FACILITATIVE SECULARISM: THE PLACE OF RELIGIOUS ARGUMENTS IN PUBLIC POLITICAL DEBATE

Thesis submitted for the degree of

Doctor of Philosophy

at the University of Leicester

by

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January 2015
Facilitative Secularism: The Place of Religious Arguments in Public Political Debate

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Abstract

The predominant understanding of secularism is based on two notions. First, the secular state should be completely or strictly separated from religion. Second, the secular state should be strictly neutral with regard to religion. This understanding of secularism, what I call secularism as strict separation/neutrality, equates neutral to secular and excludes religious arguments a priori from public political debate by invoking secular or public reason. Its more aggressive form, viz. ethical secularism, embraces the whole secularisation thesis as a comprehensive doctrine and thereby aims to impose a secular way of life upon individuals. Both types of secularism have significant exclusionary effects on religious arguments. They are therefore inconsistent with the democratic ideals of equal participation and state neutrality. In order to address this problem, I suggest in this thesis the need to reconsider the relationship between secularism and the place of religious arguments in public political debate. The originality in the thesis lies in its redefinition of this relationship within the context of an alternative understanding of secularism. I argue that the democratic principles of equal participation and state neutrality are best pursued when a facilitative understanding of secularism is embraced. Facilitative secularism is based on three assumptions. First, that there should be a minimum functional, institutional, organisational, and role differentiation between the state and religion, what I call secularism as minimal differentiation. Second, that secularism as minimal differentiation should be delinked from the restrictive interpretations of philosophical and sociological secularisation. And third, that a more inclusive and pluralist framework for public political debate should be generated. This framework should be created by redefining the doctrine of restraint. The place of both religious and secular arguments in public political debate should be determined according to whether they comply, not with secular or public reason, but with the normative criteria of secularism as minimal differentiation and the civic virtues of deliberation. In this study, I also apply this novel understanding of secularism to an illustrative example of the Turkish experience of secularism. The aim is to indicate how well facilitative secularism provides a suitable theoretical and normative framework with respect to expression of religious arguments in public political debate in Turkey.
To My Family
ACKNOWLEDGEMENTS

I would like to thank the many people who have made this thesis possible. First of all, I would like to express my deepest gratitude to my supervisors, Professor Peter Cumper and Dr. Stefano Bertea, for their endless encouragement, extensive support and patience. I would not have passed my viva with ‘no corrections’ without the help of their invaluable comments and suggestions regarding the structure of the thesis. I also express my appreciation to my previous supervisor, Professor Claire Grant, and to the examining committee members, Professor Jill Marshall and Professor Javaid Rehman, for their invaluable comments on my thesis and for providing me with important insights particularly for my forthcoming academic career.

I am also grateful to the many academic and professional service staff at the School of Law. I would like to thank particularly Professor Francois du Bois, Professor Bernard Ryan, Dr. Önder Bakırçöoğlu, Dr. Maribel Canto-Lopez, Dr. Lorna Gillies, Dr. Loveday Hudson, Dr. Toni Johnson, Ms. Jane Sowler, Ms. Teresa Rowe, and Mr. Anthony Berry.

Not only academic but also emotional support is key to ‘surviving’ a PhD! This necessary emotional support has come in a variety of shapes and sizes from both my family members and my friends. I owe much to my mother Zahire and my father Şinasi, my elder sister Tülay, my dearest nephew Berke and my niece Pelin who gave their love and support not only throughout this research process but also every single moment in my life. I am also thankful to a great number of people for their understanding and for making me feel I was never alone: My lovely friend Tuğba Gulsün (needless to explain why you hold a precious place in my life), Hüsniye Kamanlı (thanks for every single day of two years we spent together in the UK), Sibel Akıl, Nurcan Önen Çivici, Safiye and Talat and Tunahan Sağır, Hakan and Ayşegül Cicioğlu (and, for sure, Burak and Tuğra), Dr. Çisem Bektur, Volkan Şeyşane, Tuğçe Şanlı, Bengi Yılmaz, Buse Özer, Aysu Kisa, Muhammed Fatih and Fatma Şüheda Ersoy, Gülşen Arslan Kisa, Tolga Sofuoğlu and Ebru Demirci, Sezai Çağlayan, Bilal Çelik, Mukhtar Hajizada, Erdem Erdiç Erbevin, Melis Menent, Serpil Altiparmak, Margaret King, Esra Kiraz, Gayatri Patel, Dr. Ovo Imomedemhe, Bader Almaskari, and finally my great friends from the Garanti Bank family, especially Nalan Özkan Uçar for her invaluable support.

Finally, my special and deepest appreciation goes to two awesome people. The first one is my younger sister Esma who has always made my life meaningful. I thank God every single day for giving me the most amazing sister in the whole world. We have overcome all the problems in our lives together and we will continue to do the same in future. Just trust me and never leave me alone! I love you so much!

The second wonderful person is my dearest colleague Dr. Zeynep Burcu Akbaba with whom I spent 4 years in the same office doing a PhD. This thesis would not have been completed if you were not in my life — you know better than anyone what that sentence means! Your endless support, precious friendship and our lengthy academic debates have not only helped me handle this stressful and torturous process but also made my thesis much more professional.
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INTRODUCTION

This introduction provides a general overview of what is argued in the thesis and its importance to scholarship in legal and political theory. To that end, it has two aims. First, it sets out the purpose of the thesis, identifying its originality of the thesis, and presenting its hypothesis. Second, it provides a rationale for the methodological approach of the thesis and a succinct indication of what each chapter aims to explore.

1. The Research Problem and Main Working Hypothesis

This thesis is primarily concerned with developing a new understanding of secularism with a special focus on the place of religious arguments in public political debate. It seeks to explore whether the liberal ideal of secularism necessarily requires exclusion of religious arguments from public political debate. The purpose of this thesis, in this sense, is to contribute to the theory of secularism by arguing that separation between the state and religion should be defined in a minimal sense, and the state should facilitate the entrance of religious arguments in public political debate. It does this by suggesting that secularism is inconsistent with the democratic ideals of equal participation and state neutrality when it is considered to be, as termed by this study, secularism as strict separation/neutrality.

Secularism as strict separation/neutrality has been nearly seen as a necessary precondition for democracy and state neutrality in liberal democratic societies in the modern era. It is based on two main notions. First, the secular state should be completely or strictly separated from religion. Second, the secular state should be strictly neutral with regard to religion. Secularism as strict separation/neutrality links political meaning of secularism to the restrictive interpretations of philosophical and sociological secularisation. It accordingly relegates religion to the private sphere, equates secular to neutral, and excludes (a priori) religious arguments from public
political debate by invoking secular or public reason. This understanding of secularism can also take a more aggressive and ideological form. This form of secularism as strict separation/neutrality is called *ethical secularism*. Ethical secularism shares the aforementioned commitments with secularism as strict separation/neutrality. It additionally embraces secularism as a comprehensive doctrine and therefore aims to impose a secular way of life upon individuals.

A disadvantage of these sorts of secularism is that they have restrictive and exclusionary effects on religious arguments in public political debate. They prevent the voices of religious citizens and groups from being heard in public political debate, narrow down the inclusiveness of the democratic decision making processes and therefore relegate religious people to the margins of society. Accordingly, they are inconsistent with the democratic ideals of equal participation and state neutrality. They also cannot deal effectively with the growing religious diversity and politicisation of religious arguments in (Western) liberal democratic societies.

This research project therefore seeks to find a solution to the aforementioned significant problems that arise from both secularism as strict separation/neutrality and its ethical form. This thesis aims to develop an argument regarding the best way to address this problem, and to consider the best way of pursuing the democratic ideals of equal participation and state neutrality.

The central proposal of this study is that the relationship between secularism and the place of religious arguments should be reconsidered within the context of normative and theoretical claims of a new understanding of secularism. This novel understanding of secularism is introduced as *facilitative secularism* in this study.

Facilitative secularism is based on three assumptions.

First, there should be a minimum functional, institutional, organisational, and role differentiation between the state and religion, what I call *secularism as minimal differentiation*. 

2
Second, secularism as minimal differentiation should be delinked from the restrictive interpretations of philosophical and sociological secularisation.

Third, a more inclusive and pluralist framework for public political debate should be generated. This framework should be created by redefining the doctrine of restraint. I argue that the place of both religious and secular arguments in public political debate should be determined according to an alternative doctrine of restraint. In other words, I propose that secular and religious arguments should comply, not with secular or public reason, but with the normative criteria of secularism as minimal differentiation and the civic virtues of deliberation.

In this regard, the principal hypothesis of this study takes the form of a thesis, viz. that: secularism as minimal differentiation, not secularism as strict separation/neutrality, best demonstrates the democratic ideals of equal participation and state neutrality. Therefore, the entrance of religious arguments to public political debate should be facilitated by developing a more inclusive and pluralist framework for public political debate and redefining the doctrine of restraint.¹

2. Methodological Issues

¹ It should be noted that when I refer to secular citizens in this study, I mean citizens who ground their political arguments on secular reasons. Secular citizens include not only ones who embrace secularism as strict separation/neutrality or its ethical form but also ones who might be non/religious, hostile to religion or atheist. In a similar vein, when I refer to religious citizens, I mean citizens who ground their political arguments on religious reasons. Religious citizens include not only ones who are fundamentalists but also ones who respect the minimally defined secular character of the state. In this sense, I do not argue in this study that all the arguments raised by all secular and religious citizens can enter public political debate. As is mentioned in Chapter Five, they need to conform to two normative criteria of restraint. In other words, some values and perspectives which are provided in this study that should be embraced by both secular and religious citizens are more than wishful thinking or a wish list for an ideal world. In other words, the state should impose a much more demanding liberal and democratic morality on both secular and religious citizens. Answering the questions of which moralities should the state impose upon its citizens or how they should be formulated, however, exceeds the scope of this thesis and can be a subject of another comprehensive study.
This PhD research project is an exercise in analytic and normative legal and political theory, involving both general theory and its application to the study of a central example. Its investigation into what is a workable concept of secularism consists of the analytic component, i.e. defining secularism in a minimal sense. The normative component includes the investigation into what version of secularism best pursues a proper place to religious arguments in public political debate. In other words, the normative component includes identifying and defending a morally justifiable secularism, i.e. facilitative secularism.2

In this regard, the thesis aims to develop a workable and a morally justifiable secularism by examining the relationship between secularism and the place of religious arguments in public political debate from a general liberal and democratic perspective. In other words, it analyses secularism as a liberal ideal, and therefore examines the place of religious arguments in public political debate in a liberal democratic political system.3

The main reason for discussing secularism within the perspective of liberal political philosophy is a close relationship typically posited between secularism and liberalism. Secularism provides the basis for one of the core ideals of liberalism: the public and private distinction and limited state. Even though different liberal traditions attribute secularism different meanings and justify the separation of religion and politics for different reasons, there has been a common temptation among liberal theories to link secularism to basic assumptions and presuppositions of the secularisation thesis. This has resulted in adopting a strict separationist/neutralist perspective which presupposes the decline, privatization and individualisation of religions; the complete separation of the state and religion; exclusion of religious arguments from public political debate; and a hands-off neutrality to religion.

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2 It is an intentional attempt to call facilitative secularism a new understanding, not type, of secularism throughout this thesis. This is because the term typology is descriptive, but this work is analytic and normative.

3 It should be noted that when I refer to liberal democratic political systems, I imply not only strictly secular liberal political systems, e.g. France and Turkey, but also the states with an established church, e.g. England. It is because, as will be mentioned in Chapter Two, even the regimes of weak and plural establishment are based on a minimal differentiation between the state and religion and embrace the liberal assumption that religious arguments should be excluded from public political debate.
This study, in this sense, is a part of a renewed interest in the study of secularism. A great number of academic works have critically assessed the deficiencies of the aforementioned theoretical and empirical claims of the secularisation thesis and the strict separationist/neutralist perspectives in liberal political theory. These critical perspectives have been mainly motivated by the changing perceptions of the relationship between religion and modernity and of religion and politics. These changes have been resulted mainly from the increasing ethno-religious pluralism and multiculturalism in the Western world. These critical perspectives suggest revisiting the liberal ideals of separation and neutrality, the secularisation thesis upon which they are premised and reformulating these ideals in order to effectively address the challenges arising from the growing public visibility and politicisation of religion. Accordingly, this study aims to develop a more inclusive understanding of secularism and a more pluralist approach in addressing the aforementioned politicised claims of religions. I argue that determining the place of religious arguments in liberal democratic decision making processes is not an accomplished task. In this sense, I aim to find religious arguments a proper place in public political debate in liberal democratic political systems.

In this regard, I examine the place of religious arguments in a liberal democratic regime by taking into consideration the deficiencies of and critical perspectives towards liberal democracy. For instance, I formulate the aforementioned alternative doctrine of restraint by benefiting from the arguments raised by the deliberative and agonistic critics of liberal democracy. However, it should be noted that, even though I adopt a critical approach to liberal political philosophy, I do not ignore the fact that there are some plausible reasons for believing that some basic tenets and premises of liberal political philosophy and liberal ideal of secularism have value in terms of

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4 However, for the aforementioned methodological and space considerations, a detailed examination and discussion of the basic assumptions of deliberative and agonistic democracy are not presented in this study. In a similar vein, the purpose of this study is not to discuss the relationship between secularism and democracy. Instead, it examines the relationship between secularism and the place of religious arguments in public political debate within the context of a general liberal democratic perspective. This is because to narrow down the scope of analysis and to avoid presenting a descriptive analysis over what certain type of democracy facilitative secularism suggests. This is broad enough to be a subject of another study.
promoting democracy and religious freedom. For this reason, I aim to develop the features of facilitative secularism by not completely rejecting the value and virtue of basic tenets and premises of liberalism.

2.1. Limited Research Question and Broader Normative and Theoretical Questions

As could be deduced from the foregoing, this research project adopts a two-pronged approach, which includes (i) a specific and limited research question (ii) ensuring that there is a strong engagement with broader questions. The first approach is necessary to avoid just doing a broad, rambling doctoral study which aims to deal with divergent issues at the same time in a descriptive and superficial way. The second one is also necessary to make sure that this study has significant features expected by the broad academic field and allows other people, who work in the similar areas cognate to my own research, to engage with these broader questions. This dual approach can be elucidated in three ways.

First, the scope of this PhD Project is narrowed to the examination of the relationship between secularism and the place of religious arguments in public political debate. Special emphasis is accorded to the criticism of a certain understanding of secularism: secularism as strict separation/neutrality.5 This is crucial for protecting this study from critics who might argue that it covers too many issues in just one thesis without being sufficiently selective.

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5 In a similar vein, while developing an alternative understanding of secularism, my approach recognises the significance of distinguishing facilitative secularism from other similar types of secularism with which it might otherwise be confused. To that end, all the current types of secularism in the scholarly literature should be critically examined. However, I prefer omitting this examination in this study and rather prefer placing focus to one type of secularism, namely secularism as strict separation/neutrality. Besides the need to narrow down the scope of my analysis and to avoid doing a descriptive analysis, the main reason for this methodological choice is that most of the alternative understandings of secularism in the scholarly literature are developed by adopting a more descriptive approach to secularism. See Chapter One.
Second, for a similar reason, while attempting to consider an alternative doctrine of restraint, this study does not aim to technically determine the exact locus of the restraints or to strictly formulate who will bound by it. This is a broad issue enough to be the subject of another study. This thesis, however, aims to analyse the relationships obtaining between secularism and the place of religious arguments in public political debate on the basis of analytic and normative political and legal theory. It aims to find religious arguments a proper place in public political debate by aiming to develop a more inclusive understanding of secularism than those extant by adopting a critical, normative and theoretical approach. In other words, this study is not an empirical project or does not directly concern technical political or legal issues; its methods are principally those of legal and political theory.

Third, even though this research project is analytic and normative, I acknowledge that the institutionalist, empirical or descriptive studies are of crucial place and importance in social sciences. The distinctiveness and irreducibility of practical aspects of theoretical and normative work cannot be disregarded. They have established certain methodological approaches within social sciences. In a similar vein, I also argue that secularism is ‘contextual’. In other words, a certain ideal type of secularism or a country-specific religious governance model should not be applied to all examples without taking into consideration their unique historical, political and social conditions. Secularism does not ‘entail a unique set of state policies valid under all conditions’. The concepts of ‘contingency, path dependency and institutional diversity’ should be recognised. For these reasons, I select the experience of secularism of a certain liberal democratic political system for my analysis. Facilitative secularism can be examined with reference to many forms of political system or nation states with the aim of indicating how the normative and theoretical arguments introduced in this study operate in practice. I, however, select the Turkish experience of secularism as an example in this thesis. There are two reasons for this. First, that the

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8 See, Veit Bader, Secularism or Democracy: Associational Governance of Religious Diversity (Amsterdam University Press 2007) 37.
Turkish example is unique. The unique character of the Turkish version of secularism arises from the fact that the Turkish state has neither aimed to separate religion (Islam) and the state nor supported the idea of state neutrality towards religion. It has rather aimed to manipulate the relationship between secularism and the place of religious arguments in public political debate in various periods of the Turkish political history. Second, that this restrictive understanding of secularism embraced by the Turkish state so far permits me to open a perspective for indicating why and how the place of religious arguments in Turkey should be determined within the context of normative and theoretical assumptions of facilitative secularism.

In sum, in order to balance answering a limited research question and broader normative and theoretical questions, the following three-pronged method is followed. Firstly, that I provide the examination of secularism as strict separation/neutrality and its ethical form. The aim is to reveal their restrictive features and to indicate why they are inconsistent with the democratic ideals of equal participation and state neutrality. Secondly, I introduce the normative and theoretical claims of facilitative secularism. I aim to indicate how well facilitative secularism provides a suitable theoretical and normative framework with respect to expression of religious arguments in public political debate. In other words, I aim to indicate why facilitative secularism is consistent with the democratic ideals of equal participation and state neutrality. This second attempt mainly includes developing a more inclusive and pluralist framework for public political debate by redefining the doctrine of restraint. Throughout the thesis, I shed light on facilitative secularism, clarify its meaning and provide a defence of it, including defending it against several objections and showing that it can deal in a systematic manner with some apparent counter-examples. And thirdly, this new understanding of secularism is applied to the example of Turkey.

3. Thesis Structure

This thesis consists of five chapters, excluding the Introduction and the Conclusion.
Chapter One is organised as an introductory chapter. The chapter primarily seeks to set the scene for the reader. It aims to explain why this research project concerns the ideal of secularism and why secularism is a topical issue. In particular, it aims to explain why the relationship between the ideal of secularism and the place of religious arguments in public political debate is an important and timely subject to address. In this chapter, it is also intended to indicate how the critical approach followed in this thesis and the proposed new understanding of secularism fit within the broader cluster of scholarly discussions for and against the ideal of secularism. In this sense, the chapter briefly reviews divergent perspectives on secularism, dissects it as a multi-dimensional concept, and unpacks the range of meanings that have been applied to secularism by leading scholars. Among those leading scholars, special focus is given to the work of Veit Bader and his impact on the unquestionable position of secularism discourse in liberal political philosophy. In this chapter, Bader’s main claims on secularism are briefly introduced and an attempt is made to provide the reasons why Bader’s contribution to the debate is of crucial significance and why it is one of the primary subjects of discussion in this study.

Chapter Two closely discusses the political meaning of secularism. The chapter starts with an explanation of the significance of the need to justify why secularism is valuable before developing an alternative understanding of secularism. Thereafter, the chapter proceeds with highlighting the political meaning of secularism and introducing theoretical and normative reasons why secularism is valuable. What follows is to identify a core political meaning of secularism upon which diverse approaches might agree. This core political meaning of secularism is formulated as secularism as minimal differentiation along with its concomitant principle of two autonomies [of the state from religion and religion from the state] in this chapter. It is then aimed to explain why this formulation is necessary to prevent the risk of taking a unique restrictive understanding of secularism, namely secularism as strict separation/neutrality, as granted and to open up new possibilities for developing an alternative understanding of secularism. The chapter finishes by responding to Veit Bader’s suggestion to drop
secularism and to replace it with *priority for democracy* by introducing reasons and arguments why secularism should be retained.

Chapter Three is devoted to a critical scrutiny of the philosophical and sociological meanings of secularism. The chapter starts with providing a brief explanation to the secularisation thesis and its sub theses, namely political, philosophical and sociological secularisation. Thereafter, an attempt is made to indicate how they might be exclusionary when their assumptions are interpreted in a restrictive manner. In the light of this analysis, the restrictive features of secularism as strict separation/neutrality and its ethical form are introduced. In the last part of the chapter, the secularisation thesis is revisited and reconsidered with the aim of reformulating the relationship between its sub theses of political and philosophical and sociological secularisation. As a result of this analysis, I aim to show why secularism as minimal differentiation should be delinked from the restrictive interpretations of philosophical and sociological secularisation. I argue that this is a crucial attempt to address and overcome the restrictive features of secularism as strict separation/neutrality and its ethical form, and to develop a more inclusionary understanding of secularism.

