

Philosophia Reformata 71 (2006) 145–153

THE CONCEPT OF MULTICULTURAL DEMOCRACY:
A PRELIMINARY CHRISTIAN-PHILOSOPHICAL APPRAISAL

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The starting point of this article is the fact that, as the Dutch-American political scientist Arend Lijphart has observed, '[m]ost experts on divided societies and constitutional engineering broadly agree that deep societal divisions pose a grave problem for democracy, and that it is therefore generally more difficult to establish and maintain democratic government in divided than in homogeneous countries.'² If this is true it does not bode well for democracy, since to a certain extent all countries are multicultural societies today.

Fortunately, therefore, the Human Development Report 2004, published for the United Nations Development Programme (UNDP) — after having carefully examined it — rejects this claim. According to the Report, cultural differences can indeed lead to social and political conflict, but only if the state does not recognize and accommodate the diverse ethnicities, religions, languages, and values in a particular country. Active multicultural policies are required to achieve this and to thereby make democracy viable in divided societies.³

This article consists of four sections. I will begin by setting out the concept of multicultural democracy, as advocated by the UNDP, in general. Next, I will specifically deal with the topic of church and state, which is both at the heart of this concept and traditionally of particular interest to Christian Philosophy. Section three looks at the Reformed contribution to the topic of church and state in religiously plural societies in the past. Finally, section four raises the question how the notion of pluriform democracy, as developed by Reformed thinkers and put into practice in the Netherlands during the better part of the twentieth century, relates to the concept of multicultural democracy.

As the subtitle already indicates, the article is very much meant to serve as a working paper, not as the final word on this complex issue. For example, an earlier version of it was presented during the Assembly of the Reformed Ecumenical Council, held in Utrecht, Netherlands, from 12-26 July 2005.⁴ Although this Assembly had at its disposal a 92-page report on 'Church, State and the Kingdom of God', it was unable to reach any final conclusions, and

¹ This contribution was written within the framework of the research programme Social Cohesion, Multiculturalism and Globalisation of the E.M. Meijers Institute of Legal Studies in Leiden.

² Arend Lijphart, 'Constitutional Design for Divided Societies', *Journal of Democracy* 15 (2004), 96-109, at 96-97.

³ Human Development Report (HDR) 2004, *Cultural Liberty in Today's Diverse World*, New York, N.Y. 2004: UNDP.

⁴ I am grateful to the respondent on that occasion, as well as other participants, for their useful questions and comments. The same goes for the participants in the workshop on multiculturalism during the International Symposium of the Association for Reformational Philosophy, Hoesven, Netherlands, 15-19 August 2005.

decided to continue its discussion of the topic during the next Assembly in 2009.

1. *The Concept of Multicultural Democracy*

According to the UNDP, '[c]ultural diversity is here to stay — and to grow. (...) In this age of globalization the demands for cultural recognition can no longer be ignored by any state or by the international community.' (HDR 2004, 2)

The way states manage this cultural diversity matters because cultural liberty, 'being able to choose one's identity — who one is — without losing the respect of others or being excluded from other choices' (HDR 2004,1), can be regarded as a human right. Usually five categories of human rights are distinguished: civil, cultural, economic, political and social. Of these five categories cultural rights have until now received the least attention — certainly in the West. Yet, there can be no doubt that cultural rights are human rights as well,⁵ and that especially in divided societies they are vital in making democracy work.⁶

The fact that cultural liberty is a human right implies that states are under an obligation to actively pursue multicultural policies, 'policies that explicitly recognize cultural differences' (HDR 2004, 2). More specifically, according to the UNDP, multicultural policies are required in the following five fields: political participation, access to justice, language, socio-economic policies and, last but not least, religion.

As far as political participation is concerned, a multicultural conception of democracy requires that power-sharing arrangements be introduced. Power can either be shared territorially through federalism or, when the different groups are dispersed throughout a country, through consociation. Consociation is 'a political arrangement in which various groups, such as ethnic or racial populations within a country or region, share power according to an agreed formula or mechanism'.⁷ Examples of such mechanisms are an electoral system of proportional representation, executive power-sharing, provisions for cultural autonomy, and safeguards in the form of mutual vetoes.

As far as access to justice is concerned, recognition of customary law ought to be considered, which could mean the introduction of some form of legal pluralism in, for example, an area of law such as personal law, which governs sensitive topics such as marriage, divorce, guardianship, adoption, inheritance and succession.

As far as language is concerned, recognition of a language 'symbolizes respect for the people who speak it, their culture and their full inclusion in society' (HDR 2004, 9). Therefore, in addition to a unifying national language, the adoption of one or two local languages is recommended.

