

RELIGIONS AND CIVIL SOCIETY

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In his oriental Novel “Zadig, ou la destinee. Histoire orientale” of 1748 Voltaire present one of his characters, Setok, the Arabian merchant, as a staunch deender of the old custom of burning widows along with the remains of their deceased husband: “Since more than one thousand years it has been a tradition to burn widows. Who could dare to change a law hallowed by such a long validity! Is there something more venerable than an old abuse?”

Of course, Voltaire meant to ridicule traditional religion with this innocent remark. The little story almost archetypically presents a major strand of Western thought. The basic position is this: Religion and Civil Society do not go well together. Enlightened opinion in Western Europe has held this belief ever since the days of Voltaire. Images of the Spanish Inquisition torturing alleged heretics, crusades that brought war and misery over what then was seen as the known world, and an orthodoxy that thwarted the progress of science –all this to many people was (and still is) the consequence of religion when it gets what it wants to get –hold of political power. Without the advent of secularism, it is feared, we would still have religious wars, still burn witches at the stake, and still believe that the earth is a flat disc.

There were, of course, many conservatives, who were highly critical of this view. Religious truth, they said, could be reconciled with a secular concept of politics. Moreover, without religious foundation no political system and no society could be sustained. They declared with Edmund Burke, that “man is a religious animal” and without religion man would degenerate and act against his nature. Civil society and the state, therefore, should not be completely separated from their religious foundations. “God wiled the state”. Burke said in 1790. Without it there would no social cohesion. Much of this argument has become *en vogue* in recent year. Communitarians like *Alasdair MacIntyre* (“After Virtue”, 1985) today lament the loss of moral and religious unity that was characteristic of the medieval world – a world that has been deliberately destroyed be the secular individualists.

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There is, of course, some truth in both arguments western civilization and western civil society certainly owes much its progress to some kind of secularism. On the other hand we see that the loss of social cohesion sometimes undermines even the most elementary rules of civil society.

The problem behind this conflict can only be solved if we start to define more clearly what is meant by “civil society”.

The classical liberal – and at the same time most clearly stated – formula came from *John Locke*. A civil society is formed when people “unite for the mutual preservation of their lives, liberties and estates, which I call by the general name – property”, Locke writes in his “Second Treatise of Government” of 1690. In this quite radical meta-political position civil society is defined by a political framework that only legitimately exists if it guarantees what we today would call the concept of “self-ownership”. This concept can certainly claim universality in the light of common reason. In fact, it is very difficult to argue that you are not serving some very particularist interest if you decide to use collective or individual coercion that goes beyond this principle. In this context it does not even matter that Locke gives a theological foundation to his theory, namely that God has given men the faculty of reason to recognize the basic premises of civil society. The whole theory can very well work without this assumption.

In fact, the attempt to reconcile this notion of civil society and religion the quasi-Lockean way has never proved to be very successful. It is, of course, logically consistent (if not tautological) if you set the axiomatic premise that the liberal vision of the rights of man and religion are identical, and then conclude that, therefore, no contradiction exists between them. The whole of the 18th century is full of such attempts to create a “natural theology” out of nothing. Although it has to be admitted that these attempts had some positive influence on the established religions in Europe eliminating some of their more intolerant features in practice, they could never establish themselves as religious alternatives with a standing of their own.

The problem of finding a religion that can provide the underpinnings of a pure theory of liberalism is that the liberal vision of a civil society is an open process, not an end state. A liberal “natural theologian” can claim that he loves religion “in abstract” (and then he still may be confronted with the challenges of atheism), but he cannot advocate any concrete “real-

world” religion as an ultimate end that justifies coercion. Of course, a religion that can be really practised is always a concrete “real-world” religion. Those who honestly believe in a certain religion, say Islam, would not believe that is sufficient for the salvation of their souls to know that liberalism, to put it in the terms of typically liberal economic theory, has “offered to the individual an increase in the area of choice”. Since religion is mostly concerned with end states, their choices have already been made. Hence their an “increase in the area of choice” to them is rather pointless, if not immoral. This explains why most religion at one stage of their historical development tended to advocate (and exercise) intolerant legislation to enforce their specific moral and religious standards, such as dress codes for women or the prohibition to eat meat on Friday.