The principal aim of Chapter Four is to question the validity of the claim that the democratic ideals of equal participation and state neutrality require a strict separation between the state and religion and exclusion of religious arguments from public political debate. The chapter begins with a brief examination of the doctrine of restraint with particular reference to secular and public reason. The main focus lies then on providing reasons why both principles of restraint are exclusionary. The final part of the chapter seeks to develop an alternative, more inclusive and pluralistic, framework for public political debate, and to reformulate the doctrine of restraint. The main aim is to prove the claim that the democratic ideals of equal participation and state neutrality are best pursued when there is a minimal separation between the state and religion, and the state facilitates the entrance of religious arguments in public political debate.
The normative and theoretical claims raised in the preceding chapters in this thesis are applied to the example of Turkey in Chapter Five. The chapter seeks to provide arguments why the place of religious arguments in public political debate in Turkey should be determined within the context of normative and theoretical assumptions of facilitative secularism. I argue that this is the best way of pursuing the democratic ideals of equal participation and state neutrality. The chapter begins with an attempt to reveal the restrictive features of an understanding of secularism embraced by the Turkish state. This attempt includes briefly considering counter arguments against common designations of the Turkish secularism and defending and arguing for an alternative terminological choice. To that end, different understandings of secularism supported by the Kemalists and the Adalet ve Kalkınma Partisi (the Justice and Development Party, the AKP) are critically examined. Special focus is accorded to the discussion of the approach of the Turkish Constitutional Court (the TCC) to the prohibition and dissolution of religious political parties. The chapter terminates with presenting a claim that facilitative secularism is more appropriate for Turkey to find a proper place for religious arguments in public political debate.

The Conclusion is devoted to concluding remarks about the assumptions of this thesis and succinctly summarising why the argumentation presented in the thesis proves and supports the hypothesis. The Conclusion draws together the theoretical and normative components that provide a justification for the main argument of this thesis which is that the democratic ideals of equal participation and state neutrality are best pursued when the entrance of religious arguments in public political debate are facilitated by redefining the doctrine of restraint. These theoretical and normative assumptions are presented as the main features of facilitative secularism.
CHAPTER ONE:

DIVERGENT PERSPECTIVES ON SECULARISM

1. Introduction

(...) [I]s critique secular? Far more than asking after varieties of critique or varieties of secularism, this question upends one of critical theory’s founding planks. Yet it does so in a spirit that allows for the possibility of other formulations of critique, secularism, and their relation. These formulations might loosen critique’s identity with secularism as well as surrender its reliance on a notion of secularism itself insulated from critique.¹

These words appeared in a provocative and inspiring book named *Is Critique Secular?* The very question posed, ‘is critique secular?’, reflects a novel approach that seeks an alternative understanding of the relationship between secularism and critique. This approach particularly questions the reified identification of critique with secularism in Western critical theory.² Moreover it criticises championing scientific reason against other metaphysical ideas and argues that ‘the rational, material, real, scientific, and human aim’ that has tried to ‘explain and supplant the religious, the ideal, the unreal, the speculative, and the divine’.³ By taking the Danish cartoon crisis as a departure point, the authors aim to show us that ‘liberal law, a law that assumes a basically protestant, private and belief-based understanding of what religion is’ has

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² ibid 13.
³ ibid 13.
failed in resolving this crisis since it ‘does not recognise a more devotional embodied form of religious adherence’.4

Talal Asad and his associates’ effort can be accepted as a part of a growing trend in the scholarly literature regarding the critical reading of basic assumptions of the Enlightenment philosophy and mainstream liberalism and their configuration of religion phenomenon. In a similar vein, and in response to the question whether ‘secularism is the prerequisite of critique’,5 this research study posits a cognate question, namely whether secularism requires exclusion of religious arguments from public political debate. To answer this vital question, this study offers to reconsider the restrictive interpretations of the ideal of secularism in liberal democratic discourse and their weaknesses in terms of responding to the growing demand for a public recognition of religions: complete separation of state from religions, difference-blind/strict state neutrality towards religions, and the secularisation thesis which expects the decline, privatisation, and individualisation of religious beliefs and practices in the wake of modernisation.

In this regard, this chapter is organised as a sort of introductory chapter. In this chapter, I principally aim to set the scene for the reader. I seek to explain why my research concerns the concept of secularism and why secularism is a topical issue. In particular, I aim to clarify why the relationship between the ideal of secularism and the place of religious arguments in public political debate is an important and timely subject to address. This chapter also aims to show how the critical approach followed in this thesis, and the proposed new understanding of secularism, fit within the broader cluster of scholarly discussions for and against the ideal of secularism. In this sense, I will briefly talk about, and dissect, secularism as a multi-dimensional concept, unpack its different meanings and also the divergent perspectives in relation to the

5 Asad and others (n 1) 18.
concept. Particular attention will be paid to leading scholars who have made the most significant contributions to theory of secularism. Among those scholars, special emphasis is placed to the work of Veit Bader and his impact on the unquestionable position of secularism discourse in liberal philosophy. Since I attempt to raise counter arguments and provide alternative reasons for retaining secularism’s political meaning against Bader’s proposal for dropping secularism, I attempt to provide reasons why Bader’s contribution to the debate is of crucial significance and why it is one of the primary subjects of discussion in this study.

2. Secularism as an Essentially Contested Concept

Since it was coined for the first time, the word secularism has been ascribed different meanings across scholars and also defined from a variety of perspectives. Not only secularism, but also cognate concepts such as secular and secularisation have been construed in light of different aspects and understandings. Secularism has been subject of a voluminous academic studies and research and studied by a great variety of scholars with the aim of defining, favouring or criticising it. Moreover, even though a generally accepted definition of secularism has been sought for years, those ventured have been refuted. For this reason, there have been a great number of conflicting definitions and understandings of secularism in the scholarly literature.

The upshot is that secularism has not attained a unique and universally accepted conception. In this sense, secularism could be viewed as a concept including

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7 Charles Taylor aptly considers that ‘it is not entirely clear what is meant by secularism’. Charles Taylor, ‘Modes of Secularism’ in Rajeev Bharghava (ed), Secularism and its Critics (Oxford University Press 1998) 31. Ahmet Kuru also argues that secularism is not ‘a monolithic concept with a standard meaning’. Ahmet T Kuru, ‘Reinterpretation of Secularism in Turkey: The Case of the Justice and Development Party’ in M Hakan Yavuz (ed), The Emergence of New Turkey: Democracy and the AK Parti (University of
a miscellany of distinct approaches and perceptions into its meaning simultaneously. It could even be depicted as an ‘essentially contested’ concept. For this reason, secularism has been seen as ‘an ambiguous’ term and this ambiguity is even regarded as a reason for dropping the concept from our constitutional, cultural, political language in order to more effectively deal with the tensions derived from the relationship between secularism, democracy, and religious freedom.

It seems noteworthy to mention that the aforementioned ambiguity of the term results mainly from the fact that secularism is a complex, multifaceted and multidimensional concept. With this in mind, I prefer delineating three main and interrelated dimensions of secularism: political, philosophical, and social dimensions (namely, secularisation). This multi-dimensionality has led to disparate conceptions and understandings of secularism among scholars and their theoretical perspectives. Since each dimension of secularism will be discussed separately and more thoroughly in the next chapters of this study, only a brief account of each dimension and divergent perspectives to them will be presented below.

2.1. Political Meaning of Secularism

Political meaning of secularism can be seen as its simplest form. Politically, secularism has been defined as the separation of the state in general and governmental affairs in particular, from religion and religious beliefs. Secularism, in the political perspective, is also historically correlated with the idea of the separation of church and the state and, for this reason, has been regarded as a Western and Christian (especially Protestant) phenomenon which cannot be found and embraced in


Hashemi (n 7) 326.

See generally, Veit Bader, Secularism or Democracy: Associational Governance of Religious Diversity (Amsterdam University Press 2007).

For others who appeal to a similar categorisation in their analysis, see Chapter Two.
non-Western world. However, particularity of secularism to the Western and Christian world has not prevented scholars from declaring secularism as a ‘definitively established’, ‘universally accepted’\textsuperscript{12} ideal with a fixed content ignoring the non-Western interpretations of secularism and alternative models of religious governance models.\textsuperscript{13}

Given the aforementioned Western and Christian bias as regards the definition and interpretation of secularism, the wars of religion of the sixteenth and seventeenth centuries and the need for separating church and the state in order to prevent disputes between Christian denominations from escalating into violent conflicts have been (i) seen as the most effective way to reduce the impact of clergy on politics and to ‘check religious tyranny and oppression’\textsuperscript{14} and therefore (ii) used as a practical case for explaining why impact and influence of religion in the political and social sphere ought to decrease.

This pragmatic case for secularism has also a moral case for two reasons. First, that separation between church and the state has been regarded as itself valuable since it has been applied as a way of attaining some substantive values and aims. These values and aims are, as will be examined more thoroughly in the next chapter, peace, toleration, religious equality and liberty, equal participation, stability, unity, consensus and peaceful coexistence of different worldviews and religious faiths. And second, that the aforementioned separation issue has also been seen as a liberal ideal since it has ‘offered a powerful articulation of the Enlightenment moral vision of universal rights, freedom and equality’.\textsuperscript{15} To put it clearly, by arguing for separation of church and the state, or in other words, creating a neutral state that stands equal to


\textsuperscript{13}For proponents and opponents of the idea that secularism is a Western and Christian ideal, see Chapter Three.


each person’s religious beliefs, secularism has provided the basis for one of the core ideals of liberalism: the public and private distinction and limited state.\(^{16}\)

To clarify, in mainstream liberal theory, religion has been confined to the private sphere which is free from the interference of others and the state, where the individual freely pursues her or his own means and ends and holds any religious (or other) views free from the imposition of the state. From this perspective, right to religious freedom has been seen as the most effective way of finding possible solutions to quell or contain religious conflicts. In other words, insofar as religious ideas or beliefs are freely exercised in the private sphere of each individual, other religious beliefs are tolerated, and moral, ethnic or religious ideas or reasons are left behind while entering into the public deliberation, the individual has a right to manifest religion being free from any interference of the state or the others in the society.\(^{17}\)

Even though secularism has occupied a central place in liberal political philosophy, there have been divergent perspectives in liberal philosophy for justifying the separation of religion and politics. Political liberals, such as John Rawls and Charles Larmore,\(^{18}\) for instance, justify the requirement of separation without referring to realisation of a particular good or an ultimate ideal. They rather justify separation relying on the idea that government should be neutral because competing conceptions of the good/comprehensive doctrines are irreconcilable and/or establishing a hierarchy among them or recognising the superiority of one of those conceptions of human good is morally impossible and undesirable.

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\(^{18}\) For the sample works of those scholars on this topic, see Chapter Four.
Neutralists, however, do not exhaust the scope of liberal theories. The aforementioned liberal approach that justifies separation with reference to state neutrality has been criticised from inside the liberal tradition. Comprehensive/perfectionist liberals, as diametrically opposed to the former strand, claim that state neutrality is not necessarily the cornerstone of liberalism. Liberal perfectionists, e.g. Joseph Raz, even argue that ‘neutrality’ is a ‘chimerical’ ideal which cannot be even approximated.\(^\text{19}\) Raz claims that it is not that the state \textit{should not} be neutral; it \textit{cannot} be so.\(^\text{20}\) In a similar vein to Raz, some other scholars, such as Patrick Neal, Susan Dimock and Andrew Mason, also note that for an effective defence of liberalism ‘liberals need a philosophical defense [sic] of the value of autonomy and a conception of the social conditions of autonomy’\(^\text{21}\) or, that the respect for persons requires that the state ‘need[s] to be non-neutral between different conceptions of the good’.\(^\text{22}\)

In this regard, comprehensive/perfectionist liberals base their justification of separation without referring to the ideal of state neutrality, but for the sake of realisation of an ultimate ideal.\(^\text{23}\) As could be deduced from the foregoing, the aforementioned liberal perfectionists, particularly Raz, define this ultimate ideal with reference to individual autonomy. However, this ultimate ideal has not necessarily seen as individual autonomy, it has been also presented as equality in liberal discourse. For instance, Ronald Dworkin justifies separation within a conception of equality arguing that government should treat all people ‘as \textit{equals}, that is, as entitled to its equal concern and respect’,\(^\text{24}\) thus it should not give priority one conception over another while making and imposing political decisions. In a similar vein, democratic

\(^\text{19}\) Joseph Raz, \textit{The Morality of Freedom} (paperback ed, OUP 1988) 120.
\(^\text{23}\) For a similar view, see Rajeev Bhargava, ‘Giving Secularism Its Due’ (1994) Economic and Political Weekly 1784.
\(^\text{24}\) Ronald Dworkin, \textit{A Matter of Principle} (Harvard University Press 1985), 190 (emphasis original).
participation has also been seen as another ultimate ideal. Separation has been justified for the sake of curbing ‘political and religious absolutism’.25

Despite the aforementioned criticisms of liberal perfectionists levelled at the liberal ideal of state neutrality, the separation between the state and religion has been mostly justified in liberal political philosophy with reference to ‘state neutrality in religious matters’.26 In other words, predominant understanding of secularism in the scholarly literature and in practice has rested upon the ideal of state neutrality. This is because the ideal of state neutrality has a meaning which corresponds to the aforementioned separation dimension of secularism. State neutrality refers to ‘absence or exclusion of religion from the public sphere of the state’,27 viz. ‘the exercise of legitimate state power’ should take place ‘in secular terms’28 and therefore religious arguments should be eliminated from public political debate. Even liberal perfectionists seem to accept this separation issue related dimension of the ideal of state neutrality since they aim to justify separation.

Besides, the ideal of state neutrality has also another meaning or dimension except its aforementioned separation related meaning. State neutrality also refers to the ‘state’s impartiality as regards religions’, viz. it ‘implies equality between religions’.29 This second meaning of state neutrality has been generally associated with a hands-off/difference-blind approach to religion (fairness-as-hands-off) in liberal theory. It is based on privatisation of difference and state abstention from religious matters as regards regulation of the relationships between the state and religions and dealing with accommodation of religious diversity. Some of leading liberal proponents of these hands-off and difference-blind approaches to culture and religion have been,

25 Bhargava (n 21) 1785. In this sense, deliberative democracy and republican theorists can be fitted into this group.
26 Barbier (n 12) 2.
27 Barbier (n 12) 10.
29 Barbier (n 12) 10.
for example, Philip Kurland, 30 Christopher Eisgruber and Lawrence Sager, 31 Will Kymlicka, 32 Brian Barry (egalitarian liberalism), 33 and Chandran Kukathas (libertarianism). 34

Hands-off/difference-blind approaches to religion, however, has been criticised for ignoring power asymmetries between majority and minority religious groups and for failing to deal effectively with accommodation of religious diversity. For this reason, some scholars have attempted to reconceptualise this second dimension of state neutrality so as to offer much more inclusive and valid theoretical bases needed for accommodation of religious practices. Rajeev Bhargava’s ‘principled distance’ 35 and Joseph Carens and Veit Bader’s and ‘relational neutrality’ and ‘fairness-as-even-handedness’ 36 are the salient examples of those efforts. These approaches question the idea of strict neutrality of the state and recognise differential treatment to the demands of religious groups in exceptional situations. In other words, they recognise exceptions in the application of law as regards dealing with accommodation of religious diversity without giving up upholding the universal principle of equality. In addition, ‘fairness-as-even-handedness’ targets ‘a sensitive balancing of competing claims for recognition and support in matters of culture and identity’, embracing particularity by adopting a way which is ‘fair to all the different particularities’. 37

In this thesis, however, separation between the state and religion and divergent approaches to the relationship between separation and state neutrality will be examined with reference to the aforementioned first dimension of state neutrality.

32 Will Kymlicka, ‘States, Nation, and Cultures’ (Van Gorcum 1997) 21-7; Will Kymlicka, Contemporary Political Philosophy (OUP 2002) 344-5.
33 See Brian Barry, Culture and Equality (Polity, 2001); Brian Barry, Justice as Impartiality (OUP 1996).
35 See, for example, Bhargava (n 14); Rajeev Bhargava, ‘Rehabilitating Secularism’ in Craig Calhoun, Mark Juergensmeyer, Jonathan VanAntwerpen (eds) Rethinking Secularism (OUP 2011).
37 Carens (n 34) 8.
only. This is because the first dimension of state neutrality is directly related to the main topic of this thesis, namely reconsidering the relationship between secularism and the place of religious arguments in public political debate and finding religious arguments a more proper place in public deliberations. The second dimension of state neutrality refers to a completely different issue — which is also a significant one to address, though — that is related to the issue of accommodating the demands of religious individuals and groups for greater religious freedoms in mostly religiously diverse societies, i.e. issues regarding the headscarf, legal pluralism and so forth. It is clear that this exceeds the scope of this PhD Research Project.  

2.1.1. The Separation Dimension of the Ideal of State Neutrality

The briefly aforementioned first dimension of the liberal ideal of state neutrality is to a large extent related to the doctrine of restraint which provides conditions for determining the place of religious arguments in public political deliberation. The common idea shared by liberals has been that ‘political arguments [must] appeal to public reason and public reason alone’.  

39 To clarify, given the reality of pluralism and diversity in a society, one of the essential solutions for maintaining public unity and social stability in a society has been formulated as creating a neutral state that stands equal to each religious belief. The state should be ‘neutral with regard to the question of the good’ by not giving any priority to a particular ‘substantive conception of what constitutes the good life’.  

40 In other words, the role of the state should not to ‘make citizens virtuous’, rather the state has to be neutral by not promoting any particular ‘virtue’ and by not ‘punishing vice’.  

41 A neutral state does not establish any religion, advocate a particular way of life, or impose any understanding of good to individuals. Accordingly, state neutrality refers to the

38 The question of how to formulate the relationship between facilitative secularism and the aforementioned second dimension of state neutrality motivates me work on this topic later in my academic career.

39 Dorfman (n 17) 289.
40 Neal (n 19) 578-9.
assumption that the state does not determine ‘which ways of life are most worth living’ and its desire to help only one way of life over others ‘is precluded as a justification of government’.  

In this regard, the notion of state neutrality has provided the basis for creating a framework for determining the place of religious arguments in politics. Religious beliefs and arguments have been regarded as private and therefore have been prevented from entering into the public realm. For the sake of neutrality and reaching a consensus amongst citizens holding competing conceptions of the good life, it has been seen as prerequisite that citizens must leave aside their moral, ethnic, gender-related or religious ideas or reasons behind while entering into public political debate and must conform to certain constraints.

The controversy over the meaning of secularism is also salient when it comes to the aforementioned mechanisms of constraint. These mechanisms have been characterised and formulated in different ways by several scholars. They are formulated either as secular or public reason. In this sense, while, for instance, Robert Audi, Andreas Sajó, Bruce Ackerman, Kathleen Sullivan, Edward Foley, Richard Rorty, and Kent Greenawalt have argued that the arguments which give secular reasons in order to justify their views can only be allowed in public political debate; political liberals, such as, John Rawls and Charles Larmore, make a distinction between secular and public reasons and note that comprehensive doctrines, not only religious but also secular ones, should meet the ideal of public reason as a condition of accepting to public deliberation. As could be deduced from this notable divergence, while the former strand inevitably gives secular arguments priority over religious ones, the latter does not distinguish secular and religious arguments when considering the features of comprehensive doctrines and their place in politics. In sum, in both cases, religious arguments are either excluded (a priori) from public political debate or being allowed when they are translated or at least translatable into secular or public reasons.

43 For the sample works of those scholars on this topic, see Chapter Four.
2.2. Social Meaning of Secularism: The Secularisation Thesis

The ideal of secularism has also a social dimension. The social dimension of secularism refers mainly to the secularisation thesis. As prominent scholars, for instance, Peter Berger, Charles Taylor, Talal Asad, Jose Casanova, Steve Bruce, David Martin, and Michael Gillespie argue, secularisation has been a driving force for transformation of a particular society in the wake of modernisation. As the aforementioned scholars have repeatedly mentioned, there has been an inclination to identify secularisation with modernisation and to assume that religion will ultimately lose its importance and public role in the social sphere in the wake of the modernization process; it will be confined to the private and secular reasoning will be the only essential guide for explaining the social, cultural and individual interpretation of this world. In other words, modernisation process has been regarded as a transformation and in particular as an indication of progress, therefore religion and religious beliefs have been seen as a traditional, primitive and backward phenomenon that should be left behind in the course of the progress of human beings and societies.

In this regard, it has been foreseen that religion will (and ought to be) become privatised and individualised (viz. should lose its public role). A more radical discourse of secularisation also includes predictions and assumptions that not only the political and social domains but also the private sphere will be governed by the rules of the secular world view and shaped by the cornerstones of modernity — such as rationalism, positivism and empiricism, to name but a few. This indicates that social meaning of secularism also include the Enlightenment inspired philosophically related claims. Philosophical secularisation is based on an assumption that there will be a complete transformation of an individual’s perception of the world including the

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44 For the sample works of those scholars on this topic, see Chapter Three.
45 Moreover, excessive versions of this type of understanding also envisage the obliteration of religion in all dimensions of a society. For the arguments discussing the relations between science, rationalism and secularism from the Enlightenment philosophy, see Chapter Three.
values surrounding his or her life and the process of the construction of a personal or social identity.

