Rethinking Secularism:
The Next Stage in the Debate over Pluralism?

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What is pluralism?

The first question – what is pluralism? – is conceptual. Pluralism can be defined in a variety of ways. It can be used as a descriptive term and as a normative one, and each of these two broad classes includes subcategories. As a *descriptive* term, it designates a state of affairs. It refers to the fact that a society is culturally and/or "morally" diverse. Religion can rightly be said to belong to both forms of pluralism.

In moral pluralism (also known as ethical or value or axiological pluralism) people endorse different, sometimes incompatible, conceptions of what it means to lead a "good life". They espouse values that are themselves irreducible to one another and they rank them differently. As John Rawls rightly pointed out, we don't simply live under conditions of moral pluralism, but also of *reasonable moral pluralism*: there are a variety of reasonable ways to lead a worthwhile life and to choose and harmonize the values that are presented to us. What we know about resources and limits of practical reason gives us no cause to think that we could rank the reasonable conceptions of the good and then ask the state to favour and promote one of them – although a monist would challenge that values are irreducible to one another and that practical reason cannot establish a hierarchy or somehow synthesize them.

It is important to distinguish between cultural diversity and moral pluralism. The challenge is not just to 'manage' or 'accommodate' cultural minorities. Liberal democracies would be morally diverse even without immigration.

- Moral pluralism creates political disagreements. For example, some people cannot understand and might only grudgingly tolerate a Muslim woman wearing a headscarf in the public space, whereas I can hardly understand (or tolerate!) someone driving an SUV on rue St-Laurent on a warm summer day.

- People sharing a religious and/or an ethnic identity can diverge on values and life plans. In the debate over reasonable accommodation in Quebec, for instance, some Quebec Muslims have urged co-religionists to privatize their religious beliefs and refrain as much as possible from making accommodation claims.

The standard answer to the fact of reasonable moral pluralism is that the state ought to remain neutral vis-à-vis the conceptions of the good endorsed by citizens. The aim is to achieve an "overlapping consensus" on the basic terms of the social contract. Citizens should be able to consent to the basic political principles and political institutions from the perspective of their reasonable conceptions of the good. Although controversial, this answer is, I think, when qualified, broadly right. I won't try to defend it here.[1]

As a *normative* term, pluralism designates, *inter alia*, an integration model or a citizenship regime guided by a norm of respect and recognition of cultural diversity rather than by an ideal of cultural assimilation. "Multiculturalism" and "interculturalism" are examples of pluralism or pluralist models of integration, as opposed to, say, republicanism.

What constitutes success?

From a political philosophy perspective, social justice is most commonly seen as the first criterion of success. A political community can be stable but unjust. Up to the 1990s, social justice was predominantly thought of in terms of the fair distribution of (individual) rights, resources and opportunities. As a result of the politics of identity pursued by a variety of groups, questions pertaining to the fair terms of social cooperation came to include the condition of fairness between cultural minorities and majorities.[2] If political philosophy can contribute to a better understanding of our ethical and political life, it also generally tries to help us think about the ends of our collective life.

Providing a full answer to the challenge raised by multiculturalism and identity politics would require sketching out the main tenets of a normative theory of justice under conditions of cultural diversity. I obviously won't try to do that here.[3] I will simply point out that "multiculturalism" and "cultural pluralism" – as normative terms – are predicated on a shift in our political morality or moral context encapsulated in the waning legitimacy of cultural assimilation as the proper end of integration policies.[4] Notwithstanding the significant differences between immigrants and national minorities, the requirement or expectation of full cultural assimilation is seen in both cases as excessively demanding from a moral point of view.

The illegitimacy of active and even passive policies seeking the assimilation of minority groups has arguably become a well-considered moral judgement in our always evolving and partly implicit system of moral judgements. Individual members of minority groups can, of course, decide to assimilate, but a norm of respect for cultural diversity now sets limits to the types of policies that can be implemented in the name of integration. It is this new sensitivity to cultural difference – call it "multiculturalism" or "the politics of recognition" – that multiculturalists have tried to track and to incorporate into a wider conception of justice.

