Programmatic secularism: identities and freedoms

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Over the last forty years of the last century, secularisation theory was eroded as the dominant sociological account of the relationship between religion and “modernity”. Peter Berger’s *The Sacred Canopy*, 1967, marked its rise, just as his *The De-secularisation of the World*, 1999, its demise, whilst the 1979 Iranian Revolution proved irrefutable evidence that something was wrong. (1) A spectacular global expansion of Pentecostalism and the resurgence of Islamic identities took place in the same period. So we inherit in the second decade of the 21st. century a religiously pluralist world in which Europe appears more as a secular exception than the vanguard of an unchallenged modernity. In comparison, the USA appears as a complex patchwork of religious and secular.

Berger in his latest thinking reverts to Jose Casanova’s three part definition of secularisation in his reflection on this story: secularisation refers to the decline of religious belief and practice, privatisation of religion, and the differentiation of religious from other institutions. It is the latter from which he manages to rescue something out of the wreckage of secularisation theory: a suggestion that institutional differentiation in the real world must inevitably be accompanied by a corresponding differentiation in our mental world, the creation of a space for secular discourse and thinking. Secularisation’s gift to modernity is thus the possibility of choice between different frameworks of meaning. Human agency is able to select from two spheres of “relevance”, and decide which to apply to any situation, problem or context. (2)

In short, we mentally encompass two principal worldviews. So there are secular worldviews and religious worldviews rather than secular people and religious people. Both worldviews coexist today in the minds of every individual. Though the balance between recourse to each in an individual life will vary from person to person; the Dalai Lama is likely to have a very different balance than the Wall Street trader, while the latter may have taken the Alpha course and the former may be adept at social communications and IT.
But is it the case that before the 17th century, say, before the ink was dry on Treaty of Westphalia, no-one manifested aspects of their behaviour determined by what Berger identifies as a secular worldview, or that African villagers before colonialism used but a child’s quantum of secular discourse in dealing with their economic and social life? This is implausible. Nobles in the Rwandan court in the 1890s, for example, could both promote the idea that the mwami and his royal drum, kalinga, were sacred, privately trivialise the symbolic power of the sacred drum, and plot politically to get rid of him. African villagers can understand perfectly well the secular account of the causes of HIV/AIDS but still wish to find a moral or religious reason why a particular individual, rather than another, is infected.

So does Berger smuggle in some hidden teleology, an implicit assumption that secular discourse will, one day, crowd out religion in our mental repertoire of registers, or following the 19th century positivists and Marx, must do? No, because the evidence is lacking - apart from a supposed European exceptionalism - that belief is being pushed into an ever smaller space left over by Reason and Philosophy’s occupation of the political stage. And within European exceptionalism lurks a concern for spirituality with much shopping in the market place for “new-age” practices and beliefs.

Even given Charles Taylor’s monumental critique of the immanent frame of secularism, what has occurred in these forty years is less a paradigm shift to a new grand theory, and more the development of a variety of proposals about desirable and normative relationships between religion and secularism or modernity. It is premature to speak of any post-secular consensus. In many respects discussion has shifted to the context of political and religious pluralism and the role of faith in public life, against a distorting background of takfiri and jihadi Islam, and their consequences. This left the secularism debate in the hands of latter-day secular ranters such as Richard Dawkins, who might have been expected to inhabit a more nuanced Scottish or American enlightenment tradition, but emerge as interlocutors for 19th century positions and French revolutionary attitudes. (3)

The vacuum in theories about secularism and modernity has quickly filled up with a cluster of governance issues concerning the establishment of viable forms of citizenship nationally, and, globally, the quest for consensual and
normative conduct in international relations, notably on religious freedom, with religion rising up the agenda as a problem. This has become more acute with the growth of internet use and the movement of peoples, both core features of globalisation, bringing new cultures and religions often into unprepared host societies.

The results have been equivocal. The internet, a simulacrum of human encounter and vehicle of a predominantly formal globalisation, has magnified exponentially what is already there: sectarian attitudes, provinciality and sheer xenophobia. When coupled with the radicalisation of Muslim youth, Manichean world views, and violence in the name of God, multiculturalism takes on a new, more threatening light. Facile labels, the clash of civilisations, cultures, and worldviews hide a huge variety of circumstances, and enhance superficial binary oppositions.

