

The role of secularism in protecting religion

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It is a widely repeated belief that modern society is secular, and that this is contrary to the interests and values of religion. In the United States Christian pulpits and outlets repeat the claim that theirs is a "Christian country" whose morals and values reflect their Christian origins, and that secularism is responsible for the decline of those morals and values. A similar claim is made, for example, by the now-Cardinal George Pell.²

At the other corner of the ring are the heavyweight atheists who deny this, and who assert that modern society is founded on Enlightenment principles, and that religion is mere superstition that is ineluctably going to fade away in the face of evidence, reason and science. Richard Dawkins, in a series shown in the United Kingdom intended to magnify the glory of Charles Darwin, has asserted that Darwin is responsible for atheism being respectable and widespread in western society, exactly the thing that the Christian (and to a lesser extent, Jewish and Islamic and even Hindu) critics of secularism fear. And it is ironic, as Darwin himself never wanted his views to play that role.

Is there a third option? I think so, and I want to make that case here. The third option is that secularism is a means of *protecting* religion. It prevents, in other words, a religion from being supplanted by coercion by any ideology or set of values and beliefs whatsoever. It is the only way in a society of plural beliefs that a religion can contribute to a social discourse democratically. And in the course of doing this, it means also that atheists, agnostics, and members of other religions are equally protected and empowered. The end result is that a society is freed to evolve naturally, as it were, and to find whatever mixture or equilibrium of religious and nonreligious values may serve to maintain that society in a state of health.

So here I am going to make out several lines of thought. One is that secularism is defined unfairly by those in a position of religious influence as that which is contrary to their own goals and their desires to control others, under the guise of it being an attack upon "religious freedom". Another is that secularism is needed to avoid the sorts of inflammatory religious conflicts that the history of Europe, the Indian subcontinent, and other regions shows is inevitable whenever religions are permitted to attempt to control people; the current conflicts in central Asia are only the latest in a series of these conflicts. A third line of thought is that secularism is the way religious societies developed in order to adapt rapidly to economic and technological changes. Finally, I will argue that democracy itself is only possible when secular society is the constant aim of social policy.

Secularism is not so much an attack upon the religious believers and institutions of modern society, as it is a defence of religious freedoms. I will defend secularism as a way to ensure that no religion is able to take over

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² In a speech to the National Press Club, Canberra, on 21 September 2005, he said,

Many think that Australia is now a secular society (some Catholics and many secularists tend to talk like this) but in the 2001 census 68 per cent declared themselves Christian and only 15.48 per cent declared themselves without religion, a decline of 1.45 per cent from 1996.

While the percentages of believers and unbelievers among our academics and journalists might be the reverse of that obtaining in the general population, there remains a good case for claiming that Australia is still a Christian country (tolerant of every religion and no religion), whose major social, political and legal institutions cannot be fully understood without it.

In this speech, Pell claimed that without Christian moral foundations, Australia is tending towards a moral relativism and "might is right" philosophy. http://www.ad2000.com.au/articles/2005/nov2005p3_2097.html More recently, the Cardinal has attacked human rights as restricting "religious freedom".

the social policy in a way that is detrimental to other religions. Catholics cannot be repressed or coerced by Protestants, nor Muslims and Hindus by Christians, and so forth, in a properly secular society. The cost, from the perspective of the religious believer, is that they must forego control of the social agenda themselves, and they must tolerate the nonreligious as much as they themselves are tolerated. They should do this, because it is in their own interests to do this, such "costs" notwithstanding.

Secularism and its origins

The term "secular" is both ancient and recent. In Latin it means "ages", and the phrase in the Latin mass *in secula seculorum* means "for ever and ever". Secular authority came to be the term used for authority not of the Church, but rather of the age. In the middle ages, there was a continuing conflict between secular authority, in the form of the Holy Roman Empire ("neither Holy, nor Roman, nor an empire" as Voltaire said) after the Carolingian dynasty in the mid-eighth to late ninth centuries, and the hierarchy of the Church, which played out in various ways. One of my late medieval heroes, the emperor Frederick II of Hohenstaufen, even managed to get himself excommunicated twice for not obeying the Pope, first for saying that the emperor was not beholden to the Papacy (which was itself also a "temporal" power), and the second time because he negotiated a peaceful coexistence with the Muslims in Jerusalem, instead of slaughtering them as a good Christian king should have done (Abulafia 1988; Andrewes 1970).

