Cultural Governance, Democratic Iterations and the Question of Secularism

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Abstract

The aim of the paper is, first, to elaborate theoretically on the terms ‘cultural governance’ and ‘democratic iterations’ and, second, to illustrate the significance of this analytical perspective on the question of secularism in American and European political theory and history. The claim to be forwarded is that secularism is to be conceived within this theoretical frame. The terms ‘cultural governance’ and ‘democratic iterations’ indicate an analytical focus on the cultural and narrative dimensions of democratic institutions and practices, e.g. with reference to traditions, discourses, meanings and identities implied in political action. One highlights how governing produces and reproduces specific cultures, narratives and horizons of meaning. From this point of view secularism is not only a political doctrine, but also it is articulated as strategies of ‘cultural governance’ within the field of ‘democratic iterations.’ Secularism is contested not only as a political doctrine articulated within political theory, but also within everyday political life and public debate. This elaboration on secularism as ‘cultural governance’ within the field of ‘democratic iterations’ is to be illustrated by analysing the secular, religious and gender narratives articulated in the debate on the French Secularism Act. Finally, the democratic implications of the analytical perspective will be discussed briefly.

1. Introduction

The question of secularism has caused passionate public debate in France recently. The first culmination took place in December, 2003 when two official reports on this question was published, the one initiated by the President of the French Republic, Jacques Chirac, the other one by the French National Assembly, and December 17th Chirac reflected on the reports in a public speech supporting a proposal of a Secularism Act in the National Assembly. In this speech, that has become a common point

of reference in the debate, Chirac points at the constitutive character and highly rated value of the principle of secularism ("laïcité") for the French Republic and its national political culture: 2

“All the children of France, whatever their background, whatever their origin, whatever their beliefs, are daughters and sons of the Republic. They must be recognized as such, in law, but above all in fact. By respecting this requirement, overhauling our policy of integration and our ability to ensure equal opportunities at the practical level, we will restore full vitality to our nation’s cohesion.

[...] We will also do this by keeping alive the principle of secularism, which is a pillar in our Constitution. It expresses our resolve to live together in mutual respect, dialogue and tolerance.

Secularism guarantees freedom of conscience. It protects the freedom to believe or not to believe. It guarantees everyone the possibility of expressing and practising their faith, peacefully and freely, without the threat of the imposition of other convictions or beliefs. It allows men and women from all corners of the globe, from all cultures, to be protected in their beliefs by the Republic and its institutions. Open and generous, the Republic is the place of choice for meetings and exchanges where everyone can give of their best to the national community. It is the neutrality of the public arena which permits the various religions to coexist harmoniously.” 3

In his speech Chirac emphasises that by virtue of the principle of secularism the French Republic protects the civil liberties of every citizen, ensure equal opportunities and constitutes a neutral public sphere for mutual respect, dialogue and tolerance that is the condition of national cohesion and harmonious coexistence. In that sense, secularism means neutrality, equality and liberty. However, in order to ensure this neutrality in the public sphere the principle of secularism has to be encouraged as a constitutive value of the French Republic that is worth fighting for because of its inclusive character:

“There can be no toleration, under the guise of religious freedom of people contesting the Republic’s laws and principles. Secularity is one of the Republic’s great conquests. It is a crucial component of social peace and national cohesion. We cannot allow it to weaken. We must work to consolidate it.

2 In this paper I use the French term "laïcité" synonymously with secularism forwarding the point of view that secularism is not to be understood in singular, but in plural in terms of the different articulations of public discourse, political regimes and political cultures it has been part of, e.g. the French articulation of a principle of secularism as neutrality, equality and liberty.
The idea is not to invent new rules or move the boundaries of secularism. It is to set out with respect, but clearly and firmly, a rule we have practiced for a very long time.

I very solemnly proclaim: the Republic will oppose everything which divides, everything which discourages participation, and everything which excludes! The rule is “everyone together” because this places everyone on an equal footing, because it refuses to distinguish on the grounds of sex, origin, colour or religion.” 4

The next important event was January 28th, 2004, when Luc Ferry, the Minister of Education and Research, proposed a Secularity Act applying the principles of secularism in public schools by prohibiting wearing religious signs and symbols, i.e. wearing of the Christian cross, the Jewish kippah, the Sikh turban, or the Muslim headscarf. 5 The Act passed in the National Assembly February 10th with a majority of 494 voting for and 36 against, it was adopted in the Senate March 3rd with a majority of 276 voting for and 20 against and it was supposed to take effect from the new school year 2004. 6

Although the Act prohibits the wearing of religious signs and symbols in public schools irrespective of religion it is the culmination of fifteen years passionate public debate on the right of Muslim girls and women to wear headscarves in public schools known as “l’affaire du foulard.” This debate began when three Muslim girls were expelled from their school in Creil (Oise) October 19th, 1989. 7 The expulsion caused the socialist Minister of Education, Lionel Jospin to ask the French “Conseil d’État”, the highest French administrative court, to evaluate the situation and give an instruction on the principle of secularism and the wearing of religious signs and symbols in public schools. The “Conseil d’État” emphasised that the wearing of religious signs and symbols was covered by the constitutional right of freedom of conscience and belief as long as this wearing did not provoke and enforce anyone against their will. This instruction was adopted in a ministerial circular to school masters supposed to judge whether the principle of secularism was fulfilled in dialogue with the parents. 8 At the same time, the circular asked the Muslim girls and women not to wear headscarves and

