

EUROPEAN HUMANIST FEDERATION

SIDE MEETING AT OSCE HDIM 2008 - October 8 2008

RELIGION IN THE PUBLIC SQUARE

Speech by DAVID POLLOCK

(President of the European Humanist Federation)

The notice of this meeting is about defamation of religion but I wish to range wider than that and deal with the place of religion in the public square. I will return to defamation at the end.

The notice quoted Monsignor Anthony Frontiero, the delegate of the Holy See, and we invited him to this meeting. Sadly he cannot come..

Rather than base my remarks on Monsignor Frontiero's speech last year, then, I want to take one delivered at the end of last month by Cardinal Tarcisio Bertone, the Vatican secretary of state. Unfortunately I have to rely on a report of it by the Vatican news agency Zenit as my Italian is not good enough to work from the original on the Vatican website.

Now Cardinal Bertone is as entitled to his views as I am to mine - that is the essence of human rights in a free, open society. His are the views of a senior Roman Catholic priest and mine are those of the current president of the European humanists.

But the institutions of an open society – democracy, freedom and the rule of law - are at risk if there is not a general agreement about the basis on which those institutions are supported, and my criticism tonight, while entirely compatible with Humanism, is made from the point of view not specifically of a humanist but of someone committed to human rights and the rule of law.

I want to suggest that while his theology is no doubt impeccable his views are in many ways wrong when viewed in a context of human rights and democracy.

We agree on much - for example, I agree when he says -

politics and the market aren't everything

or

Wherever one's own benefit is sought in the short term, virtually identifying that with the good, one ends up by canceling one's own benefit.

or

it is totally legitimate for believers to participate in the public square

but the reasoning behind our agreeing on such statements is different.

Let me outline my assumptions. These are not specifically humanist but such as I would hope would command general consent in an arena such as ODIHR, being entirely concerned with human rights.

First, each and every human being is endowed with human rights.

Second, these include freedom to have and to change one's religion or belief (and that includes the freedom not to believe in any religion but to adopt a non-religious lifestance such as Humanism) and the freedom to behave accordingly, subject to minimal reservations about the rights and welfare of others.

They also include freedom of expression - a right that has value only when others might prefer that you did not exercise it.

They also include the right to participate in a self-governing community.

Now, given the freedoms already mentioned, that participation has to be on the basis of a recognition of plurality, of difference of opinion about even the most fundamental things.

This is why I talk about an 'open society' - a phrase that came to the fore with Karl Popper's *The Open Society and its Enemies* over 50 years ago but which he (sadly) took for granted and did not elaborate. For tonight's purposes I want to use a definition from George Soros, who, as well as making a lot of money, spends it in the good cause of freedom and human rights through his Open Society foundations. He says the Open Society is one

“based on the recognition that people have divergent views and interests and that nobody is in possession of the ultimate truth”.

In such a society, the government, other public authorities and social institutions seek to maximise individual freedom (not least of belief and speech) while building on common interests and working to reduce conflict so that people may live together constructively. This certainly includes measures against incitement of hatred and moves to minimise and probably outlaw unfair discrimination based on irrelevant factors and prejudice.

It also means that the laws and institutions of the society, which are shared by everyone, must be neutral as between different fundamental lifestyles – religions or beliefs. That is, in some sense secular.

Now, within the context of an Open Society, we as humanists naturally seek to promote the humanist life-stance as an alternative to (among others) religious beliefs, but we do not seek any privilege in doing so, that is, any rights or powers that are not available to everyone else. Instead, we rely on the persuasiveness of our arguments and the attractiveness of our position.

And we recognise and respect the deep commitment of other people to religious and other non-humanist views and their right to hold them - again, I except views that are aimed at harming or denying the rights of others.

So, what does this all mean for the place of religion in the public square?

It means that religious people have all the same rights that we do. They can argue their case in meetings or the press, lobby government and so on.

They can form organisations and work collectively. They can quote the strength of their following.

They can draw inspiration from their religious beliefs as I do from my humanist ones.

As Cardinal Bertone says, "it is totally legitimate for believers to participate in the public square".

Is there, then, a problem?

Yes, there is. But first a clarification. By the 'public square' I mean all the ways I have just mentioned in which citizens can take part in and influence the formation of public policy.

And nothing I say is intended to imply any restriction on anyone's right to try to persuade others to change their beliefs - preaching, as the Church would call it – though having a right does not necessarily mean that it is always wise to exercise it.

So what is the problem?

Well, what the Cardinal actually said was: "it is therefore totally legitimate for believers to participate in the public square" - and the "therefore" was preceded by "Politics needs Christianity".

Now it is quite legitimate to believe that "Politics needs Christianity". I could equally well say "Politics needs humanism", though in fact what I actually think is that politics needs unimpeded democracy and rule of law.

And it is quite right that “it is totally legitimate for believers to participate in the public square”. But to link the two propositions with “therefore” opens the way to examining the Cardinal’s underlying assumptions.