⁵ See, for example, Article 27 of the Universal Declaration of Human Rights and Articles 13 and 15 of the International Covenant on Economic, Social and Cultural Rights, as well as the Unesco Universal Declaration on Cultural Diversity (2001).

⁶ The notion of collective rights, which is even more controversial in the West, is not defended by the Report. It calls the notion 'complex' (HDR 2004, 82).

⁷ www.homoexcelsior.com.

As far as socio-economic policies are concerned, recognizing legitimate collective claims to land and livelihoods and taking affirmative action are two means of addressing inequalities between groups.

Finally, because religion is of profound importance to one's identity, from the point of view of cultural liberty, guaranteeing religious liberty in the best possible way is of foremost importance. Before elaborating on the issue of religion — or church and state — in the following section of this article, I should like to make one more remark about the concept of multicultural democracy in general.

The Human Development Report 2004 defends a limited kind of multiculturalism. Thus, in addition to a greater respect for diversity, it also stresses the need for a stronger commitment to unity. The boundary is to be found in a common commitment to a 'universal ethics based on universal human rights and respect for the freedom, equality and dignity of all individuals' (HDR 2004, 90), including women therefore. This also implies that coercive movements for cultural domination, such as Islamic fundamentalism, have to be confronted by a combination of restrictive measures and democratic accommodation (HDR 2004, Chapter 4).

2. *Church and State*

The Human Development Report 2004 distinguishes between secular and non-secular states. Non-secular states come in three varieties. First of all, a non-secular state can be a theocracy, governed as it were by divine law. Examples of such states include the Islamic Republic of Iran and Afghanistan under the Taliban. Secondly, a non-secular state can have an established religion, that is a formal alliance between a particular religion and the government. Examples include Buddhism in Bhuta, Burma and Thailand; Hinduism in Nepal; Islam in Bangladesh, Libya and Malaysia; and Roman Catholicism in Argentina, Bolivia and Costa Rica. Thirdly, a non-secular state can have an established church or religion, but nonetheless recognize and even financially support more than one religion. Examples of such states include Denmark, Iceland, Norway, Sweden, and the United Kingdom. None of these three types of non-secular states stands out from the point of view of ensuring religious freedom, although in practice the third type without doubt performs better than the first two. Generally speaking, however, a secular state is to be preferred.

Contrary to what is usually assumed, secular states come in at least three different varieties as well. To begin with, there are anti-religious states, which exclude religion from their own affairs but do not hesitate to interfere in the affairs of religion. Examples include Communist regimes in China and, formerly, in the Soviet Union and Eastern Europe.

Secondly, a secular state can be neutral or laicist. Neutral states are characterized by a strict separation between church and state. The state should be neutral as far as religion is concerned and this neutrality is considered to be realized best by stripping the public square of all religious elements. The United States after the Second World War and France since the Separation Law of

1905 are probably the best examples of countries with this type of church—state relation, although the differences between both countries should not be underestimated.

Thirdly, there are secular states asserting equal respect and principled distance to all religious and secular worldviews in society and their affiliated organizations. This engagement may take the form of support for religions, such as public funding of religious schools, as long as this is done evenhandedly. The Report mentions the Indian Constitution as an example, but the Netherlands also fits in this category, as will be demonstrated below. What is important to note at this moment is that secularism apparently does not automatically imply the privatization of religion. In fact, in this third type of secular state the neutrality of the state is protected better than in so-called neutral or laicist, secular states. Or, as the Report puts it: ‘What is important from the human development perspective is to expand human freedoms and human rights — and to recognize equality. Secular and democratic states are most likely to achieve these goals where the state provides reasonable accommodation of religious practices, where all religions have the same relation to the state and where the state protects human rights.’ (HDR 2004, 8)

This position roughly corresponds with what the American historian Wilfred M. McClay has argued in a recent essay entitled ‘Two Concepts of Secularism’. According to McClay ‘[t]here is on the one hand, a way of understanding the secular idea as an opponent of established belief — including a *nonreligious* establishment — and a protector of the rights of free exercise and free association. On the other hand, one can understand the secular ideal as a proponent of established *unbelief* and a protector of individual expressive rights, a category that includes rights of religious expression.’⁸ The former view, which understands secularism as a freedom from establishmentarian imposition of any worldview on society, is a rather minimal understanding of secularism and can therefore be called negative or minimal secularism. The latter view, called positive or maximal secularism, is held by more militant secularists, who to a certain extent can be considered enemies of religion (with important exceptions, like the Christian separationists): ‘Such a regime seeks, under the guise of separating church and state, to exclude religious thought and discourse from any serious participation in public life, and to confine religious belief and practice, as much as possible, to the realm of private predilection and individual taste.’ (Ibidem, 47-48) In this terminology the Human Development Report 2004 prefers minimal secularism.

