

Chapter 6



Secular Governance in a Multi-faith Society

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Many countries, including all western-style democracies, are now clearly multi-faith societies in which a number of faiths are a valued part of plural society and are enabled to practice and to play an active part in the social and cultural life of their followers, for whom faith and culture are often inextricably linked. For a number of reasons, particularly given the present pre-occupation with the Muslim community, the notion of 'faith in the public sphere' has been taken as any visible manifestation of faith, or the representation of faith-based arguments to further a particular cause, as evidence of its 'public' presence. Such a limited view is neither practicable nor desirable and the principal concern and focus should be on governance: the extent to which faith organisations influence the organs of the state and, more especially, whether the system of governance is seen to be based upon the views and wishes of one, or more, of the belief systems that underpin them.

The focus on the Muslim community has meant that discussion has revolved around whether one faith has had more privileged access than the others. But the prominence, both

nationally and internationally, of the faith debate in recent years has also given rise to a related and equally significant issue: whether faith communities in general have a higher standing in the eyes of government than non-faith constituencies. Furthermore, we also have to recognise that whilst the position of faith is changing, particularly at an international level, so too is the nature and role of the state. In this regard, given the evermore demanding requirements of the modern democratic framework, decision-making processes will have no legitimacy unless they are based upon evidential standards that no belief system can meet, whether or not it is faith-based.

There is a general confusion about what is meant by 'secularism', with most definitions revolving around a separation of church and state, without any real clarity about the nature of that division. Tariq Modood in Chapter 5 usefully attempts to move us on from the notion that secularism is a 'doctrine of separation' to more nuanced divisions based on 'radical' and 'moderate' models. Various attempts have been made to define 'secularism', which are generally broadly-based and contested notions of the way in which the society and culture become detached from religious doctrine and influence (see for example Berger 1969). Parekh (2009) also reminds us of the early usages of the term, which relied upon the notion of the contrast between the 'immanency and time-boundedness of the modern world with the atemporality and eternal nature of the heavenly'. There is also no clear and accepted definition of what is meant by faith in the 'public realm' and a recent book devoted to the subject, (Dinham et al 2009) recognises the many different components of the subject. For the most part, the notion of 'faith in the public realm', seems to be more about its surprising 'political revitalisation' (Habermas 2007), at a time when its decline seemed inevitable as science and rationality appeared to have become ever more dominant parts of democratic debate. Terms like 'public realm', 'public square' and 'public sphere' have been used synonymously. The 'public' nature of faith has, for some,

been associated with its visibility and, moreover, unfortunately linked with the Muslim community in public policy terms.

I want to argue that the notion of a 'secular society' is simply inappropriate, it can no longer be applied to modern multi-faith and democratic societies and could not, nor should not, be seen as a desirable policy objective. However, there is a real and pressing problem about the salience of faith-based arguments within democratic institutions and decision-making processes, and 'secular governance' is both necessary and inevitable.

The shape and nature of societies has changed profoundly over the last fifty years or so, as a result of population movement, the globalisation of trade and business, the ease and affordability of international travel and communications, as well as impact of conflict, war and climate change (Cantle, 2008). Modern democracies have become much more dynamic multicultural and multi-faith spaces. This does not mean, of course, that the dominant faith in any country has entirely lost its position of relative power and influence and has generally been protected by its historic position, often being granted formal status and constitutional privileges as well as being embedded into the social and cultural life of all citizens, for example, through institutional involvement in public ceremonies and the timing of holiday periods. However, such societies now experience many more public influences both from within and without national boundaries.

The emergence of multi-faith societies does not, however, create entirely new problems for a number of states have had to deal with longstanding divisions and conflicts between at least two principal faiths and have generally devised some form of pragmatic accommodation. In the UK, the division between Catholics and Protestants has been evident for 500 years. Elizabeth I, who 'would not open windows into men's souls' when asked if the state should investigate which of her subjects were crypto Catholics, created the first such accommodation - in other words, she upheld the principle of freedom of (religious)

conscience from state interference. Yet part of the overall ‘accommodation’ meant that Anglicans, in the form of an established Church, retained a limited but privileged position over Catholics which has lasted until the present day.