Nevertheless, it has to be recognized that the religions’ concern for “end states” can have positive consequences; too, After all, being concerned with specific end states is a necessary condition of human life. You cannot even go shopping, you cannot eat, and you cannot drink without making exclusive, non-universal choices. What is worse, you cannot even educate. It is clear that people by nature do not always stick to the rules of civil society. They may easily turn into selfish aggressors. Hence education is somehow necessary; otherwise the most perfect liberal order would instantly collapse. Here too, no education “in abstract” is possible. You always have to learn and internalize a concrete way of behavior not a “behavior as such” or tolerance for various types of behavior without adopting one for yourself. Some writers, therefore, have argued with good arguments, that concrete “real-world” religions have a very useful role to play in delivering the stable substructure of a civil society. Sometimes, in deviation from the Lockean definition, this substructure of “living experience” is itself seen as *the* civil society.

Paul Johnson, the British historian, has remarked: “The fact is that the practice of religion is the most effective, and by far the cheapest and least oppressive, form of social control ever devised. Hence attempts by the state to eliminate it have inevitably contributed to social irresponsibility, reflected in high illegitimacy rates and crime.”

Such an argument invites the conclusion that a liberal civil society offers no concrete moral values to teach. This is, of course, incorrect. There are many values which are even considered to be absolute in such a civil society, such as the inviolability of property or the abiding of contracts. However religion and other forms of “social control” are helpful to make

a civil society work smoothly. There is, of course, an air of cynicism behind this argument. Although it is highly in favor of religion, it is in reality totally secularist. It is, in fact, a utilitarian theory of religion that admits no immanent value to religion as such. As a consequence of this, Paul Johnson continues quite revealingly: “Secular humanism and other forms of non-religious morality may work for the highly educated, privileged, high-income groups, but among the broad masses of people they are no substitute for traditional religious values.”

One may wonder why there is so little protest of truly religious people against this very widespread, but still quite arrogant argument. But what it may, the argument itself is also self-defeating. Once you have to resort to it in order to defend religion, it becomes useless. If there is any “social usefulness” in religion, it would work best, if it is not consciously reflected upon. It would only work, if religion is still adhered to for its intrinsic values and spiritual content. It is a little bit like if my little daughter would only eat her porridge because otherwise a huge green monster would come and devour her. Once I tell her that I have only invented this huge green monster for the good purpose of making her eat, it won’t do anymore. Be assured that I don’t educate my daughter this way>

Also the basic conflict between civil society and religion is not settled. Is really *every* traditional religion equally a supporting substructure for civil society? Are the various religions within one civil society always compatible or may they resort to violence (as they did in the age of the crusades) when they conflict with each other?

It takes the proper definition of the Lockean concept to settle some of these questions. Lockean natural right-theories, as essentially very secularist concepts, are often accused of being “atomistic” and of undermining religion and morality; this inevitably puts the question of liberal secularism on the agenda. Although there has been a tendency in some countries with “secular” political systems (almost all of Western Europe) that, for instance, church attendance has been declining, it is a contradiction in itself that liberalism advocates a secular, if not “permissive” lifestyle. The aim of liberalism is to ensure an open process by protecting the unalienable rights. Hence it does not aim at the establishment of any particular “lifestyle”. This may not sound too impressive for a religious-minded person, but the consequences of this very tolerant principle are more far-reaching than commonly supposed. The reason why this so, is that most people have very inaccurate and prejudiced views of these consequences,

into which they were led by some “false friends” of liberal secularism and some very non-liberal secularist governments especially in the Islamic world.

The first prejudice is that the advocates of immorality are the natural friends of tolerance. In the United State, for instance, the editor of a pornographic magazine called “Hustler” was hailed as a champion of tolerance and individual rights in a widely discussed movie a year ago, simply because broke with some moral taboos and somehow managed to make any moral censure of it (e.g. by the churches and other religious communities) look like an intolerant act that violated his rights to live like he wanted to live. This, of course, includes a gross misunderstanding of the basic principles of liberal secularism and civil society. Of course, a liberal must be against any form of coercion by government that violates the right of a person to his property to which his personal views about pornography also belong. There must be no government censorship, but it also implies that within society there is a right to speak out about and to censure immoral tendencies in cultural life. It does not mean that an attack on taboos is per se an expression of liberalism. Liberty does not mean that nobody is allowed to tell you what you can or cannot do. Social ostracism and boycotts are, although it may not always serve good purposes, legitimate means, to ensure that moral and religious standards have a voice in society.

