Out of these struggles, the central allegiance of coercive secular regimes emerged: an allegiance to the cause of the common good, which remains protected by the "civil religion" of the republic. The coercive character of such a state comes to the fore when citizens seek to interpret their freedom of conscience as extending into the public sphere. The best-known examples of this category are modern-day France (Baubérot 2003, 2008, 2009, 2010; Gauchet 1998) and Turkey (Azak 2010; Çağaptay 2006; Cinar 2005; Göle 1997). Both countries *qua* secular regimes have been described as oriented towards aggressively emancipating the citizenry from religious communities and allegiances; both seek to guard the border between public and private through laws and policies. And not only the French, but also the Turkish public goes through cycles of vehement contestation as regards the their republican heritage.

(2) Segregationist secular regimes typically move away from a strict interpretation of secularism's operational principles. Thus, they make room for a more flexible negotiation of the separation of church and state and the state's neutrality.

Segregationist secular regimes do not force citizens to overcome their religion. Rather, they accept religion as part and parcel of public life in deeply divided societies. Their history is often characterized by long periods of cohabitation between different cultural and religious communities. None of these communities is, in these societies, strong

enough to establish an overwhelming majority that would allow it to fully dominate the other cultural and religious communities.

Two examples for this kind of secular regime are to be found in The Netherlands (until the 1960s) and contemporary Lebanon. The Dutch system of “pillarization” (Andeweg and Irwin 2005:19–44) and the Lebanese system of sectarianism (Haddad 2009; Rabil 2011) best epitomize the governance model of “consociationalism”. This model has been developed to explain the functional structure of societies deeply divided by religious and cultural identities (Lijphart 1969, 2008). With regard to the operational principles of secularism, the segregationist secular state clearly rejects a strict interpretation; rather it attempts to attribute to all cultural and religious communities an equal share in governmental institutions and in the public sphere.

(3) Accommodative secular regimes adopt yet another strategy to deal with religious pluralism. Their goal is to replace the hands-off approach of the state, as we can detect it in the republican model of governance, with an even-handed one. This means that the state’s role in accommodative secular regimes is to provide citizens with equal opportunities to exercise their religious freedom. This role requires from the state flexibility in managing the claims of individuals asking for exemptions from generally binding rules. In the literature, this flexibility on the part of public institutions is called “reasonable accommodation”, a term that has its origins in labor law regulating the anti-discrimination of disabled people. Reasonable accommodation aims at ensuring that all individuals – no matter whether they are members of a majority or minority group – are given the same opportunities in society. Concretely, this implies an (legal) obligation on behalf of public institutions to accommodate the claims of cultural and religious minorities. The duty to accommodate is grounded in the observation that the state itself cannot be as “purely” neutral as republican theorists suggest. This, indirect discrimination is a common phenomenon acknowledged by accommodative secular regimes.

Among the many examples for such acts of accommodation, consider the culturally coded distribution of public holidays. (Maclure and Taylor 2011:68) In many European countries, there are still laws in place prohibiting businesses from opening on Sunday. These laws are derived from the Christian heritage of these societies. The same is true

for other major holidays, such as Christmas and New Year. Accommodative secular regimes take this obvious fact – that some norms simply cannot be culturally and religiously neutral – as the starting point for considering what needs to be done for those who are indirectly discriminated by a culturally and religiously biased norm, for instance by giving minority members the right to take the day off according to their religious prescriptions. Canada – the only country in the world that has officially recognized multiculturalism in its constitution (Tierney 2007) – is the paradigmatic example for such an accommodative secular regime. (Banting and Kymlicka 2010)

Having identified these three ideal-types, a number of explanatory comments seem obligatory. The first comment concerns the occurrence of borderline cases and of intersections between mainstream cases. None of the three models of secularism described above covers all the characteristics of states in the real world. Here is just one example to underline this observation: Even republican France, which indubitably fits under the rubric of a coercive secular state, enacts policies that resemble the accommodative practices of multicultural states. The reasons for this are twofold. As Baubérot has shown (2010), France's history is permeated by the conflict between clerical and anti-clerical forces. In France, the dual founding myths of the secular republic through the 1905 law of separation (Saunders 2009) and of the Catholic baptizing of the French chief Clovis in the 5th century CE prepared the ground for the ongoing contest between two narratives of civil religion. Furthermore, pragmatic solutions for an increasingly pluralistic civil society have in France become a practical necessity. A similar overlapping can be diagnosed between the segregationist and the accommodative models of secularism: the Dutch national model of citizenship, at least during its phase of pillarization, has been described as strongly favoring multicultural settings. (Saharso and Lettinga 2008)