4 Ibid.
5 M. Luc Ferry, ministre de la jeunesse, de l’éducation nationale et de la recherche, N o 1378, Projet de loi relatif à l’application du principe de laïcité dans les écoles, collèges et lycées publics, enregistré à la Présidence de l’Assemblée nationale le 28 janvier 2004
6 L o N o 2004-228 du 15 mars 2004 encadrant, en application du principe de laïcité, le port de signes ou de tenues manifestes une appartenance religieuse dans les écoles, collèges et lycées publics, Article 3.
7 See the summary of the French headscarf affairs in L’Humanité, April 30, 2003 (“Polémique Quatorze ans d’affaires de voile à l’école”).
8 Ministère de l’éducation nationale, jeunesse et sport, Circulaire du 12 décembre 1989, Laïcité, port de signes religieux par les élèves et caractère obligatoire des enseignements.
disturb the public order. However, the debate on headscarves continued, there were examples of Muslim girls and women being expelled from public schools and the exclusions were confirmed by the “Conseil d’État”. In September 1994 the conservative Minister of Education, François Bayrou published another circular on the neutrality of the public sphere and the prohibition of ostentatious religious signs in public schools still to be implemented by the school masters. In the years to come there were still several examples of exclusion of Muslim girls and women from public schools, the most massive one took place in November 1996 when twenty-three Muslim girls were expelled.

Within these fifteen years of passionate public debate the entire history of the French Republic and its constitutive values was reiterated again and again. The principle of secularism was set into the frame of the Declaration of Human and Civil Rights from 1789 and the civil liberties of conscience and belief, the public debate on congregations in the Third Republic and especially the culmination in the law separating Church and State from December 9th, 1905, and, finally, the constitution of the Fifth Republic from October 4th, 1958, e.g. the second article stating that “France is a [...] secular [...] Republic”. Thus, the core values of the French Republic and national political culture in terms of the principle of secularism, the civil liberties of conscience and belief and the neutrality of the public sphere were reproduced within the passionate public debates on the right of wearing headscarves in public schools culminating with the Secularity Act. This Act and its associated stories, secular, political, religious and feminist, are the point of reference in this paper.

The claim to be forwarded is that secularism is to be conceived not only as a political doctrine of principles for the separation of religion and politics in terms of institutional arrangements and individual reasons, but also it is articulated as political strategies of ‘cultural governance’ within the field of ‘democratic iterations’. The terms ‘cultural governance’ and ‘democratic iterations’ indicate an analytical focus on the cultural and narrative dimensions of democratic institutions and practices, e.g. with reference to traditions, discourses, meanings and identities implied in political action. One highlights how governing produces and reproduces specific cultures, narratives, horizons of meaning and borders of legitimate illegitimate with reference to a specific democratic political culture and its self-understanding, e.g. the reiteration of the constitutive values of the French Republic. The aim of the paper is, first, to elaborate theoretically on the terms ‘cultural governance’ and ‘democratic iterations’ and, second, to illustrate the significance of this analytical perspective on the question of secularism in American and European political theory and history, especially the public debate on the French Secularity Act. Finally, the democratic implications of the analytical perspective will be discussed briefly.

10 Loi du 9 décembre 1905 concernant la separation des Églises et de l’État.
The claim of this paper is, then, to be conceived in continuation of the shift in emphasis from secularism to democracy in recent studies of political and social theory.\textsuperscript{11} The first point of these studies is that the relation between religion and politics is to be seen from the point of view of democratic institutions and practices rather than the principles of secularism. E.g. Veit Bader argues for a priority of democracy by granting priority to "principles, institutions, cultures, virtues, and practices of liberal democracy" and from this point of view he sketches a model of institutional democratic pluralism.\textsuperscript{12} The theoretical elaboration of the term ‘democratic iterations’ is to be conceived with reference to this shift in emphasis from secularism to democracy and the implications for normative theories of democracy. The second point is that secularism is a particular mode of political authority embedded in political regimes rather than a universal political doctrine of neutrality. The theoretical elaboration of the term ‘cultural governance’ articulates an analytical perspective on the cultural dimensions of political authority, in \textit{cuiusmodi} how secularism forms such a cultural dimension at different levels.

The first section of the paper presents the terms ‘cultural governance’ and ‘democratic iterations,’ the second section address the question of secularism, the third section analyses some narratives involved in the public debate on the French Secularity Act from the analytical perspective of ‘cultural governance’ within a field of ‘democratic iterations’ and the final section concludes on the democratic implications of this perspective.