The Reformation introduced a further conflict between temporal and celestial authority – now instead of there being one Church to which all principalities and kingdoms were asked to submit, many churches and rites sprang up throughout Europe. This was not the first time distinct religious traditions challenged the authority of the Church, of course – the Albigensian massacre by the Catholics in southern France in the 13th century was only the latest imposition of a religious orthodoxy by political and military means in a tradition that goes back to Constantine. But now the fabric of the European society was being rent by the transition from a monopoly of one religion to a market place of many. Sweden, Holland, Switzerland and most famously England and Scotland all took advantage of this to set up state religions that imposed an orthodoxy different to the hegemony of Catholicism. In response, states like Spain, France and the Italian states imposed Catholic orthodoxy by the state's instruments of law and military power.

In the face of this, theologians had to define the extent and limitations of both the church and the state, and the Lutheran solution – the so-called "Two Kingdoms" doctrine in which each authority had its own divinely circumscribed scope that the other should not tread upon – was the one that came to be employed in Protestant states. It was eventually also adopted by all but the most uniform Catholic states, which in turn depended upon the absolute nature of the monarchies in those states. And of course in uniformly Catholic states, the church assigned the privileges of the prince anyway, as it had done in Catholic societies since the medieval conflict between church and emperor.

We shall consider the various religious wars later. For now, let us merely note that a *de facto* secularism is in place well before the Enlightenment. However, it is a very limited secularism – one only has the "right" as a *monarch* to choose one's religion (and that of one's country, under the principal *cuius regio, eius religio*). Individual citizens have no such right. Each state still has an imposed orthodoxy, but starting out with the notion that the church controls all aspects of society, this is a major step towards secularism, merely by admitting the *possibility* of an authority not under the control of religion.

The Enlightenment's role in secularism is well known, and I won't repeat it here, but let us note that the Enlightenment leaders, people like Voltaire and Kant, did not suppose religion would be eliminated, but merely its superstitious elements. Reason would triumph and religion would be rational for the first time. However, at this time, anti-clericalism also began to develop into full-blown atheism, with Jean Meslier the first post-Christian atheist in the early 18th century, and Baron d'Holbach the first public atheist during his life in the late 18th century.

In the 19th century, secularism was increasingly anti-religion. Mind, this is a period in which Catholics

could take Jewish children from their families *legally* if someone, like a nanny, baptised them in secret, in Catholic countries. And if you were of the wrong religion, you might never get a government position in practically every country in Europe and the UK. You might not even be permitted to earn a living. Freethinking arose at this time as a general movement amongst intellectuals.

Also at this time there arose a view of cultural evolution. It was, not surprisingly for the time, progressive. According to the view of society promoted by August Comte, known as “positivism” and adopted widely throughout the nineteenth century, cultures start out with magical thinking, then move to theological, and then, of course, become scientific. So secularism was tied into the idea that if religion were not enforced, it would eventually die away from sheer historical necessity. This positivist view of history found its way into Marxist dialectic of history, and underpinned Hegel’s, Toynbee’s and others’ view that history would undergo predetermined stages, and a kind of irreligious eschatology (doctrine of the “last days”).

Secularism as a solution to religious conflicts

When the United States was being founded, it had a particular problem of competing churches seeking to become the “state church” of the thirteen colonies. In the subsequent debate over the role of religions, it was decided that no church could seek to impose its doctrines on any citizen or organ of government. In fact, the government was prohibited, under the doctrine of what is now called the “separation of powers”, from instituting or legislating in favour of any religion or church. This is the first constitutional secularism, and it is designed to prevent adherents of any church or religion from being treated as second class citizens.

Unfortunately, the intellectual inspiration for this, John Locke, in his *Letter Concerning Toleration*, explicitly exempted atheists and unbelievers from official toleration on the grounds that they couldn’t be trusted to keep their word when they swore an oath. This is particularly ironic, given that a good many of the post-Mennonite churches, such as the Amish, the Shakers, and so on, refused to make an oath on theological grounds.³

Of course, such intentions as the largely deist founding fathers had were often honoured in the breach. Catholics were excluded from government in many states, and Jews from all kinds of occupations and stations in society, right up until the beginning of the Second World War. After the Holocaust, leading American Catholics like Fulton Sheen attempted to integrate Catholicism into American society and even to influence that society to adopt previously “Catholic positions” like anti-abortion. Despite this, secular toleration developed for different religions, although often the marginal religions like Islam, Sikhism, Hinduism, and of course Judaism are regarded as somehow anti-American by a substantial proportion of the American population.

