

The Role of Religion in Democratic Transformations

Religion and Democratic Transformations in the Netherlands

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Throughout the ages, Individual leaders and groups have been inspired by religion and have sparked social and political change. This continues to be the case in contemporary democracies. Religious leaders and groups set examples through their actions or through intellectual effort. They may affect public opinion and thus influence democracy as a consequence. They may influence democratic politics through conscious effort or by organizing themselves politically. They may be part of the majority religion or represent minorities. The actual dynamics of the interactions between religion and democracy are a result of the particular circumstances in any given time or place.

Religious leaders and groups have also chosen to turn away from mainstream society and to withdraw from the world. By doing so, they have chosen not to interact with society and the democratic process. Even then, they may pose a challenge to the democratic process by offering alternative life styles and through claiming liberty to give shape to their individual lives and communities. By doing so, they can challenge democratic governance in a completely different way. (Therefore, no general statement is possible on the relationship between religion and democracy).

In this presentation, I will explore the intricate relation between religion and democracy in the Netherlands. The Netherlands is a country with a long-standing, stable democracy. The historical development of the Netherlands is also atypical in comparison to other European countries, as absolute monarchy has never really taken hold. The Netherlands constituted itself in 1579 as a Republic (which was quite revolutionary at the time), as a confederation of sovereign republics which, in turn, were organized in a decentralized way. Even long before a modern democratic system was established, the Netherlands was known for its strong civil society. In this society, religion (the Dutch Reformed religion) played a prominent role. (It was democratic *avant-la-lettre*. Through participation in church councils, water management boards, and councils established by local land owners, a large portion of the population was

involved in governance personally or through family members. Other civil society organizations, such as the many charitable foundations, of course, also had their need of governors). Religious tolerance was proverbial and already in 1579 freedom of conscience was guaranteed. A few hundred years later, when the modern political party system, slowly developed, religious groups and their leaders played a prominent role. And even today, a variety of confessional political parties are part of the national party political scene.

This legacy is present in the collective consciousness today. Of course, this is a brief sketch of a period of over a few hundred years. In this period, there have been times of relative calm, but also of tension, strife, and conflict.

My point of departure today is the current public and political debate on issues which involve religion. These debates are usually explained in terms of the changes that have taken place in the domain of religion. I will try to explain these debates not only in terms of changes in the religious domain, but in terms of the functioning of democracy. (In a subtle, but nevertheless real manner, under the surface, a transformation has taken place.) So, my perspective is: what is it in religion that triggers reaction in the democratic domain? The next question is: what has religion to offer to democracy? (And which role can religion play in contributing to the democratic process (or: to democratic renewal) now and in the near future?)

I will start with (an impression of) the current debates on religion.

Religion has again become a hotly debated topic in the Netherlands, not only in academia, but also in politics, in the mass media, on the internet, and at the work floor. There is a number of obvious reason for this renewed interest. Among them is the awareness of the role of religion in contentious issues world-wide. In the Netherlands itself, there is the strongly perceived presence of Islam and, in its slipstream, what is often referred to as the 're-emergence' of religion. By this, I mean a variety of developments such as a renewed self-consciousness and vitality in the Christian world, including those of immigrant churches, and the sprawl of new forms of religious consciousness and practice that are not linked to a church. This, in turn, triggers reactions in the form of more vocal secular voices that manifest themselves in the public domain.

It has been widely acknowledged in the meantime, that the notion of 'reemergence' ignores the fact that religion has never been away. Perhaps taken for granted by many, the presence of Christian and Jewish denominations has always been a strong undercurrent in Dutch society. Also, the presence of Islam in the Netherlands dates back some forty years, and its entry into the Netherlands did not go unnoticed. And the developments I just mentioned do not seem to result in a higher degree of adherence of traditional religion or to a higher participation in church life. Although the developments in the religious domain do have some impact on the debates, they cannot fully explain current dynamics.

What nobody would have foreseen, even a decade ago, is that issues such as the range and scope of freedom of expression in connection to religion, of ritual slaughtering, of conscientious objection of civil registrars against homosexual marriages, equal treatment in relation to religion, the range and scope of freedom of confessional education, and church autonomy would stir public emotion as they do now. Most of these debates are not new, but their acuteness and the public controversy they create, are. In this, the Netherlands is not unique. Similar debates are taking place in the UK, where issues over Roman Catholic abortion agencies, on the display of Christian symbols in the public square are widely discussed, and have led to complaints to the European Court on Human Rights. In Germany, the issue of religious male circumcision has caused a debate following a court ruling by a court in Cologne.

So, what is at stake here?