2. Cultural governance and democratic iterations

The claims forwarded in this paper take the point of view that it is relevant to discuss and analyse the question of secularism as a matter of cultural production and political creation of horizons of meaning. The first point to follow up, then, is that the use of political authority implies a cultural dimension and, therefore, it makes sense to elaborate on the term ‘cultural governance’ as a mode of political authority. The point of departure in this paper is Michael Shapiro’s reflections on cultural governance in relation to the exercise of power at state-level. Shapiro says: "Especially since the nineteenth century, state representatives have been active in various modes of cultural governance, seeking to complement


\textsuperscript{12} Bader, "Religious Pluralism. Secularism or Priority for Democracy," p. 612.
coercive monopolies with diverse modes of cultural containment.” 13 And he continues: “[...] I treat governance [...] as a historical process in which boundaries are imposed, and peoples are accorded varying degrees of cultural coherence and political eligibility - not on the basis of natural divisions, but as a result of the exercise of power.” 14 From that point of view cultural governance is a use of political authority that produces identity and differences and imposes boundaries in order to create coherence and unity in a national political culture. One could say that cultural governance gives priority to a logic of identity with the ambition of creating national unity at the same time as it produces differences. In other words, the relation between the exercise of power at state-level and the cultural dimension of political authority is emphasised by the play between inclusion and exclusion in the creation of national political culture and this becomes expressed by the term biopolitics: “To make the connection, it is necessary to treat the modern state not simply on the basis of its sovereign or external exclusions but also as a set of homogenizing practices within – as an active producer of biopolitical distinctions.” 15 This indicates that cultural governance also addresses the entire life of the people, their way of living and self-conception as the authoritative horizons of meaning, social imaginaries etc. are institutionalised and regulate the life of the people.

Thus, cultural governance is a mode of political authority that creates horizons of meaning by producing identity and differences and imposing boundaries in the narratives on the state, the people and their history. This mode of governing the people includes their entire life, way of living and self-conception because the narratives form the horizons of meaning and identity of the people by giving authoritative priority to some narratives rather than others and because these authoritative narratives are institutionalised and, thus, frame the practices of the people. In other words, by cultural governance the political authorities create social imaginaries that are supposed to work as points of identification and meaning production within an institutional frame and in the practices of the people. This could have totalitarian implications if it was not for the fact that within a democratic regime the public sphere consists of a plurality of interrelated and contesting narratives challenging the narratives of the political authorities and, thus, challenging the cultural governance at all levels. This is what is called the field of ‘democratic iterations’ in this paper sketching the production of plural meanings in the interactions in the public sphere and in public discourse.

The use of the term ‘iteration’ is inspired by the French philosopher, Jacques Derrida’s conceptual elaboration on the term pointing at how the repetition of a concept or term transforms the

meaning or produces new meaning rather than just representing an original meaning. The iteration often refers to a concept or term that has got an authoritative status and is associated with a given horizon of meaning, but it situates the concept or term in a new context addressing what becomes recognised as new puzzles and problems. In that sense, one transforms and constitutes new horizons of meaning and points of identification by reiteration reflecting what one recognises as new situations and how one conceives oneself in these situations. Thus, the use of the term iteration is a challenge to any idea of fixed meaning and identity. Rather, it points at the continuous production of meaning and points of identification by telling narratives and relating these narratives to diverse circumstances that one ascribes meaning. In that sense, the authoritative narratives mentioned as an aspect of cultural governance are examples of reiteration. However, they are also integrated in biopolitical distinctions and institutional practices and, therefore, they constitute a special space of political authority as cultural governance aiming at identity and unity, while the democratic iterations “just” reconstitute points of identification and horizons of meaning for the people involved and their actions and, thus, constitute a plural field of meaning production.

As regards the democratic dimension of the term iteration, the second point to follow up in this section is that the production of horizons of meaning and points of identification by reiteration takes place within the public sphere in public discourse reflecting democratic political decision-making and the values of a democratic political culture as well as it can change how they are evaluated and ascribed meaning. From that point of view the public sphere in a democratic regime is constituted by the interrelations, dialogue, negotiations and contestations of peoples’ diverse iterations and, thus, it could be characterised as a field of democratic iterations wherein a plural production of meaning takes place. Consequently, by using the term democratic iterations and the implied references to diverse narratives one emphasises the potentials for democratisation in the authorisation of political power and struggle about meaning in the public sphere and public discourse. What seems crucial democratically is the interchange and challenge between cultural governance and democratic iterations, the narrative dimension and production of meaning involved and its potentials in practice.

This elaboration on the terms cultural governance and democratic iterations takes the point of departure in the notion of weak ontology that ontological assumptions are contestable and themselves part of a production of meaning within a field of interrelations and, therefore, there is no

17 Seyla Benhabib uses also the ‘democratic iterations’ within her theory of deliberative democracy, cf. Seyla Benhabib, *The Rights of Others. Aliens, Residents and Citizens* (Cambridge: Cambridge University Press, 2004), pp. 179-180. Although Benhabib and I seem to agree on the democratic potentials of the use of the term democratic iterations, I argue for a kind of radical democracy in the last section pointing at contestability and cultivation as a crucial characteristic of democracy rather than universal validity claims of democratic dialogue that she aims at.
strict determined and deductive structure from ontological assumptions to epistemological perspectives or political implications. Rather, the ontological assumptions are themselves involved in the dialogue, negotiation and contestation. Within the terminology of Derrida the ontological assumptions associated with the term iteration are open rather than closed because of the alterity both inside and outside the ontological horizon that makes it impossible to be self-enclosed and, thus, it plagues and forces the process of (re)iteration at the same time as it opens new possibilities. This is also the paradox acknowledged with reference to the term weak ontology. With this reference the focus on paradoxes become an analytical tool usable for analysis of the meaning production associated with the terms cultural governance and democratic iterations. For instance, one could point at the ontological interchanges and challenges within the field of democratic iterations and the paradoxical relation between the aims of cultural governance and the democratic iterations. From this point of view, the notion of weak ontology underlines the contestable character of secularism and the paradox of secularism presented in the next section.