Law and constitutional frameworks are pivotal here. For most people of faith living in secular states, the law is the last court of appeal deciding on their rights of citizenship and position in society. If the law merely recognises them only as citizens and nothing else - taking no account of their communal identity and moral motivations and horizons - this will be seen as an unacceptable privatisation of religion. Or put in another way, a plaintiff in court upholding their minority religious rights has a non-negotiable minimum of civic identity; but, by so having, should not forfeit their religious identity.

In short, the simple demand of religious pluralism is that every citizen is more than just a citizen. (4) This core proposition roots religious freedom in political practice. It is conceptually linked – beneficially - to a discourse about pluralism and democracy. This does not mean that all religious beliefs and practices, simply because they are religiously motivated, can never be excluded as contrary to the Common Good and limited in their expression by the state. It is not in the Common Good for parents, for religious reasons, to refuse a blood transfusion for a child who would die without it, for example.

Promoting the simple formula of “more than just a citizen” needs government support to ensure social cohesion. It requires, to be precise, a concept of “inclusive citizenship” to be made an operational consideration in legislation and a key goal of social policy. And this in turn has to rest on public
perceptions that diversity is a positive value, that there is something to be gained by encounters with people of different faiths and cultures living together. This perception is most likely to be generated in youth culture, music and theatre. What is often meant by “interculturalism” can, and should be deeper than that, motivated by interfaith dialogue, genuine human encounter, and reciprocity of different kinds. (5)

But in confessional states, say Pakistan or Iran, the problem is different, the situation almost opposite: the failure to uphold the basic rights pertaining to civic status as a non-negotiable minimum for all citizens irrespective of religion. In these cases theocratic religious demands can trump freedom of religion for minorities and the elementary rights of citizenship. In a time of instant communication, the failure to address both these problems, and their contextual difference, can create a vicious circle with globally dire consequences for religious minority rights.

There are many contemporary examples of clashes between secular and religious worldviews being played out in the courts that might illustrate the issues at stake here. A lot of them involve religious symbols and markers in the context of employment rights, equality and discrimination. But the clash between gay rights and religious rights that has emerged in the growing number of states now providing juridical status to same-sex marriage, offers particular dilemmas. Pending legislation and the debate that has preceded it in the UK provide a test case.

**State-sanctioned gay marriage**

These dilemmas invariably come to the fore in the demands of people embracing different “identities”, sexual versus religious. The range of questions surrounding gay citizens who experience their sexuality as a key feature of their identity highlights the dilemmas of those with religious identities who also want their identity to be acknowledged in social and juridical contexts. The forthcoming British legislation on same-sex marriage is presented, both by its gay proponents and by the coalition government, as a necessary acknowledgement of their right to equal participation in a core social institution and the removal of a form of discrimination. For religious
leaders it appears as an attack on the core concept of an age-old institution imbued with social and religious significance.

In the UK, none of this makes much sense in the context of what has gone before. Legislation under the previous Labour government was designed precisely to equalise the legal rights of gay couples with married couples. Since there was a broad - implicit - shared understanding that marriage, because it was a fundamental social institution for the procreation of future generations, as well as a public, social and juridical recognition of a commitment to a life-long loving relationship - necessarily in the light of its procreative purpose - between a woman and a man, the recognition of gay relationships was labelled a civil partnership.

This was not an arbitrary designation. It reflected profound social change. Since the second World War, the frequency of same-sex marriage had declined steeply. For some time, the word “partner” had been substituted for husband or wife by many amongst the same groups of people who today seek gay civil marriage, “equal or same-sex marriage” over gay civil partnership. This had reached a point where the response to the question “Is X your partner”, reply, “No, s/he is not my partner, s/he is my husband or wife”, appeared aggressive. These linguistic games were, of course, skirmishes in a cultural conflict for ideological hegemony by programmatic secularism against religious social conservatism, an assertion of a particular world-view as dominant. Civil partnership was designed to settle the matter.