The discrimination against Catholics has endured largely because of its relatively minor nature – royal lineage, representation in the House of Lords and so on – while discrimination in employment and other areas of life were largely dealt with some time ago. But the inherent unfairness and obvious injustice nevertheless remains a source of complaint and is still being addressed, for example, through the proposed reform of the House of Lords.

Given its historic position, the UK, like many other western democracies then, may have been expected to have had greater difficulty in coming to terms with the emergence of many other faiths, which has been accompanied by the growth of diaspora communities. Again, diaspora communities are themselves not entirely new (Soysal 2002) and the UK, in common with many other European countries, has had a Jewish community – perhaps the longest-standing diaspora – for at least 800 years. But as Jonathan Sacks (2007) has pointed out, the modern diaspora communities have far more significance and they find it easier to sustain themselves than ever before, largely because of the ease of modern transnational communications (Cantle 2004). Any modern system of governance, then, not only has to take account of intra-society pressures from faith and cultural groups, but from diaspora communities who transcend national boundaries and command support at many different levels. In other words, even those societies that have relatively small faith-based minorities and where the majority faith is clearly predominant in the public sphere, they are still effectively influenced by a multi-faith global culture.

As societies have become more dynamic and diverse, so they have inevitably become multi-faith. However, whilst diversity of culture is generally seen as bringing new, interesting and enriching

experiences, there is more ambivalence about the diversity of religion, which may be seen as creating more challenge in areas that still have a sacred and sacrosanct basis. This is understandable in the sense that faith is a 'zero sum game', i.e. that one cannot be a member of two faiths simultaneously, and so faith-based belief systems are therefore, by definition, irreconcilable with each other.¹ Nevertheless accommodations have been made and are continuing to develop. Models of co-existence are now prevalent with the emphasis on dialogue and exchange at the cultural level and mutual respect and understanding at the faith level. This approach has recently been endorsed by the British government, following consultation with faith and other bodies in *Side by Side* (DCLG 2008)

But culture and faith are not easily separable. Ratcliffe (2004) illustrates this with particular regard to the way in which the Muslim 'transcends the public-private divide, being intrinsic to the way a Muslim lives her/his life.' Ideas about what constitutes religious dress varies from place to place, reflecting cultural sensibilities and, more profoundly, interpretations of religious texts whether they are literalist or adaptive to context. No clear dividing line is possible and even within nation-states the diversity within religious communities is as significant as it is between those of differing ethnic and faith-based groups (iCoCo 2008). The outsider's view of minorities has often confused notions of race, religion and culture, sometimes out of ignorance and sometimes deliberately so. The far right across Europe has propagated the idea that Muslims are a problem community, partly as a means of developing a racist agenda and taking advantage of the lower level of protection given to religious minorities as compared with racial groups.

¹ However, non-faith-based systems of belief may be compatible with each other in the sense that holding a fundamental belief about the way the economy might be run, for example, does not amount to a complete belief system, and so there is room for other large areas of agreement.

The discussion about the role of faith in the ‘public sphere’ (or realm or square) is complex, with perhaps an ‘ideal’ notion developed that we simply have to return to a separation of state and church, that is,

one in which citizens have full freedom to pursue their different values or practices in private, while in the public sphere all citizens would be treated as political equals whatever the differences in their private lives. (Malik 2002)

An unfortunate and simple interpretation of the public nature of faith is taken to mean whether faith is ‘visible’, through the display of religious symbols, like the displaying of the cross, the wearing of the skull cap, or the various forms of head and face coverings for women. This is perhaps the most obvious form of public manifestation, but it is hardly central to the real issue of governance. The UK has long since taken a different view about such symbols, in contrast to countries like France, and they are generally valued as expressions of diversity and seen as part of culture and heritage alongside other forms of traditional dress – at least until the recent demonisation of Muslim minorities. In fact, the protection of religious dress in the public sphere had even been brought into legislation to accommodate religious minorities as long ago as 1976 when Sikhs were allowed to wear their turbans rather than crash helmets when riding a motorcycle. Of course, in some recent and perhaps exceptional cases, dress codes are a basis for division, and bans have been introduced on particular forms of clothing or accessories in the apparent interests of safety or communication. But ‘faith visibility’ through the wearing of particular forms of religious dress in public is not the principal issue in the debate on the role of religion in the ‘public sphere’.