Are Canada and Quebec examples of success?

The ethical mutation I just described is perhaps nowhere more noticeable than in Canada (including Quebec). Think, for instance, of the constitutional recognition of the rights of Aboriginal peoples, the policies of bilingualism, multiculturalism and interculturalism, the legal duty to accommodate reasonable religious beliefs and practices since 1985, the recognition by the Supreme Court of Canada of the legitimacy of Quebec's language policy, and so on.

Now, to be sure, Canadian (and Quebec) pluralism suffers from several shortcomings. I am thinking here, among other things, of the narrow interpretation and definition of Aboriginal rights endorsed by the Crown (courts and provincial and federal governments alike) and of the desperately slow treaty negotiations all across the country.[5] This situation is all the more dispiriting given that, arguably, we have in our possession the ethical, legal and political understanding and wisdom required to fashion an exemplary of 21st-century relations between Aboriginal and non-Aboriginal peoples.

In addition, the inflamed debates over reasonable accommodation in Quebec, and over so-called "Sharia tribunals" and faith-based schools in Ontario, suggest that we still have to develop the knowledge and skills to manage religious diversity and, as a precondition, to discuss issues pertaining to religion in the public space in an enlightening way. I will come back to this in the last section.

Is pluralism receding in Quebec?

A worrying question about the state of pluralism in Canada is whether the recent commotion in Quebec over reasonable accommodation should be seen as a retreat from pluralism or as a failure of pluralist discourse and politics. Understandably, many advocates of pluralism were traumatized by the debate that led to the creation of the Consultation Commission on Accommodation Practices Related to Cultural Differences in 2007 and the subsequent public forums.

The first thing to say is that nothing (as of yet) has significantly changed at the levels of public norms and policies. From a public policy perspective there was no retreat from pluralism – in fact, quite the opposite. Long before the Commission began its work, the

Quebec government started preparing a wide-ranging anti-racism and anti-discrimination policy statement. It also introduced a new "ethics and religious culture" program to be taught in public and private schools across the province.

But what has changed, if anything, at the levels of public discourse and public opinion? Some have characterized the reasonable accommodation debate as a symptom of backlash against the civic and pluralist kind of nationalism that took root in Quebec following the Quiet Revolution of the 1960s and that was forcefully reaffirmed in the wake of Jacques Parizeau's notorious remarks about immigrants after the 1995 referendum on Quebec sovereignty.

This is only part of the story – and most probably not the most important part of it. My own involvement in the debate that preceded the Commission's creation and in the Commission itself makes me believe that it is the *religious* aspect of difference that fuelled the debate we had and which mainly explains the intensity that it reached.

There are few reasons to believe that cultural diversity by itself, or immigration *per se*, would have or could have kick-started Quebec's debate over reasonable accommodation. For instance:

- The most right-wing party in the province – Action Démocratique du Québec (ADQ) – wants to freeze the level of immigration at current levels. I think it would be a mistake, but it's not an anti-immigration stand. The two other parties are for a gradual rise. And I doubt that the ADQ's position would stand the test of an informed public debate.

- Some citizens made xenophobic comments in the public forums of the Commission, and some do seem to favour a more assimilative model of integration, but citizens and especially political representatives of all regions of Quebec outside Montreal told the Commission that they wanted more immigrants and that the Quebec government must do more to encourage the regionalization of immigrant settlement. Quebecers of all origins said repeatedly that it is both shameful and contrary to everyone's best interest that the degrees, skills and experience of immigrants are not duly recognized and put to good use. Rather than immigrants, I think it is safe to say that the public forums predominantly stigmatized Muslims and orthodox Jews.

- Strong public support in favour of "interculturalism" was expressed during the public hearings.

- Demands for accommodation were often incorrectly attributed exclusively to "immigrants". In reality, many demands come from Jehovah's Witnesses, Adventists, Hassidic Jews, and other religious groups already in the country.