3. The question of secularism

Secularism and the principles of separation of religion and politics in institutional arrangements and individual reasons have been highlighted and contested in the academic and practical political discourse the last decade. Although secularism was an integrated part of medieval Christianity and the Reformation, the dominant mode of secularism as a political doctrine was forwarded in the early Enlightenment in order to establish a neutral foundation for political order and social stability and avoid religious conflicts and wars, the persecution of religious minorities and heretics etc. The one form of neutral foundation focused on what could be conceived as a common denominator of the diverse religious groups in terms of human nature and associated natural human rights, while the other form had confidence in the human use of reason as mode of founding a political order independent of religious faith. The latter has been dominant in the articulations of secularism and this is still the

20 Secularism is conceived as a political doctrine in its different articulations and it is to be distinguished from secularisation as a social process analysed within e.g. sociology forwarding the secularisation theses on the fading role of religion in modern life because of social differentiation, privatisation and rationalisation, cf. e.g. Asad, Formations of the Secular.
situation in several positions of political theory today taking their point of departure in conceptions of secular reason or public reason. 22

With reference to this mode of secularism one could conceive secularism as William E. Connolly does: “Secularism, in its dominant expression, combines a distinctive organization of public space with a generic understanding of how discourse and ethical judgment proceed on that space,” he says. 23 Thus, secularism is a “distinctive organization of public space” instituted by “a generic understanding of how discourse and ethical judgment proceed.” In other words, by the use of reason there is instituted a difference in secularism not only between religion and politics, but also, consequently, between public and non-public/private in terms of the organisation of public space. Secularism indicates how public discourse and political decision-making are to follow the use of reason and how religions are send into the private sphere as invalid and illegitimate points of view on political matters. In this paper, this dominant mode of secularism is to be presented in terms of Robert Audi’s secular stance in political theory.

The constitutive problem of secularism is, according to Audi, “[…] how a free and democratic society can achieve an appropriate harmony between religion and politics.” 24 Furthermore, Audi aims at examining whether there “[i]s […] a way to structure democracy in general, and in particular a way to shape the framework of moral principles appropriate to it, that leads to socio-political standards by which people of differing religious views – or none – can cooperate as citizens in an atmosphere of mutual respect?” 25 In that sense, Audi’s secularism is an answer to the question of political order and social stability in a plural society divided between diverse citizens’ fundamental values and points of view, religious as well as non-religious, echoing the aim of early Enlightenment secularism. Audi approaches the question by focusing on the principles of a democracy to be institutionalised in a liberal democratic regime and society. These principles are the constitutive points of reference for the organisation of public space in Audi’s secularism.

Audi combines the principles instituting political order and social stability with a conception of secular reason as his understanding of how discourse and ethical judgment is to proceed in the public sphere. To be more specific he refers to citizens who are assumed to be rational, informed and capable to the use of secular reason as the core element for establishing and justifying moral principles for democratic government stressing a broad range of freedoms and liberties, protection of rights etc. To uphold these circumstances, the strict separation of religion and politics must be reflected

23 Connolly, Why I Am N of a Secularist, p. 20.
24 Audi, Religious Commitment and Secular Reason, p. 3.
in the principles. According to Audi, this is done with reference to the idea of secular reason that he defines as “[...] a ground that enables one to know or have some degree of justification [...] for a proposition, such as a moral principle, independently of having knowledge of, or justification for believing, a religious proposition.”  

By the use of secular reason one can get at an independent ground of knowledge and justification that makes it possible to establish a moral principle without relying on religion and taking religious beliefs and regulations of life into consideration. Thus, the idea of secular reason makes it possible to distinguish between, on the one hand, independent knowledge and principles of justification and, on the other hand, religion.

Furthermore, the idea of secular reason includes rational, informed persons as the ones who exercise secular reason. A rational, informed person is a person who has full information, is autonomous and able to use his knowledge for directing his decisions and actions and involvement in political decisions and justification hereof as well as in all respects of life. A rational, informed person is able to recognise his own rights and obligations as well as the rights and obligations of others in accordance with the fundamental values of a liberal democracy. By the use of secular reason, Audi’s point is that rational, informed citizens are able to recognise their rights and obligations laid down in the democratic constitution with its freedoms and liberties, guarantees of protection etc. and, then, justifying the principles of the democratic regime.

