Can we promote pluralism through civic reason?

On the 25th and 26th of May 2009 the Kosmopolis Institute of the University for Humanistics and Hivos organised a conference on the future of secularism and the secular state

In the intimate surroundings of the *Zuylenzaal* in Utrecht, a diverse group of activists, academics, legal experts and policy makers from various parts of the world gathered to rethink the future of secularism. And that seems necessary. For, in many parts of the world religion is on an upsurge. Religious revivalism and emergent forms of fundamentalisms challenge the capacity of the secular state to deal with religious diversity. It also confronts many civil society organizations around the world with the inadequacy of their strategies to promote dialogue and peaceful coexistence. In this context, some core questions troubling all those concerned are: what are the conditions of peaceful coexistence in modern societies? Is the framework of the secular state tenable in this era of religious revivalism?

Believers need a secular state

Professor Abdullahi An-Na`im (Charles Howard Candler Professor of Law at Emory University Law School in Atlanta, United States) admitted that many secular states have failed in solving religious conflicts in a neutral way. But, according to him, that is no reason to give up the project of the secular state. In fact, it should inspire new demands to hold states more accountable. Against the backdrop of his personal experiences of suppression and persecution by the state in Sudan, An-Na`im presented a powerful case for a secular state from an Islamic perspective. '*Muslims need a secular state to be Muslim.*' Shari`a can never be enforced by the state, because belief requires freedom to interpret and a possibility of living by those interpretations. The role of the state is therefore to facilitate and uphold the conditions for living up to the obligations of Shari`a *voluntarily*.

Shari`a is not divine, it is secular

An-Na`im proceeded by claiming '*Shari`a is not divine, it is secular*'. Any method of interpretation of Shari`a principles is necessarily a product of human agency and interpretation. This means that the content of Shari`a can be debated and changes over time. But this has to be debated by Muslims, not by the state. The state can never be religious. The constant process of interpreting Shari`a requires the promotion of a culture of independent inquiry, dialogue and personal responsibility for the religious choices Muslims make.

Civic reason and the role of religion in politics

Although his objective is to keep the state out of religion, An-Na`im is not arguing for keeping religion out of politics. On the contrary. For the legitimacy and autonomy of the state, he says, it is important that all citizens can bring in their personal views whether motivated by their religion or other beliefs. The reasons for public policies and legislation could be based on such religious

motivations, but under the condition of what he calls '*civic reason*': all reasons must be acceptable and open to debate for *all* citizens.

Challenging a liberal and procedural approach

This critical notion of secularism and civic reason gave rise to lively debates at the conference. Veit Bader (Professor of Sociology and Political Science, University of Amsterdam) argued that the word 'secularism' is cacophonous and misleading. He proposed to replace the concept of secularism with that of liberal democracy instead of engaging in 'alternative secularisms'. Professor Ram Kakarala (Director of the Centre for the Study of Culture and Society, India) challenged the liberal ontology of An-Na`im and Bader. Should it always be a liberal ontology that defines concepts like equality and agency? And is it possible that the problem of the secular presents itself similarly in the way in which modernity is defined? Professor Zainal Bagir (Director of the Center for Religious and Cross-Cultural Studies, Indonesia) challenged An-Na`im's procedural approach. He wondered how principles of the *content* of the public good could come from civic reason. And where is the fault line between making space to Shari`a in politics and the enforcement of Shari`a by the state?

Humanist self critique

The concept of civic reason also inspired some to engage in self critique. Professor Henk Manschot and dr. Caroline Suransky (Director and Deputy Director of Kosmopolis Institute, Utrecht) reflected on humanist positions towards secularism. The dominant position within European humanism has a negative perception of religion, which can be historically explained. However, the core principle of humanism is that all human beings are part of one moral community. Civic reason as well as a humanist principle of inclusiveness, they argued, both require Humanism to problematize the absoluteness of its own absolute truth-claims. In this regard, Humanism cannot uphold the dominance of the scientist-rationalist position and the superiority of atheism.

Practices of interpreting Secularism

Secularism has been a constitutional *ideal* of many modern states. Most states don't have to be convinced of the importance of secularism as ideal. The difficulty, however, lies in interpreting what it means in concrete practices. Justice Aftab Alam, sitting judge of the Supreme Court of India, reflected on nearly 60 years of the post-independent judicial practice in interpreting the ideal of secularism. He argued that in the decisions of the Supreme Court of India, viewed in the long historical span, one can notice clear ambiguities and contradictions in the interpretation of Secularism in the Indian context. In the early years after adopting the Constitution in 1949, secularism was tended to be seen as means to respect and protect the country's great plural heritage. During the last two decades, however, there has been a noticeable shift in the Court's interpretations of Indian Secularism. The Court tended to stress on the idea of 'Indianness' in its reasoning and tending to view secularism as a vital means to develop a more unified Indian society and foster social cohesion.

Limits of a normative approach

Taking cue from the above argument, Jeff Handmaker (Lecturer in Development, Human Rights and Governance at ISS, the Hague) argued that An-Na`ims normative approach is important, but may be ill suited to understand how law structures the social world and how it is experienced in the daily lives of people. The world is socially constructed, partly by institutions of law. However, these structures are not totally determining the agency of the individual, there can still be interaction between them. An-

Na`im proposes to see law as the basis of 'the rules of the game', but law is also a cultural system, not just a normative one.
In a similar vein, Professor Jan Breman from the Amsterdam School for Social Science Research, also critiqued the normative approach. The state is not the seedbed for secularism, he said. The state is a product of processes in society, not vice versa. The upsurge of contemporary religiosity needs to be understood within the context of the political economy. During the military dictatorship of Suharto in Indonesia for example, the state withdrew from the public. There was no money for public schools, hospitals etc. For their survival, people fell back on their primordial identities and loyalties, like religion. But these loyalties are *constructed* within the context of the political economy.

Too much focus on religion
Like professor Breman, some other participants of the conference contended that the focus on religion and on the ideal of secularism can be misleading as it takes away attention from diversity within religious groups as well as other identity based conflicts. Khalid Anis Ansari (Patna Collective) argued that many groups are involved in an internal critique against the ethno-religious monolithisation of identity in India, like the Pasmanda Movement (PM), a caste movement among Indian Muslims. The PM contests the notion of 'community' as being predominantly religious and monolithic. According to them, Indian secularism expressly failed to prevent inter-religious strife. It foregrounds the idea of religious conflict at the expense of other conflicts like caste and gender. By doing so it constructs religion as overarching identity and clouds the reality of caste conflict within all religious communities. In this context, according to the PM, communal violence polarizes and consolidates religious identity that works to keep the vested interests of the old caste elite intact.

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It seems clear that in this era of religious revitalisation, the secular state as framework to deal with religious diversity and conflict is under sever challenge. But what alternatives can one think of? '*Can we promote pluralism through civic reason?*' was the core question of the conference. Civic reason and rethinking the secular seem indeed interesting starting point to reimagine and construct the conditions for a pluralist culture of dialogue, and deserve more debate.

This conference was organised by the Kosmopolis Institute of the University for Humanistics and Hivos in the context of the Promoting Pluralism Knowledge Programme. Since 2008 both organisations have been working together with the Centre for the Study of Culture and Society (India), the Center for Religious and Cross-Cultural Studies (Indonesia) and the Cross Cultural Foundation Uganda (Uganda), in an interactive network of international researchers and practitioners who generate and share knowledge on the pursuit of a pluralist and dialogical culture for development.

More information on the Promoting Pluralism Knowledge Programme can be obtained at:
http://www.hivos.net/ and www.uvh.nl

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