Macalester College

Macalester College

From the SelectedWorks of James Laine

January 2009

Response to Linell Cady

Contact Author

Start Your Own SelectedWorks

Notify Me of New Work

Available at: http://works.bepress.com/james_laine/5

Macalester Civic Forum

Volume 3
Issue 1 *Religion in the American Public Square*

Article 6

9-29-2009

Response to Linell Cady

James W. Laine
Macalester College

Follow this and additional works at: http://digitalcommons.macalester.edu/maccivicf

Recommended Citation
Laine, James W. (2009) "Response to Linell Cady," *Macalester Civic Forum*: Vol. 3: Iss. 1, Article 6.
Available at: http://digitalcommons.macalester.edu/maccivicf/vol3/iss1/6

This Response is brought to you for free and open access by the Institute for Global Citizenship at DigitalCommons@Macalester College. It has been accepted for inclusion in Macalester Civic Forum by an authorized administrator of DigitalCommons@Macalester College. For more information, please contact dmaestre@macalester.edu.

Response

James W. Laine

Whatever criticisms I might have must come after an expression of real appreciation of the depth of scholarship and real insight clearly manifest in Professor Cady's address. My comments here will only open a few areas for further reflection among the many that we might consider.

I want to divide my response into two parts; a response first to her diagnosis of the issue and then to her proposed cure.

I. Diagnosis

I am in sympathy and accord with Cady's primary analysis, especially her portrayal of secularism as a powerful discourse that is often masked as a kind of reasonable natural arena, a neutral ground we can all share, regardless of our religious commitments. That neutral ground can be defended as a space free of religion, the sort of discourse the French call *laïcité* and Cady references as "laicist secularism." Or it can be a place where a vaguely Protestant system of values that all of us "regular folks" can accept is democratically supported by the majority without resorting to the establishment of any particular sect or church.

This second version now assumes a kind of unspecific Judeo-Christian civic religion, or even a broader inclusivist natural religion of good people everywhere. Both of these versions of secularism assume the supremacy of the nation-state over the church. The modern nation-state, coming into existence in sixteenth-century Europe, struggled mightily and violently to gain political supremacy over the church, but now that supremacy is largely taken for granted in North America and western Europe. One must necessarily ask, is religion that is thus removed from the offices of final, legitimate exercise of social control and political power still at all the same thing as religion exercising final and absolute authority in matters of truth and government?

It is instructive to look at two contrasting styles of secularism, French and British, both premised upon the supremacy of the state over religion, but treating a common vexed issue in contrasting ways. That issue is the wearing of the veil by Muslim schoolgirls. According to French *laïcité* (like Turkish secularism), a public institution, such

as a school, cannot be a place where religious expressions are on display. Consequently, no veils are allowed. Here, the argument goes, all citizens are welcomed into a common French culture, but the price of admission is the surrendering of any aspect of identity that alienates one from that common culture. It represents the heritage of an Enlightenment value of replacing religion with a common, laicist national culture.

The British approach shows an interesting multiculturalist contrast. A legal case was adjudicated in England during the summer of 2007 in which a state-funded school with a largely Muslim student body accommodated Muslim girls with a school uniform that included a modest head covering. A committee of parents and teachers agreed to this standard. One girl, however, thought this dress was not sufficiently Islamic and claimed that *in her version of Islam*, she needed to be completely covered in a *burqa*—no face showing, no arms, etc. In the British version of this controversy, a multiculturalist accommodation of Muslim dress went so far, but then stopped. The girl lost her court case and was told to wear the school uniform or find another school (and there was in fact one for *burqa*-clad girls).

The British style of accommodation represents an interesting example of what Cady calls the "interactive and pluralistic border zone between religious and secular discourses and practices." One can attend state-funded but religious schools in Britain—there are Anglican, Catholic, Jewish, and Muslim schools. They are all tax-funded and tuition-free, yet also have school-sponsored occasions for the expression of sectarian piety. Such a policy would be unthinkable in France. According to the establishment clause of the First Amendment to the U.S. Constitution, it would seem that Americans would also find it unthinkable, except for the fact that charter schools accommodating Islamic practice have nowadays become quite common, as we learn from Liza Baer's essay in this volume. But even while religious values are invited into these British schools, the curriculum and system of examinations is in line with a national standard. We cannot imagine, for example, a case of a British school being allowed to challenge the theory of Darwinian evolution on religious grounds. The state retains the right and the power to exercise final authority in the matter of all religious accommodations.

Two quick conclusions present themselves:

1. If the government will accommodate a diversity of religious practices and ideas, where does it draw the line? This is the issue in Winnifred Sullivan's brilliant book, *The Impossibility of Religious Freedom*.[1] She examines a Florida legal case over the degree to which a public cemetery should accommodate the religious devotional expressions (placing a variety of vertical decorations on graves) of persons practicing a wide diversity of traditions. She concludes that it becomes impossible for the state to determine what is a traditional practice required by a particular religion and what is simply a matter of individual, personal taste. As soon as the state (here represented by the judge making a ruling) decides what is actually required by a particular tradition, like Sunni Islam, or Greek Orthodoxy, or Reformed Judaism, he or she has taken over the role of theologian, normatively essentializing and standardizing a tradition that may in fact have enormous internal diversity.