The second comment has to do with the comparative evaluation of the three models. The distinction between “coercive”, “segregationist” and “accommodative” types of secular regimes might at first sight indicate a normative hierarchy. While it is clear that the republican model of coercive secularism has sometimes exacerbated conflicts in civil society – as the ongoing headscarf affairs in France attest (Scott 2007) – it is equally evident that the other models run into problems as well. One of the most serious

challenges that all secular regimes in the West face today has to do with the negative and racist representation of Islam in much of the mainstream media. “Islamophobia”, it can reasonably be argued, is nowadays an already widespread, yet still growing phenomenon that has affected almost all Western societies; and multicultural states with an official policy of recognizing diversity, such as Canada, are unfortunately no exception to this rule. (Fekete 2009; Allen 2010) Thus, it would be dangerously premature to assume that the much-celebrated accommodative model, with its emphasis on reasonable accommodation, is immune to great injustices. (Helly 2011)

The third and last point touches on the methodological discussion in section II. As I have suggested there, the three forms of relating contexts and norms are akin to “pre-commitments” political philosophers take on board before investigating particular cases. Therefore, it is of course possible to engage with the proposed models of secularism in many, and sometimes conflicting ways: either the models are investigated in an idealizing, a reconstructive or a dialectical manner. This article has not strived to assess these “pre-commitments” according to their plausibility or usefulness for academic research. But it has hopefully shown that the diversity of approaches to political secularism is to a certain degree owed to the complexity of both the selected conceptual apparatus and the social reality under inquiry.

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Notes

¹ I borrow the term “empty signifier” from Ernesto Laclau’s theory of radical democracy. Laclau claims that an “empty signifier” emerges from a “hegemonic operation (or the construction of a Master signifier in the Lacanian sense): a certain particularity transforms its own body in the representation of an incommensurable totality.” (Laclau 2006:107)

² Following such disputes, one might indeed be forgiven for associating them with Marx’ and Engels’ allegation, in the *German Ideology*, that the Young Hegelians are fighting “only against ‘phrases’. They forget, however, that they fight them only with phrases of their own. In no way are they attacking the actual existing world; they merely attack the phrases of the world.” (Marx and Engels 1994:106). I take this reference to the German Ideology from Mary Dietz’s excellent review of recent democratic theory. (Dietz 1998)

³ I take this Freudian addition from Michael Warner’s *Secularization and its Discontents*, which tracks recent developments in the Sociology of Religion. (Warner 2010)

⁴ The division between these two camps is also hinted at in the introduction of a recently edited volume on secular regimes from a comparative perspective. (Cady and Hurd 2010:23)

⁵ This is not to say that everybody agrees with Bhargava’s description of Indian secularism. For critical objections see: Balagangadhara and J. D. Roover 2007; J. De Roover and Balagangadhara 2008.

⁶ For an excellent overview of the methodological concerns involved in this debate see: Bauböck 2008.

⁷ The following taxonomy is partly inspired by Cécile Laborde’s methodological reflections on how to engage with the “Hijab affairs”. (Laborde 2008:4–6) I say “partly inspired” because I do not fully agree with Laborde’s skeptical dismissal of

“contextualist” modes of engagement. In my view, Laborde is in fact much closer to the analytic tradition she herself seems to reject.

⁸ For the most elaborate philosophical defense of this position in general see G. A. Cohen’s multifaceted work. (Cohen 2008)

⁹ Laborde (2008:5) indicates that Anna Elisabetta Galeotti’s work (2002) would provide an example for such an idealizing approach.

¹⁰ Talal Asad’s genealogical writings epitomize this approach best. (Asad 2003) See also his paper on the headscarf affairs. (Asad 2006) For another example of this approach see: Mahmood 2006.

¹¹ Joseph Carens’s plea for a contextualist political theory is emblematic of this approach. (Carens 2000, 2004) Also, Amartya Sen’s latest book promoting a comparative approach to justice might fit into this category. (Sen 2009)

¹² In the next paragraphs, I paraphrase Maclure’s and Taylor’s distinction between foundational and operational principles. This distinction has also formed the theoretical basis for the Bouchard/Taylor report in Québec. (Bouchard and Taylor 2008)