In that sense, the idea of secular reason reflects a number of principles operating on what Audi refers to as individual and institutional levels. These principles stress the importance of the separation of religion and politics and are to be implemented in a constitutional democracy forming the political order of secularism. The focal point of the principles is what Audi terms the principle of theo-ethical equilibrium and the aspects of rationality that is presupposed within that principle. The theo-ethical equilibrium is construed as “[...] a rational integration between religious deliverances and insights and [...] secular ethical considerations, including socio-political principles of the kind that determine the level of permissible freedom in a democracy.”  

Audi’s considerations pertaining to a theo-ethical equilibrium presuppose conceptions of a rational attitude towards religion in terms of a rational translation of religious experiences and knowledge that is compatible with moral principles established by the use of secular reason. According to the principle of theo-ethical equilibrium, “[...] where religious considerations appropriately bear on matters of public morality or of political choice, religious people have a prima facie obligation [...] to seek an equilibrium between those considerations and relevant

26 Op cit., p. 89.
secular standards of ethics and political responsibility.” 28 The aim of the principle of theo-ethical equilibrium, then, is to mediate between secular ethical-political considerations and religious points of view through rational integration. In other words, the theo-ethical equilibrium dictates that religious people are obliged to translate their points of view into secular moral principles by the use of secular reason. Audi’s thesis is that the principle is applicable at both the individual and institutional levels. In that sense, it knits the other principles for separation of church and state, or rather religious institutions, articulated in his secular stance together, as well as it founds the basis for distinguishing between political and religious considerations.

The institutional principles are as follows: The first principle is labelled the libertarian principle or the principle of tolerance. According to this principle, “[…] the state must permit the practice of any religion, though within certain limits.” 29 The libertarian principle is a principle of freedom comprising a freedom of religious belief, a freedom of worship and a freedom to engage in the practices and rituals of one’s religion. The second principle is termed the equalitarian principle or the principle of impartiality. According to this principle, “[…] the state may not give preference to one religion over another.” 30 The aim of the principle is to secure equal opportunities so that a government or a dominating majority with a preferred religion does not violate the standards of basic liberty and basic equality. In other words, the second principle underlines the idea of equal opportunity irrespective of religious affiliation or belonging. The third principle is referred to as the neutrality principle. “It says that the state should neither favour nor disfavour religion (or the religious) as such, that is give positive or negative preference to institutions or persons simply because they are religious.” 31 The neutrality principle not only comprises the relationship between religions and the one between religious and non-religious people. It also includes the policy-side in terms of “neutrality toward religion.” 32 In another sense, the neutrality principle not only states freedom of religion as a fundamental value; it also attempts to facilitate the exercise of religious liberty. The fourth principle is entitled the principle of ecclesiastical political neutrality. This principle stresses that churches and other religious institutions should not interfere in government and discourse on political matters, and that conversely, states ought not to interfere in religion. This principle underlines the strict separation of political and religious institutions and the clear assignment of roles that Audi’s secularism aims at.

In consequence of the four principles at the institutional level demarcating the separation of political and religious institutions, Audi questions how to justify governmental coercion understood

31 Ibid.
as coercion through law or policy and, especially, how to justify governmental interference in religious institutions. The point of departure is that government should not restrict the freedom of citizens; however, situations can arise in which this becomes necessary. In such a case one must formulate conditions for justifying the restrictions. The foremost point is that the person is rational and, thus, able to understand the reasons for governmental coercion and perceive its relation to liberal-democratic ideals. It is with such very reference to rational, informed persons that Audi articulates the idea of secular reason. The inclusion of the idea of secular reason, related to rational, informed persons, indicates that the question of religion in politics is not merely relevant at the institutional level, but also at the individual level with respect to the role that religious considerations play in the conduct of ordinary citizens, especially in relation to religious fundamentalism. The question Audi seeks to answer with these principles at the individual level is “[w]hat [...] conscientious and morally upright religious citizens in a pluralistic society [should] want in the way of protection of their own freedom and promotion of standards that express respect for citizens regardless of their religious position.” 33 Audi tentatively responds that religious citizens prefer to live in a liberal democracy because it protects their freedom of religion and religious exercise, thereby providing optimal opportunity for their flourishing. This answer is substantiated with the two principles at the individual level, the principle of secular rationale and the principle of secular motivation. These two principles imply that the individuals reflect on the reasons for legislation and public policy so that the laws and policies do not violate the fundamental values of liberty and equality.

According to the first principle, the principle of secular rationale, “[... ] one has a prima facie obligation not to advocate or support any law or public policy that restricts human conduct, unless one has and is willing to offer, adequate secular reason for this advocacy or support [... ].” 34 The idea of secular reason is, then, understood as adequate reason, and as such it is related to justification. If one possesses adequate reason one would rationally reflect and potentially accept the propositions in question and recognise their relevance in relation to the political action or position. In this sense, secular reason means that one recognises the reasons for a political action or position as having sufficient strength so as to justify the action or position. The principle of secular rationale is thus conceived as a principle that every rational, informed citizen can adopt irrespective of religious or non-religious affiliation or belongings. On the one hand, it does not presuppose any conception of God or any religious considerations. On the other hand, it is possible for religious people to live according to the principle. It is actually even preferable for them in light of the protection it provides for religious

33 Op. cit., p. 84.
34 Ibid.
liberty according to Audi. The second principle at the individual level, the principle of secular motivation 
“[…] asks citizens to consider not just what they want to do and what reasons they have to do it, but why they want to do it. […] It says that one has a (prima facie) obligation to abstain from advocacy or support of a law or public policy that restricts human conduct, unless in advocating or supporting it one is sufficiently motivated by […] adequate secular reason.” 35 The main point of the principle of secular motivation, then, is the notion that persons are motivated by adequate secular reason in their actions for or against a law or a public policy.