The secularisation thesis has remarkably affected the form, understanding and type of secularism in the sense of its political meaning. A clear-cut connection has been observed between the perspectives of the aforementioned liberal scholars who define secularism with reference to separation and state neutrality and the main claims of the secularisation thesis. There has been a significant temptation in liberal theory to link the political meaning of secularism as separation and neutrality to basic assumptions and presuppositions of the secularisation thesis. This has resulted in adopting an understanding of secularism which gives reason priority over faith and presupposes the decline, privatization and individualisation of religion. In other words, this certain understanding of secularism aims to decrease the public visibility of religion and confines religion to the private sphere. The state that embraces this certain understanding of secularism at the political level aims to separate the state from religion completely, to embrace a strict neutralist approach towards the place of religious arguments in the formation of political morality and political ethical values, and therefore to exclude religious arguments from public political debate. This understanding of secularism can be called secularism as strict separation/neutrality.

This approach has also found reflection in practice in terms of organising the relations between the organised religions and the state. Complete separation and strict neutrality have seriously influenced the religious governance models in real politics. This, however, does not mean that secularism as strict separation/neutrality has been the only religious governance model in modern societies. There have been divergent religious governance models in the Western world: from strict separation/mutual exclusion; one-sided exclusion; to selective cooperation (neocorporatist/pillarised European regimes, i.e. the Netherlands, Germany, and Italy) or the regimes of weak or plural establishment. Moreover, given the role of the state in religious matters, while some states have adopted a strict neutralist or hands-off approach to religion (fairness-as-hands-off) (i.e. the American denominationalism and French Republicanism), some have had developed strong/weak relations with religions.
— from recognizing to funding them. However, the aforementioned all regimes of religious governance models, including even the regimes of weak and plural establishment, have embraced the aforementioned basic claim of secularism as strict separation/neutrality that religious arguments should be excluded from public political debate and should not be taken into consideration in the formation of political morality and political ethical values in a liberal democratic society. As will be examined in the next chapter, it can be argued that none of these models has also succeeded in effectively dealing with challenges derived from the growing religious diversity and politicisation of religious arguments in the modern societies.

3. Challenges to the Dominant Position of Secularism/Secularisation in Liberal (Democratic) Theory

The recently revamped scholarly literature on secularism and secularisation has engaged in developing critical perspectives towards the aforementioned theoretical and normative premises of liberalism. It has also criticised the existing normative and institutional models of the Western governance of the relationship between religions and politics, which have been based mostly upon the exclusion of religious arguments from politics and the secularisation thesis. In particular, a considerable portion of those scholarly efforts has pointed out the changing relationship between religion and politics as a result of the increasing ethno-religious pluralism and multiculturalism in the Western world.46 They have argued that the mainstream Western understanding of secularism and their models of religious governance models cannot effectively address the aforementioned changes in religious landscapes and manage the increasing religious diversity and pluralism.47

46 For the growing multiculturalism and its challenges towards liberal ideals of state neutrality and nationalism, see Chapter Three.
47 Bader (n 10) 201-222. See also Veit Bader, ‘Religion and States: A New Typology and Plea for Non- Constitutional Pluralism’ (2003) 6 Ethical Theory and Moral Practice 55. For further analyses on these models, see Chapter Two.
Furthermore, some of those efforts have been devoted to challenging the oft-
repeated and alleged incompatibility of the basic precepts and premises of certain
religions, especially Islam, with democracy and human rights.48 Some of them have
also started to defy liberalism’s contention that Western specific formulation between
secularism and democracy is both universal, product of the Western world and alien to
non-Western cultures. This approach has been criticised by pointing to the possibility
of alternative modernities and to what extent those locally-derived and mostly non-
Western approaches might develop their own idiosyncratic understanding of the
relationship between the state and religions.49

In particular, the empirical claims of the secularisation thesis which expect
religion to decline and become privatised and individualised have been fundamentally
challenged. It has been argued that the aforementioned Enlightenment oriented
interpretations of secularisation need to be revised.50 This is because religion has in
fact retained importance at both social and private levels and has not simply lost its
significance in modern societies.51 These approaches have aimed to explain the
resurgence of particular forms of religion and religious movements in contemporary
societies. This resurgence thesis has mainly argued that the core purpose of
secularisation within the expansive conception, namely to decrease the influence of

48 For some of the prominent representatives of this approach see, e.g. Abdullahi Ahmed An-Na’im,
Toward an Islamic Reformation: CIVIL Liberties, Human Rights, and International Law (Syracuse
University Press 1990); Talal Asad, Genealogies of Religion: Discipline and Reasons of Power in
Christianity and Islam (Johns Hopkins University Press 1993); John L Esposito and John O Voll, Islam and
International Affairs 14. See also Chapter Three (n 59).
49 For the proponents of this approach, see Chapter Three. For a recent work on the topic which argues
that there is ‘the possibility of a more conceptually vernacular ground for political secularism’, see Akeel
50 Talal Asad, ‘Religion, Nation-State, Secularism’ in P van der Veer and H Lehmann (eds), Nation and
51 There are several empirical studies in the scholarly literature challenging the secularist claim that
religion will lose its significance in the wake of modernisation process. For an excellent summary of
these studies see Jonathan Fox, ‘World Separation of Religion and State into the 21st Century’ (2006) 39
Comparative Political Studies 537, 539-42. For others, see also Chapter Three. For a recent study of one
of influential scholarly authorities who claims that secularisation is rather in increase, especially in the
USA, see Phil Zuckerman, Living the Secular Life: New Answers to Old Questions (Penguin 2014); Sam
Harris, ‘The Frontiers of Secularism: An Interview with Phil Zuckerman’
religion at all levels of society, has led to strict restrictions being placed upon religious freedom. This in turn has led to a resurgence of religious movements in the political domain. Besides this reason, resurgence of religion has also been explained from the claim that increasing immigration and political demands of immigrants in particularly Western societies have challenged the aforementioned typical Western understanding of secularism and triggered the visibility of religion in public sphere. On the other hand, but with a similar purpose, some even have claimed that religion has been always there, it has just been much more visible, not resurgent.

In short, critics of secularism have mostly targeted the Western strict separationist/neutralist conception of secularism because of its hegemony over other forms of secularism. In other words, since this particular Western and Christian understanding of secularism has been declared as the most viable type of secularism among others, the deficiencies of this approach have started to be heightened by many. Besides challenging the empirical claims of the secularisation thesis, these counter approaches have particularly aimed to reconsider the public role of religion and the judgement that liberal democracy requires the exclusion of religious arguments from public political debate.

In this crucial respect, given the secularism’s aforementioned meaning as separation and neutrality and theoretical and practical considerations of doctrine of restraint, it has been argued that neutral has lost its original meaning and ‘come to mean “secular”’. This tendency has rendered ‘secular, “objective”, reasoning’ as the ‘neutral starting point’, and therefore religious reasoning is excluded by being labelled

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52 For scholarly works on debates over the relationship between immigration and religious resurgence, see Chapter Three.
53 For a good summary of the debates over the reasons for the resurgence of religion see Jeff Haynes, ‘Religion, Secularisation and Politics: A Postmodern Conspectus’ (1997) 18 Third World Quarterly 709. For others, see Chapter Three.
54 While Samuel Huntington, Andreas Sajo, Giovanni Sartori, Joseph Schumpeter and Anthony Downs are the prominent examples of the claim that secularism is a precondition for democracy, Veit Bader, John Anderson, Jose Casanova and Alfred Stepan reconsider and criticise this claim. See Chapter Two.
as ‘dogmatic, inaccessible, irrational, and divisive’ or ‘controversial, subjective, and inappropriate’. Accordingly secular approaches have not gained a neutral stance. In this sense, too much emphasis that secularism as strict separation/neutrality places upon reasonableness and reason giving has been criticised for being restrictive and exclusionary in the sense of excluding religious citizens and groups from political processes. In this sense, some leading scholars, such as Jurgen Habermas, Paul Weithman, Maeve Cooke, Craig Calhoun, Simone Chambers, Duncan Ivison, Iris Young, Veit Bader, Michal Perry, Michael McConnell, Michael Sandel, and Bhikhu Parekh have pointed to the exclusionary tendencies and effects of the aforementioned doctrine of restraint and have engaged in developing much more inclusive alternatives to constraints defined with reference to secular and public reason.

4. Different Types of Secularism

The aforementioned restrictive features of theoretical and empirical claims of the secularisation thesis and secularism as strict separation/neutrality have spawned a renewed interest in the study of secularism. This interest has mainly focused on revisiting the liberal ideals of separation and neutrality and reformulating these ideals within the context of the changing perceptions of the relationship between religion and modernity, the growing public visibility and politicised demands of religions. A major question has been raised by a significant number of scholars whether those recent developments could be seen as a vital opportunity for driving change toward embracing a more inclusive understanding of secularism and a more pluralist approach in addressing the politicised claims of religions.

For this purpose, a great number of scholars have started to point to different secularisms rather than talking about secularism. A growing trend and a considerable

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56 ibid 174.
58 See Chapter Four.
effort have been observed in making distinctions between different versions and modes of secularism. The aim has been to both discuss the deficiencies of strict separationist/neutralist types of secularism and to favour and offer their alternative and arguably inclusive types. The scholarly literature is replete with several divergent types of secularism. The most notable and oft-cited ones, among many others, mainly have been ‘assertive and passive’ (Ahmet Kuru), ‘exclusive and inclusive’ (Alfred Stepan and Hakan Yavuz), ‘negative and positive’ or ‘political and philosophical’ (Wilfred McClay), ‘hard and soft’ (as Barry Kosmin notes), ‘weak and strong’ (Abdullahi An-Naim), ‘laicist (French) and Judeo-Christian (mostly American)’ (Elizabeth Hurd and Joan Scott), ‘hostile and benevolent’ (Rex Ahdar); ‘moderate and radical’ (Tariq Modood), ‘rigid or strict’ (republican secular regimes, i.e. Turkey and France) and ‘flexible or open’ (liberal-pluralist regimes, i.e. the Quebec Case), and ‘assimilative (American), visionary (Israel) and ameliorative (India)’ (Gary Jacobsohn) secularisms.

Although inspirational and momentous, it seems apposite to argue that, most of those scholars have not provided a sufficient critical reading of exclusionary interpretation of secularism in liberal philosophy. They have rather preferred to focus mainly on the analysis of the secularism policies and religious governance models of particular states, especially Anglo-American and the French Republican models. They have just compared and evaluated these models with exclusive reference to whether

62 Barry A Kosmin and Ariela Keysar (eds), Secularism and Secularity: Contemporary International Perspectives (Institute for the Study of Secularism in Society and Culture 2007).
the state has a secular bias or follow secularism as a comprehensive doctrine; in other words, whether it is neutral or not; or whether it excludes or attempt to control religion or allows the public visibility of religion. While doing this, they have adopted a more descriptive approach to secularism and have taken the secularisation thesis and liberal ideals of public/private distinction and limited state for granted. They have mostly favoured American secularism against French secularism (or favoured one specific model as an alternative, i.e. the Indian model) on the ground that the former is neutral and religion-friendly but the latter is not. In doing so, they, however, ignore the issue that even though a state adopts a more neutral or religion-friendly approach, this does not directly mean that this state allows politicisation of religious arguments, promotes religious freedom and plurality, or considers differences in a society in terms of religious identity. Moreover, none of these approaches has offered reasons for retaining secularism against the claims that it should be jettisoned. As will be mentioned in the next section, providing reasons why secularism should be retained is the first and vital step before developing alternative secularisms.69

5. Developing Alternative Secularisms or Abandoning Secularism Talk: Veit Bader

69 Rex Ahdar’s aforementioned work on two concepts of secularism should be set aside among those approaches. Ahdar critically examines the ideal of state neutrality and argues that secularism is a political philosophy and therefore a secular state cannot be neutral. However, one of the downsides of his approach is that he argues in favour of a more inclusive and democratic version of regime of establishment, which combines ‘mild non-coercive state preference’ with ‘full-blown constitutional protection for religious liberty and the rights of religious and cultural minorities’. See Ahdar (n 63). This therefore contrasts with one of the main claims of this study that secularism as minimal differentiation is desirable to the regimes of establishment. A similar criticism may be directed against Tariq Modood’s ‘moderate secularism’ which criticises the ideal of state neutrality but favours the regime of plural establishment. See Modood (n 64). In a similar vein, despite the aforementioned earlier efforts to reconceptualise the ideal of secularism, it was not until Rajeev Bhargava’s proposal for rehabilitating the ideal of secularism that has moved beyond the bare analysis of secularism as for (American model) or against (French) religion. Bhargava provides a more comprehensive analysis by both taking the normative and theoretical aspects of the topic, and offers an alternative model which seriously challenges the basic premises of liberal ideal of secularism as separation and neutrality. Inspiring and taking indications from the Indian experience of secularism, Bhargava challenges the idea that secularism is a Christian and Western doctrine and thereby aptly attempted to show that a non-Western alternative secularism and religious governance model can be developed in divergent regional settings. His alternative conception of secularism is called within the concepts of ‘contextual secularism’ and ‘principled distance’. See (n 32). However, despite fruitful and fascinating, Bhargava’s ‘contextual secularism’ and ‘principled distance’ are subject to critical questioning in terms of favouring a country-specific model.
Veit Bader’s approach can be accepted as the most radical one amongst the aforementioned critical approaches towards the Enlightenment and liberal ideal of secularism. As mentioned above, the growing religious diversity and changes in religious landscapes have put existing regimes of religious governance in liberal-democratic societies under pressure and thus some scholars and policymakers have attempted to reconceptualise these models on theoretical and institutional bases. Veit Bader is one of those who resolutely demonstrates this kind of effort in his oft-cited works.

Bader is a Professor emeritus of Social and Political Philosophy and of Sociology. Aside from being a well-known, highly-respected and influential sociologist, Bader has also been interested in and published a great number of academic works focusing upon constitutional status of secularism and upon some controversial religious freedom cases and their legal aspect. In this study, I will focus mainly on his oft-cited book, *Secularism or Democracy: Associational Governance of Religious Diversity*, which can be regarded as an accumulation of all arguments and claims developed in his previously published articles.  

The main thrust of the book is to contribute to the debate over increasing religious diversity. First Bader provides the reader with a deep understanding of the nature of the concept of secularism and the secularisation thesis placing special emphasis on strict separation of state and religion, and how the exclusionary accounts of the secularisation thesis have been strongly connected with liberalism and liberal-democratic constitutionalism. Bader also provides a brief analysis of the institutional diversity of Western governmental regimes in terms of the relationships between the state and religion. Second Bader contends that liberal political philosophy and the basic concepts which it has rested upon, viz. universalism, neutrality, secularism and so

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70 For instance, Albert Musschenga defines this book as ‘the ripe fruit of Bader’s academic career’. Albert W Musschenga, review of Veit Bader, *Secularism or Democracy: Associational Governance of Religious Diversity* (Amsterdam University Press 2007), (2009) 7 Ethical Theory and Moral Practice 441, 444. This, of course, does not mean that any reference to his other works is not made in this study. As can be easily observed, nearly his all written works are examined and most of them are referred to throughout this study.
forth, ought to be reconsidered within the framework of his own version of *minimal morality*. Third Bader applies his minimal morality to significant hard and soft cases in order to show how well his approach provides a suitable theoretical and normative framework with respect to accommodation of religious practices in liberal democratic societies. Finally, Bader provides an original alternative model, what he calls Associative Democracy, regarding the appropriate kind of regime of religious governance to be cultivated by liberal-democratic states committed to religious pluralism. In all this his arguments draw upon the legacy of liberal political philosophy, and especially the less liberal perfectionist tradition which is close to Rawlsian political liberalism.

At a glance, criticising liberal understanding of secularism which both supports strict neutrality, strict separation of the state and religion and privatisation of religion, Bader goes beyond a bare theoretical analysis of the relationship between the state and religions. One of the core contributions of Bader’s approach is its indication that mainstream liberal ideals of secularism are not sufficient to consolidate right to religious freedoms in liberal-democratic societies, thus a comprehensive theoretical, normative and institutional reconsideration is needed.

In summary, Bader’s theoretical and normative approach— not the whole of it but the relevant aspects of it to this study— has mainly three dimensions. Bader claims that:

(i) the secularisation thesis with its cultural, social and political meanings should be abandoned,

(ii) secularism ought to be dropped from our cultural, social, constitutional and legal language,

(iii) rather than developing theories of alternative secularisms, secularism should be replaced by priority for (liberal) democracy.

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71 See generally, Bader (n 10).
Before Bader revealed his theoretical approach arguing in favour of dropping secularism discourse, disagreement had been observed mostly over the definition and basic ideals, not over the necessity, of secularism. It had been a rare attempt in the scholarly literature to justify why secularism ought to be retained in our cultural, political and legal language. Efforts in defence of secularism have generally taken a stand in favour of strict separation/neutrality (or even approaches hostile to religion) against the threats of religious fundamentalism. However, Bader has arguably offered the most comprehensive and systematic framework for criticising the ideal of secularism from a more inclusive and democratic perspective and thus has had a major effect on the unquestionable position of secularism discourse in liberal philosophy.

Unlike Bader, this study principally aims to provide normative and theoretical reasons for developing an alternative understanding of secularism, instead of dropping it completely. Since Bader argues in favour of dropping secularism and replace it with priority for liberal democracy, his claims inevitably urge me to discuss why secularism is still valuable and to provide theoretical and normative reasons for retaining it.

For these reasons, Bader’s understanding of secularism with respect to democracy and religious pluralism is worthy of consideration in the detail in this study and also poses a useful point of departure for developing my new understanding of secularism, what I call facilitative secularism.

6. Conclusion

The aforementioned controversies over the meaning of secularism, its ideals and institutional designs show us that secularism is still a topical issue to investigate and deserves due attention in order to effectively address the challenges arising from

72 Andreas Sajo’s proposal for advancing a robust theory of constitutional secularism against threats of ‘strong’ religions is the emblematic example of this approach. See Chapter Four.
the growing public visibility and politicisation of religion. This in particular also shows that determining the place of religious arguments in liberal democratic decision making process is not an accomplished task.

These issues inevitably seduce me to ponder the answer of two pivotal questions: due to the changing public role of religion and growing politicisation of religion, (i) should the connection between the political and philosophical and social meanings of secularism be decoupled or revised? (ii) should secularism as separation and neutrality as the core ideals of liberal democracy be reconsidered? In particular, it needs to be answered whether secularism necessarily requires exclusion of religion arguments from public political debate.

In this respect, my theory fits within the aforementioned critical approach towards the restrictive interpretations of the ideal of secularism, viz. strict separation/neutrality. In the following chapters, I will attempt to answer the aforementioned thorny and knotted questions with the aim of presenting what makes my approach both different from this critical strand and novel. To that end, in the next chapter, I will start by attempting to clarify the political meaning of secularism, namely what I call secularism as minimal differentiation, to explain the reasons why it is valuable and to provide theoretical and normative reasons why secularism’s this simple political meaning should be retained, rather than dropped, by developing counter arguments mainly against Bader’s claims.
CHAPTER TWO:

THE VALUE OF SECULARISM: SECULARISM AS MINIMAL DIFFERENTIATION

1. Introduction:

This chapter concerns some normative, theoretical and methodological issues that should be taken into consideration before developing a new understanding of secularism. While doing this, it also aims to introduce the first assumption of facilitative secularism: secularism should be defined in a minimal sense.

In this regard, this chapter concerns the political meaning of secularism. The main aim of this chapter is to highlight and determine a core and simple political meaning of secularism upon which diverse perspectives to secularism could reasonably agree. This object is important for two reasons. First, that this simple political meaning of secularism provides the basis for developing normative and theoretical reasons for justifying both why secularism is valuable and why it ought to be retained in our cultural, political and legal language. This is necessary because I have claimed in this study that any alternative, theoretically strong and more defensible conception of secularism should first justify why secularism is valuable. And second, that determining a core and simple political meaning of secularism prevents its certain restrictive interpretations, namely secularism as strict separation/neutrality, from being taken for granted and imposed as the unique valid understanding of secularism.