In Australia, secularism was imported from Europe into the burgeoning socialist movement, and was played out in the context of government-provided education (Barcan 1980; Bessant 1984). The churches immediately attacked (Phillips 1983), but all states began to offer secular education (Wilkinson et al. 2006), and eventually a provision prohibiting the favoring in federal government policy of one religion over another found its way into the Australian constitution, in line with similar ideas overseas. In recent years, however, particularly under conservative governments and Parliamentary majorities, but also under the present Labor government, funding by the Commonwealth of religious schools has increased out of proportion to their representation in the student population. This appears to be due to the personal disposition of recent party leaders towards various religions.

Returning to history, though, let us consider the Thirty Years’ War. This was a war held largely on German speaking territories which included the Lutheran Swedes, Catholic German principalities and France, Protestant Holland and Catholic Spain, and so on. I’d like to quote what Wikipedia says about this long

³ Relying upon the scriptural text, “But let your communication be, Yea, yea; Nay, nay: for whatsoever is more than these cometh of evil”, Matthew 5:37. Some also think this justifies the use of binary code in computers....

running religious conflict, a series of small and large wars that waged across Europe between Catholic and Protestant states:

So great was the devastation brought about by the war that estimates put the reduction of population in the German states at about 15% to 30%. Some regions were affected much more than others. For example, the Württemberg lost three-quarters of its population during the war. In the territory of Brandenburg, the losses had amounted to half, while in some areas an estimated two-thirds of the population died. The male population of the German states was reduced by almost half. The population of the Czech lands declined by a third due to war, disease, famine and the expulsion of Protestant Czechs. Much of the destruction of civilian lives and property was caused by the cruelty and greed of mercenary soldiers, many of whom were rich commanders and poor soldiers. Villages were especially easy prey to the marauding armies. Those that survived, like the small village of Drais near Mainz would take almost a hundred years to recover. The Swedish armies alone may have destroyed up to 2,000 castles, 18,000 villages and 1,500 towns in Germany, one-third of all German towns. (Thirty Years' War 2010: , accessed 21 January 2010)

That is what a religious war looks like. We have seen religious wars with similar attrition rates more recently in the Middle East, Northern Africa, central Asia, and southern Asia. Likewise, the English Civil War, which was founded on the religious rejection of a Catholic king by Parliament, was fresh in the minds of those who drew up the American Constitution: Locke himself had been involved, as had Hobbes (although Hobbes says he ran away from it, writing in his autobiography, "Fear and I were born twins". He was in exile in Paris during the Civil War until 1651).

In the 1960s, as religious opinions began to diversify among the bourgeoisie, incorporating increasingly distinct eastern religious traditions, manufactured sects and so on, the liberal orthodoxy was to include all these and even atheists and agnostics into normalised American and other western society, including in Australia, which allowed a census option of "no religion" beginning in 1971.

This liberalism lasted all of three or four years.

In the 1970s in the US, conservative evangelicals and conservative Catholics started a movement to try to "take back" the political discourse of their country. This had already happened in the United Kingdom and Europe after Vatican I, in the 1870s and afterwards. Fearing that they had no voice in political circles and forums, the conservative religious undertook a deliberate strategy to gain one. I can recall sitting in these discussions as a young Australian evangelical "intellectual" in Melbourne in the mid-1970s, as we planned how to "witness" to the "secular humanist" world. Secularism, humanism and atheism were all regarded as identical, evil and the cause of all social ills.

The eventual outcome of these strategies was the "Focus on the Family" movement in the US, the "Silent Majority", the "Moral Majority" and similar organisations, many of them explicitly religious, a few supposedly not, but actually they all were. Republicans in the US courted these movements in order to shore up their overall support, and this is when Catholics and these Protestant conservatives took up arms together on matters like abortion.

These movements make out that secularism is an attack upon their right to exist, and to enforce moral standards. They are partly right, as secularism has been sold, it was presumed that if we can establish a secular state, religion will ultimately wither away and die, leaving us in John Lennon's state of imagination. I think this is fundamentally mistaken. Religion is an inevitable aspect of human society, and in the foreseeable future it will not wither away.⁴ That assumption was based on the positivism of August Comte,

⁴ This is a rather unusual challenge to the secularist presumptions of the past, so I had better give reasons for it. No society has been free of religion, and in fact even in those supposedly atheist regimes of the Soviet Union and China, religious observance may have fallen, but as was demonstrated when the Soviet Union collapsed, the majority of Russians were still Orthodox after 70 years. Most Chinese are even now religious in one form or another. This is evidence that religion is very hard to displace. There is

who held that societies and ideas go through a series of developmental stages, just as an organism does, and so “each of our leading conceptions, – each branch of our knowledge, – passes successively through three different theoretical conditions: the Theological, or fictitious; the Metaphysical, or abstract; and the Scientific, or positive.” Many secularists hold something like this – as we free our society from religious strictures, we remove the brakes holding religion in place and so we will move through the remaining stages.