With Audi’s secular stance in political theory one gets a clear example of how secularism becomes articulated around principles of separating religion and politics from a point of view of an idea of reason justifying these secular principles and their integration in a democratic constitution. The question is, however, whether secularism in this general form solves the problem of political order and social stability that it aims at. The claim to be forwarded at this point is that the kind of political authority included in Audi’s secularism produces paradoxes dissolving the aim of political order and social stability. The paradoxes become expressed in several ways, for instance, how the implied conceptions of religion and politics are mutual exclusive and, consequently, how the ambition of articulating universal principles by the use of secular reason excludes religious belief and points of view rather than being inclusive towards these as aimed at.

In that sense, it is a paradox that secularism is based on a conception of the political that presupposes a conception of religion when it aims at being independent of religion. This paradox characterises the secular conception of the political that, on the one hand, distances itself from religion in terms of the aim at a political order without and independent of religion. Religion is not considered as being part of the political order. It is outside and referred to the private sphere. On the other hand, although religion is supposed to exist outside of the political order, it nevertheless remains a part of the secular conception of the political. Secularism cannot conceptualise the political without religion as a negative point of reference outside the political that at the same time is within the political as something non-political. From this point of view, the paradoxical analysis points at the constitutive difference between religion and politics as the productive interplay between religion and politics and, thus, neither politics nor religion. In that sense, the paradox is not considered in merely logical terms. Rather, it is a negotiated paradox articulated in political theoretical texts and public discourse aiming at solving specific problems at a given time in history. In other words, the paradox is part of a process of negotiation and interpretation of specific problems under given historical circumstances.

The paradox of the question of religion in politics can be illustrated by the following example. For instance, religion is referred to the private sphere so as not to disturb the political order created by the secular conception of the political in response to religious struggles, wars of religion etc., i.e. religious exercise and experience must take place in the private sphere, and religious experience must be filtered out before it can be drawn upon as a valid and legitimate source of knowledge in the public sphere. The use of secular reason that is the focal point in secularism presupposes the ability to abstract from the concrete experiences that form mankind and human values. On the one hand, religious exercise and experience is constitutive for religious people. It is the condition of possibility for their identity, autonomy, deliberation in the public sphere and participation in political life. On the other hand, they must translate these experiences and values into another language in order to fit into the scheme of secular reason, thereby suppressing and excluding their religion. This is not only reflected from the point of view of a secular conception of the political in terms of principles of separation between religion and politics as the one just presented, but also from the point of view of a secular conception of religion in terms of institutional features that imply a distinction between the sacred and the secular. 36 The religious institutions have sacred objects for their practices, rituals and forms of communication constitutive of their comprehensive world view and source of the religious people's identity and autonomy.

Thus, secularism conceives religion and politics as mutual exclusive at the same time as religion and politics are interdependent. Although secularism aims at being independent of religion it is, paradoxically, actually dependent on it. The paradoxical analysis underlines a shift within secularism from the justification and application of universal principles constitutive of a political order and social stability because of its aim at inclusion of all citizens irrespective of their religious – or non-religious belonging – to the particular production of the difference and paradoxical relation between religion and politics in secular stances whether they are articulated within political theory or public discourse. Talal Asad says, for instance: “Secularism is not simply an intellectual answer to a question about enduring social peace and toleration. It is an enactment by which a political medium (representation of citizenship) redefines and transcends particular and differentiating practices of the self that are articulated through class, gender, and religion.” 37 In other words, the question of secularism is about how secularism becomes articulated as a political strategy aiming at political authority with the ambition of instituting universal principles of citizenship. However, because of the process of negotiation and interpretation of specific social and political problems that it is part of with the aim at solving these problems by political

36 Cf. op. cit., p. 35.
37 Asad, Formations of the Secular, p. 5.
authority secularism also produces paradoxes, e.g. expressed in terms of the tension between inclusion and exclusion. Furthermore, secularism is a concept embedded in these processes of negotiation and interpretation within the field of power relations and political authority, public discourse and political culture rather than a universal concept. From this point of view, the articulations of secularism are examples of strategies of cultural governance, e.g. the case of the French Secularity Act.

4. The French Secularity Act
In his speech quoted in the introduction President Chirac emphasised that the principle of secularism (laïcité) is a pillar in the French Constitution and, consequently, French Republican identity and it creates national cohesion and community. From that point of view, the French Secularity Act that prohibits religious signs and symbols in public schools is an example of cultural governance giving priority to what is conceived as constitutive values for the French Republic and national political culture. This kind of cultural governance is not only a creation of a horizon of meaning with reference to the secular values of the French Republic in terms of narratives on the citizens’ constitutional rights and liberties and the separation of religion and politics, but it is also integrated in an institutional frame for practices as a biopolitics in terms of the use of political authority on the regulation of the citizens’ embodied points of identification.