But legislation on same-sex marriage does two interesting new things: redefines the meaning of the word “marriage” and reinforces a category of “religious marriage”, taking place in religious spaces and involving religious people, which has a different meaning from civil marriage, now known as “Equal Marriage”. This is reinforced by pressures for civil partnerships to become open to heterosexual couples. The practice of church wedding, of course, did not exist in the first millennium. Only after the Council of Trent ruling in Tametsi, 1563, did the Church make recognition of a marriage dependent on the wedding taking place in the presence of a priest. The Church’s current position on gay marriage is much informed by this original sense of marriage as a basic social institution as well as because of its character as a sacrament administered by the couple to each other.
But government’s ploy of creating “equal marriage” does not achieve the result that – it must be assumed - is the aim of gay advocacy of equal marriage, equality as sameness, being treated the same. Key contractual aspects of marriage, such as consummation and adultery are considered relevant and valid only for different sex marriage. They do not apply in legislation to same-sex marriage. Equal marriage remains not only legally recognised as different from different sex marriage but, in this sense, excludes it. This title “equal marriage”, of course, leaves religious marriage, by default, as “unequal” and thus un-civic. It also potentially turns concepts such as non-consummation and adultery into quaint remnants of a religious past to be discarded. (6)

The religious response to these developments has been forthright. But it has been marked by a failure to explore the concept of equality being brought officially into play, a concept that is the starting point for the vast majority of people who are sympathetic to legal recognition of same sex relationships as marriage, rather than as a particular kind of loving relationship that can, and does, contribute to the wellbeing of society. For those who could not accept the idea of civil partnerships as the accommodation of different sexual identities, for example some Christian and most Muslim leaders who would agree that homosexual acts were “disordered” or haram, such a line of thought was precluded.

Many Muslims in the UK would find accepting known, sexually active, homosexuals in their mosque community’s worship as problematic, let alone recognition of same-sex marriage as desirable. Governments’ legislation in this regard opens up another divide liable to enhance the alienation of some sections of Muslim communities globally, and reinforce the tendency to equate modernity, and sometimes democracy, with what they would see as “Western” decadence. Of course, this is not grounds for abandoning a particular course of action, if it is just and removes discrimination. But, as a potential consequence of legislation, needs to be understood and reflected on in greater depth in its implications for interfaith and intra-faith relations and social cohesion.

No less worrying is that the state makes no official reference to the fact that it is redefining the meaning of a foundational concept and institution, marriage. When states start redefining core moral or interpersonal constructs - torture
would be another for example - it is time to raise a red flag. The impression given is that the change amounts to the righting of a wrong, a natural progression in what began with the decriminalisation of homosexuality in the 1960s – which incidentally the Catholic bishops in the UK supported. Nor has there been any discussion of whether, or how, civil partnership was unequal and discriminatory, rather than the recognition and accommodation of difference in a human rights culture.

The meaning of words does matter. But words have purchase on meaning only in context, in the case of the Church as part of a language of love. The Church can only speak on gay issues in a way that can be heard if it is seen publicly to offer hospitality to gay people and to delight in them. Otherwise her words lack a context in which they can make sense for other than those who utter them. (7)

**Civil Partnership**

Civil partnership was a solution to equalising gay citizens’ core civil rights. So what does “equal marriage” add that is not provided by civil partnership legislation? Or, if everyone is more than a citizen, in what sense should this “more” be a question of the specific demands of a particular sexual identity in the same way as those of a religious identity, and require the same consideration and identical form of reciprocity and incorporation into social institutions?

Sexual identities are not the same as religious ones. What is encompassed by faith difference is far greater than what is encompassed by difference in sexual preference, though both call for recognition, respect and understanding. The difference in their scope matters. People have multiple identities whose significance civically and morally vary enormously. Though some may be willing to die as a Manchester United supporter, my being a Londoner seems unlikely to warrant martyrdom.

Gay people speak meaningfully of “the” gay community. But they would be the first to repudiate the idea that this implies sharing a common set of normative beliefs, worldview, ethics, tradition, ritual and practice that a person of faith could claim for their religious identity. Sharing a particular interpretation of sexuality and suffering experiences of rejection, and
sometimes violence, are not trivial matters. But what is called gay culture is not like a religious culture. In an institutional spectrum, gay clubs and bars are more like women-only clubs in their purpose and nature than they are like churches, mosques and faith communities. The voice of faith in the public square is not, or should not be, simply about the interests, rights and recognition of faith communities. Theology is about everything. Sexuality is about something.