This is a mistake for many reasons. First of all, as I said, religion will not fade away. I believe, although I am not religious myself, that religion is a standard response of human beings to urbanised and agrarian society, and so long as we live in such societies, religion will persist. That is an argument that will be presented later.

Second, history does not inevitably move from simple to sophisticated, from theological to scientific. In some cases it has, but that is no guarantee that it always will. There are major religious revivals in many countries right now, including two of the secularist pinups, Turkey and India. If we want to support and justify secularism, we had better do it on more realistic grounds than that.

Third, in societies that are largely religious, like the United States, we cannot establish secularism if that means opposing religion. Well, we could, but only if we are prepared to act in a high handed and undemocratic manner, and use force, and we know how well that turns out in the long term. If we want secularism to flourish, we had better take the religious along with us. It must be seen to be in their own interests. And, it turns out, it is.

Secularism as the goal of democratic pluralistic societies

The ethicist John Rawls, in a famous and influential text on legal philosophy, proposed a formal test of just laws, called “the original position” (Rawls 1971; Rawls and Kelly 2001). The idea here is that a rational agent in a position of setting up a legal framework that served their own interests would choose a just law only if they were effectively unaware of their social and financial position in society. In other words, they must draw a “veil of ignorance” over themselves before choosing a law. Rawls wrote that in this case

... no one knows his place in society, his class position or social status, nor does anyone know his fortune in the distribution of natural assets and abilities, his intelligence, strength, and the like. I shall even assume that the parties do not know their conceptions of the good or their special psychological propensities. The principles of justice are chosen behind a veil of ignorance.

In short, the veil of ignorance ensures that decisions are made only on general principles. The law has long had a similar rule, that laws must apply to everyone, and not merely to named subgroups or individuals (there should not be a law that applies only to Catholics or Jews, for example). In the United States this goes under the label of “equal protection”: a law may not be uniquely applicable to any single individual or group (the 14th Amendment). Australia, and the common law system from which it sprang, has a legal principle that laws must not name individuals or particular groups, and must apply equally to all, which is roughly the same view. How you get such equality from a rational perspective is what Rawls is trying to explain through the veil of ignorance.

One justification for the veil is that you really do **not** know what your position is going to be down the track – that is, you, or your progeny, as the “interest bearers” of legal protection, may end up among the homeless down the track even if now you are among the wealthy and powerful. Your choice of law is based on a test of fairness – if you did end up there (or your progeny did, about whom you presumably care as much as you do for yourself), you’d want the law to protect you from arbitrary arrest, loss of privileges, onerous tasks or duties and the like.

census data that states like Australia have become *less* religious, but the majority are self-described believers, even if observance has dropped. But the fundamental reason for thinking that religion is, if not inevitable, highly likely in any urban society, is that religion is an outgrowth of our species-typical psychologies, and so unless displaced by something that requires the depth of commitment of religion, will be the dominant expression of those psychologies. This is a current research program of mine.

Notice that I have added in here one's progeny. Usually the interest bearers in these discussions are the individuals making the choice of law – I am adding those for whom the individual may care. My rational decision ought to be about protecting all those in whose welfare I have an interest. This is rather different to the standard view, but I justify it on the basis that we are human beings, and we do in fact care about our kin, and our group. To deny this when considering what human beings should evaluate is to make a serious *biological* error. We are not robots, nor are we ants.

So, to my argument. Consider a reasonable, indeed a rational, agent who is a member of a religion. I will not consider the question of whether it is rational to *be* in a religion in the first place, and presume that it is possible, indeed that it occurs, that people in religions may be rational in assessing their interests. All we are interested in is this question: what social institutions should a rational believer support to serve their interests as believers? First we must consider what their interests are:

- They presumably want freedom to worship and believe the tenets of their faith. This includes the doing of rituals, such as dress and modes of speech. The laws they would support must not abrogate this.
- They presumably wish to contribute to the public discourse about moral standards, and policies of government, like any member of the democracy. This includes being able to take office in secular roles of government and social institutions. In short, they will want *at least* the same freedoms of speech and participation as any other member of society.
- They want protection by the law and state from exploitation and so forth, in virtue of their religion. In other words, being Jewish is not enough to prohibit someone from farming, as it was in the Middle Ages.