Thus, the reiteration of the principle of secularism in the French Secularity Act constitutes one of the democratic iterations in the public discourse, but at the same time this secular narrative is based on the use of political authority and, therefore, it is an example of cultural governance aiming at national identity and unity. First, the secular narrative consists of the general characteristics of the French principle of secularism, neutrality in the public space, the separation of church and state, citizens’ equal opportunities and liberties of conscience and expression constituting an authoritative horizon of meaning and social imaginary of national unity. The emphasis in the French principle of secularism is how the public space is kept free from religions in order to be neutral rather than how the citizens can exercise their freedom of religion. In that sense, it is the imagination of a neutral public space that is supposed to create national unity.

Second, the secular narrative pays attention to the special role that public schools play in the continuous reiteration of the secular values of the French Republic. The struggle about public schools has been a crucial aspect in the entire history of the articulation of the French principle of

secularism from the Third Republic till today and it is also the case in the recent public discourse on secularism. 39 For instance, in the law proposal the Minister of Education and Research, Luc Ferry points at this crucial role of public schools for the secular values of the French Republic. 40 In other words, the public schools are the institutional frame for the idea of neutral public spaces that make it possible for pupils and students to acquire knowledge and become autonomous citizens able to live a free life in accordance with the republican values irrespective of religious belonging. 41 However, the public schools are supposed to promote some specific values for how one can become an autonomous citizen rather than being neutral. They constitute the institutional frame for the implementation of the principle of secularism embedded in the secular horizon of meaning and, thus, they are an important part of the practices of the cultural governance of secularism promoting secular values but one cannot consider these to be neutral.

Third, the secular narrative conceives the Muslim women wearing headscarves to be an expression of their submission to a patriarchal religious society and social structure and, thus, of the Muslim women’s inequality imposed by religion. By prohibiting the wearing of religious signs and symbols the aim is to (re)establish the secular value of equality. From this point of view, the French Secularity Act imposes a regulation of some citizens’ embodied points of identification in order to promote the secular value of equal opportunities for all citizens and, thus, the cultural governance of secularism includes the regulation of the subjected citizens’ embodied points of identification and self-conception. However, this kind of regulation is based on the assumption that Muslim women wearing headscarves are suppressed, but this question is hardly posed in the reports preparing the Act. In other words, it can be that the Muslim women wearing headscarves are suppressed, but it could also signify their religious and civil identity, be a fashion among Muslim girls and young women etc. without implying submission. Nobody knows because they have not had an official voice and no one has paid attention to these in the preparation of the regulation of public schools. Rather, they have just been

40 “A cet égard, la réaffirmation du principe de laïcité à l’école, lieu privilégié d’acquisition et de transformation de nos valeurs communes, instrument par excellence d’enracinement de l’idée républicaine, paraît aujourd’hui indispensable. L’école doit en effet être préservée afin d’y assurer l’égalité des chances, l’égalité devant l’acquisition des valeurs et du savoir, l’égalité entre les filles et les garçons, la mixité de tous les enseignements, et notamment de l’éducation physique et sportive. Il ne s’agit pas de déplacer les frontières de la laïcité. Il ne s’agit pas non plus de faire de l’école un lieu d’uniformité et d’anonymat, qui ignorerait le fait religieux. Il s’agit de permettre aux professeurs et aux chefs d’établissements d’exercer sereinement leur mission avec l’affirmation d’une règle claire qui est dans nos usages et dans nos pratiques depuis longtemps. Si les élèves des écoles, collèges et lycées publics sont naturellement libres de vivre leur foi, ce doit être dans le respect de la laïcité de l’école de la République. C’est bien la neutralité de l’école qui assure le respect de la liberté de consciences des élèves, le respect égal de toutes les convictions.” (M. Luc Ferry, ministre de la jeunesse, de l’éducation nationale et de la recherche, N o 1378, Projet de loi relatif à l’application du principe de laïcité dans les écoles, collèges et lycées publics, enregistré à la Présidence de l’Assemblée nationale le 28 janvier 2004, p. 2.)
suppressed by an Act claiming to include every citizen because of the implied universal values at the same time as it excludes these Muslim women as autonomous citizens by the regulation of their embodied points of identification within the institutional practices of the public schools. This emphasises the paradoxical relation between inclusion and exclusion articulated by the Secularity Act.