- A very high number of citizens said, "we have nothing against immigration; quite the opposite, diversity is good; but the reappearance of religion in the public sphere is threatening to bring us back 40 years". Many Quebecers who were instrumental in making Quebec an open, outward-looking society now fear that the new religious

diversity, combined with "Canadian-style multiculturalism" (the Bissoondath story), the Supreme Court's "activism" and the political correctness of Quebec's political leaders, will produce a wave of social and political regression. In this regard, the Quebec experience is probably closer to that of European countries such as the United Kingdom and the Netherlands than to Canada-outside-Quebec.[6]

I don't want to suggest that cultural diversity is widely celebrated, or that it's only religious diversity that is likely to stir controversy in years to come: but it appears that the diversity-related issues that have been fuelling political debates in the past few years have revolved around religious diversity. Conservative nationalists have been trying to mount a serious opposition to liberal-pluralist nationalism since 1995 without, until the reasonable-accommodation drama, much success.

Strange bedfellows: the reasonable accommodation debate

My personal interpretation of why apparently minor events ended up at the centre of public debate – including the 2007 electoral campaign that made Mario Dumont's ADQ the official opposition in Quebec's National Assembly – is that opposition to the accommodation of religious diversity became a rallying point for groups that are usually found on different sides of the political fence.

I will only sketch this thesis here. My contention is that individuals and groups holding diverging political views and conceptions of Quebec's identity – that is, people of liberal and civic inclinations as well as those of more conservative and culturalist inclinations – all found reasons either to oppose or to be suspicious of religious accommodation.[7]

On the liberal side, many people feel that the religious values and/or practices requiring accommodation are incompatible with one or the other of Quebec's shared values – such as gender equality, *laïcité* or secularism, fairness, rationalism, interculturalism, and so on. A clash of values is apprehended. The liberal critique of reasonable accommodation included a strong feminist critique but was taken up by Quebecers of all origins, including, for instance, many Quebec Muslims, who fear the growth of fundamentalism.

On the more conservative side, it is not so much shared public values that appear under threat but Quebec "culture" and "identity." This discourse involves what can be called a revival of French-Canadian nationalism. I would not characterize this resurgence as ethnic nationalism. Proponents of this view don't want to exclude those who are not of French ancestry, but rather to include all Quebecers who have assimilated, more or less, to francophone culture over the years. Their main fear is that the core French-Canadian identity that fought to survive within Canada, and then transformed during the Quiet Revolution of the 1960s into a Quebec identity that included cultural diversity, is no longer recognized as it should be and/or is in danger of being lost. In other words, as French Canadians opened up to diversity they stopped affirming themselves as the core culture of

Quebec to which others, I guess, should assimilate. This argument seems sociologically false to me, but no doubt is felt by many Quebecers.

The presence of both critiques in the reasonable accommodation debate explains why some opponents of religious accommodation argued that Quebec's *laïcité* or secular regime was too soft and too accommodating and why others, less numerous in number, suggested that it was too radical, that the Quiet Revolution had in fact "thrown the baby out with the bath water."

Intellectuals articulated both discourses. Some citizens who participated in the public forums embraced both discourses without really distinguishing between civic values – that can be shared by everyone regardless of their cultural origins – and cultural identity-related claims and concerns. Although this assertion requires further substantiation, my own intuition is that opponents of reasonable accommodation found the liberal critique much more salient, but it is also plausible that the language of "shared values" was simply a handy and socially acceptable way to express discomfort with Quebec's growing cultural diversity. ADQ leader Mario Dumont managed to tap both sensibilities. He urged members of the majority to re-affirm their values and identity by referring both to shared values (gender equality and *laïcité*) and to cultural ways and customs. This stance proved popular.

So, as many correctly observed, "identity-related insecurity" loomed large in the Quebec debate on reasonable accommodation. But it's important to distinguish the two different threads of the anxiety about the fate of Quebec identity.