It is also too simple to suggest that the issue revolves around whether people of faith should be allowed to enter the public square and express their points of view based upon their religious

beliefs or to proselytise on behalf of their faith. In a democratic society, such debate is not only generally free but should also be welcomed as part of free speech, at least within the limitations of ‘incitement to religious hatred’ and of preserving public order. In the case of incitement to religious hatred, secularists would argue that such protection has, by law or common convention, gone too far and prevents proper and reasonable criticism of religious beliefs. The campaign in 2008 to promote the view that ‘there is probably no god, so stop worrying and enjoy your life’ through advertising on public buses is perhaps a reaction to this and a reassertion of that right of free speech (although a similar bus campaign has been banned in Italy). In theocratic or authoritarian societies, even the right to practice a particular religion is in doubt and for them the notion of faith in the ‘public sphere’ will inevitably have a very different connotation.

The central issue for democracies is, or should be, whether the system of governance is based upon any form of belief system, rather than clear and transparent empirical evidence and science. This is irrespective of whether the belief system is one which is based on faith or some other form of moral or ethical code, or the particular beliefs of an individual leader or group. In a modern multi-faith society, governmental decisions require a rational basis and this inevitably militates against those dictated by one or more faiths, which by definition depend upon beliefs rather than evidence. This is also partly because any decision which is based upon the tenets of a particular belief system will potentially conflict with the beliefs of other faiths and groups who have adopted different moral and ethical codes and so an objective and evidenced-based decision is the only means of ensuring equality of power and influence in a modern multi-faith society.

And whilst the belief system of one group (usually the majority group) could be selected over that of others, the effect would clearly be to disenfranchise those of others and become the cause of tensions and conflict. Further, to simply express and

act upon the belief that one course of action is to be preferred to another is no longer an acceptable justification for a decision. In a modern bureaucratic state, decisions are open to public and legal challenge if they have not been able to demonstrate a legitimatising process and a reasonable evidential standard. For example, they must show that the relevant consultations have taken place and been taken into account, that expected impacts have been considered, and that the evidence forms the basis of the decision. Nowhere is this more certain than in the criminal justice system, where to assert a belief that a person is guilty of a particular crime would be literally laughed out of court, and generally followed by a writ for slander. Whilst the standards expected in the criminal justice system are higher and clearer, those obtaining in the political system are not far behind and are gradually being extended, largely through the process of judicial review and challenge.

None of this is to say that decisions cannot be based upon some notion of right and wrong and that this notion may have been influenced by religious beliefs. For example, the notion of 'thou shall not kill' is embedded in many faiths and widely adopted as a cornerstone of national and international law. It is variously used to support a range of political preferences, for example to oppose capital punishment, abortion and war. But these are no more than statements of general principle and the practical interpretation of these issues are open to widely diverse views and a simple statement of beliefs, however keenly felt, will not provide adequate justification. With regard to abortion for example, to adopt the approach of the Roman Catholic Church would be to deem that virtually all abortions were prohibited. This is clearly not accepted by people of other faiths and no faith and to adopt such a policy would therefore 'privilege' one faith over others. In order to arbitrate between such competing arguments and to avoid accusations of 'privileging', governments have fallen back on rational argument, with the case of abortion, for instance, being based upon the age at which babies can

survive outside the womb, the evidence of health impacts of the mother, or other documented benefits and disbenefits. In other words, governmental decisions are upon an evidential and objective basis.

A modern multi-faith society will inevitably develop notions of universal rights and responsibilities that transcend all faith and belief systems, often as a means of mediating between them. Indeed, faith and belief systems have given rise to many moral and ethical standards that have long since been incorporated into legal systems. However, it is nevertheless difficult to distinguish the moral case from the practical basis in each case. Again, the belief in the sanctity of human life on a moral basis, might have guided a number of legal principles, but it also has a practical impact as a form of reciprocal protection – ‘killing others is wrong because others may choose to kill me’!