2. Both kinds of secularism (French and British) leave the state government intact as the final arbiter. Religion occupies the space circumscribed by the political institutions that exercise legitimate power. One should note here how all manner of public institutions follow a calendar that is basically Christian but appears to the laicist as neutral, until such time as a follower of a religion rooted in a radically different culture asks to be recognized. And where would that lead? Can one imagine a school calendar that would accommodate the holidays of Catholic, Orthodox, Protestant, Seventh Day Adventist Christians; Orthodox, Conservative, Reform, Reconstructionist Jews; Sunni, Shi'i (Twelver and Ismaili) Muslims; Sikhs, Hindus, Zoroastrians, Pure Land Buddhists…?! Here the border between what we idealize in a Protestant way as the proper private space for religion, and the social fact of our living together in common institutions, reveals itself to be highly contested.

Moreover, any religious expression, practice, or idea that crosses a line determined by secular political powers may very well be prosecuted (for instance, polygamy or ritual drug use). That is to say, in a secularist society, the state, functioning as a putatively neutral adjudicator between a variety of non-established religions, turns out to be not so neutral after all, but rather an institution embracing, and depending upon, an ideology that contains many of the same sorts of elements once contained in "The True Faith." It stands in for the Holy Mother

Church, upholding doctrines so obviously true that we, the dominant majority population, take them for granted.

This is a rather harsher way of putting the case that Cady has made! The secular world—whether influenced by shared religious or nonreligious values—has coercive power, the kind of coercive power wielded in medieval times by the Church. The most coercive discourse is one that remains masked and unmarked. Secularism has had that sort of role until challenged by some unlikely bedfellows:

1. The conservative evangelical, decrying "secular humanism" as an ideology and quasi-religion that opposes Christianity;
2. The follower of Islam or another religion whose practices conflict with the taken-for-granted practices of a dominant society that is not as "post-Christian" as secularists assume;
3. The post-modern critic of the Enlightenment.

This unmasking is frightening, for when a certain "background" is assumed, a society can proceed on the basis of shared values, rhythms, etc. Once that is ripped apart, the very basis of legitimacy is unstable and the final arbiter becomes the one with the greatest military power, as in the case of the bloody European wars of religion.

Does our own world of bloody conflict signal a return to those days of uncertainty?

II. The Cure

This situation leaves us with some uncomfortable realities. For me, it will never be possible to fairly adjudicate between a host of religious traditions and cultures from a truly neutral space. The place of adjudication will inevitably be the place of final power. From that perspective, final authority has shifted from the Church to the State, and secularism stands in for The Faith. Cady, however, has adopted a more sanguine view, beginning with an optimism following the election of President Obama.

According to Professor Cady, Obama provides us with a new model: the "pluralistic, interactive border between religious and the secular…" Here there will be:

1. Constitutional separation of church and state;
2. Decoupling of religious and national identities; and

3. The "Democratic virtue of translating religious values and visions into more universal language that fellow citizens within a diverse society can understand."

I argue that this new model simply demotes Christianity from the role of taken-for-granted faith informing the values declaimed as secular, and replaces it with something more inclusive, but still rather critical of traditions not embracing French Enlightenment virtues. Here, a broadly tolerant, Vedantic neo-Hinduism might fit nicely under the umbrella of this "universal language" whereas a strict constructionist Sunni legalism does not.

Cady also mentions the flexibility within our cultural discourse that seems to open up when individuals seek a "spirituality" rather than membership in an institutional "religion": "Individuals increasingly shop the spiritual market place in their personal quest for a more tailor made religiosity." This very capitalist bourgeois approach, however, cedes the really crucial issues of *our shared public life* to secular institutions, like schools, courts, etc. Religion is then not politically intrusive. As "spirituality" becomes a dabbling in Tai Chi or a book group discussion of gnosticism or mysticism, it turns into something comfortably unthreatening to the secularists who exercise real political power in the name of quasi-religious values like peace, freedom, democracy, gender equality, and tolerance (all praised even while waging war).

To open up public discourse to the wellsprings of religion while not privileging any one religion or type of religion sounds like a fine idea, but if we "decouple religion from national identity," we will still have to forge *some* kind of national identity informed by religious or ideological tradition, and our powerful institutions will still operate in the name of that consensus, *a consensus that will always favor some groups and marginalize and exclude others*. To me that signals the victory of secularism, a victory 500 years in the making (according to Charles Taylor[2]). Secularism is not, perhaps, that neutral ground where all religions can gather, but the common ground where those religions that are willing to accept their dethronement from places of final legitimacy and authority can contend and fight for attention. It is the sovereign nation-state that claims final authority in all things, even if it is willing to make a place for some of the religions that are allied to its projects and purposes.

Notes

1. Winnifred Sullivan, *The Impossibility of Religious Freedom* (Princeton, N.J.: Princeton University Press, 2005).

2. Charles Taylor, *A Secular Age* (Cambridge, Mass.: Harvard University Press, 2007).