In this regard, this chapter is structured in four parts. The first part starts with an explanation of the significance of the need to justify why secularism is valuable
before developing an alternative understanding of secularism. Thereafter, it proceeds with highlighting the political meaning of secularism and introducing normative and institutional reasons as to why secularism is valuable. The second part seeks to identify a basic common core to the meaning of secularism upon which diverse approaches might agree. This common core is formulated as secularism as minimal differentiation along with its concomitant principle of two autonomies [of the state from religion and religion from the state]. The third part aims to explain the significance of this formulation to prevent the risk of taking secularism as strict separation/neutrality as granted and to open up new possibilities for developing an alternative understanding of secularism. The last part aims to respond to Veit Bader’s suggestion to drop secularism and to replace it with priority for democracy. Some counter reasons and arguments are introduced against Bader so as to indicate why secularism should rather be retained. Formulating the core political meaning of secularism as minimal differentiation precedes addressing Bader’s objection to the ideal of secularism in this chapter because secularism as minimal differentiation provides the basis for developing the aforementioned reasons and arguments as to why secularism should be retained, not dropped.¹

2. The Need To Justify Why Secularism Is Valuable

‘No idea lives for ever. But no good idea should be lost because its supporters are intellectually too lazy to properly defend it’.²

¹ It should be noted that the basis of some arguments raised in this chapter are mostly developed referring to some general claims of this PhD thesis. Also, those arguments provide ground for other arguments developed more thoroughly in the next chapters. For this reason, it is sometimes inevitable to explain some basic claims of this chapter referring to other claims presented in a detailed way in the next chapters of this study. In other words, unlike the remaining chapters of this study, it is possible to come across some references and signposts to different chapters of this thesis in this chapter for the aforementioned reason.

In this provocative quotation, Rajeev Bhargava implies secularism when complaining about the loss of a good idea due to lack of necessary scholarly attempts to defend it against its critics. Rajeev Bhargava, who is one of the rare scholars engaged in dealing with justifying why secularism is valuable, aims to point to a gap in the scholarly literature. This gap refers to lack of efforts that provide reasons why secularism is still a valuable ideal even though it is criticised for being not effectively deal with the growing religious diversity in Western liberal societies. He argues that rather than eliminating the ideal of secularism quickly, we should first rethink about the merits of it and to look for alternative conceptions of secularism that might potentially address better the issues raised by its critics.

To clarify, as noted in the previous chapter, concerns of the critics of secularism stem mainly from the claim that growing religious diversity and politicisation of religion have brought secularism under severe strain. It has been argued that since Western understanding of secularism or religious governance models have not been ‘designed for societies with deep religious diversity’, they cannot effectively deal with normative and practical problems derived from growing religious diversity. Moreover, and more importantly, since the Western ideal of secularism is based on both the exclusion of religion from the public sphere and confinement of it to the private sphere, it cannot effectively address the growing demand for a public recognition of religions and deal with accommodation of religious practices. It is therefore argued that the ideal of secularism is in a serious ‘crisis’.

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In this sense, Bhargava agrees with the critics of secularism on the claim that secularism faces a threat, but he has some concerns about the nature of this threat. He accepts the reality of the crisis of secularism, but he is against ‘the conclusion that it should be rejected’. Without neglecting the validity of external threats, Bhargava argues that secularism faces an internal threat, namely, supporters of secularism cannot prevent the ideal from turning into a ‘suffocating straightjacket’ since they ‘cease to care for it’ and cannot find ‘better and better ways of articulating and formulating’ the concept. In other words, Bhargava argues that rather than hastily rejecting the ideal of secularism we should ‘rehabilitate’ it by providing reasons why secularism is a valuable ideal and why it can still deal in an effective manner with the issues resulted from growing religious diversity and politicisation of religion.

The approach followed in this thesis shares some similar commitments with Bhargava’s aforementioned suggestions. I argue that it has been pretty pointless exercise in the scholarly literature to justify why secularism is valuable and ought to be retained in our cultural, political and legal language. This is because the value and necessity of secularism have been generally taken for granted and rarely questioned. Moreover, the periods of stability and the absence of deep interreligious religious diversity in the Western world have provided a good environment for secularism work relatively well and effectively. For these two reasons, secularism has been taken for granted and there has not been a need to bother about secularism’s value and to foreground its purpose. In other words, we have forgotten the value of secularism.

Challenges from growing religious diversity against the liberal ideal of secularism and politicisation of religion, however, have turned the aforementioned forgetfulness into ‘a terrible handicap’ and have been regarded as the signals of ‘crisis

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5 Rajeev Bhargava, ‘Rehabilitating Secularism’ in Craig Calhoun, Mark Juergensmeyer, Jonathan VanAntwerpen (eds), Rethinking Secularism (OUP 2011) 92.
6 Bhargava (n 2) 21.
7 See Bhargava (n 5).
8 Bhargava (n 2) 23.
of secularism’.\(^9\) As mentioned above, the liberal ideal of secularism has been criticised for not effectively responding to changes resulted from these societal and political conditions in Western liberal democratic societies. This crisis of secularism has therefore urged several scholars to revitalise the forgotten attempt to defend secularism. In this sense, a popular attempt in the scholarly literature has been initiated to defend the ideal of secularism. This attempt has taken three different shapes. First that, as will be discussed in the final section of this chapter, secularism should be completely dropped from our cultural, political and legal language. Second, that several scholars have aimed to ‘rethink secularism’\(^10\) by developing alternative and much more inclusive understandings of secularism\(^11\) in order to deal with the aforementioned issues resulted from growing religious diversity.

Third, that rather than addressing the ineffectiveness of the current prevalent understanding of secularism in responding to religious diversity and plurality or offering arguably a more inclusive approach, some have tended to retain and defend the current Western liberal conception of secularism and even to support its a more strong and exclusionary version. They have regarded the main reason for the crisis of secularism as the growing public presence of religions.\(^12\) In other words, it has been argued that there is a crisis of secularism in the Western world due to not effectively grappling with the challenging demands of strong religion. It is seen that the strategies and claims of strong religion pose serious danger to the neutral character of the state and to pluralism in a society. Strong religion develops alternative theses targeting secularism and neutrality in order to challenge and also to replace the liberal democratic order. In this sense, the essential reason for not effectively dealing with this recent – and dangerous – crisis is the weakness or uncertainty of secularism and also concessions accorded to the claims of religious groups. Accordingly, a ‘stronger version of constitutional secularism’ should be seen as a solution. In other words, religious

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\(^9\) ibid.
\(^10\) Craig and others (n 5); Craig Calhoun, ‘Rethinking Secularism’ (2010) 12 The Hedgehog Review 35; Craig Calhoun, Mark Juergensmeyer, Jonathan VanAntwerpen (eds), Rethinking Secularism (OUP 2011).
\(^11\) For the proponents of this view, see Chapter One of this thesis.
\(^12\) For the proponents of this view, see Chapter One of this thesis.
arguments should be excluded from political sphere completely to protect the unity and stability in a society.  

Even though it is accepted in this study that growing religious diversity and politicisation of religion have brought secularism under severe strain, I argue that the ways both the aforementioned three approaches follow to defend the ideal of secularism or to address the crisis of secularism are problematic. The problem regarding the scholars who have aimed to develop alternative and much more inclusive understandings of secularism is that they have tried to defend secularism by skipping the first and the most significant step: developing arguments to retrieve why secularism is valuable. In other words, to justify why secularism is valuable and ought to be retained in our cultural, political and legal language have been seen nearly as a pointless attempt while developing an alternative understanding of secularism. They have just pointed to the restrictive and exclusionary features of the prevalent Western liberal understanding of secularism without contemplating on indicating why secularism is still a valuable ideal. This has resulted in theoretically vulnerable and weak new types of secularisms in the scholarly literature which have been targeted by the critics of secularism who suggest dropping the concept all together. As will be discussed more thoroughly below, Veit Bader is the most influential and well-known supporter of this ‘drop-thesis’. Bader argues that rather than developing theories of alternative secularisms, secularism ought to be dropped completely from our cultural, social, constitutional and legal language. In this sense, in order to respond more effectively to critics of secularism like Bader, it should be first provided the normative and theoretical reasons why secularism is valuable.

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The problem regarding the scholars who have suggested to ‘robust’\textsuperscript{15} the theory of secularism and to impose more restrictive constraints over religious reasons in public political debate is that they diagnose the source of the crisis of secularism in a wrong way. This diagnosis, as Lorenzo Zucca also rightly argues, is wrong because the main reason for this crisis is not the ‘weakness’ of secularism, but ‘the inability of secular states to cope with diversity’\textsuperscript{16}. Instead of providing reasons why secularism is valuable or determining whether the current Western liberal understanding of secularism has any restrictive and exclusionary features, those approaches have aimed to defend and retain the value and merit of this certain liberal understanding of secularism. They have even supported an aggressive version of it by offering to impose much more severe restrictions on religion in the public sphere and on religious arguments in public political debate. This attitude stems from their tendency to regard the current Western liberal understanding of secularism as the only valid, reasonable and universal understanding of secularism that should be embraced to govern the relationship between the state and religion in any conditions. This understanding of secularism, as noted before in this study, is secularism as strict separation/neutrality. This sort of secularism is based on the idea that there should be a complete separation between the state and religions, a strict state neutrality towards religions and exclusion of religious arguments from public political debate.

In this regard, even though I accept that there is a crisis of secularism in terms of not responding effectively to the politicised claims of religion, I, however, argue that this is not because of the failure of secularism but because of the failure of its certain form: secularism as strict separation neutrality. As will be discussed in a detailed way later in this study, the idea that liberal democracy requires only a complete separation between the state and religion and exclusion of religious arguments from public political debate has had serious exclusionary effects on religious people. Secularism as strict separation/neutrality is not only incapable of responding to the growing demand for a public recognition of religions and dealing with the accommodation of religious

\textsuperscript{15} Sajó (n 13) 605.

practices but also inconsistent with the democratic ideals of equal participation and state neutrality. In this sense, if there is a crisis, this is the crisis of secularism as strict separation/neutrality, not secularism.

Accordingly, the deficiencies of secularism as strict separation neutrality should not be presented by the critics of secularism as if they are the deficiencies of secularism. The deficiencies of one interpretation of secularism also cannot be regarded as a justifiable and strong ground of normative argument for rebutting the concept itself. For this reason, a distinction between criticising secularism and criticising secularism as strict separation neutrality should be made. In a similar vein, rather than equating secularism to secularism as strict separation/neutrality and aiming to support this certain form of secularism to deal with growing politicised claims of religion, we should contemplate on normative and theoretical reasons why we should retain secularism in or cultural, political and legal language and why there is still room in the scholarly literature to develop a more inclusive interpretation of secularism. This is mainly because ‘there is a gap between criticising a practice or an idea and withdrawing support from it’.  

In the light of these explanations, I seek to point to and fill the aforementioned gap in the scholarly literature by arguing that any attempt to develop a new understanding of secularism should first indicate why secularism is valuable. I argue that only a value-based approach to secularism helps one indicate why secularism is still desirable and why it should be retained. Given that the main aim of this study is to develop a new understanding of secularism, this is also a necessary step that should be taken in this study. In this sense, we should first to infuse secularism ‘with spirit and to bring it back to life and to remember and retrieve its value-content’. Only after accomplishing this task, an alternative and more defensible conception of secularism should be identified and formulated, which properly moves away from theoretical and...

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17 Bhargava (n 5) 92.
18 Bahrgava (n 2) 21.
In the following, I aim to indicate the value of secularism by focusing upon its simple political meaning. This does not mean that philosophical or sociological secularism are not valuable. However, as will be discussed in the next chapter, since they both have been linked to exclusionary presumptions of the secularisation thesis of modernity and the Enlightenment project, focusing upon the political meaning of secularism increases the possibility and necessity of building consensus over the value of secularism and to avoid mistakenly equate secularism to secularism as strict separation/neutrality.

3. The Value of Secularism

Given the multi-dimensional and multi-layered nature of the liberal ideal of secularism which has been portrayed in the previous chapter, political meaning of secularism can be seen as its simplest form. Politically, secularism has been defined as the separation of the state in general and governmental affairs in particular, from religion and religious beliefs.19 In other words, political dimension of secularism refers to functional, institutional, organisational and role differentiation of spheres between religion and the state.20 A secular state, in this sense, follows the principle of ‘non-establishment’: it ‘is not bound by religious law or principles’ and ‘denies any form of positive identification with religion’.21 On the other hand, disconnection with religion does not (and should not) mean that a secular state is (even though it might be) anti-

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20 Jose Casanova argues that secularisation should be divided into three different sub theses: Secularisation as (i) functional, institutional, organizational and role differentiation, (ii) decline of religious beliefs and practices, (iii) individualisation or privatisation of religion. José Casanova, *Public Religions in the Modern World* (University of Chicago Press 1994) 19-39. For a similar categorisation of different dimensions of secularisation see Berger (n 19) 107-8; 127-28.

Why should religion be separated from the state, or, in other words, why separation is necessary or preferable? I attempt to try to answer these questions distinguishing secularism as a *normative ideal* and an *institutional method*. It may be argued that secularism has a dual nature and two essential dimensions. Those both dimensions are interrelated and deserve particular attention: the first of these is about the core values and ends of secularism, which are intrinsic and indispensable elements of it, and the second one refers to the different and practical implementations of secularism for the sake of these values and to attain ends of secularism in the real world. In this sense, both normative and institutional dimensions of political meaning of secularism should be focused separately in order to increase the validity of my normative framework for offering reasons why political meaning of secularism is valuable.

### 3.1. Normative Reasons as to Why Secularism is Valuable

Secularism, in the political perspective, is mostly historically correlated with the idea of the separation of church and state. As Andrew Davison puts it in his analysis...

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22 Bhargava (n 2) 28. Donald Smith points to the dual dimension of defining a secular state. A secular state refers not only to separation between the state and religion but also providing religious freedom. Donald E Smith, ‘India as a Secular State’ in Rajeev Bhargava, *Secularism and Its Critics* (OUP 1999).

23 I inspired by a similar approach followed by leading scholars David Beetham and Bernard Crick to explain the value and necessity of democracy. Both argue that democracy is both a normative ideal and an institutional procedure. See David Beetham, *Democracy and Human Rights* (Polity Press 1999) 26; Bernard Crick, *Democracy: A very Short Introduction* (Oxford University Press 2002) 2.

24 In a similar vein, Jocelyn Maclure and Charles Taylor argue that ‘secularism is composed of a set of values and of means, or operative modes’. As the former includes ‘equal respect and freedom of conscience’, the latter includes ‘separation of church and state and the neutrality of the state’. Jocelyn Maclure and Charles Taylor, *Secularism and Freedom of Conscience* (tr. Jane Marie Todd, Harvard University Press 2011) 19.

25 In fact, the original meaning of secularism did not refer to disconnection with religion. Taylor (n 19) 197. It was the nineteenth century that the word secular was started to be associated with secularism which refers to the idea that ‘religious institutions and values should play no role in the temporal affairs of the nation-state’. Nikki K Keddie, ‘Secularism and Its Discontents’ (2003) 132 Daedalus 14. For a similar explanation over the meaning of secularism, see Charles Taylor, ‘Modes of Secularism’ in Rajeev
on the meaning of secularism, the political meaning of secularism refers to separation between ‘of the world’ and ‘of the church’. It is generally accepted that separation of church and religion was seen as a main practical solution to end the unrivalled authority of the Roman Catholic Church and to quell disputes between the Christian denominations in the sixteenth and seventeenth centuries following the Protestant Reformation. Controversy between the Christian denominations was a result of combined structure of monarchy and hegemonic religion in Europe, the influence of the Catholic Church on public institutions and an intolerant attitude of hegemonic religion towards other religious sects. It was an age of intolerance and most Christian sects preferred religious uniformity in their societies because it was believed that if religious toleration had been allowed to increase, this could have led to chaos and social disorder. In this sense, established church and religious intolerance were the main apparatus for retaining religious uniformity, stability, and unity in the society.

Due to devastating effects of the rivalries between the Christian denominations in the sixteenth and seventeenth centuries and of religious intolerance, separating governmental affairs from those of religion, namely secularism, was seen as a valuable ideal and adopted as a most prudent solution to end religious conflicts in Europe. This motivation evolved into an ‘unchurching struggle’ and continued through the nineteenth and into the twentieth centuries to end both ‘enforced religious conformity and clerical domination’ following the 1648 Westphalia treaties.

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26 Davison (n 25) 333-7. For a good brief summary of the history of the separation between church and the state, see Keddie (n 25).

27 Thomas Renna, Church and State in Medieval Europe: 1050-1314 (Kendall and Hunt 1974).

28 See (n 24) 23. See also generally Asad (n 13).


30 In addition to the effects of religious conflicts between Christian denominations, of course, the rise of science, nationalism, the Enlightenment, or Reform and French Revolution informed and affected the need for separating the state and religion. See Calhoun (n 9) 41.

31 Calhoun (n 9) 42.
Separation also morally provided the basis of consensus among and the legitimacy of the political regime with people holding different religious beliefs to live together. It was mostly accepted that organized political power ‘had to maintain some distance from the dominant religious group for the sake of stability and peace’. Due to the same motivation, it also had to recognise particular religious identities and tolerate the less dominant religious groups in the society and not to repress the basic rights and liberties of religious minorities by extending equal rights and freedoms to all religious and antireligious minorities. In this sense, John Locke’s following idea was one of the most influential guideline for those who supported separation between church and the state: religious pluralism in the public sphere and political stability are well-matched provided that there is a separation of the business of civil government from that of religion.

It may be inferred from the above brief explanation, this historical reality, namely need to separate church and the state, (i) was the most effective way to reduce the impact of clergy on politics and to ‘check religious tyranny and oppression’ and (ii) used as a practical case for explaining why the impact and influence of religion in the political and social sphere ought to decrease. On the other hand, this explanation also reveals that this pragmatic case for secularism had also a moral case. This separation issue was regarded as itself valuable since it was applied as a way of attaining some substantive values and aims. These values and aims can be accepted as the values and ends of secularism. I will now briefly mention those substantive values of secularism.

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32 Bhargava (n 2) 44-45.
33 ibid 45.
34 Hashemi (n 33) 331. For a detailed analysis of Locke’s idea of religious toleration and political stability, see John Locke, *A Letter Concerning Toleration* (James Tully ed, Hackett 1983)..
35 Bhargava (n 2) 20.
36 The values of secularism have been obtained and listed differently by different scholars. For some of them, see Maclure and Taylor (n 23) 19; Cecile Laborde, ‘Secular Philosophy and Muslim Headscarves in Schools’ (2005) 13 Journal of Philosophy 305,305-6, 326-7; Maurice Barbier, ‘Towards a Definition of French Secularism’ (2005) 134 Le Débat 1,1 <http://www.diplomatie.gouv.fr/fr/IMG/pdf/0205-Barbier-GB.pdf> accessed 17 September 2013.
37 Although their content is differently presented, the values of secularism listed by different scholars are nearly the same as the ones I listed above. For those values, see e.g. Taylor (n 24) 23; Casanova (n 24) 66; John Rawls, *Political Liberalism* (Columbia University Press 1993) 122. I only aim to indicate here
Peace is a value of secularism. Secularism aims ‘prevention of a society from its regression into barbarism’ given the incompatible visions of the good life of divergent religious groups.\(^{38}\) Toleration, therefore, can be seen as another value of secularism since a secular state ‘does not persecute anyone on grounds of religion’. Moreover, separating religion and the state is a way of guaranteeing and promoting religious freedoms and equalities. To put it clearly, by arguing for separation of church and the state, or in other words, creating a neutral state that stands equal to each person’s religious beliefs, secularism is a valuable ideal to also attain religious equality. In this sense, religious liberty as the third value of secularism, includes ‘liberty of members of any one religious group’, granting non-preferential treatment by the state members of all religious communities, namely equal treatment, and recognising and guaranteeing ‘exit rights’ to members of all religious groups.\(^{39}\) Finally, there is a strong connection between secularism and democracy. It is widely accepted that ‘modern democracies have to be “secular”’.\(^{40}\) Equal citizenship, both its passive\(^ {41}\) and active\(^{42}\) dimensions, is another value that secularism promotes and guarantees.\(^ {43}\) In other words, secularism guarantees the equal right of all to participate in democratic decision making processes.

Stability, unity, consensus and peaceful coexistence of different worldviews and religious faiths can be seen as other values of secularism which deserve particular attention given the scope of this study. Separation between the state and religion is mainly associated with the rise of the modern-nation state and seen as a way of creating stability and unity in a certain society. In other words, secularism is appealed

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\(^{38}\) Bhargava (n 2) 29.

\(^{39}\) Bhargava (n 2) 30. In other words, separating religion from the state was also necessary ‘to protect individual citizens from their own oppressive religiously sanctioned social customs’. Therefore, separation has a connection with ‘individualistically conceived liberty and equality’. Bhargava (n 2) 24.


\(^{41}\) Passive dimension is closely related to the liberal ideal of negative liberty. It refers to ‘the right to receive benefits such as physical security and a minimum of material well-being regardless of one’s religion’. Bhargava (n 5) 98.

\(^{42}\) Active dimension refers to ‘the right to vote, to stand for public office, and to participate in public deliberation about matters of common concern’. Bhargava (n 5) 98.

\(^{43}\) Bhargava (n 2) 31.
to enable not only people who have different faiths and believes but also non-believers ‘the lowest common denominator’\textsuperscript{44} to live together and to reach consensus on resolving political disputes. In this sense, stability and unity are not only one of the crucial values and ends of secularism but also of democratic political systems.