Majorities in many liberal democracies feel that they are being asked to change too much. A 2008 poll published in the *Globe and Mail* revealed a majority of Canadians feel that Canada is "bending too much in trying to make immigrants feel at home." According to the poll, 61 percent believed that Canada makes too many accommodations for visible minorities. In Quebec, 72 percent of those surveyed felt the same way. The level is higher in Quebec – most probably because of a longstanding sense that Quebec identity is somewhat threatened or under pressure – but the impression that we have gone too far in the recognition and accommodation of difference is shared, according to the poll, by many Canadians.

If this is so, one of our tasks is to show that our democratic institutions give ample space and means to majorities to act as majorities, and that the legal duty to accommodate minority religious practices springs from basic liberal norms. An accommodation claim cannot be deemed reasonable if it harms others, if it generates "undue hardship." We have to do a much better job of explaining what democracy and liberalism are and how democratic and liberal principles are distinct but complementary, and ought to remain in a state of permanent tension.

Rethinking secularism

If I'm right about the saliency of the religious aspect of difference in our debate over pluralism in the years to come, a crucial question we need to address is how the state should deal with moral and religious diversity. With respect to the relation between state and religion, the standard answer is that church and state should be "separated" and that the state should be "neutral" with regards to the religious and moral affiliations of its citizens. The state should not "establish" a religion or maintain some kind of organic link with a religious community. It should treat all religious communities equally and it should respect the religious freedom of its citizens, which includes the right to practice one's religion and to form religious associations.

This answer is still basically correct, but it needs to be adapted to the conditions of contemporary societies. As is well known, *laïcité* or the secular state came about as a means to pacify the relations first between Christians and, by extension, between members of different religions. The idea was to sever the link between the state and a particular denomination so that all citizens could be treated equally and left free to follow the dictates of their own conscience. It's easy to understand why separation was the big issue up until the 20th century.

The landscape is very different now. The main challenge faced by the secular state is not how to accomplish a sufficient level of separation, but how to "manage" moral and religious diversity in a fair and stable way. It has to treat citizens adhering to diverging moral and religious views equally and to respect their freedom of conscience and religion, and in turn learn how and when to put limits to the freedom of conscience and religion. Secular states are not without resources, but the ethical and political knowledge and know-how garnered over the years need to be adapted to current conditions.

One way forward is to refocus on the *ends* of the secular state – to distinguish them more sharply from its means – and to think afresh how the means of the secular state ought to serve its ends. I was struck while working on the Bouchard-Taylor Commission's final report by the lack of conceptual clarity in the body of work from which the principles underwriting the secular state are derived. The main problem is that the ends and the means are often conflated. This is not only annoying to the philosopher. It has some real normative consequences, as it tends to lead to more rigid or constraining conceptions of "separation" and "neutrality."

For some, as we heard many times over in the reasonable accommodation debate, *laïcité* is a single principle that stipulates that religion and politics ought to be separated and that, by means of consequence, religion should be firmly kept in the private sphere. Further, it is argued that *laïcité* is incompatible with religious accommodation. It is a principle that sets limits to freedom of religion.

Others acknowledge that a plurality of principles underlie *laïcité* but fail to distinguish adequately between them. In this view, *laïcité* involves separating the state from the religious communities, the religious neutrality of the state, and respect for freedom of religion, whereby the separation and neutrality principles ensure that the state won't impose a worldview upon citizens. Some add that *laïcité* is also about respecting the equal moral value of all citizens, notwithstanding the conscientious beliefs they endorse.

But surely these principles belong to two different classes and ought to have different status. The secular state seeks to grant equal respect to all citizens by remaining neutral with regards to whether one should be an atheist or Muslim and so on. It also seeks to protect the freedom of conscience and religion of all within reasonable limits. Equal respect and freedom of conscience are values or moral principles. They tell us how we should act and set goals that we want to attain through our institutions. Another way to put it is that equal respect and freedom of conscience have intrinsic value. Their worth is not derivative (unless one wants to derive all our values from equal dignity, but this is not very helpful, as conflicting values can be derived from equal dignity). These principles are the reasons why we need the secular state.

In contradistinction, the separation of church and state and the religious neutrality of the state are means or institutional arrangements needed to achieve the ends just mentioned. They are instrumental to the realization of these ends. Their value is derivative.