In order for minimal secularism to work, however, religious faiths must undergo a certain degree of adaptation in accommodating themselves to it. ‘They must’, as McClay (2003, 52) puts it, ‘learn their table manners, and learn how to behave around strangers.’ Or, as another author puts it strikingly, religious faiths have to ‘translate their expectations of *universal affirmations of a*

⁸ Wilfred M. McClay, ‘Two Concepts of Secularism’, in: Hugh Heclo and Wilfred M. McClay (eds.), *Religion Returns to the Public Square. Faith and Policy in America*, Baltimore and London 2003: The John Hopkins University Press, 31-61, at 46.

particular truth into *particular affirmations of a universal truth*.⁹ One of the most intriguing questions in this respect is of course whether Islam will manage to achieve this degree of adaptation. Does it not still in too many instances present itself as the universal affirmation of a particular truth instead of a particular affirmation of a universal truth? 'But', as McClay (2003, 54) rightly observes, 'the task of adapting to a minimal-secular order faces all the world's religions, if they are to bring any of their resources to bear effectively on the task of living in the next century.' Interestingly enough, orthodox Protestants have been among the first to adapt to minimal secularism. This brings me to my discussion of the Reformed contribution to the issue of church and state in religiously plural societies in the past.

3. *The Reformed Contribution in the Past*

When I say that orthodox Protestants have been among the first to adapt to minimal secularism, I have in mind the approach of principled public pluralism that neo-Calvinists such as Abraham Kuyper (1837-1920) and the legal philosopher Herman Dooyeweerd (1894-1977) developed during the nineteenth and twentieth centuries,¹⁰ and which is well-known among the readership of this journal. I therefore can be brief about it here. Suffice it to say that in this theory of society two kinds of pluralism are important: institutional pluralism and directional pluralism.¹¹

Equally well-known among the readership of this journal will be the fact that the rise of pluriform democracy in the Netherlands in the early twentieth century is to a considerable extent rooted in precisely this well worked-out theory of Reformed origin. In 1917, under pressure of a political alliance of orthodox Protestants and Roman Catholics, principled public pluralism was introduced, making the Netherlands a secular state of the third type mentioned above, asserting equal respect and principled distance to all religious and secular worldviews in society and their affiliated organizations.

Unfortunately, until now this paradigm shift has been misinterpreted in the so-called 'consociational democracy' literature, through which the Netherlands is known best both nationally and internationally. According to consociational democracy theory, the key issue at the beginning of the twentieth century was whether the stability of the political system could be maintained, despite the gradually increasing degree of segmentation or pillarization of Dutch society. This was eventually done by prudent elites that prevented a near-civil war by establishing a consociational democracy, characterized by exactly

⁹ Alessandro Ferrari, *Religions, Secularity and Democracy in Europe: For a New Kelsenian Pact*, Jean Monnet Working Paper 03/05, New York, N.Y. 2005: NYU School of Law.

¹⁰ James William Skillen, *The Development of Calvinistic Political Theory in the Netherlands, with Special Reference to the Thought of Herman Dooyeweerd*, Duke University 1974: Ph.D.; Luis E. Lugo (ed.), *Religion, Pluralism, and Public Life. Abraham Kuyper's Legacy for the Twenty-First Century*, Grand Rapids, Michigan 2000: Eerdmans.

¹¹ Richard Mouw and Sander Griffioen, *Pluralisms and Horizons. An Essay in Christian Public Philosophy*, Grand Rapids, Michigan 1993: Eerdmans, 16.

the kind of power-sharing mechanisms that the UNDP speaks about, notably an electoral system of proportional representation, executive power-sharing, provisions for cultural autonomy, and safeguards in the form of mutual vetoes.

In reality, however, as the American political scientist Stanley Carlson-Thies has rightly pointed out, '[t]he four subcultures which took shape in the latter decades of the nineteenth century [Orthodox Protestants, Roman Catholics, Liberals and Socialists, HMtN] did not pose a deadly challenge to democratic governance, as assumed by consociational theory. The challenge was instead to state policies inhospitable to the diversity of ways of life embodied in the subcultures. The prevailing liberal model tolerated, but privatized, differences. But Catholics and orthodox Protestants insisted that their religious beliefs should guide also their public activities and institutions. (...) Segmentation (...) necessitated the transformation of state policies and structures. The Netherlands became not a consociational democracy but a pluriform democracy — a democracy in which subculturally-rooted differences are affirmatively accommodated by the state.'¹²

Because of the shifting worldview beliefs of the society, from the 1960s onwards a new paradigm shift with regard to church-state relations in the Netherlands is gradually taking place, which might bring with it the end of pluriformity. In essence, this most recent shift involves a return to the neutral or laicist state of the nineteenth century, at a moment in time when society because of both secularization and immigration is becoming more plural than it already was. The pace of change is slow, because the pluralist theories of society of Reformed and Catholic origin 'have become part of the Dutch mindset on issues of church and state'.¹³ Yet, the change is unmistakable, as is currently demonstrated for example by the demise of the pluralist broadcasting system.