To clarify, differences in a society lead governments to organise their democratic political systems providing stability and consensus among divergent individuals and groups holding conflicting political, moral, philosophical and religious views. One of the main questions is ‘how is it possible for people holding different and irreconcilable comprehensive doctrines to live under one political regime which all of them consider legitimate’\textsuperscript{45}. Separation of church and the state is a vital moral basis for social order and consensus among or a common language of diverse religious or non-religious doctrines or conceptions of good. In other words, given the reality of pluralism and diversity, which depicts the conflicting conceptions of the good\textsuperscript{46} holding by citizens in a society and groups and communities ‘whose beliefs are inconsistent with each other’,\textsuperscript{47} the primary solution for preserving unity and stability is creating a secular state that stands equal to each religious belief. This requires the state not to single out or favour any particular religious or non-religious reason or worldview. In this sense, the state should embrace ‘political ethics’ which includes human rights, democracy, equality, and religious liberty, but ‘must refrain from favouring any of the deeper reasons’\textsuperscript{48} shared by divergent comprehensive doctrines. Separation of the state and religion therefore enables both democratic societies to organise around a strong ‘philosophy of civility’ and the state to build and create ‘common identification’ and ‘mutual trust’ among people with divergent religious and non-religious worldviews.\textsuperscript{49}

\textsuperscript{44} Asad (n 12) 2.
\textsuperscript{46} Rawls (n 36) 19.
\textsuperscript{48} Taylor (n 39) 25.
\textsuperscript{49} ibid 29-33. See also Taylor (n 39); Charles Taylor, \textit{Modern Social Imaginaries} (Duke 2004).
These aforementioned reasons for the need to separate the state and religion indicate that secularism has some values and ends and these values in turn make secularism valuable. For the sake of religious equality and liberty and peaceful coexistence of divergent religious beliefs separation of the state and religion is a valuable and prudential ideal. Is merging the state with religion, in other words, is the regime of establishment also a valuable and defensible alternative to secularism? When it comes to the aforementioned means of secularism, we have some institutional reasons for arguing that secularism is valuable and preferable to the regimes of weak and plural establishment. I now elucidate these reasons below.

3.2. Institutional Reasons as to Why Secularism is Valuable

Institutional models are, of course, as important as the normative dimension of separation issue and reflect the way how normative principles and ideals of political secularism are evaluated and implemented in practice. In order to attain stability, unity, religious equality, religious freedom and peace, the relationship between the state and religion has taken different forms in different contexts. In each of these contexts, the state-religion relationship takes different shapes and meanings ‘in relation to different religions and different political and cultural milieus’: while in some contexts it is identified with prioritising the enlightenment reason over faith, excluding religion completely from politics and prohibiting its public presence (i.e. in France and Turkey), in others it is identified with religious pluralism and tolerance and ‘equity towards religions’ as a response to existent religious diversity (i.e. India) or

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51 Calhoun (n 10) 45.
prohibiting establishment to protect religious difference by creating a ‘marketplace of religions in which faith and active participation flourished’ (i.e. US).\textsuperscript{52}

Since both examining these divergent models in a detailed way is beyond the scope of this study and descriptive in nature and my approach is normative and theoretical, this section aims to compare secularism with regimes of establishment in order to effectively answer the question of ‘why is any alternative to secularism less valuable?’ If, as a result of my analysis, it is shown that secularism maximizes attaining the aforementioned values and ends of secularism better than the regimes of establishment, this enhances the prospect of claiming that the commitment to secularism is valuable. It should be noted that, in my comparative analysis below, when I mention the regimes of establishment, I, of course, refer not to \textit{strong} but to weak or plural forms of establishment. This is because totalitarian, autocratic, and theocratic regimes can only be regarded as opposite forms of secularism, not as alternatives of it. The regimes of strong establishment are inconsistent with democracy and religious freedoms. They ‘always imply administrative and political monism aimed at religio-national cultural monism’ at the expenses of religious pluralism.\textsuperscript{53}

While ‘weak establishment means constitutional or legal establishment of one State-Church’, plural establishment refers to ‘the constitutional and/or legal recognition of more than one organised religion’.\textsuperscript{54} Compared to the aforementioned opposite forms of secularism, proving why we need to commit to secularism is a much more arduous task when it comes to these two variants. The main reason for this is that the weak or plural establishment regimes are not necessarily at odds with religious freedoms and democracy.\textsuperscript{55} Unlike the aforementioned opposite forms of

\textsuperscript{52} Calhoun (n 10) 37. For reasons for explaining the divergence in religious governance models, see e.g. Ahmet Kuru, ‘Passive and Assertive Secularism: Historical Conditions, Ideological Struggles, and State Policies toward Religion’ (2007) 59 World Politics 568, 579-91.

\textsuperscript{53} Bader (n 14) 202.

\textsuperscript{54} Bader (n 14) 54.

secularism, in these regimes, the state is officially linked to some organised religions in mostly symbolic sense. Both regimes are ‘compatible with de jure and de facto religious freedoms and religious pluralism’. Religious freedom and religious establishment are not mutually exclusive when regimes of establishment ‘explicitly acknowledges a religion without coercing or compelling religious practice or observance’ of other religions.

The following examples have been the subject of several scholarly theoretical and empirical studies in order to prove the claim that regimes of weak or plural establishment are not necessarily anti-democratic or do not violate religious freedoms of minorities: International treaties and covenants — which do not refer to secularism as a condition for religious freedom(s) —, weak or plural establishment regimes of European liberal democratic states, and a great number of legal cases regarding the democratic nature of permissible scope of relationships between the state and religions. As these studies reveal, even the religious freedom record of some regimes of weak or plural establishment is relatively better than the strict separationist states. For space and methodical considerations, I will not focus on these studies and also cases from several liberal-democratic countries. However, findings of the aforementioned theoretical and empirical studies have a significant importance for this study.

Sune Lægaard aims to show the compatibility of religious establishment and democracy and religious freedom by using an interesting statement: secular religious establishment. See Sune Lægaard, ‘Secular Religious Establishment’ (PSAI annual conference, Cardiff, March 2013).

56 Bader (n 14) 68 (emphasis original).
57 Ahdar and Leigh (n 55) 635.
First of all, the fact that weak or plural establishment does not necessarily violate religious freedoms and democracy does still nothing to dispel the claim that secularism is valuable and a better (maybe the best) alternative for democracy and guaranteeing religious freedoms. Even though ‘modern, diluted, symbolic form’ of establishment is compatible with religious freedom, it privileges ‘old majority religions, whether established or not’ in an ‘unfair, exclusivist and rigid way’ and disadvantages new minority religions. Both weak and plural establishment have problematic aspects regarding religious equality: even if not necessary, there is always a risk of alienation of and inequality to religious minorities, persecuting members of other religions and non-believers, being indifferent to religious minorities within religious groups, and of not recognising exit rights. Moreover, recognising a constitutional privilege to one or more religions ‘determines the presence of a rigid institutional framework, thus [results in] preserving a normative bias towards the officially recognized religion(s)’. Plural establishment regimes, compared to single establishment ones, can be regarded as a much better alternative in terms of accommodating the religious demands of minority religious groups and of dealing with the growing religious diversity. This is because it is argued that plural establishment extends the privileged position of the majority religion to other minority religious groups. However, there is a feasibility problem of pluralising weak establishment,

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59 Ahdar and Leigh (n 55) 654.
61 Ahdar and Leigh also aim to address the objections to the alienation and inequality charges in their aforementioned work. Taking into consideration their claims, this study accepts that a weak or plural form of religious establishment does not necessarily alienate other religious beliefs. It rather argues that secularism is still desirable given the reality and risk of alienation and inequality towards religious minorities.
62 Bhargava (n 5) 103.
64 Tarik Modood’s pluralistic institutional integration/assimilation model and moderate secularism are categorised as one of the examples of these selective cooperation regimes and criticised by Veit Bader. Bader (n 60) 19. For more information on Modood’s approach, see Tariq Modood, *Multicultural Politics: Racism, Ethnicity and Muslims in Britain* (Edinburgh University Press 2005) 132-134.
such as the ‘risk [of] rendering the institutional and legal arrangement of the polity unnecessarily complex and rigid’.\(^{65}\)

Accordingly, given the aforementioned deficiencies of alternative regimes to secularism, borrowing from Rajeev Bhargava, it seems apposite to claim that ‘we still do not possess a reasonable, moral, and ethical alternative to secularism’.\(^{66}\) I mainly claim that a secular state ‘gives maximum liberty and equality, conceived individualistically or non-individualistically, to all citizens’.\(^{67}\) Secularism provides a much more inclusive and flexible regime of religious governance compared to the establishment regimes on the grounds that it is more friendly towards religious minorities since it does not privilege old majority religions. Thus, secularism is still the most appropriate way of dealing with tensions between democracy and religious freedoms and problems raised by religious diversity in a certain society.\(^{68}\)

After attempting to provide normative and institutional reasons why secularism is valuable, the second step to defend secularism is to respond to Veit Bader’s suggestion that we should drop secularism from our cultural, political and legal language. In order to address his objection to the ideal of secularism, I need to first clarify why secularism should be defined in a minimal sense. The main reason for this is that my defence against Bader is mainly based upon the normative and theoretical claims of defining secularism as minimal differentiation [of spheres between the state and religion]. In this sense, the following part of this chapter aims to answer the question of whether controversy and ambiguity over secularism preclude us from the

\(^{65}\) Bonotti (n 63) 183. For criticism of regimes of not only weak but also plural establishment see also Bhargava (n 2) 28; Bhargava (n 5) 102-3; Leonard W Levy, The Establishment Clause: Religion and the First Amendment (University of North Carolina Press 1994); Silvio Ferrari, ‘The Legal Dimension’, in Brigitte Maréchal, and others (eds), Muslims in the Enlarged Europe: Religion and Society (Brill 2003) 239.

\(^{66}\) Bhargava (n 5) 92.

\(^{67}\) Bhargava (n 2) 31.

\(^{68}\) In a similar vein, Bhargava notes that secularism is still the best ideal to ‘help us deal with ever-deepening religious diversity and the problems endemic to it’. Bhargava (n 5) 92; Rajeev Bhargava, ‘States, Religious Diversity, and the Crisis of Secularism’ (2010) 12 The Hedgehog Review 8, 8. I argue that even though regimes of weak and plural establishment regimes are not at odds with democracy and religious pluralism, even if it is symbolic, the regime of establishment has problematic in terms of dealing with religious diversity and politicization of religion.
possibility of arriving at a simple political meaning of secularism upon which diverse perspectives could reasonably agree. I also aim to answer that if this is possible, is it also necessary?

4. Secularism as Minimal Differentiation

I argue in this part of the chapter that, in order to eliminate the hegemony of secularism as strict separation/neutrality and to develop a new understanding of secularism, alongside indicating why secularism is valuable, it is also vital to determine a simple and core meaning of secularism. I argue that it is possible and also necessary to arrive at a consensus over this core meaning of secularism upon which diverse perspectives to secularism could reasonably agree. I claim that this core meaning of secularism should be determined with reference to its aforementioned simple political meaning. This political meaning of secularism should also be defined as minimal differentiation. I will now elucidate these claims.

4.1. The Possibility of Determining a Core Meaning of Secularism

I argue that there is a possibility of determining a core meaning of secularism upon which various theorists of secularism might agree. As the analysis over divergent perspectives on secularism in Chapter One reveals, there is an ambiguity surrounding the meaning of secularism. There is a dispute over how to justify the separation of religion and politics, how to balance conflicting values of secularism, and how particular institutional structure should be embraced. On the other hand, I argue that, despite the abundance of divergent perspectives to secularism, there is a prevailing consensus over the value and necessity of the aforementioned simple political meaning of secularism. In other words, the aforementioned core values and ends of secularism, such as stability, unity and peace, are generally accepted, albeit that the concept is itself disputed. It may be argued that secularism could be considered an
essentially contestable concept; however the contest in question is not over the value of its simple political meaning.

To clarify, divergent perspectives on secularism retain secularism’s aforementioned core political meaning but concentrate on both normative questions like ‘what is the core value of secularism’ to justify it, namely is it ‘equality’ or ‘individual liberty’ or ‘individual autonomy’. Debate is not also limited to how to justify secularism only. There are other normative questions, like ‘does one core ‘ultimate ideal’ always override other values (i.e. conflict between ‘equality’ and liberty’ or ‘individual and group rights’ or ‘individual or associational autonomy’), or, ‘what is the nature and limit of separation’, ‘how the boundaries between the state and religion are drawn’, ‘can stability and unity be achieved only when religious arguments are excluded from politics or when they meet secular or public reasons’.

The same consensus over the simple political meaning of secularism is also valid when debates over the aforementioned institutional dimension of secularism are taken into consideration. Although divergent and complex, all models of secularism embrace and acknowledge liberal ideal of secularism at least in a minimal sense. Moreover, even the aforementioned alternatives of secularism, namely regimes of weak and plural establishment, do involve separation of church and the state in a minimal sense. In these regimes, ‘the state can’t be officially linked to some religious confessions, except in a vestigial and largely symbolic sense’. Even though weak or plural establishment officially recognises one or more religions, there is a generally accepted rule that the influence of religion at all levels of state should be minimal. In a word, the contest over the institutional dimension of secularism is not over the simple political meaning but over what is meant by separation or the degree

69 Taylor (n 40) 23.
70 For a similar claim, see Maclure and Taylor, Secularism, 96. In a similar vein, Alfred Stepan places regimes of establishment in his well-known comparative analysis on variations in state religion relations in existent modern democracies under the general category of ‘multiple secularisms’. The main reason for this is that even establishment regimes respect for, what he calls and will be examined below, twin tolerations between the state and religion. Alfred Stepan, ‘The Multiple Secularisms of Modern Democratic an Non-Democratic Regimes’ in Craig Calhoun, Mark Juergensmeyer, Jonathan VanAntwerpen (eds), Rethinking Secularism (OUP 2011) 114-144.
separation or which religious governance model best pursues democracy and religious freedoms.

In a similar vein, as mentioned before, even though the critics of secularism have doubts about the capacity of secularism to deal with growing religious diversity and pluralism of values, they wittingly or unwittingly preserve the core meaning of secularism and recognise its value. In other words, they in fact target not directly the ideal of secularism, but the restrictive interpretation of it, namely secularism as strict separation. As will be examined later in this chapter, Veit Bader is the most salient example of this approach. Even though Bader argues that we should go beyond a bare criticism of the Western secularism and that we should drop secularism all together, he implicitly preserves the core simple political meaning of secularism.

This brief explanation over the generally accepted value of the simple political meaning of secularism indicates that there is a possibility of determining a core meaning or element of secularism on which various theorists might agree. The same analysis also indicates that this simple political meaning of secularism should be defined in a minimal sense. In other words, the amount of agreement on the meaning of secularism when it is defined in minimal terms seems to be much higher. Defining secularism in a minimal sense increases the possibility of reaching consensus over the meaning and value of it. For instance, even if one supports a ‘strict’ or ‘maximalist’ separation between the state and religion, s/he inevitably accepts its minimalist interpretation. In a similar vein, as argued above, even the regimes of establishment are based on a minimal separation between the state and religion.

In this regard, I claim that the core principle of secularism that different scholars and theorists could reasonably agree is the idea of minimal differentiation between the state and religion, or what I call, secularism as minimal differentiation: 71

71 I borrowed the phrase minimal differentiation from Veit Bader. See, Veit Bader, ‘Religion and the Myths of Secularization and Separation’ (2011) RELIGARE Working Paper 5/2011, 1; Bader (n 14) 46-
This minimalist approach to the political meaning of secularism defines secularism as ‘a minimalist threshold of functional, institutional, organisational, and role differentiation’\(^7^2\) between the state and religion.

### 4.2. The Necessity of Determining a Core Meaning of Secularism

Even if it is possible to determine a core meaning of secularism on which divergent perspectives might agree, is it also necessary to do that? If the answer is yes, why should this core be explained in a minimal sense? I argue that it is necessary to come into agreement over the core meaning of secularism as minimal differentiation since this prevents one from imposing certain interpretations of secularism as the only theoretically and normatively valid understanding of it. This is also necessary to develop a new understanding of secularism.

For a start, as I have argued previously in this study, secularism as strict separation/neutrality has been regarded as the only valid explanation of what separation between the state and religion should mean or as the unique way to organise the relationship between the state and religion. Secularism as strict separation/neutrality has been an influential and relatively dominant understanding of secularism throughout the twentieth century not only at the discourse but also at the real political level. There has been a tendency to identify the meaning of secularism with strict separation/neutrality in the modern era. A complete separation between the state and religion has been seen as ‘a single ideal way in which (...) [the values of secularism] should be interpreted or related to one another’.\(^7^3\) In other words, for instance, it has been argued that ensuring stability and unity in a liberal democratic society requires exclusion of religious arguments completely from democratic decision making processes. As will be examined in a detailed way in Chapter Four, it has been

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47. While using the phrase minimal differentiation Bader also benefits from Jose Casanova’s aforementioned triple classification of secularisation. See (n 20).

72 Bader (n 71) 1.

73 Bhargava (n 2) 22.
argued that the democratic ideals of equal participation and state neutrality requires a complete separation between the state and religion and exclusion of religious arguments from public political debate. Any alternative formulations between the values of stability, unity and equal participation has been either denied or ignored.

In addition, secularism is not only equated to secularism as strict separation/neutrality but also this certain version of secularism is presented as a Western and Christian phenomenon that can be rarely found in other religio-social contexts. This view proclaims the Western-based liberal secularism as the unique and valid understanding of secularism that should be adapted by the remainder of the world. It also regards the notion of secularism as alien to other religions, especially to Islam. As a strict separation between the state and religion is seen as the necessary condition for democracy, this Eurocentric and orientalist approach denies any compatibility between Islam and democracy on the grounds that Islam does not recognise a separation between the state and religion affairs. In other words, this approach regards one interpretation of secularism as a universal ideal ignoring the different evaluations and interpretations of secularism in different religio-social contexts, ‘neglects path dependency and institutional variety’ and prevents renegotiating existing understanding and models of secularism to attain its aforementioned values and ends. It is clear that this view reflects the cultural or moral imperialist aspirations of the Western countries.

Equating secularism to secularism as strict separation/neutrality, however, has resulted in privileging a certain understanding of secularism or institutional

74 Bader (n 14) 48.
75 For the proponents of this argument, see for example, Adamantia Pollis and Peter Schwab, ‘Human Rights: A Western Construct with Limited Applicability’ in Adamantia Pollis and Peter Schwab (eds), Human Rights: Cultural and Ideological Perspectives (Praeger 1979); Edisson JM Zvobgo, ‘A Third World View’ in Donald P Kommers and Gil Loescher (eds) Human Rights and American Foreign Policy (University of Notre Dame Press 1979).
76 In a similar vein, while arguing in favour of the possibility and necessity of developing non-Western understandings of secularism, Bhargava argues that it has been mistakenly assumed that secularism ‘is a doctrine with a fixed meaning’ and associated with ‘one of its several current interpretations, as if that is the only one available’. On the contrary, he argues that secularism has ‘multiple interpretations’ and it is mistake to ‘identify western variants of secularism with the entire doctrine’. Bhargava (n 2) 22.
arrangement, closing beforehand different interpretations of the ways to attain the values of secularism and neglecting the possibility of developing alternative understandings of secularism and methods for resolving the conflict between these values. This sort of an approach describes what secularism is in a particular kind of political system and accepts the current conditions of politics as given rather than what it ought to be.\textsuperscript{77} This approach reflects the view that ‘secularism entails a unique set of state policies valid under all conditions’\textsuperscript{78} and proposes absolutist and general abstract principles while taking into consideration the conflicts between the values of secularism in particular situations.

In this regard, I criticise this approach that champions or even imposes a unique interpretation of secularism. I argue that we should look beyond mainstream conceptions of secularism and that the core values of secularism and the idea and degree of separation should be reinterpreted in a way to more effectively deal with the tensions between secularism, democracy and religious freedoms.\textsuperscript{79} This reconsideration of the ideal of secularism is necessary both at the normative and practical level. Given the normative dimension, for instance, justifying secularism for the sake of ultimate ideals or a state with strong perfectionist ends might require the state to impose a universalist ‘egalitarian morality/ comprehensive moral liberalism’ at the expenses of protecting or promoting religious freedoms.\textsuperscript{80} In a similar vein, justifying secularism for the sake of purely a ‘political’ reason, i.e. to realise a ‘more liveable polity’\textsuperscript{81} under the conditions of competing comprehensive doctrines by adopting negative liberty, might leave no room for positive freedom and lead to eradication of religious groups from the political sphere. Even though this ‘political secularism’\textsuperscript{82} also asserts the neutrality of the state free from the imposition of any religious or moral comprehensive views, it might tend to favour a unique particular

\footnotesize{\textsuperscript{77} Michael Saward provides the same opinion for democracy. See Michael Saward, \textit{Democracy} (Polity Press 2003) 56.\textsuperscript{78} Bhargava (n 47) 1786.\textsuperscript{79} As Taylor argues, supporting a specific historical arrangement ‘can prevent us from seeing our secular regime in a more fruitful light, which foregrounds the basic goals [of secularism] we are seeking, and (...) allows us to recognize [sic] and reason about the dilemmas which we face’. Taylor (n 40) 33.\textsuperscript{80} See Bader’s ‘differentiated morality’. Bader (n 14) 72.\textsuperscript{81} Bhargava (n 47) 1786.\textsuperscript{82} Bhargava (n 47) 1786.}
way of life, i.e. restrictive secularist philosophy, and generate problems regarding religious freedoms. This might result in elimination of expression of religious differences from public political debate.