To constitutional lawyers, it comes as no surprise that these debates are often conducted in terms of fundamental rights, their range and their scope; and over the weighing of other interest against these, such as equality, freedom of expression, privacy, physical integrity and so on. That is understandable, because fundamental rights have become such a dominant and persuasive perspective, not only in the legal domain, but also in politics, in society and in the media. It also makes sense to discuss these issues in terms of fundamental rights; and their content and boundaries deserve continuous assessment.

In my view, the current debates say something crucial about our democracy (as much as they do about religion). There are three characteristics of our democracy that almost inevitably lead to a confrontation with religion. (Subsequently, I will explore the ways in which religion can play a role in democracy).

It seems that – at least - the current Dutch democratic system finds it difficult to deal with

- (what it perceives to be) [the] uncontrollable
- (what is) [the] unknown / unfamiliar
- (what it perceives as) [the] unprogressive /illiberal / uncompromising /undemocratic

In all these three characteristics, it finds religion on its way; rightly or wrongly. Religion challenges the current democratic system precisely in these sensitivities. Therefore, religion is such an issue, regardless the fact of whether the nation is becoming more religious or not.

As to the uncontrollable:

In order to understand this, it is necessary to realize that until quite recently, our democratic system functioned on the basis of a number of implicit, pre-given assumptions. Even if implicit, these assumptions proved quite strong.

Politics live on the promise of a better world. Politicians are elected to solve problems, to improve society, and to enable people to live better – material – lives. This awareness – however implicit – is strong in the Netherlands. Over the last two hundred years, the Dutch state developed from a watchman state to a fully fletched social welfare state. With the expansion of the franchise during the second part of the 19th century and the first decades of the 20th century, democracy became the vehicle for implementing the collective wishes of the populace into public policy. Whatever checks on the exercise of public authority – think also of civil society organizations – the state became an all-encompassing presence. Only in the 1980's, the first moves were made towards leaner government. This process is still ongoing. But although it is generally accepted that society cannot be shaped through public policy and law, the implicit expectations are still high – both with citizens and politicians. This is supported by the mechanisms of the electoral system. That democratic politics cannot shape society, is, therefore, difficult to accept, if not in theory than in practice. It is in this light, I believe, that it is also difficult to accept what is perceived to be ‘uncontrollable’ religion, religious ritual and religious beliefs that put their faith in realities outside the democratic system.

As to the unknown: it seems that, at least current Dutch democracy, finds it difficult to deal with the unknown. This is true also in the field of religion.

‘Until recently, Dutch church and state relationships as well as debates on these relationships were implicitly based on a very obvious, yet basic fact. Public authorities and churches were familiar with each other. This simple fact may be the single most overlooked of all aspects of church and state relationships. Such familiarity is very important for the development of stable relationships based on mutual trust. On the side of public authorities, this includes a basic familiarity with the organisations, their leaders, their beliefs, and their believers.

The history of Dutch church and state relationships and the law relating to religion over the past two hundred years is usually described in terms of the progressive development of our constitutional principles of freedom of religion, neutrality of the state towards religion, or separation of church and state; and in terms of the improved interpretation or gradual implementation of these principles. Such descriptions usually abstract from historical events and the actual dynamics in the fields of religion, society, and law. This, however, ignores the fact that there is an intrinsic interaction between actual events and dynamics and the understanding and development of law and constitutional principles that are relevant in this field. Perhaps with slight exaggeration, we could even say that the actual development of church-state are a function of this familiarity rather than of the normative interpretation constitutional principles.

In the Netherlands, we can actually see that the process of getting to know the various religious denominations and their organisations by public authorities was a key element in the overall development of church-state relationships. (The societal and political tensions that originated with the first split within the formerly established Dutch Reformed Church in the early 1830s are an example of this; after initial strong reactions from the side of the state it took time to ‘normalize’ relationships and to come to terms with the new situation. Similarly, the run-up to and the aftermath of the re-establishment of the Catholic hierarchy in the Netherlands in 1853 can well be viewed from the perspective of a broader process rapprochement with the Roman Catholic Church. With the appearance of islam in the Netherlands, about 40 years ago, the situation of mutual familiarity between public authorities changed seriously for the first in a long time.) In the difficulty for the current democratic system to deal with the unknown, religion takes a prominent position. This explains why the debates are so fierce. This is true especially for islam, but also Christianity is not always well-understood.