One of the problems nowadays is that the means of the secular state often become fetishes. They are seen as values or ends in themselves that can be invoked against the very values that they are designed to serve. This tendency is most prevalent in societies where the secularization of the state stemmed from a struggle between a dominant church and the state, as in France and in some ways in Quebec. But the lack of analytic clarity on ends and means is also noticeable in the Anglo-American literature on secularism and freedom of conscience.

Rather than invoking the separation of church and state and the religious neutrality of the state, it seems to me the relevant questions we ought to ask are, among others, what kind of state intervention or support with regard to religion coerces people into doing things that go against their conscience (for example, prayers before class vs. the cross on Mont-Royal in Montreal)? What are the criteria that allow us to discriminate between reasonable and unreasonable accommodations claims? How should we consider the relationship between secular claims of conscience and religious claims? We need a pragmatic yet principled approach to secularism – an approach that is flexible with regards to the institutional arrangements in order to better realize the ends of a secular regime.

Canada and, I would dare to say, Quebec, are well positioned to contribute to the development of such a model of secularism. Quebec – it is often forgotten – didn't have an established church after 1759. One could argue that the Catholic Church was "socially" established until the Quiet Revolution, but this doesn't change the fact that religious

tolerance has a long history in Quebec (benefiting first Catholics, but then extended to Jews, Jehovah's Witnesses and others) or that the public role of the Church was predominantly confined to health care, social services and education. Secularism in both Canada and Quebec evolved implicitly or "silently" as a by-product of various political and legal decisions protecting the freedom and equality of citizens.[8]

It is true that Quebec's tradition of *laïcité ouverte* was under siege during the public hearings of the Commission. Whether Quebec will break with or deepen its model of *laïcité ouverte* is one of the key issues in the wake of the Commission's report. Although it is next to impossible to predict the twists and turns of the post-Commission debate, we can safely say that Quebec will have deepened its collective reflection on the challenges of diversity, as well as updated and upgraded its repertoire of tools for dealing with it. The importance of not dodging the issue might be the most important lesson that other societies can draw from the Quebec experience.

Endnotes

[1] See my « La culture publique commune dans les limites de la raison publique », *Du tricoté serré au métissé serré ? La culture publique commune au Québec en débats,* D. Karmis, S. Gervais et D. Lamoureux (dir), PUL, 2008.

[2] See, for example, the "redistribution" vs. "recognition" literature.

[3] Will Kymlicka's *Multicultural Citizenship* remains to this date the most elaborate attempt to design a "multicultural theory of justice".

[4] I develop this point in « Une défense du multiculturalisme comme principe de morale politique » in *La justice à l'épreuve de la diversité culturelle*, Myriam Jézéquel (dir.), Cowansville, Éditions Yvon Blais, 2007, pp. 63-90; and "Respect for Reasonable Cultural Diversity as a Principle of Political Morality: A Reply to Scheffler," unpublished.

[5] For a short period, spanning from the *Paix des Braves* with the Crees to the Agreement in Principle (*l'Approche commune*) with the Innus, the Quebec government offered a much welcomed counter example. See my "Définir les droits des peuples autochtones. Une évaluation normative de la nouvelle approche du Québec", *Éthique publique*, 7, 1, 2005. See also Martin Papillon, « Vers un fédéralisme postcolonial? La difficile redéfinition des rapports entre l'État canadien et les peuples autochtones », *Le fédéralisme canadien contemporain*, Alain-G. Gagnon (dir.), Presses de l'Université de Montréal, 2006.

[6] See Ian Buruma, *Murder in Amsterdam. The Death of Theo Van Gogh and the Limits of Tolerance*, Penguin Press, 2006.

[7] I develop and sustain this interpretation in « Le malaise relatif aux pratiques d'accommodement de la diversité religieuse. Une thèse interprétative », *La diversité religieuse à l'école*, M. McAndrew , M. Milot et al. (dir), PUM, 2008.

[8] I'm drawing on Micheline Milot, *La laïcité*, Éditions Novalis, 2008.