As to the institutional dimension, the aforementioned claim is also valid and also much more salient. Arguing completely in favour of a certain interpretation of secularism might lead to imposition of certain religious governance models. This sort of an approach regards secularism just as a method in terms of its means and disregards the importance of the ideals and ends of secularism. In other words, rendering strict separation/neutrality as the unique interpretation of the ideal of secularism seeks to detach secularism from its goals and ends and focuses solely on the institutional ways of completely separating religion and the state. This approach defends the means of secularism at all costs when means and ends of secularism conflict.83 For instance, as will be examined in Chapter Four of this study, strict separation, as a mean of secularism, defends imposition of strict secular reason when it comes to determining the place of religious argument in public political debate. This, however, works at the expense of equality as a value and end of secularism. In other words, adhering insistently to one variant of means of secularism might result in violation of one of the values and ends of secularism. In our example, aiming to retain a strict separation between the state and religion at the expense of equality depreciates the minimal requirement of modern democracies that ‘all opinions and voices eventually have to count equally as votes’.84 For this reason, I argue that strict separation has been regarded as an end and also offered as a unique interpretation of secularism at the expenses of attaining the value(s) of secularism.

83 Maclure and Taylor point to a deficiency in the scholarly literature by arguing that the aims of secularism have not been distinguished clearly enough form its means. As a result of this, ‘what belongs to means comes to assume a status equivalent to or even greater than that of the aims of the secular state is seeking to achieve’. Maclure and Taylor (n 24) 23-4, 28-9. Authors give the conflict between neutrality, as a mean of secularism, and freedom of religion, as an end of secularism, when it comes to a Muslim teacher wearing headscarf in class as an example. Maclure and Taylor (n 24) 24. For a similar analysis see, Laborde (n 36).

84 Bader (n 14) 112.
In this sense, I argue that presenting a *minimal*, not a *strict* separation between the state and religion as the core meaning of secularism helps criticise the predominant position of secularism as strict separation at the discourse and practical level. This also helps find alternative conceptions of secularism in order to effectively address the tensions between the values of secularism and deal with the demands of religious citizens and groups to take active place in public political debate. Defining secularism in a minimal sense can be seen as an initial step to take before developing a new and more flexible understanding of secularism between the state and religion. In a similar vein, defining the core meaning of secularism in a minimal sense also prevents the state from imposing one certain good or secularist world view at the expense of other competing conceptions of good. Liberal-democratic states, as Bader rightly argues, should not adopt any particular world view, whether it is secular or religious: ‘there is no need for an integrating ‘meta-narrative’ or ‘symbolic universe’ (...) [because] modern societies and modern conceptions of nonfoundational and agonistic democracy can and should leave this centre empty’. 85 As will be examined in Chapter Four, embracing this sort of a non-foundationalist position prevents the restrictive interpretations of the relationships between the state and religion which embraces a particular secularist philosophical foundation, aims to privatise religion, and excludes religious arguments from public political debate by invoking secular or public reason.

As a final word, arriving necessarily at a consensus over secularism as minimal differentiation also helps one respond effectively to a claim that secularism should be dropped due to the ambiguity of and controversy over the concept. This final point will be examined in greater detail in the final section of this chapter while addressing Veit Bader’s suggestion for dropping secularism. Before commencing to do this, the following issue must be explained: secularism as minimal differentiation is a necessary but not a sufficient condition to criticise the hegemonic position of secularism as strict separation/neutrality and to develop a new understanding of secularism to attain better the aforementioned values of secularism by taking conflicts between them into

85 Bader (n 14) 48-49; 114.
consideration. Secularism as minimal differentiation should be also undergirded by the principle of two autonomies.

4.3. The Principle of Two Autonomies

A proper theory of secularism should not only ‘justify the separation of religion from politics’ but also indicate ‘how the two should relate each other after separation’.\(^\text{86}\) In this sense, the existence of separation in a minimal sense is not enough for and a guarantee of a democratic and inclusionary understanding of secularism. Though legal and political separation is met as a minimal condition, this does not suffice to prevent the restrictive interpretations of secularism from being adopted. These two different spheres also ought to be relatively autonomous from each other. This minimal understanding of the role differentiation between religions and the state should be undergirded by the idea that any state embraces secularism as minimal differentiation has to guarantee the two autonomies of states from religions and religions from state, ‘together with individual and collective religious tolerance’.\(^\text{87}\)

To clarify, minimal differentiation is a non-sufficient criterion to attain the values of secularism or to govern the relationship between the state and religion unless the protection of the state from religions and religions from the state is guaranteed.\(^\text{88}\) Secularism as minimal differentiation requires crafting of ‘the minimal boundaries of freedom of action (...) for political institutions vis-a-vis religious

\(^{86}\) Bhargava (n 47) 1784.

\(^{87}\) Bader (n 14) 95. For instance, as Talal Asad argues, when secularism is understood only in terms of separating religion from the state, it can be found even in medieval Christendom and in the Islamic empires. Asad (n 13) 2. In a similar vein, it should be noted that even though minimal differentiation is not peculiar to Western societies and has also been recognised by pre-modern states, as Bader also rightly notes, what the pre-moderns states ‘lack is an explicit statement and recognition of the moral minimum: the two autonomies’. Bader (n 14) 63.

authorities, and for religious individuals and groups vis-a-vis political institutions. As a secular state should be ‘independent of institutional religion or ecclesiastical control’, in turn, religion should be ‘independent of state or political control’. It should be recognised that religion and the state have different and valuable spheres, thus both the state and religion should respect the boundaries between the two.

Accordingly defining secularism as minimal differentiation can be incomplete without taking into consideration the tensions inherently involved in the two autonomies dimension. Otherwise, if both sides violate this principle and interfere with the businesses of each other, minimal differentiation loses its meaning. Two scenarios are possible. In the first scenario, religious groups might aim to gain a direct control over the state which might potentially result in a de facto regime of establishment. In the second scenario, the violation of the moral minimum of two autonomies might result in one-sided exclusion of religion from the state or inclusion of it when the state’s own interests are at stake. The state might attempt to manipulate the meaning of secularism, violate the associational rights of religious groups, and determine both the role of religion in the official state ideology and the place of religious arguments in public political debate strategically: either excluding or adapting religious arguments in politics. In other words, quasi separation without respecting the moral minimum of two autonomies might lead the state not to

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89 Alfred Stepan defines differentiation or ‘institutional threshold’ between the state and religions as ‘twin tolerations’. Stepan (n 58) 37. Stepan also regards this dual protection as one of the core prerequisites for (liberal) democracy. In other words, Stepan briefly argues that ‘secularism’ is not a precondition for democracy, the only necessary condition for democracy is his idea of ‘twin tolerations’. For an advanced and updated version of his analysis, see Alfred Stepan, ‘Religion, Democracy, and the “Twin Tolerations”’ in Timothy S Shah, Alfred Stepan, Monica D Toft (eds), Rethinking Religion and World Affairs (Oxford University Press 2012). In a similar vein, Veit Bader also argues that ‘a state that respects and guarantees the two autonomies of state from church(es) and churches from state’ is a sufficient condition for democracy. Bader (n 14) 49. For others who have a similar view, see Casanova (n 20); Michael Walzer, Thinking Politically: Essays in Political Theory (Yale University Press 2009).


91 Bhargava (n 47) 1786. This refers to what Bhargava calls ‘principled distance’.

92 The Turkish experience of secularism illustrates this sort of restrictive understanding of secularism. See Chapter Five. For similar arguments about the potential risk of how the state might use secularism as a political program to control religion see, for example, Will Kymlicka and Wayne Norman (eds) Citizenship in Diverse Societies (OUP 2000); Kenneth Wald, Religion and Politics in the United States (Rowman & Littlefield 2003).
‘disestablish’ religion but to ‘differently establish’ it and make religion ‘a separate concern among other state concerns’.  

The attempt of providing reasons why secularism is valuable would be incomplete without responding to Veit Bader’s radical suggestion that secularism should be dropped from our cultural, political, constitutional and legal language. I have explained why Bader’s approach is particular importance of this study in the previous chapter. In the remaining part of this chapter, I venture to respond the aforementioned suggestion by providing counter reasons.  

5.  Secularism Should be Retained not Dropped: A Response to Veit Bader

Veit Bader’s theoretical approach can be accepted as one of the most radical ones amongst the critical strands towards secularism. Bader briefly takes a view that (i) the secularisation thesis with its cultural, social and political meanings should be abandoned; (ii) secularism should be dropped from our cultural, social, constitutional and legal language. As will be discussed in the following chapter, even though my approach shares some similar commitments with Bader’s ideas on the rejection of the secularisation thesis, it differs therefrom in a significant way: keeping secularism’s core political meaning. In this sense, first I will attempt in this part to summarise Bader’s main claims regarding the political meaning of secularism and then to provide reasons for one of the significant claims of this research project that rather than dropping secularism from our constitutional and cultural language and replacing it with priority for democracy, there is still room for keeping secularism’s political meaning and developing a much more inclusive and democracy-oriented alternative theory of secularism.

94 One might argue that I do not refer to any scholarly authorities to support my counter arguments against Bader’s suggestion to drop secularism. This is because, to the best of my knowledge, no one has ever challenged Bader in this regard and mine is the very first challenge to the theory of Bader.
Veit Bader’s aforementioned approach can be briefly examined under two main categories: Bader’s reasons for dropping secularism from cultural, social and political language and from constitutional and legal language. I will first briefly explain these reasons and then proceed presenting my counter reasons respectively for retaining secularism.

5.1. Bader’s Reasons for Dropping Secularism from Cultural, Social and Political Language

Bader argues that states respecting the aforementioned minimal differentiation need not to be called secular. According to Bader, since ‘whether a state is secular or not is not decisive’, from the perspective of liberal-democratic politics and normative theory, the vital question is ‘not whether society and state are fully secularised or secular and completely separated from religions’ but ‘whether it is decent and liberal democratic’:95 In a similar vein to José Casanova,96 Bader therefore claims that ‘the meta-narrative of secularisation’ ought to be disconnected from liberalism and democracy and ‘liberal-democrats and liberal political philosophers need not and should not be secularists’:97 the meta-narrative of secularisation should be ‘replaced by priority for liberal democracy or for liberal democratic constitutionalism’.98 From this perspective, Bader concludes that ‘a state that respects and guarantees the two autonomies of state from church(es) and churches from state is enough’99 and we

95 Bader (n 71) 23; Bader (n 60) 21, 22; Veit Bader, ‘Constitutionalizing Secularism, Alternative Secularisms or Liberal-democratic Constitutionalism? A Critical Reading of some Turkish, ECtHR and Indian Supreme Court Cases on “Secularism”’, (2010) 6 Utrecht Law Review 8, 9-10. Bader notes that ‘whether communications, arguments and opinions are secular or religious is not decisive, but whether they are conducive to an agonistic democratic dialogue’. Bader (n 14) 49.
97 Bader (n 14) 93.
98 Bader (n 60) 21. For Bader, priority for democracy means that ‘principles, institutions, cultures, virtues, and practices of liberal democracy have priority over the competing and often incompatible foundations of liberal democracy, be they religious, philosophical (metaphysical, ontological, moral, ethical), or scientific. Furthermore, all opinions and voices, like votes, have to count equally when it comes to decision making (...)’. Veit Bader, ‘Religious Pluralism: Secularism or Priority for Democracy’ (1999) 27 Political Theory 597, 612-3.
99 Bader (n 14) 48.
need to focus upon ‘which forms/degrees of differentiation are compatible with, or most conducive to, the principles of liberal democracy’.\textsuperscript{100}

Bader takes a great pain to defend his above claims presenting normative, theoretical and empirical evidences. To clarify, firstly, Bader claims that the \textit{indifferent state} which respects the relative autonomy of the state from religion(s) and of religions from the state which has emerged in the historical process does not ‘presuppose any meaningful societal or cultural secularisation of beliefs and practices’. The only requirement is ‘taming of absolutist claims of religions regarding the state and law’.\textsuperscript{101} Bader gives some examples, such as the United Kingdom and Czech Republic, which have ‘highly secularised societies’ but do not have ‘secularist’ states. They can only be called secular ‘only in the minimalist sense of the two autonomies of state’.\textsuperscript{102}

Secondly, for Bader, some secular western states in the last century ‘violated not only minimal standards of liberal-democratic morality but even of minimalist morality, including twin tolerations’ even though they were ‘certainly “secular”’— Bader indicates this as the first and most important reason why he is not a secularist. It may be inferred from the above reasons highlighted by Bader, Bader mainly points to a contradiction that threats to liberal democracies do not only come from religious fundamentalism, but also from secularist ideologies such as fascism, communism, scientism, expertocracy, radical enlightenment philosophers and elitists. In other words, resorting to the idea of secularism or secularisation does not offer a clear basis for explaining this contradiction and offering measures for fighting against secular threats.\textsuperscript{103} In this sense, his idea of priority for democracy is clearly opposed to not only religious and but also to secularist approaches threatening peace and toleration.\textsuperscript{104}

\textsuperscript{100} Bader (n 60) 21.
\textsuperscript{101} ibid 20.
\textsuperscript{102} ibid 21. For a similar argument, see Casanova (n 25) 70-3; John G Francis, ‘The Evolving Regulatory Structure of European Church-State Relationships’ (1992) 34 Journal of Church and State 797.
\textsuperscript{103} Bader (n 14) 98-100.
\textsuperscript{104} Bader (n 14) 298
Accordingly, Bader posits that we should discuss the relationships and tensions between the state, religions, democracy, religious freedoms, toleration, autonomy and so forth without ‘translating all and everything into the language of “secularism”’.¹⁰⁵ This, according to him, can only be realised by dropping secularism from our constitutional, political, cultural vocabulary or avoiding to developing alternative secularisms. Bader claims that this sort of an attempt will help us better to ‘economize our moral disagreements or to resolve the substantive constitutional, legal, jurisprudential and institutional issues and controversies’¹⁰⁶ by ‘avoiding to restate them in terms of “secularism” or “alternative secularisms”’.¹⁰⁷

5.2. Bader’s Reasons for Dropping Secularism from Constitutional and Legal Language

Bader also provides some additional reasons for dropping secularism from our constitutional and legal language some of which are related to the aforementioned reasons above. These reasons can be classified in two ways as follows.

Firstly, Bader argues that ‘secularism is not only, obviously, a very complex, polysemic and – as all our basic concepts – an essentially contested concept, but also a unclear, chameleonic, highly misleading or cacophonous concept’. Bader continues that ‘if we are able to discuss the substantive issues of state-religion relations using clearer concepts we should do so, instead of translating everything into the language of secularism’.¹⁰⁸ For this reason, Bader makes his famous and thought-provoking offer: replacing secularism with (liberal) democracy.

¹⁰⁵ Bader (n 94) 9.
¹⁰⁶ Bader (n 60)21; Bader (n 95) 8.
¹⁰⁸ Bader (n 60) 22 (footnotes omitted; emphasis original); Bader (n 95) 9-10.
Secondly, Bader claims that “constitutions and constitutional jurisprudence provide for (...) [secularism] both in terms of rights or first-order principles and in terms of “underlying values” or second-order principles.” Bader therefore argues that the absence of the word secularism or secular in most liberal-democratic constitutions indicates this obviously.

In a word, Bader proposes to call liberal-democratic states either ‘relationally neutral’, ‘indifferent’, or just ‘liberal-democratic’ rather than calling them secular, since the latter is not a ‘self-explanatory value’ and needs to be justified by referring to the values endorsed by institutions and policies. Bader rejects ethical or political secularism on the grounds that both approaches justify the idea of secularism by attributing to substantive values, viz. first-order justifications. This also indicates the second reason why Bader is not a secularist. Bader also rejects ‘second-order justifications’, in other words, ‘the exclusive foundation of the morality of liberal democracy’ by ‘independent political ethics’, ‘common ground strategy’ and also an ‘overlapping consensus’ which still include the ‘remnants of exclusivist secularism’. This is also the final reason why Bader is not a secularist.

5.3. Counter Reasons for Retaining Secularism in Cultural, Social and Political Language

It may be first claimed that even though Bader argues that the secularisation thesis with its divergent cultural, sociological and political meanings should be dropped, his claim seems blurred and ambiguous as to dropping secularism as minimal differentiation.

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109 Bader (n 95) 9 (emphasis original).
110 Bader (n 14) 94.
111 See Bader (n 14) 102-106.
It may be inferred from brief explanations above, even though Bader does not overtly mention, he seems to distinguish minimal differentiation from the general secularisation thesis and tend to retain the ‘differentiation thesis’ at a minimum level without using the term secularism or the secularity to define states respecting the principle of two autonomies. Bader prefers using the following terms and phrases to define the secularity of the state in terms of minimal differentiation: indifferent, non-religious, or agnostic with regard to competing and incompatible religious, metaphysical and densely moral worldviews.\textsuperscript{112}

One of the tricky aspects of Bader’s analysis is that even though Bader argues that this minimal differentiation is not necessarily defined as secular, it seems to me that it cannot also be necessarily coupled with restrictive approaches to secularism which can be categorised under the names of anti-religious, atheistic state or a state that is hostile to religions or that is separated from the religion(s) strictly. Even though Bader himself accepts the different interpretations and variations of the idea of minimal differentiation (from complete and some to minimal or no separation), his rejection of the use of the concepts of secularity or secular to define states respecting two autonomies in a minimal sense equates all these different interpretations of differentiation with restrictive secularist approaches.

Strict separationists/neutralists, as mentioned before, aim to equate secularism to state neutrality and give priority secular arguments over religious ones in terms of determining the conditions for allowing them in the public political deliberation at the expense of a more inclusive liberal democratic deliberation. In this sense, Bader’s rationale for why invoking the secular character of the state is an appropriate response only in some regards, and why this cannot explain the violations of liberal democratic principles by secular states, is reasonable and acceptable. For this reason, my approach shares with Bader’s claim that secularism terminology cannot be seen as an appropriate measure fighting against secular anti-democratic or totalitarian regimes

\textsuperscript{112} Bader (n 50) 21.
and their policies when it is interpreted as secularism as strict separation/neutrality. ‘The right kind of division’, as Bader also argues, should not be ‘between secular and religious convictions but between fanaticisms of both kinds (…) and liberal, democratic and pluralist views on the other side’.113

However, as I mentioned in the previous part, restrictive versions of the ideal of secularism cannot be seen as the unique way to organise the relationships between religion and the state from a liberal democratic perspective. This, of course, means that my approach accepts Bader’s claim that the most significant issue is ‘not whether a state is secular or not, but whether it is liberal-democratic or not’ due to two facts: secular states can be anti-democratic and disrespectful to religious freedoms and regimes of weak and plural establishment do not necessarily be anti-democratic or disrespectful to religious freedoms. However, instead of equating secularism with its restrictive interpretations and dropping secularism completely, my approach aims to present a comprehensive and multi-dimensional analysis of secularism taking into consideration its relationships with democracy and religious freedoms. Similar to Bader, it therefore gives the democratic character of the state much more significance and also rejects the strict separation of public and private spheres by allowing public reasoning about religion in public deliberation. In other words, it argues that a secular/indifferent/non-religious state respecting the two autonomies does not necessarily follow and engage in restrictive secularist policies. A political regime can be perfectly facilitative while keeping secularism’s meaning as minimal differentiation. Thus, it is still not clear why we should completely abandon the idea of secularism as minimal differentiation. Even though the historical evidence or reality shows that the states have inclined to interpret this minimal differentiation as strict separation/neutrality, this cannot be accepted as a justifiable and strong ground of normative argument to drop secularism. This can only be seen as a practical and empirical reason for arguing that secularism as strict separation/neutrality is not a prerequisite for (liberal) democracy. This issue will be addressed in Chapter Four.

113 Bader (n 14) 102.
5.4. Counter Reasons for Retaining Secularism in Constitutional and Legal Language

As to Bader’s reasons for dropping secularism from our constitutional and legal language, given the first reason for which Bader presents to justify idea of priority for (liberal) democracy, it may be firstly argued that from a normative perspective, labelling secularism as ambiguous, complex, chameleonic, unclear and etc. cannot be accepted as a valid reason for dropping secularism. In addition to this, replacing secularism with other ambiguous, polyvalent and contested concepts, namely, priority for democracy or the indifferent, non-religious, agnostic state, does not eliminate the ambiguity concerning what minimal differentiation requires for a more inclusive and democratic political system. Even though Bader is convinced enough, there is no empirical or normative tool for evaluating his claim that dropping secularism from our constitutional and legal vocabulary or avoiding to develop alternative secularisms will help us better to ‘economize our moral disagreements or to resolve the substantive constitutional, legal, jurisprudential and institutional issues and controversies’.  