Since the prospects for Dutch pluriform democracy are greatly dependent on the process of European unification, it appears indispensable to take developments at the European level into account as well. The draft Constitution, which was voted down in the French and Dutch referendums of 2005, provides in Article I-52 that the European Union 'respects and does not prejudice the status under national law of churches and religious associations or communities in the Member States' (paragraph 1) and 'equally respects the status of philosophical and non-confessional organisations' (paragraph 2). This restraint is perhaps understandable, given the principle of subsidiarity.¹⁴ More plausible, however, is that the topic of church-state relations has proven too

¹² Stanley Warren Carlson-Thies, *Democracy in the Netherlands: Consociational or Pluriform?*, University of Toronto 1993: Ph.D., iv-v. I must admit that, in the light of the Human Development Report 2004, I object much less to the term 'consociational democracy' as such than I used to. However, the problem is that it is still too much associated with the largely negative meaning that the term 'pillarization' has for most social scientists and historians.

¹³ Stephen V. Monsma and J. Christopher Soper, *The Challenge of Pluralism. Church and State in Five Democracies*, Lanham, Maryland 1997: Rowman & Littlefield, 58.

¹⁴ In Article 9, paragraph 3, of the draft Constitution subsidiarity is described as the principle that 'in areas which do not fall within its exclusive competence the Union shall act only if and insofar as the objectives of the intended action cannot be sufficiently achieved by the Member States'.

sensitive to regulate at this stage, given the already problematic nature of the discussion about the possible inclusion of an explicit reference to the Judeo-Christian heritage in the Preamble.

As a result, one will have to wait and see whether for example the French tradition of Laicism or the Eastern Orthodox inclination towards the established church model will prevail in the European Union, although a gradual process of convergence is conceivable as well. In that case the result might approach the Dutch model of pluriform democracy, also since the European Union, according to the Preamble of its draft Constitution, sees itself as 'united in its diversity'.

4. *From Pluriform Democracy to Multicultural Democracy?*

Given that virtually all countries have by now become more or less multicultural societies, however, both in the Netherlands and abroad proponents of the model of pluriform democracy will be confronted with the question how it relates to the concept of multicultural democracy as advocated by the UNDP. As John Hiemstra has observed, the principle of *ecclesia reformata semper reformanda est* ('the reformed church is always reforming') 'reflects the biblical belief that the Holy Spirit is always urging Christians to renewal, reform, liberation and greater maturity in our sinful and broken lives and societies.'¹⁵ The removal from the Belgic Confession of the passage on the state's task to enforce true religion, as was done by the Reformed Churches of the Netherlands a century ago, was in keeping with this principle. At the time this step was considered necessary by Kuyper to adapt to the minimal secularism of the approach of public pluralism. Would not a new adaptation of Calvinism to modern circumstances be therefore in the spirit of Kuyper?

This is obviously a difficult question. On the one hand there appear to be considerable similarities between the two models, in the sense that the notion of pluriform democracy already covers at least two of the five dimensions of the concept of multicultural democracy, i.e. political participation and religion. Moreover, there seem to be no fundamental objections against multicultural policies in the three remaining fields of access to justice, language and socio-economic policies, although especially legal pluralism is still considered something of a taboo in the West. Thus, for example, the European Court of Human Rights in its ruling in the case of *Refah Partisi (the Welfare Party) and Others versus Turkey* concluded that a plurality of legal systems, as proposed by this Islamic party, is incompatible with the system of the European Convention on Human Rights and Fundamental Freedoms.¹⁶ In his Concurring Opinion, however, the Russian judge A. Kovler rightly argued that the concept of legal pluralism 'is well-established in ancient and modern legal theory and practice (...). Not only legal anthropology but also modern constitutional law accepts

¹⁵ *REC The Netherlands 2005 Agenda*, Madison, Wisconsin 2005: Printing Plus, 171-212, at 199.