The second prejudice is that a secularist state has to enforce secularist standards upon all social sub-structures of a civil society. Among some Western intellectual circles this goes so far that people think that it would be a task of government to ensure and enforce a “pluralistic” approach on the Catholic Church and even non-catholics find it appropriate to protest against celibacy of catholic priests. When some weeks ago the arch-bishop of Cologne announced that the Catholic Church was not a democracy but a “christocracy”, he was expressing a mere triviality. All Christian churches (and Islam, too) appeal to a higher divine law, that cannot be subjected to democratic decisions – otherwise they would cease to be religions at all. Nevertheless many politicians went to the press declaring that they were enraged about this announcement. In a halfway secular liberal country like Germany this fortunately remains without consequences. The Church is not forced to abjure its “christocratic” credo. In countries with a non-liberal secularist political system consequences may be harsher. Enforced secularism may even cause a backlash, like in Iran, toward an enforced religious fundamentalism.

A civil society is by definition a peaceful society that is not here to impose “its” views upon its citizens. It is important to know that it does not per se encourage “permissiveness” or prohibit specific social organizations with very concrete and exclusive moral or religious aims. Not “levelling” secularism is the standard of such a civil society, but the possibility to pursue your own values within a framework of voluntary cooperation. Edmund Burke, who (as I mentioned above) saw religion as a pillar of civil society, was very well aware of this when in 1792 he claimed that churches were “voluntary societies”. The fusion of civil society with religion can only work if the communal structures that support religion are thus “privatized”. This may mean (depending on the concrete character of the religion) that a civil society may thwart some religious aspirations. If like some forms of Islamic fundamentalism, a religion claim does claim to present a “higher laws” – the religious law and the natural rights of a secular civil society. However, what a civil society of the liberal type can guarantee is that the members of a religious community can organize themselves in an exclusive way. The outcome is not necessarily a “wishy-washy” secularized version of religion. In a free civil society they can (and, if they are serious about their believes, have to) be convinced that they are in possession of the ultimate truth, while all others are mere “infidels”. They may try, although rarely succeed, to make their views the common consensus of society. More likely is the emergence of something different, for which here in this country the Ottoman Empire has provided us with one of the best examples – i.e. a society where different religious communities are allowed to run their own affairs by laws of their own choice. This model, although of medieval origin, still looks refreshingly modern and libertarian. It shows that undiluted religious conviction can coexist with tolerance. What the principles of a civil society only demands, is that religious communities are, so to say, “disarmed” and allow the right to “exit”.

Religious communities (like other special interest groups) must not instrumentalise government for their purposes, unless the purpose is the mere protection of their rights. After al, a genuine liberal secularism wants only to secularize politics, not the private sphere. Therefore the politics of privatization, that is so characteristic of modern liberalism may also turn into a means of preserving religious values.

This demands an enormous self-restraint – sometimes vitalized by constitutional mechanisms – for both, the religions and civil society itself. Both Religion and Secularism may turn into threats to civil society. One should, however, not be too pessimistic. The

exaggerated theories of *Samuel Huntington's* "Clash of Civilizations" have made us often forget, that the dislike of violence against persons and their property is something of a common stock of most established types of morality – be they secular or religious. What we observe today is rather a "clash of small groups of fundamentalists" than a "clash of religions" or "clash of civilizations". Especially in the Islamic world, as American Middle East-Expert Graham Fuller has recently remarked, the alleged threat of religious fanaticism is often misused by non-liberal secular regimes who want to receive economic and military support from Western democracies – Western democracies that would otherwise feel only contempt for these regimes. Maybe Fuller is right, when he sums up the problem, that the friends of democracy have unfortunately managed to look like the foes of Muslims. This conflict, I believe, can be resolved by clear thinking about the foundations of modern civil society. Reasonableness should prevail. This is also what Voltaire may have had in mind back in 1748. Remember: "Is there something more venerable than an old abuse?", asks Setok the merchant, to which Voltaire's hero, Zadig, replies: "The power of reason is considerably older."