He is basing the legitimacy of believers’ participation on a need for Christianity in politics. He bases this on the peculiar argument that “in the present multi-ethnic and multi-confessional societies, religions constitute an important factor of cohesion”.

Well, that is another belief to which he is of course entitled. But to see the world that way the religious have to look hard for the mote in other people’s eyes and ignore the beam in their own. Religion is so plainly a divisive factor in the world, despite the best efforts of some of its leaders and followers: just look at the communal strife in India, Indonesia and Nigeria, at the fundamentalists in every faith who, when they are not wreaking destruction on the innocent, are calling damnation not just on the unfaithful but even on the less faithful in their own ranks.

It might seem more sensible to see human rights and a commitment to living together in peace despite one’s disagreements as a better basis for cohesion in our multi-ethnic and multi-confessional societies.

Indeed, I would argue that bringing - as the Cardinal wishes - religious arguments to bear in the public square invites division, not cohesion.

If his Church argues - as it does - that abortion should be banned, or that gay couples should not be allowed to marry, on the basis of a theological doctrine that most people do not share, then what it is saying is “We have privileged access to the truth by virtue of our faith, and even though you disagree, we are going to restrict your freedom on the basis of our unique perception of that truth.”

Now, this, however disguised, is an argument from power. And any religious group that is in power can deploy it. The Muslim clerics do so in Saudi Arabia, with rather more power and even less tolerance than the Vatican. The Taliban in

Afghanistan were even worse. It is certainly not an argument compatible with democracy and a recognition of human rights.

Of course, I am not saying that Catholics may not draw inspiration from their faith when they go into the public square. After all, that faith may well inspire compassion for the poor and the sick, it may be the basis on which Catholics (I take the RC Church only as an example) campaign for writing off of third world debt and for fairer terms of global trade.

But even in such (relatively) uncontroversial areas religious arguments do not carry weight except with co-religionists. One Christian may say to another: "Our faith, our God, requires us to work for the welfare of the poor", but to anyone who does not share that religion, the argument carries no weight. In the public square, the religious need to find other arguments - ones that can speak to the rest of us.

Now the same is true of course for humanists. Any argument that draws on specifically humanist premises cannot be expected to carry weight with other people. If, to stretch one's imagination, we argued on the basis of atheism that (say) a church rather than a shopping mall should be demolished to make way for some other amenity, we should not expect that argument to carry any weight, especially with believers. In practice, it is difficult to think of examples that do not sound far-fetched, because what humanists believe tends to be more nearly universal to humankind: our values tend to be shared with the religious even though for us they are first order values and for the religious second order.

This is where Cardinal Bertone again goes wrong, I would suggest. He says that if it were not "totally legitimate for Christians to participate in the public debate" then

theist and religious arguments and reasoning could not be invoked publicly in a democratic and liberal society, while rationalist and secular arguments could be invoked.

Now, I am not contesting his freedom to invoke theist arguments, any more than I wish to limit my own freedom to invoke atheist arguments. But I am saying that it is illegitimate for such arguments - religious, humanist or atheist - to carry any weight – and wrong to expect them to do so. Still more, of course, is it wrong to make religious threats to co-religionist Government ministers, members of parliament or others in positions of responsibility in order to persuade them to adopt policies based on specifically religious considerations.

I place the onus on the government and all its proxies to give no weight to religious - or atheist - arguments. To do so privileges one part of society against another. The premise on which we live together should be that we run society on the basis of what we share and can agree upon.

We may have to make awkward, difficult decisions about (for example) genetically modified crops or nuclear power or priorities for spending - or anything in the ordinary run of politics. If we lose the argument, we can at least recognise that our opponents had a case - the dangers of nuclear waste were given more weight than the reduction in carbon emissions, the benefit of more prolific crops preferred over the risk of unwanted side-effects, the need for a new road over the need for a new school. That is ordinary politics. We disagree but we can understand the case against us.

But when religion comes into it, the case against us literally makes no sense. If a Catholic argues that gay marriage should be banned because it is an offence in the eyes of God, or that abortion should be illegal because from the moment of conception there is a fully fledged human being that you harm at the peril of your own immortal soul, I simply cannot understand the argument.

And if Government ministers yield to such arguments, then they either yield to power or they choose to impose the consequences of their own private beliefs on the rest of us without regard to arguments we can understand. For Governments owe duties to all their citizens, and if (for example) a restriction of freedom is advocated even by a majority on the basis only of religious doctrine, not

prudential argument, then the Government must look to the rights of the rest of the population. There is nothing to prevent religious individuals abstaining from conduct that for religious reasons they deplore, but they have no right to restrict the freedom of others who do not share their views. Feelings of moral outrage may be powerfully felt by believers but they are not a reason for forcing others to behave by an alien code.