Like secularism, there have been myriad conflicting conceptions and understandings of democracy and liberalism in the scholarly literature. In other words, priority for democracy is not ‘less fuzzy’ than secularism. As secularism can be interpreted and implemented as minimal or strict separation; the indifferent state or priority for democracy can be also interpreted respectively as strict neutrality of the state or direct, representative, liberal, deliberative democracy. The same ambiguity or fuzziness of the concept of secularism can be seen by some as a reason for defending, as mentioned above, a robust theory of secularism against the threats of strong religions. Furthermore, even though Bader claims that ‘the differentiation thesis often favors [sic] a counterfactual maximalist interpretation of “complete separation”’

114 Bader (n 60) 21; Bader (n 95) 8.
115 Bader argues that we need to discuss the substantive issues of the relationship between the state and religions with ‘less fuzzy concepts’. Bader (n 95) 9.
116 Bader (n 60) 22.
nothing prevents the same interpretations of the idea of the indifferent state and anti (or less) democratic interpretations of priority for democracy.

For these reasons, replacing an ambiguous or contested concept with other ones can be seen as an equivocation or throwing out the baby with the bath water. Vagueness or ambiguity of the concepts of secularism and secularisation can only be accepted as a reason for abandoning when it is used as a restrictive and exclusionary tool in order to suppress the impact of religion at both levels of public and private spheres. This restrictive interpretation of secularism as minimal differentiation cannot be taken for granted as a ‘commonsense and plain truth’, accepted as the precondition for pursuing the democratic ideals of equal participation and state neutrality and cannot be applied as a way to exclude religious arguments from public political debate. Thus, if it needs to be dropped, this restrictive and exclusionary interpretation of secularism as minimal differentiation should be abandoned by favouring a much more inclusive or facilitative understanding of secularism/secularity/indiffereces etc. Accordingly, developing a new and inclusive understanding of secularism still helps orienting the aforementioned debates over secularism, democracy and religious freedoms by taking into consideration alternatives to modernisation or prevailing liberal theories of secularism.

The aforementioned criticisms which have been raised against Bader’s first reason are also valid for his second reason for dropping secularism from our constitutional and legal language. In addition to them, it may be claimed that rights and its theories and first and second order principles, such as neutrality, are also perfectly as controversial, complex, ambiguous, not clear, and open to different interpretations as secularism and priority for liberal democracy. Addressing the tensions between secularism, democracy and rights without invoking the concept of secularism and its different variants do not guarantee, again, ‘eonomi[sing] our moral

\[117\] Bader uses these two concepts in order to claim that ‘with a few exceptions like de Tocqueville and William James, social scientists have long taken secularization for granted as a commonsense and plain truth’. Bader (n 71) 11.

\[118\] See Chapter One of this study.
disagreements or to resolve the substantive constitutional, legal, jurisprudential and institutional issues and controversies’ in much clearer terms. Moreover, given Bader’s claim that a great number of constitutions do not refer to the word secularism and only a small minority of constitutions declare states to be secular,¹¹⁹ this does not mean that states which do not include secularism in their constitutions are exempted from serious problems derived from the tensions between democracy and religious freedoms. In other words, discussing the issue from not only a normative but also from an empirical perspective goes beyond the appearance of the words secular or secularism in constitutions. Even if we drop secularism from our constitutional language, this does not prevent scholars, representatives, individuals or associations from referring to the idea of secularism and all its divergent meanings and interpretations while formulating and giving their reasons in public political debates. The same is also valid for jurists and constitutional lawyers while evaluating the certain cases including the tensions between rights and liberties.

My approach, on the other hand, agrees with Bader’s aforementioned proposal that one should discuss the relationships and tensions between the state, religions, democracy, religious freedoms, toleration, autonomy and so forth without ‘translating all and everything into the language of secularism’.¹²⁰ This reduction may result in discarding divergent but significant dimensions of these tensions and controversies if, and as mostly observed, the only and viable standpoint is regarded as restrictive secularist positions and approaches. For this main reason, this study aims to develop an alternative theory of secularism which aims to present a comprehensive theoretical framework for examining the relationships and tension between secularism and the place of religious arguments without confining the content and nature of debates to one dimensional and the restrictive interpretations of the idea of secularism and the secularisation thesis. It is clear that neither developing a new understanding of secularism nor dropping it from our constitutional language directly results in invoking a much more inclusive and more democratic perspective while evaluating and

¹¹⁹ For the examples of these states see Bader (n 60) 22.  
¹²⁰ Bader (n 95) 9.
examining the aforementioned tensions. With this in mind, from a normative and constitutional law perspective, the main aim should be to investigate whether states and politics adopt much more inclusive and democratic perspectives rather than adopting restrictive secularist approaches.

To summarise, no approach whatsoever justifies dropping secularism as minimal differentiation and replacing it with another concept, such as democracy or indifference. What my approach mainly posits is that secularism as minimal differentiation is a prerequisite for (liberal) democracies, but it also argues that replacing the word secular and its all variants with priority for liberal democracy does not decrease the ambiguity and prevent the restrictive interpretations of those concepts from flourishing. In other words, dropping secularism from our cultural and constitutional language and rather defending priority for democracy/ liberal democracy/ liberal democratic constitutionalism might also ‘end in boundless ambiguities and an inflation of competing varieties of (...) [liberalism and democracy] that are incompatible with each other’.\(^{121}\) For this reason, there is still room for developing alternative theories of secularism in the scholarly literature for establishing a theoretical and normative framework for discussing the tensions between secularism, democracy and religious freedoms. This thesis aims to do that by focusing upon the relationship between secularism and the place of religious arguments.

6. Conclusion

I have argued in this chapter that the following two steps should be taken before developing a new understanding of secularism. First, that normative and theoretical reasons why secularism is valuable should be provided. And second, that secularism should be defended against a radical claim that it should be dropped from our cultural, political, legal, and constitutional language. It has been argued that, otherwise, any alternative understanding of secularism developed by skipping these

\(^{121}\) Bader (n 60) 25-6.
two steps will be theoretically vulnerable and therefore a potential target of critics of secularism.

In this regard, since the main aim of this thesis is to develop a new understanding of secularism, I have concerned the political meaning of secularism in order to provide normative and institutional reasons why a simple political meaning of secularism is valuable. I have argued that it is possible to determine a core political meaning of secularism upon which divergent perspectives to secularism might agree. It has been indicated that even though there is disagreement over the values of secularism and of particular institutional arrangements to serve the ideal, there is a prevailing consensus over the essential value and core meaning of secularism’s simple political meaning. This basic core to the meaning of secularism is formulated as minimal differentiation. I have argued that there is a consistency of meaning of secularism as minimal differentiation within otherwise contested conceptions of secularism. I have also claimed that it is necessary to arrive at a consensus over secularism’s this simple political meaning in order to (i) prevent the risk of presenting a certain understanding of secularism, namely secularism as strict separation/neutrality, as the unique valid way to govern the relationship between the state and religion and (ii) to develop a new more inclusive understanding of secularism. In the final part of this chapter, I have completed the attempt of defending secularism by responding to Veit Bader’s suggestion to drop secularism from our cultural, political, constitutional and legal language. I have provided some normative and theoretical reasons why secularism should be retained and there is still room in the scholarly literature to develop alternative secularisms.

It should be noted that the sole aim of defining secularism as minimal differentiation in this study is not to challenge the hegemonic position of secularism as strict separation/neutrality and to ground the way for developing a new understanding of secularism. This study does not simply say that there is a consensus over the meaning of secularism when it is defined as minimal differentiation. It also argues that there ought to be a minimal differentiation between the state and religion in order to
better pursue the democratic ideals of equal participation and state neutrality. In other words, secularism as minimal differentiation is not a value-free or descriptive statement. This issue will be examined in Chapter Four.

In a similar vein, defining secularism as minimal differentiation is a necessary but an insufficient attempt to prevent certain restrictive interpretations of secularism from being taken for granted and to open up new possibilities for developing a new understanding of secularism. Secularism as minimal differentiation should also be delinked from the restrictive interpretations of philosophical and sociological secularisation. The next chapter seeks to explain this claim.
CHAPTER THREE:

DELINKING SECULARISM AS MINIMAL DIFFERENTIATION FROM THE
RESTRICTIVE INTERPRETATIONS OF THE SECULARISATION THESIS

1. Introduction

The secularisation thesis has politically, philosophically and sociologically related three main assumptions. These assumptions are relevant to the role of religion in the modern era. Political secularisation assumes that there will be functional and institutional differentiation between the state and religion and religion will lose its direct control over the state affairs. In other words, using my own terminology, the value of secularism as minimal differentiation will be widely accepted and seen as an essential feature of democratic states. Philosophical secularisation argues that science, reason and rationality will override religious reason and dogma and thus we will observe a ‘secularisation of consciousness’.1 And finally, sociological secularisation predicts the decline, privatisation and individualisation of religion as societies are modernised.

In this chapter I contend that if secularism as minimal differentiation is tightly associated with or informed by the restrictive interpretations of philosophical and sociological secularisation, this results in embracing a restrictive understanding of secularism at the political level, namely secularism as strict separation/neutrality. Secularism as strict separation/neutrality presupposes the decline and privatisation of religion. It therefore aims to decrease the public visibility of religion, confine religion to the private sphere and prevent the use of religious arguments in public political debate. Its more aggressive version, viz. ethical secularism, not only confines religion

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1 In other words, ‘secularization of society and culture’ produces ‘an increasing number of individuals who look upon the world and their own lives without the benefit of religious interpretation’. Peter Berger, The Sacred Canopy: Elements of a Sociological Theory of Religion (Anchor 1967) 107-8.
to the private sphere, it also aims to keep religious expressions and institutions under strict control or to eradicate the role of religion at the political and social levels. Even, on some occasions, ethical secularism sets forth the private level restrictions and controls.  

Accordingly this chapter seeks to reconsider the strong nexus between secularism as minimal differentiation and philosophical and sociological secularisation and to offer reasons why the former should be delinked from the restrictive interpretations of the latter. This also comes to mean that this thesis argue that the whole of the secularisation thesis is not completely invalid. Some basic claims of political, philosophical and sociological secularisation are rather conceivable. Some assumptions of philosophical and sociological secularisation, however, are interpreted in a restrictive manner at the political level. For this reason, the validity of the politically, philosophically and sociologically related claims of the secularisation thesis should be examined separately. This prevents arguing unfairly that the whole secularisation thesis is theoretically and empirically invalid or should be dropped completely. In addition, this also helps one develop alternative interpretations of the relationship between the aforementioned three dimensions of the secularisation thesis at the political level. This opens up new possibilities for developing a new understanding of secularism.

In this regard, this chapter is structured in three main parts. I begin by sketching out the secularisation thesis. I then seek to show why linking secularism as minimal differentiation to the basic presumptions of philosophical and sociological secularisation leads to embracing a restrictive understanding of secularism. Finally, I aim to reinterpret philosophical and sociological secularisation with the aim of exploring which bits of them should be retained and which bits should be jettisoned. All the claims raised in this chapter regarding the relationship between secularism as

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2 As it can be seen in Chapter Five, the example of Turkey exemplifies the private level restrictions and control set forth by the state.
minimal differentiation and philosophical and sociological secularisation constitute the second assumption of facilitative secularism.

2. The Secularisation Thesis

In general, the term secularisation often signifies a process in which society and culture are eliminated from the influence of religious institutions and symbols and the role of religion declines. Secularisation, in this sense, represents real empirical-historical patterns of transformation and differentiation of the religious and the secular institutional domains from primitive to modern societies. For this reason, there has been an inclination to deem secularisation inseparable from modernisation. The secularisation theories are premised on the idea of ‘the secular as a major, perhaps the major, feature of modernity’. Modernisation, which mainly includes ‘individualism, urbanisation, industrialisation and mass education’, is regarded as the essential factor that has caused not only separation between religion and the state at the political level but also a declining role for religion in the life of human beings. The theory of secularisation therefore sees religion as a traditional phenomenon which will ultimately lose its importance in the social sphere in the wake of the modernization process.

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5 Steve Bruce, God is Dead: Secularization in the West (Blackwell 2002) 1-43. For others who aim to prove the idea that secularisation has been occurring in the modern era, see also Norris and Inglehart (n 4); Bryan R Wilson, Religion in Sociological Perspective (Oxford University Press 1982).
In a nutshell, secularisation refers to a social condition that is seen in (i) the decreasing importance of religion for ‘the operation of non-religious roles and institutions’ (for instance at the state and economic level); (ii) a decrease in the ‘social standing of religious roles and institutions’ and (iii) a decrease in the level of people’s participation in religious practices, showing their religious beliefs and carrying out their other aspects of life with respect to such beliefs. In other words, beside its effects on the social and cultural domains, secularisation also expresses the steady decline of the main role of religion in the ‘formation of modern self’.

This brief explanation indicates that secularisation has some divergent basic claims about the role of religion in modern societies. They are related to three separate dimensions.

The first one refers to the political dimension: political secularisation brings functional and institutional differentiation of spheres between the state and religions in the process of modernisation. This differentiation gives governments and churches different roles and functions. Thus, religious authorities give up organising the whole political institutions and society according to religious systems and faith and focus only upon serving specialised religious functions and conduct specific religious activities.

While the second dimension refers to philosophically related claims of the secularisation thesis, the third one includes sociologically related claims of secularisation. Since political dimension of the secularisation thesis has been examined in a detailed way in the previous chapter, I now briefly and separately examine the essential claims of those philosophically and sociologically related claims of the secularisation thesis.

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7 Bruce (n 5) 3.
8 Berger (n 1) 107.
2.1. Philosophical Secularisation

More broadly construed, the philosophical dimension of secularisation refers to the ‘secularization of consciousness’ and ‘disenchantment of the world’. The philosophical secularisation, in other words, claims that ‘a modern rational scientific age of enlightenment’ supplants religious faith as the ground for ‘understanding and running the world’ in the modern era. This new way of thinking lies in the roots of the Enlightenment critiques of religion, positivism, secular humanism and even atheist humanism. The predicted transformation of cognitive processes mainly requires denying the ‘transcendental and the metaphysical’ by focusing attention upon ‘the existential and the empirical’. It therefore includes aiming to attain objective independent and neutral knowledge; giving a normative and metaphysical priority and superiority of science, scientific method, reason and rationality, rational thinking and empirical research over religious belief, revelation, sentiment, superstition and dogma. In other words, Kantian moral philosophy and rational religion supplant religious faith as a source of morality with the Enlightenment. It also includes abandoning and devaluing ‘experience, emotion, virtues and traditions of practical knowledge’ pursuing scientific objectivity and empirical research to understand how this world operates.

This Enlightenment oriented approach also puts the human (or individual, from a liberal lexicon) into the centre of the aforementioned cognitive process by emphasising emancipation of ‘oneself from religion, overcoming the nonrational forms

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14 Veit Bader, Secularism or Democracy: Associational Governance of Religious Diversity (Amsterdam University Press 2007) 69. This is also related to emphasising Kantian moral autonomy ‘as an unconditional requirement of reason, severed from all emotions and worldly passions’. Ibid 74.
of being, thinking and feeling associated with religion’. It also attaches greater importance to the ideal of individual autonomy (as ‘self-creation or authorship of an original, unique self’), ‘self-determination’ and ‘rational revisability’ against any remnants of mostly religiously driven paternalism and obedience to religious autonomy. In a word, the philosophical secularisation foresees (and mainly aims to create) enlightened and autonomous individuals leading their life by getting rid of the illusionary and nonrational elements of religion.

The philosophical dimension of secularisation actually encompasses and provides normative reasons for sociological secularisation.

2.2. Sociological Secularisation

At its core, sociological secularisation refers to both external and internal multi-faceted progressive historical developments and transformations. As the former concerns gradual decline of the public role of religion in the modern societies, the latter is transformation of religions themselves and changes in religious patterns. Accordingly, sociological secularisation mainly takes its meaning by appealing to three main assumptions regarding the role of religion in the modern era: the decline, privatisation and individualisation of religion.

The decline of religion postulates the decline or disappearance of religion and its role at the social level. This assumption posits that religion becomes an ‘epiphenomenal force in society’, has ‘no relevance’ and ‘a decreasing impact on the

15 Casanova (n 9) 68.
16 Bader (n 14) 74.
public sphere’ in the modern era. More aggressive and excessive proponents this view, as will be examined below, not only predict the decline of religion but also aim to excise religion from both public and private life.

The individualisation of religion, on the other hand, claims that the more societies are modernised, the more religions will lose their collective dimensions and will also experience a ‘shift from practice-centered to individual belief-centered religiosity’.

Likewise, in the same process, religions are expected to ‘become subjectivised’: ‘the core of religiosity becomes individual expression, authenticity, and identity’. The assumption of the individualisation of religion therefore foresees a more voluntary religious belonging, which is ‘a matter of choice’—a matter of individual choice and private belief—and ‘contingent individual choice’ not ‘fate’.

The privatisation of religion is partly based on the claims of the aforementioned assumption that religious belief and practice will be individualised in the modern era. Even though they have been mostly used interchangeably in the scholarly literature, a subtle difference between the two should be pointed out. Since it is believed that belief and practice are individualised in the wake of modernisation process, this structural change is also expected to affect the ‘internal structure’ and ‘external relations’ of religion to both society and the state. In this sense, religion is ‘privatised’ and ‘organised religions give up or have lost their public roles’ in the modern era. 18 Even some aggressive forms of this thesis expect that religion ‘would first confine itself within the private walls and subsequently would disappear from modernized societies’. Alessandro Ferrara, ‘The Separation of Religion and Politics in a Post-Secular Society’ (2009) 35 Philosophy and Social Criticism 77, 90.

This is also related to what Charles Taylor calls ‘expressive individualism’ at the age of authenticity. See Charles Taylor, A Secular Age (Belknap of Harvard University Press 2007) 486.

Subjectivisation, as Nicos Mouzelis summarises, refers to ‘less attachment to sacred texts, dogmas and organizational authority’ but more to ‘“heart work”’, direct experience of the divine, and (…) the existential dimension of religious life’. Mouzelis (n 4) 215-8.

For a good analysis on the individualization, subjectivisation, authenticisation and expressivist religiosity see Mouzelis (n 4) 215.

Casanova defines this process as ‘the privatization of religion within its own space’. For more information, see Casanova (n 3); Jose Casanova, Public Religions in the Modern World (University of Chicago Press 1994).
societies because religious identity is seen as itself private and individual. In other words, ‘religious forms of justification’ is withdrawn from the public sphere which needs to have a secular character. This also brings the exclusion of religious arguments from public political debate in the democratic decision making processes. As a corollary, a secular political realm is created by purging the religious, moral, ethnic or sexual values and preferences of the individuals. This is because these values and preferences are private and thereby they should be stayed in the private sphere.

3. Reinterpreting the Secularisation Thesis: Disentangling the Thesis from its Restrictive Evaluations

The question of how to link and relate the aforementioned politically, philosophically and sociologically related claims of the general secularisation thesis to each other is of crucial significance for this study in two respects. The first point is mostly related to what type/form/understanding of secularism is/should be embraced by the state at the political level. One of the main claims of this chapter is that if the political secularisation is seen as strongly linked to philosophical and sociological secularisation or the former is seen as the prerequisite or consequence of the latter, this means that a politically secular state should implicitly or explicitly entail ‘secularisation of consciousness’ and presuppose the decline and privatisation of religion. This leads the state to embrace a form of restrictive secularism which confines religion to the private sphere, separates religion and the state strictly and does not allow religious arguments in public political debate at the expense of a more inclusive democracy. This restrictive political secularism might also take a more aggressive form. A politically secular state might endorse and impose the philosophical secularisation to promote an anti-religious conception of the good. It might also call for the decline of the impact and relevance of the significance of religion not only in society but also in the private life of individuals.

24 Smith (n 10) 277.
Secondly, assuming a tight linkage between the sub-theses of the secularisation thesis raises some concerns about the theoretical and empirical validity of the secularisation thesis. This strong linkage might place the general secularisation thesis on a weaker ground. Any empirical evidence indicating and confirming one of the sub-theses while rebutting the other or pointing to incompatibility between theoretical assumptions and practice renders the secularisation thesis empirically untenable. For this reason, remaining strictly committed to the belief that its sub-theses are deeply inextricable detains us from explaining the contexts where the political secularisation occurs but religion does not decline, or only a change in religious forms, beliefs, practices and attitudes is observed in the wake of modernisation. Accordingly, a more robust and reflexive reconsideration of the link between the political, philosophical and sociological secularisation is required for making the secularisation thesis a more appealing, versatile and flexible theory.