The adoption of moral values that coincide with the beliefs of one or more faiths is not in itself problematic, providing that there is a consensus which can ensure some form of wider acceptability and that it has a rational basis, in other words, that it is not simply an ‘act of faith’.

However, even if governments do not base their decisions upon the tenets of a particular faith or belief system, the way in which they engage with faith communities might create the perception of privileged access and therefore of unfair advantage for one faith, or of faiths in general over and above secular bodies. This has certainly been the case in the UK, where even the Church of England has complained about having less access, and therefore influence, than the Muslim community (Wynne-Jones 2006). Similarly, the secularist groups complain that they are discriminated against in the political process because they have more limited access. Perversely, they are now beginning to be treated for consultation purposes as though they were a ‘faith’.

The existence of an established church might therefore be a bone of contention, irrespective of whether the established church represents the majority population; any privileged

position in terms of engagement will inevitably be seen as discriminatory. It is difficult to believe that such institutional arrangements can persist in multi-faith societies, given the perception of preferential treatment and unfair advantage. Indeed, this has become apparent to the Church of England, with the Archbishop of Canterbury recently indicating his willingness to contemplate disestablishment (Beckford 2008). The level of influence, however, does not depend upon whether a church is actually formally established and can just as easily be dependent upon less formalised processes. For example, the Church of England may have less influence in the UK, despite its constitutional position, compared to the much more pervasive public role of Christian churches in the United States where they do not enjoy established status.

Our system of governance of course also extends to regional and local agencies, including local authorities. And faith bodies have a number of roles, which are connected to government but not necessarily a part of the structures of governance. For example, many such bodies are funded to deliver public services and are thought to be able offer higher standards in this respect as they can utilise committed volunteers and empathise with and understand the cultural sensitivities of their group. However, whilst this is being questioned by the criticism of 'single group funding' (CIC 2007), there is a distinction between service delivery and that of policymaking, albeit a fine one. This is perhaps most evident in the provision made for publicly-funded faith schools. For the most part, the 7000 faith schools in England are bound by pretty much the same constraints as the other 13,000 non-faith state-maintained, schools. They are generally charged with implementing educational policy – and funded and regulated on this basis – rather than determining it. However, at the margins they are able to determine a number of processes, particularly with regard to admissions and to provide religious instruction to students drawn largely from that particular faith community. Whilst the position of faith schools has been maintained and

their number extended a little in recent years, particularly to minority faiths, they have also come under pressure to widen access and to promote tolerance and respect for other faiths (Cantle 2001, Runnymede 2008) and have also been made subject to the duty to promote community cohesion (DCSF 2007).

The debate about 'faith in the public sphere' should therefore revolve around the extent and nature of faith in our system of governance, either in terms of the reliance on belief systems as a justification for particular decisions, or whether one or more faiths has a privileged access to, or influence over, the organs of government as compared to other faiths or those of no faith. In a multi-faith society, no single faith or group or faiths should have a constitutional or practical advantage over any other. Inevitably, the principal church will have to be disestablished, even if the mere fact of establishment should not be taken to imply a wholly unacceptable level of advantage, given on-going reform and historic accommodations over time. Yet, as noted previously, governance in modern democracies has been built increasingly upon rational-legal decision-making, and so policymakers will seek to demonstrate an empirical and scientific evidence basis for their decisions and will find it increasingly difficult justify them with reference to overtly value-laden systems of belief and, as far as possible should be seen to strive for value neutrality. In this way, faith-based beliefs will become increasingly incompatible with the system of governance. However, faith will remain very visible in the public domain for the foreseeable future and will continue to be recognised as a valued component of diversity. In this sense alone, no modern democracy can now ever be thought of as 'secular'. And, in most cases, individual believers and faith organisations will continue to play a significant lobbying role for policies that their faith community supports. Yet this tension between deliberative democracy and evidential decision-making will, however, increasingly produce a higher level of challenge and debate, with both opportunities and risks for faith-based organisations.

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