Now it is not always so stark. Christians argue not only from theology but also from human welfare - gay couples are allegedly not so good at raising children; abortion damages our general respect for life, and so on. That is fine - though in my experience these arguments tend to be shallow: scratch the surface and you quickly find yourself back on theological ground. The Cardinal almost admits as much. He says:

“legality finds its ultimate root in morality”

and morality has to respect human nature which, seen through his theological spectacles, means that the moral principles are "non-negotiable".

So even when we seem to be arguing about human welfare, we are actually confronted by non-negotiable propositions based on a contentious religious interpretation of human nature.

I have time for one more disagreement with the Cardinal.

He says:

the frequency of the Church's interventions in defense of non-negotiable values "must not be interpreted as undue influence in a realm that is not her own," but as "an aid in developing a correct and enlightened conscience".

There are two things about this. The first is incidental: that “developing a correct and enlightened conscience” is a reference that makes sense only in the context

of persuading individuals to adopt Catholic beliefs. It is not, therefore, a function for the public authorities.

The second is that at this point the Cardinal slips from talking about the rights of individuals into talking about the Church. Now, individuals - religious or otherwise - have the right to organise the better to seek their aims. The Humanists do this, after all. But when organisations lobby governments, governments must consider the standing of those organisations - how democratic are they? how representative of their members or followers? alternatively, how expert in their field?

Here governments should note that the churches are often found to be unrepresentative and sometimes inexperienced in other than theological terms. On matters of sexual morality, notoriously, the Catholic Church speaks for its obstinate institutional position, not for its followers. And its pronouncements on (for example) AIDS and condoms have been tendentious, not expert.

Likewise on matters of genetic research and sexuality, individual religious believers are often way ahead of their conservative religious institutions.

Governments should not uncritically assume that the churches represent even their own congregations, let alone all those who from inertia adopt a religious label when asked.

Now when religious institutions find that they have an argument on their hands, conducted in secular terms rather than their own language, and especially if in the rough and tumble of the public square they find themselves mocked or made fun of for holding views so very out of step with those of their opponents, then they sometimes resort to claiming a special protection for their beliefs that is accorded to no-one else.

Here we find ourselves back with our absent friend Monsignor Frontiero, who last year at this conference said, as quoted in the notice of this meeting:

Demonizing Christianity, or deliberately mocking and undermining central tenets of the Christian faith as a means to promoting the rights of other groups is a clear and flagrant contradiction to the religious freedom and mutual respect that all people should enjoy, not to mention the work of building a more just and peaceful community. Such practices and must be seen for what they are: a subversive attempt to dismantle the progress made thus far in the promotion of tolerance and non-discrimination.

Now this is a most dangerous path to tread, albeit one down which Islamist states and fundamentalists have already charged, wreaking havoc in United Nations human rights circles.

In very limited circumstances mockery may amount to incitement to hatred of individual believers, and that may merit some action. And it may be in bad taste; it may in practice offend against mutual respect and it may frustrate the work of building a more just and peaceful community. That is as may be.

But extra protection for religious beliefs is totally uncalled for. After all, human rights instruments already give protection in such cases. For example, legal constraint is sanctioned under Articles 18, 19 and 20 of the International Covenant on Civil and Political Rights where public safety, order, health, or morals or the fundamental rights and freedoms of others are threatened. Other human rights treaties have similar provisions. With their fundamental rights and freedoms already potentially protected, is there any justification for altering the human rights framework in order to offer religious believers further protection?

In any case I deny any obligation on anyone to respect religious beliefs. I respect (almost) unreservedly the right of individuals to hold whatever beliefs they wish. But the beliefs themselves sometimes seem to me to be illogical, perverse, foolish, damaging and dangerous. Why should I respect them?

And when large numbers of people hold perverse and damaging beliefs, then making fun of those beliefs is part of the age-old armoury of argument, at least

since Aristophanes. In other words, mockery of religion is an inalienable part of freedom of speech. Human rights belong to individuals, not to institutions or religions, and attempts to extend human rights to religion itself and to religious institutions are a false and dangerous development that is to be resisted.

I have spoken too long. Let me sum up.

It is totally legitimate for believers to participate in the public square,

but it is legitimate not because of their religion but because they each possess individual human rights including those of free speech and civic participation, just like the rest of us.

It is legitimate for them to form their views on the basis of and to be inspired by religious beliefs, and to argue in whatever terms they wish, religious or otherwise,

but they should not expect their religious arguments to carry any weight with those who do not share their beliefs or with governments, and they should decidedly not make religious threats to co-religionist Government ministers, members of parliament or others in positions of responsibility.

It is legitimate for them to form organisations and for their organisations - churches and others - to participate in the public square

but governments should not listen to theological arguments and should give weight to the pronouncements of churches - or humanist associations - only insofar as they are representative of those they purport to represent and insofar as their expertise is genuine and their arguments stand up to examination.

We must all respect the right of others to hold whatever religious or non-religious beliefs they choose

but there is no obligation to respect those beliefs in themselves and certainly no case for legal protection of them from mockery, criticism or disdain.

8 October 2008