The unprogressive /the illiberal: in my view, the current democratic system finds it hard to deal with the illiberal, uncompromising. In the Netherlands, an implicit mindset prevailed,

also in the political domain at large, of a progressive society and a progressive development towards more liberalism. In a relatively short period of time, indeed, dominant values have shifted in many fields. This is the case in value laden domains, such as male-female relations, in sexual morals, ethical positions concerning the beginning and the end of human life. In this context, the self-image of a tolerant society was easy to foster. Of course, it was always clear that in these domains a plurality of opinions and attitudes existed and that specifically on the basis of religious belief. But the strong belief in this liberal development, the fact that religion was largely regarded as a merely private matter, and that society was on a linear track of secularisation, made the tolerance of (enclaves of) beliefs that did not fit into this pattern fairly easy.

[Faith based organisations must be mentioned too. Of course, they don't merely operate in the private domain. Nevertheless, they were still *regarded* as private, especially the smaller initiatives that operated independently from the state. Larger faith based initiatives, such as confessional schools, confessional housing corporations or hospitals, were integrated in the legislation along with their public counterparts and incorporated in the same public funding schemes. Therefore they were usually regarded as part of the public scene, whereas their 'faith element' was regarded as a private element of the work that needed to be respected.]

Today, it has become clear again, that values and beliefs held by religious groups and believers are not merely private, but have social implications. With the appearance of islam, the acceptance of certain religiously inspired values have become more difficult, even if they had been accepted before in respect of Christian minorities. This is notably the case where faith-based initiatives operate on the basis of religiously inspired values which deviate from mainstream values co-operate with public authorities. For the democratic system, this appears hard to deal with this. But also when other – important – values are articulated and are strengthened in public policy and law, such as animal welfare or child protection, religions and their uncompromising positions may be seen to get in the way (think of ritual slaughtering or male religious circumcision).

So where the democratic system finds it hard to deal with the uncontrollable, the unknown, and the illiberal, religion as it manifests itself in our society today, finds itself in the middle of public, social, and political debate. Religion, therefore, highlights a democratic

transformation that has taken place in the Netherlands, and confronts it with this transformation.

But what can religion offer in terms of a new democratic transformation?

The context of this presentation does not allow me to elaborate on this theme. Nevertheless, I would like to mention three areas where religion, religious leaders, and religious groups have something positive to offer. I will draw on the thoughts of some political theorists, philosophers, and theologians [such as Jonathan Gray, Jürgen Habermas, and the Archbishop of Canterbury, dr. Rowan Williams].

First: Jonathan Gray has made a profound argument that in the 20th century secularised utopians have discarded religion and the European Christian heritage. At the same time, they have built on the underground of the Christian idea of progress, symbolised by the belief of God moving with us through history. The difference is that they have built their utopias on the utopian belief on the human being. This is unrealistic. It creates too high expectations, and leads to dissatisfaction. Religions have the wisdom of having a realistic view on mankind, their possibilities and their limitations. Religions therefore can teach us again to learn to deal with imperfection, with the imperfection of human beings and human kind and the imperfection of society and the limitations and imperfections politics.

Second: democracy is not identical to political democracy. Democracy is also a societal culture. By manifesting themselves in the social domain, through among other things taking responsibility in society for education or other faith based activities, they bear witness to this. Through activities, through their contributions to the public debate, and through interacting with public authorities, religions make themselves known to the broader society at the same time. Thus, in turn, they are challenged to respond to the broader society and to be responsible; and to reflect on their heritage [or: the meaning of their heritage] in relation to new moral dilemmas and, more in general, the dynamics of society.

Third: democracy is public debate about the good life. Religions have something to offer to this debate. In a true democracy, their voice cannot be excluded. Habermas has proposed to see the democratic interaction between secular and religious positions as a mutual learning

process. Just as religious citizens need to fully accept the constitutional order, secular citizens should not confuse a secular order with the exclusion of non-secular voices from the democratic process. In a similar, though slightly manner, the Rowan Williams held that ‘the role of ‘secular law is not the dissolution of [religious custom and habit] in the name of universalism’. He observes that although secular law should not be identified with any particular sets of belonging, it cannot exist without these.

In my view, a number of practical consequences result from such approaches. I will mention one. In a dynamic society as ours, opinions and views on all sorts of social and moral questions shift in a relatively short period of time. Also religious opinions that not even so long ago were perhaps still dominant, in the meantime have become deviant from generally held opinions, and can suddenly become quite confrontational both in content and form. It in general, the ‘extreme’ cases are not an issue here. The real difficulties lie in areas in which values in Dutch society are shifting away or have shifted in the not too distant past. Especially, in those situations, there is every reason to accommodate religious belief.

Conclusion:

Neither religious traditions nor democratic processes are fixed once and for all. The same is true for their interaction. Although a few decades ago, we were believed to think this in the prevailing mood of the ‘End of History’. Just as we thought it was fixed, a new dynamic started. To use a phrase from the archbishop of Canterbury, it will always to some extent remain ‘unfinished business’.