So they will choose laws that do these things. But it is a human failing to desire laws that are exceptional on your own behalf. Accordingly Catholics will want laws that prohibit abortion, and Jews will want laws that prohibit working on the Sabbath, and so on. It is interesting to note the difference between the two religious communities' responses here, at least in Australia. The Jewish laws are laws enjoined solely upon Jews. But the Catholic laws are proposed, historically, for the whole community.

Suppose a Catholic were in the majority religion in Australia. Catholic laws of this kind could be passed with impunity. Abortion could be criminalised, as it is in Ireland. I want to offer a Rawlsian argument for why a rational Catholic ought to oppose this.

Under the veil of ignorance, the Catholic ought to choose no laws that give *any* religion exceptional treatment in society, for they cannot predict whether or not they are going to be in the majority in some future, or even present, era. If they give exceptionalism a run because when *they* are in the majority they can impose Catholic virtues through the law, then if the Protestants, Muslims or Communists get control of the democratic apparatus in the future, they have been given a licence for themselves to be oppressed through the same laws. In the future, the majority of believers may be Muslim. Catholics now should want a constitution that prevents Muslims from imposing Sharia law when that occurs, if it does.⁵

Similar principles apply, for example, when a government considers breaking a convention for short term gain – if *they* do it, then their opposition may claim equal justification in a later administration. Of course all kinds of *internal* justifications can be given – “we are the one true church” – but that has no force outside the community, so if there is the *slightest* chance that your community will not be in power in future, and in a

⁵ Periodically the media declares that “In X years Y will be Muslim”, usually the United Kingdom or some European nation. Apart from the presumptions about present growth trends remaining constant, which are demographically unrealistic such predictions have been made as long as there was a press. I am certain some English newspaper declared that England would be Irish in twenty years in the 19th century.

democratic society there ought to be, you should rationally choose not to impose religious values through the law. That is, you should protect your religion through secularism.⁶

All of this relies on there being only rational actors in the consideration of how to set up society and the law. Of course there are not. There are those who think that God will come down in the End Times next week and smite all the unbelievers.⁷ There are those who think it only right that they control society, because they are God's agents, or at least the agents of Providence or History. In these cases we who are in favour of democracy and secular society, of the rule of law and equality, should fight against them using every legal and democratic means to prevent them from taking over the public polity. There are no guarantees, of course. But reasonable rational agents should choose to protect their coreligionists and their progeny by defending secularism, no matter what state they find themselves in now. Evangelicals, Islamists, humanists and atheists all ought to defend the rights of all religions to engage in civil society.

Conclusion

I said I would argue for four things. Let me sum up.

The misunderstanding of secularism by those who think society is a humanistic atheist conspiracy against them is in part the fault of secularists. We need to abandon the view that secularism equates to a loss of religion.

By adopting a secularistic social order, we protect against such events as the Thirty Years War or the Troubles in Ireland. By all means let religions compete, but they must do so civilly. If the Catholics are worried about Protestant hegemony as it played out in the past, so too the Protestants ought to worry about Catholic and other hegemonies in the future. Secularism protects us all from crusades, internecine wars, and general strife between faiths. As a consequence it *also* protects non-believers – agnostics and atheists – and the uninstitutionalised religious. But that is not its primary aim, despite the historical origins of secularism.

And that historical origin is itself due to the ways in which conflicts between religions developed out of the Middle Ages. Of course, there are within-religion disputes, and between-religion disputes. The present battle between Islamism and Western Society is not so much, from the Islamic perspective, about a clash of civilisations as a clash of religions. They see secularism as the loss of religion. It would help enormously if they were to see secular western society as protecting religions.

Of course, some think their religion must form all of society. Islamists hold that Islam must form a global Umma, or motherland. But Islamism is fed by the discontent of those who are Muslim who fear their religion is being sidelined or discriminated against. We must get the message across that they are protected, even if they cannot have total control.

And when that non-rational desire for total control is encountered and is resistant to argument, then and only then do we enforce the standards of secular society.

Acknowledgements

⁶ What can be done when people are unable to see things other than in absolute terms, and so decide that their religion, being True, is entitled to do anything it can to bring about the Proper Society? All I can say is that we should all stand against such absolutism, with arms if necessary, to protect freedoms, ours and others', and the Open Society. No principle or reasoning can prevent this.

⁷ Millenarian views like this come and go, and are, I suspect, correlated with social rates of change – the greater the society is changing, especially if it is modernising, the more millenarianism is about. Much religious opposition in society is, I think, opposition to modernism itself, not the specific aspects. For example, opposition to abortion is more about having some control over who may mate with whom and how in a permissive society, than it is about the theological issues, which were not operative before the thirteenth century so far as I know, and prior to the nineteenth was often not a crime.

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