Nor has the state given much thought to the way religious marriage is now being pushed into residing in religious spaces, potentially marginalised, liable to challenge on gay marriage in European courts, despite clarity in the legislation that religious bodies will be not be coerced into administering it legally - though able to opt in to equal marriage provision. Is it desirable for a society to move away from a shared normative account of marriage? And how does the forthcoming legislation answer possible Muslim claims that arguments why they should not have state recognition of polygamous marriage now fall away? There are so many questions that have not been asked let alone answered by the state.

The gay marriage debate opens up the variety of problems posed when a “thick” programmatic secularism faces a religiously pluralist world. It raises them in the context of fundamental questions about the meaning of words and the malleability of human institutions. We live in a world of Prometheus unbound and faith communities are right to stimulate a discussion about limits in a world of limited resources both material and moral/spiritual and serve an important civic function in so doing.

Programmatic Secularism

The intractable nature of resolving competing claims about equal marriage raises the question whether the concept of “identities” as an operational criterion is simply confusing - because it covers a heterogeneous collection of human sensibilities and behaviours not of equal weight or scope in terms of their importance to human flourishing. Likewise sexual freedom may be analogous to, but is not in the same category as, religious freedom as an expression of human dignity. This does not mean that the — scandalous — figure of 25% of gay people in Europe, for example, who have experienced actual or
verbal homophobic violence in the last year is any less a grave moral concern, irrespective of numbers of religious minorities experiencing persecution. Nor that the greater dangers in other parts of the world need less denunciation. (8)

From the perspective of the Church, the failure to recognise and support civil partnership now appears mistaken. Church leaders did not endorse the legislation that brought it into being. Yes, the legal provision might be seen as endorsing homosexual behaviour that is officially condemned by the Church, but a stronger pastoral concern for gay people could have allowed an override. This might have been in terms of – for those who needed it – a lesser of two evils approach, a judgement that permissive legislation is preferable to the consequences of prohibition (used in the 1960s Catholic acceptance of the decriminalisation of homosexuality in the UK), of good ends justifying bad means, instead of the importance of promoting minority rights.

Some senior Church leaders, Cardinal Schonborn of Vienna, notably, now wish to reconsider the question of civil partnerships. Better late than never. But the failure to engage with public concerns about equality and discrimination has allowed the cry of homophobia to gain credibility, stopping cogent arguments against “same-sex marriage” being heard. There is little sign that the state’s “consultation” with religious organisations resulted in anyone gaining in understanding of the opposed positions as a result of listening. Just as the state falls under suspicion concerning its motivations and intentions in the position it has taken, so does the Church.

As a model of debate between secularism and faith, the same-sex marriage debate provides a sorry example. It has been a model of programmatic secularism acting like a juggernaut and people of faith unable to engage effectively through an inability to proceed from where public perceptions had reached, rather than where they ought to have reached. Civil partnerships were the product of a procedural secularism handling equality and civil rights claims with sophistication and incorporating diversity within a unitary framework of entitlements. They reflected a growing public sense that sexual biology should not determine social roles or legitimate exclusion, that same-sex couples should have the same rights as different sex couples. Only beginning by exploring concepts of equality and discrimination within a human
rights or human dignity discourse would the Church have had any chance of winning the argument about gay marriage, or at least, engaging a thoughtful public.

References

1. Peter Berger “Further Thoughts on Religion and Modernity” paper for Secularisation and the Jesuits Boston Conference 12-14 June 2013
2. Ibid.
4. Conversation with Archbishop Rowan Williams, Cambridge 13 March 2013. The same idea is elaborated more fully in some chapters of his Faith in the Public Square Bloomsbury 2012
6. See also John Millbank The Tablet 20 April 2013, 11. This takes the possible consequences of these changes in a frankly alarmist direction
7. Email exchange with Father Timothy Radcliffe O.P 16 April 2013
8. The latest EU fundamental rights survey sample was of almost 100,000 including eastern European countries where the average experiencing aggression was much higher.