This aspect of the secular narrative paves the way for the two other democratic iterations in the public discourse on the French Secularity Act, the gender narrative taking a stance for gender equality in accordance with the secular narrative \(^{42}\) and the narratives of the Muslim women. \(^{43}\) The points of view of the gender narrative are covered by the secular narrative. Therefore, the rest of this section focuses on the puzzles of what could be represented as narratives of the Muslim women in terms of democratic iterations that challenges the secular narrative of cultural governance and establishes points of reference for Muslim women as equal French citizens beyond the secular narrative. Whereas the secular narrative is an illustration of the term cultural governance and the implied levels of institutionalisation and materialisation, this is an illustration of the term democratic iteration. This indicates that the Muslim women’s wearing of headscarves does not constitute one single horizon of meaning and signify one single gender identity within a patriarchal Muslim society. Rather, it is a question of how the Muslim women signify their own wearing of headscarves and conceives it in relation to their religion and position and possibilities in the French society. Thus, in general one can refer to the ambiguity and reflexivity involved in the Muslim women’s wearing of headscarves in the public space. As Nilüfer Göle says:

“The Islamic headscarf is deliberately appropriated, not passively carried and handed down from generation to generation. It is claimed by a new generation of women who have had access to higher education, notwithstanding their modest social origin [...]. Instead of assimilating to the secular regime of women’s emancipation, they press for their embodied difference [...] and their public visibility [...] and create disturbances in modern social imaginaries. Islamic women hurt the feelings of modern women and upset the status quo; they are playing with ambivalence, being both Muslim and modern without wanting to give up one for the other. They are outside a regime of imitation, critical of both subservient traditions and assimilative modernity. One can almost twist the argument


and say that they are neither Muslim nor modern. The ambiguity of signs disturbs both the traditional Muslim and the secular modernist social groups. And this goes further than a question of abstract identity. It takes place in the public sphere, it involves a face-to-face relation, which means that difference is marked on the body; it is an embodied difference, one that is visible to others. Islamic visibility (and not solely the identity) creates such a malaise because it has a corporeal, ocular and spatial dimension.”

From that point of view, the narratives of Muslim women imply a signification of the meaning of wearing headscarves that is both religious and secular. For some Muslim women the wearing of headscarves is their specific point of reference for manoeuvring in a (late)-modern society with reflexivity as a condition of living and as such the result of their own reflection on their points of view, self-conception and way of living. This implies what is usually called multiple identities, in casu the Muslim women’s articulations of relations between educational plans, carrier dreams, autonomy, family, religion (Islam), national belonging (France) and political engagement as their diverse points of identification that constitute their horizon of meaning and orientation in their practices. In that sense, in order to be recognised as an equal French citizen it is a question whether the multiple identities of the Muslim women are taken into consideration as they become expressed in their democratic iterations. This does not seem to be the case with the French Secularity Act producing what is supposed to be a universal citizenship by giving priority to some historical settled constitutive values of the French Republic rather than opening new possibilities of the interpretation of these values in respect of the actual composition of the French society.

5. Democratic implications

From the point of view of the public sphere as a field of democratic iterations where cultural governance takes place as use of political authority the democratic implications of the French case pose questions not only to the French principle of secularism, but also to the responsiveness towards Muslim women in headscarf affaires in e.g. Denmark, Germany, Sweden and Turkey. Although the cultural governance in these cases reflects other national political cultures and their embedded religious and secular values the democratic question is whether the minority groups have had a voice and been listened to and involved in the political decision-making processes and, thus, played a role in the

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45 Cf. e.g. Lévy, Des filles comme les autres.
(re)constitution of democratic political culture. This is a question posed from the democratic point of view of equality that is also given priority in secular stances.

The case has emphasised the political consequences and democratic implications of the paradox of secularism mentioned in the third section that secularism both in political theory and public discourse consider its perspective to respect and include religious manners of living presupposed they come to pass in the private sphere, at the same time as they exclude religious experiences and knowledge from their thought of democratic political life and, thus, restrict the possibilities of democracy and the development of democracy. In that sense, the application of the paradoxical analysis to the question of religion in politics highlights the consequences that secular conceptions of the political have for how one imagines democratic life and how these imaginations are institutionalised and regulate the life of the citizenry. With this focus on the paradox of the question of religion in politics with reference to the terms cultural governance and democratic iterations and their mutual relation and tension, the democratic aim has been to articulate a perspective on the political that takes religious experiences and knowledge seriously and includes polyphonic religious and non-religious voices in the creation of political decision-making and democratic political culture. It is stated that the focus on the paradox can enlighten debates on religion by reopening the question and, then, provide new possibilities for articulating other perspectives on the political within a democratic regime and democratic way of living than forwarded by secularism.

In that sense, the terms cultural governance and democratic iterations articulated within the frame of a weak ontology point at both the use of political authority and exercise of power and the dialogue, negotiation and contestation of diverse narratives in the public sphere and, thus, democratisation, cultivation and change of political identities and culture as potential democratic implications. One could say that the democratic potentials lie in the tension between the universalising ambition in the use of political authority as cultural governance and the interchange and challenges posed by the different particular identities and culture articulated as democratic iterations. It points at the democratic potentials within the public sphere as a field of dialogue, negotiation and contestation related to the use of political authority and exercise of power rather than as the universalising ambition that theories of deliberative democracy aim at by eliminating the paradox and, thus, reproducing secularism as the point of departure for dialogue on political matters. In contrast to theories of deliberative democracy, the aim is to be able to perceive democratic potentials beyond secularism by listening to the voices of the people as it actually constitute itself.

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