¹⁶ Judgment of 13 February 2003, paragraph 119.

that under certain conditions members of minorities of all kinds may have more than one type of personal status (...).' (Ibidem)

On the other hand, from a Christian-philosophical perspective something is probably missing in the concept of multicultural democracy, in that it is too much involved with directional pluralism and too little with institutional pluralism. What this demonstrates once more, is that the latter doctrine, institutional pluralism or sphere sovereignty, remains the most distinctive Reformed contribution to the topic of church and state. Yet, it should be noted that institutional pluralism is not incompatible with the concept of multicultural democracy.

According to the Position Paper for the International Symposium 2005 of the Association for Reformational Philosophy, '[i]n Western societies there has been in the past decennia a powerful individualization of morals, often allied with a libertarian-nihilistic or multi-cultural ethos'.¹⁷ I would argue to the contrary that the notion of a multicultural ethos, which is required to build multicultural democracies, does not necessarily have to be approached critically. It seems to me that there is a clear link with contributions from the circle of Reformational philosophy to the debate on public justice. As a matter of fact, protection of cultural diversity (or contextual pluralism) can — in the words of David Koyzis — be regarded as 'a crucial element in the state's calling to do public justice. (...) If contextual diversity is based on created human finitude, then the attempts to eliminate it is rooted in an overwhelming effort to deny such finitude and to claim the right to mold people in accordance with a single monistic vision of the world, which is nothing less than idolatrous.'¹⁸ The model of pluriform democracy indeed presents a middle course between the rivaling models of the neutral or laicist state and unbounded multiculturalism, but the differences with the limited kind of multiculturalism defended by the UNDP are considerably less clear. Both, moreover, are in part inspired by the idea that deep societal divisions, if managed properly, need not necessarily bode ill for democracy.

All in all, further reflection on the concept of multicultural democracy from a Christian-philosophical perspective appears desirable, because of its importance from the point of view both of human development and of Evangelicalism. As far as the importance of the topic for Evangelicalism is concerned, the Oxford theologian Alister E. McGrath believes that religious conservatism, i.e. evangelical Protestantism, Roman Catholicism and Eastern Orthodoxy, has the future.¹⁹ According to 'America's pastor' Rick Warren, the historically mainline churches have already become 'sideline': 'The mainline is evangelicalism.'²⁰ In the United States, and particularly in Asia, Africa and Latin America, however, Evangelicalism is still characterized by a 'lack of theorisation about

¹⁷ See also S. Griffioen, 'Is a Pluralist Ethos Possible', *Philosophia Reformata* 59 (1994), 11-25.

¹⁸ David T. Koyzis, *Political Visions & Illusions. A Survey and Christian Critique of Contemporary Ideologies*, Downers Grove, Illinois 2003: InterVarsity Press, 207. See also Mouw and Griffioen (1993, 18): 'On the normative level, we are quite willing to endorse (...) cultural pluralism.'

¹⁹ 'McGrath voorziet einde protestantisme', *Beweging* 67 (2003), 29-34.

²⁰ Discussion 'Myths of the Modern Mega-Church', Monday, May 23, 2005, Key West, Florida, to be found at www.pewforum.org.

political engagement'.²¹ This is to be regretted insofar as in the past Protestantism has acted as a force toward cultural liberty by helping to pave the way for the 'three great revolutions' in the Netherlands (sixteenth century), England (seventeenth century) and North America (eighteenth century) that gave rise to the democratic constitutional state.²² In particular the approach of principled public pluralism, developed by neo-Calvinists, has the potential to act once again as a force toward cultural liberty in these multicultural times, especially if they succeed in building bridges with Roman Catholicism.

Finally, as far as the importance of the topic for human development is concerned, according to the UNDP human development is as much a question of politics as economics: 'If the world is to reach the Millennium Development Goals and ultimately eradicate poverty, it must first successfully confront the challenge of how to build inclusive, culturally diverse societies. Not just because doing so successfully is a precondition for countries to focus properly on other priorities of economic growth, health and education for all citizens. But because allowing people full cultural expression is an important development end in itself.' (HDR 2004, 5)

²¹ Paul Freston, *Evangelicals and Politics in Asia, Africa and Latin America*, Cambridge 2001: Cambridge University Press, 316. See, however, the document 'For the Health of the Nation: An Evangelical Call to Civic Responsibility', adopted by the Board of Directors of the National Association of Evangelicals in October 2004, at www.nae.net, and the subsequent volume by Ronald J. Sider and Diane Knippers (eds.), *Toward an Evangelical Public Policy*, Grand Rapids, Michigan 2005: Baker Books.

²² Abraham Kuyper, *Lectures on Calvinism*, Grand Rapids, Michigan 1994 [1931]: Eerdmans, 86, 14.