Finally, linking the political secularisation strongly to the philosophical and sociological secularisation eliminates, or at least unfairly devalues, alternative normative and theoretical formulations between the state and religion. An alternative approach, for example, might offer minimal role differentiation of spheres between the state and religion but not necessarily rest upon the claim that the political secularisation inevitably brings and requires the decline or even disappearance of religion in the wake of modernisation.

For these reasons, in this chapter, an attempt is made first to indicate that political secularism might have restrictive and exclusionary features if it is justified by appealing to the philosophically related claims of the secularisation thesis or to decline, privatisation and individualisation of religion. This also helps that in presenting reasons why the political secularisation should be delinked from the restrictive interpretations of philosophical and sociological secularisation.
My analysis then goes on questioning the theoretical validity of the politically, philosophically and sociologically related claims of the general secularisation thesis separately. I have suggested in this chapter that the validity of the politically, philosophically, and sociologically related claims of the secularisation thesis should be examined separately. This is because, as mentioned above, they are analytically independent from each other. More importantly, this prevents arguing unfairly that the whole secularisation thesis is theoretically and empirically invalid or should be dropped completely. In this sense, the following question will be answered: Does offering to delink secularism as minimal differentiation from the restrictive interpretations of philosophical and sociological secularisation come to mean rejecting the validity of all claims of philosophical and sociological secularisation?

3.1. The Secularisation Thesis as a Basis of Restrictive Secularism

I argue that linking political, philosophical and sociological forms of secularisation to each other leads to a restrictive and exclusionary understanding of secularism at the political level. If a state interprets the main claims of the secularisation thesis in a restrictive manner, namely gives reason priority over faith, predicts the decline or demise, individualisation and privatisation of religion, this leads the state to embrace either (i) secularism as strict separation/neutrality or (ii) a more aggressive form of it, viz. ethical secularism.

Secularism as strict separation/neutrality, using my own terminology, links secularism as minimal differentiation tightly to the philosophically and sociologically related presumptions of secularisation and therefore (i) demarcates a rigid separation

25 This approach has some affinities with Jose Casanova and Veit Bader’s line of reasoning that all of the aforementioned three dimensions of the secularisation thesis are analytically independent from each other and thereby they ought to be empirically tested individually. See Casanova (n 23) 19-39; Bader (n 20) 11, 40-1.
26 It should be noted that even though Rajeev Bhargava has coined this type of secularism and I have benefited his main ideas while talking about this type of secularism, I have mainly tried to determine the basic features of this sort of restrictive secularism according to my own argumentations and claims. See Rajeev Bhargava, ‘Giving Secularism Its Due’ (1994) Economic and Political Weekly 1784.
of public and private spheres, (ii) confines religion, religious expressions and symbols to the private sphere, (iii) ignores and even denies the role of collective religious identities in serving as ‘markers of cultural difference’ and ‘resources for organisation and mobilisation’\(^\text{27}\), and (iv) excludes religious arguments from public political debate. It therefore allows only secular or public reasoning in the public sphere while preventing private reasoning from entering into the public sphere and favours strict and hands-off state neutrality at the expense of a fair accommodation of religion. Even though justification for separating religion and state in this form of secularism is presented as ensuring state neutrality and impartiality, this version of restrictive secularism raises significant concerns about democracy, religious freedom and inclusion.

Since the restrictive features of secularism as strict separation/ neutrality have been examined in the previous chapter and its incompatibility with the ideals of democracy will be examined in the next chapter, it seems worth examining its more aggressive version of secularism as strict separation/ neutrality here in a greater detail. Revealing the restrictive and exclusionary features of ethical secularism helps me indicate how linking secularism as minimal differentiation to philosophical and sociological secularisation can be a basis for an exclusionary state ideology. Besides, another reason for focusing on ethical secularism is that the central case study of this project, viz. the Turkish experience of secularism, exemplifies a form of ethical secularism.

3.1.1. Ethical Secularism

Ethical secularism is a more aggressive form of secularism as strict separation/ neutrality. Ethical secularism shares the aforementioned similar commitments and assumptions with secularism as strict separation/ neutrality

\(^{27}\) Bader (n 14) 45.
regarding the relationship between state and religion. However, ethical secularism goes further and embraces the whole secularisation thesis as a ‘comprehensive doctrine’.28

While secularism as strict separation/neutrality does not necessarily rest on an anti-religious or hostile attitude towards religion, might embrace a passive attitude towards religion, and allow for religious pluralism in the civil—not the political—society (as the US case presents), ethical secularism mostly adopts hostile (or anti-religious) ideological stance towards religion (as the examples of France and Turkey illustrate).29 It neither aims to separate religion and the state nor supports the idea of state neutrality and impartiality towards religion. Rather, it devalues the religious belief and faith and violates, what I call in the previous chapter, the two autonomies dimension of secularism’s simple political meaning. It interferes in the autonomous spheres of religion with the aim of either keeping religious expressions and institutions under strict control or eradicating the role of religion at political, social and private levels.

Ethical secularism, in this sense, takes a form of comprehensive doctrine. It neither appeals to the values of secularism, namely freedom, equality, stability and unity or consensus, nor endorses a ‘political conception of justice’30 with the aim of creating a basis of consensus among or a common language of diverse comprehensive doctrines in order to resolve the political issues. Ethical secularism goes beyond that and itself takes a form of comprehensive doctrine by dealing with the conduct of individuals and the particular values and virtues that should be absorbed by those individuals to lead a good life.

28 For information to what extent a doctrine can be comprehensive, see Chapter Four.
29 See Ahmet T Kuru, Secularism and State Policies toward Religion: The United States, France and Turkey (Cambridge University Press 2009); Anders B Sorensen, Contesting Secularism: Comparative Perspectives (Ashgate 2013). For also recent studies which reflect an anti-religious comprehensive secularist approach see, for example, Richard Dawkins, The God Delusion (Mariner Books 2006), Christopher Hitchens, God is not Great: How Religion Poisons Everything (McClelland & Stewart 2008).
30 For a definition of political conception of justice see Chapter Four.
Those features of ethical secularism resonate with and nourished by the theses of both philosophical and sociological secularisation. According to the perspective of ethical secularism, religion is an expression of backwardness and a traditional and primitive phenomenon full of superstitions and irrationalities that should be left behind in the course of modernisation. Religion is intolerant and as the main source of ‘oppression, persecution, and violence’\(^3\). It therefore claims that modernity and progress would come only by embracing and absorbing secular reason and scientific rationality and by therefore eliminating religion from political discourse and from social life. In other words, science and rationality can only be defined over and with reference to the ideal of secularism and progress and modernity can only be achieved with the secularisation of both the state institutions and society.\(^3\)

Ethical secularism also assumes that not only the political and social domains but also the private sphere should be governed by the rules of the secular world view and shaped by rationalism, positivism and empiricism.\(^3\) In other words, secular reasoning should be the only essential guide for explaining social, cultural and individual interpretations of this world. This rigid positivist approach ambitiously aspires to realise a complete transformation of a modern individual’s perception of the world; including the values surrounding her life and the process of the construction of a personal or social identity: a modern individual ought to be guided only by


positivism, rationalism and reason and to lead ‘an autonomous, self-chosen, fully-transparent life’.\textsuperscript{35}

This approach mainly embraces the idea that science, rationality, and modernity could only be defined within the parameters of the ideal of secularism and that the use of human faculty of reason is an epistemological precondition of secularism.\textsuperscript{36} Ethical secularism, in this sense, using my own terminology, does not regard secularism as a simple separation or a minimal role differentiation between politics and religion, or not simply —rather it views secularism beyond that— a phenomenon which can be narrowed to division of religion and state affairs. In other words, it regards secularism as a ‘meta narrative’ and ‘symbolic universe’\textsuperscript{37} by declaring “rationalism” or “scientism” as a general foundation and/or a universally accepted “ideal”.\textsuperscript{38}

If the state justifies its main policies by appealing to a certain comprehensive doctrine or good and aims to impose certain comprehensive values and virtues upon individuals, ethical secularism also takes a perfectionist form which is hostile to religion. To clarify, ethical secularism wholeheartedly embraces the philosophically and sociologically related claims of the secularisation thesis as values and virtues. These virtues and values, such as reason, rationality, individual autonomy and etc., have a character exceeding the beyond of (less perfectionist) political values which are ‘politico-moral principles required for a just life in a minimally moral or in a more demanding liberal-democratic polity’\textsuperscript{39} and for making ‘a more liveable polity’.\textsuperscript{40} Accordingly secularism as a comprehensive doctrine is perfectionist because it justifies

\begin{itemize}
\item This view totally goes parallel to the view of Andras Sajo, who is a strong exponent of the approach centred upon the restraint of secular reason. See Chapter Four.
\item Bader (n 14) 102-104; Bader ‘Constitutionalizing Secularism, Alternative Secularisms or Liberal-democratic Constitutionalism? A Critical Reading of some Turkish, ECtHR and Indian Supreme Court Cases on “Secularism”’, (2010) 6 Utrecht Law Review 8, 28.
\item Ibid (emphasis original).
\item Bader (n 14) 103.
\item Bhargava (n 26) 1786.
\end{itemize}
separation for the sake of realising an ultimate ideal and whose values and virtues guide not only the political sphere but also the private sphere of the citizens— it, in other words, requires individuals to endorse them guiding all aspects of their lives. The aforementioned assumptions of secularism as a comprehensive doctrine that the private sphere should be governed by the rules of the secular world view and its objective to create enlightened and autonomous individuals freed from religious dogmas and superstitions support this claim.

In this sense, ethical secularism establishes a hierarchy among goods and promotes a particular conception of the human good over religious ones. In other words, it reflects a certain ethical worldview or comprehensive worldview or metaphysical or philosophical perspective which is based upon the positivist enlightenment theories of modernity. It also takes measures and pursues certain policies in order to decrease the influence of religion, to impose its own values and virtues upon individuals to create enlightened citizens who lead their lives in the light of science and reason. The state, in this form of secularism, regards itself as ‘the agent of social change’ and ‘the source of the “good” life’. Secularisation is used by the state as the main tool for modernising not only politics and society but also individuals. In this form of secularism, secularism is also manifested as a form of cultural identity and the philosophical/political/normative stance which should be embraced by the state and imposed upon society as a comprehensive good. In this sense, it aims not only to relegate religion to the private sphere but also impose a certain worldview or way of life upon society and individuals.

In sum, ethical secularism is a restrictive ideological perspective since it violates the ideals of state neutrality by embracing a certain comprehensive doctrine or ethical worldview. In other words, ethical secularism has exclusionary and restrictive effects

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42 Even, in the examples of France and Turkey, secularism, or laicite, has been seen as a source of common/individual identity for citizens by delinking it from all other religious and ethnic identities. See Chapter Five of this study.
on religious groups in a society on the grounds that it embraces secularism as a comprehensive way of life. This comprehensive doctrine privileges science, reason and rationality over religious belief and sentiment with the aim of extracting the impact of religion at both social and individual levels. It therefore generates serious problems regarding religious freedoms and democracy by attempting to favour and impose a certain conception of the good upon society and individuals. This works at the expense of value and moral pluralism in the society among competing conceptions of the goods. Rather than promoting a notion of ‘free-ranging pluralism’ so as to ‘reconcile competing claims to ultimate authority’, it claims superiority over other conceptions of the good, especially over the religious ones. It therefore appeals to the ideal of secularism and interprets the assumptions of the secularisation thesis in a restrictive manner in order to exclude and even root out religion at both the social and private level. It not only separates religion and the state strictly but also aims at eradicating the role religion plays in both political and social life by, firstly, prohibiting its social visibility or preventing it from entering the public discourse, and by, secondly, confining it to the private realm with the aim of expecting it to lose its importance gradually.

For these reasons, secularism as minimal differentiation should be delinked from the restrictive interpretations of philosophical and sociological secularisation for the sake of a more inclusive understanding of secularism. This claim also urges one to answer another crucial question: Is arguing that secularism as minimal differentiation should be delinked from the restrictive interpretations of philosophical and sociological secularisation equal to claiming that all claims of these two dimensions of the secularisation thesis are completely untenable?

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3.2. Delinking Secularism as Minimal Differentiation from the Restrictive Interpretations of Philosophical and Sociological Secularisation

It seems apposite to argue that the general secularisation thesis ‘is not straightforwardly untrue’. The political secularisation thesis, as is also mentioned in the previous chapter, has been widely observed and has also been relatively successful. However, it might be argued that the notions of political, philosophical and sociological secularisation have not gone hand-in-hand in the modernisation process. Philosophical and sociological secularisation theses have been subject to intense criticisms which have not only challenged the basic premises and assumptions of the secularisation thesis but have also uncovered its exclusionary tendencies. Those criticisms, which will be elaborately examined later in this chapter, have mostly concentrated on providing empirical evidence indicating that the role of religion in the society has not waned, but that, on the contrary, we have observed a growing politicisation and public visibility of religion.

Putting another way, by using my own terminology, the secularisation process has been successful in the sense of solidifying support among divergent perspectives on the state-religion relationship over the value and vitality of secularism as minimal differentiation. Secularisation has been observed and does actually happen at the political level. Functional differentiation of spheres between the state and religion has been regarded as valuable and as a preferable option for modern democracies. This structural-functional differentiation has been also seen as an irreversible and growing trend in the modern era. In the wake of modernisation, the political has been

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separated from the religious, the state has derived its legitimacy from positive law and the state has had a ‘non-religious quality’ with the rise of the nation state.\textsuperscript{46}

Even though political secularisation has not been linear and uniform or role differentiation between state and religion has taken different shapes from weak establishment to strict separation, this does not dispel the aforementioned claim regarding the success of the secularisation thesis at the political level. The direct control of religion over the state institutions in today’s world is pretty different compared to that of the pre-modern era.

On the other hand, reaching the same conclusion for philosophical and sociological secularisation seems much more problematic and open to debate. However, this does not mean that philosophical and sociological secularisation should be abandoned completely. For this reason, it needs to be shown which bits of philosophical and sociological secularisation should be retained and which bits should be jettisoned.

3.2.1. Re-evaluating the Philosophically Related Claims of the Secularisation Thesis

Arguing that ethical secularism embraces philosophically related assumptions of the secularisation thesis as a comprehensive doctrine does not mean that we should abandon every single claim of philosophical secularisation.\textsuperscript{47} Given the philosophically related claims of the secularisation thesis, it can be briefly argued that secularisation has still some plausibility and also is a reality to an extent.

\textsuperscript{46} Berger (n 1) 107-8: 127-28.

\textsuperscript{47} Answering this question requires us first to mention that evaluating the validity of claims regarding the philosophical dimension of the secularisation thesis are kept at minimum level in this chapter since this study focuses upon the politico-socio-structural dimension of modernity and secularisation. Furthermore, evaluating sufficiently and developing counter-arguments against this dimension requires a deeper analysis which exceeds the scope of this study.
The main reason for this claim is that, first of all, we need to accept that there have been enormous technological advances and scientific improvements which have undeniable impacts on our lives. Scientific explanations and discoveries have helped us to grasp the life we live in and how it works without referring to metaphysical or transcendent knowledge. This reality confirms the aforementioned claims regarding the supremacy of science over traditional ways of thinking about understanding how the world operates. Just as it has been argued that secularisation at the political level a genuine fact, in a similar vein, some essential claims of philosophical secularisation thesis have come to real since they capture significant features of life we live in modern world today. We have witnessed a structural-functional differentiation of spheres (economic, political, social, religious etc.) between state and religion in modern democracies. Religion is not an ‘overall regulator of social life’ anymore.\(^{48}\) The direct impact and control of religion on economic, cultural, social and political spheres has gradually diminished and those spheres have had their own values, operated according to their own logic and governed by scientific knowledge.

This mainly means that there have been secular institutions which have been constructed ‘for worldly purposes’ and the social life of people have been ‘organized by systems or “steering mechanisms”’ which function ‘independently from religious belief, ritual practice, or divine guidance’.\(^{49}\) In a word, people conceive and evaluate those institutions and the whole social life they live by means of a ‘secular imaginary’ in which ‘the relevant explanations of their operations are all this worldly’.\(^{50}\) In other words, even though actions of an individual might be shaped by religious motives, ‘activities in relation to such institutions are widely structured by a secular imaginary’.\(^{51}\)

This change has been also observed in the attitudes of religious people or groups towards others who either have different religious beliefs from theirs or are

\(^{48}\) Mouzelis (n 4) 218.


\(^{50}\) ibid 38.

\(^{51}\) ibid.
atheist or indifferent towards religions. As Charles Taylor argues in his *A Secular Age* we have moved away from a society where belief in God is unchallenged and never problematic to a new one in which it is regarded as one option among others.\(^{52}\) In this respect, in this new society, ‘belief and non-belief’, ‘atheism and theism’ are not regarded as competing views but seen as alternative ways of human life.\(^{53}\) ‘The subjective experience of believing’ has completely changed and there are several options rather than one which portrays the source of value and meaning of life as standing beyond human reach (and, in that sense, as transcendental). In such a secularised society, where no one view or religion is accorded a privileged status, an individual may continue to believe but her belief is currently experienced from within ‘the immanent frame’. In other words, religious belief is currently experienced from within a whole cultural horizon that identifies a good life with human flourishing, accepts no final goals beyond human flourishing and recognizes no allegiance or obligation to anything beyond this flourishing.\(^{54}\)

Nevertheless, accepting the fact that philosophical secularisation is an undeniable reality in some senses should not detain us from taking into consideration the fact that the aforementioned basic tenets and epistemological underpinnings of the Enlightenment philosophy and positivism have been enormously challenged. Even though ‘cause and effect relationships are understood in this worldly terms as matters of nature, technology, human intention, or even mere accident’,\(^{55}\) positivism or the Enlightenment philosophy which favours conducting a specific scientific method — which excludes the emotions, identity-based biases, experiences etc. — to attain neutral and objective knowledge cannot retain its dominant position anymore. Even the possibility of objective, independent and neutral knowledge has been questioned. It has been argued by some that, instead of abandoning and devaluing, ‘experience, emotion, virtues and traditions of practical knowledge’\(^ {56}\) should be taken into consideration for challenging the privileged position of mainstream ideologies. In this

\(^{52}\) Taylor (n 19) 3.
\(^{53}\) Ferrara (n 18) 79-80.
\(^{54}\) ibid 80-81.
\(^{55}\) Calhoun (n 49) 38.
\(^{56}\) Bader (n 14) 69.
sense, postmodernism, in general, and the growing critical attitude towards the Enlightenment critiques of religion that is against the view that religion is an anti-thesis of secularism and argue that science, reason, and revelation and religion are compatible, in particular, has deeply shaken the prevailing position of positivist approaches in social sciences.

These critical approaches also include those who argue that the relationship between modernity and secularisation should be re-evaluated because modernity is not uniform and linear. Positivist approaches to modernity ignores alternative approaches to modernity, multiple modernities, and implicitly favours its own understanding of secularism as the unique option. Even though the proponents of restrictive evaluations of the secularisation thesis view secularisation as unique way to modernity and progress, secularisation has taken different shapes in different contexts, in other words, there have been multiple paths to modernity.

All these divergent aspects of the relationship between science, positivism, modernity, postmodernity and secularisation, of course, require much broader

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58 Niamh Reilly, ‘Rethinking Interplay of Feminism and Secularism in a Neo-Secular Age’ (2011) 97 Feminist Review 5, 7.


60 As Sommerville clearly states, even though secularisation has been seen as an inherent part of modernization, the idea that ‘modernity has made secularization a uniform, linear, and inevitable process within modern economic and social development’ has been attacked. C John Sommerville, ‘Secular Society/Religious Population: Our Tacit Rules for Using the term “Secularization”’ (1998) 37 Journal for The Scientific Study of Religion 249, 252. David Martin also states that secularization cannot be regarded as a unitary, linear or ‘once-for-all unilateral’ process and different societies and cultures have experienced quite different sorts of secularization. See generally Martin (n 44). See also Jeffrey K Hadden, ‘Toward Desacralizing Secularization Theory’ (1987) 65 Social Forces 587; David Yamane, ‘Secularization on Trial: In Defense of a Neosecularization Paradigm’ (1997) 36 Journal for the Scientific Study of Religion 109.
analysis. I have only aimed to point to those debates in the scholarly literature by aiming to argue that the existence of those debates indicates that there is an urgent need to uncover the exclusionary tendencies inherently related to the basic premises of the Enlightenment positivist theory. This also helps us revealing the exclusionary tendencies of restrictive secularist approaches at the political level. In other words the general secularisation theory is not completely unsound in the sense of philosophical secularisation, but, as mentioned above, the problem begins when embracing secularism as a comprehensive doctrine at the expense of religious, value and moral pluralism.61

3.2.2. Revisiting Sociological Secularisation: Religion is Neither in Decline Nor Becomes Privatised

Even though the aforementioned restrictive accounts of secularism are built upon the expectation that religion declines and becomes privatised in the modernisation process, it has been largely claimed that the decline and privatisation theses are readily counter-intuitive and full of indefensible justifications, simplifications and empirical misdescriptions.62 It is argued that empirical evidence contradicts with the thesis of an inevitable decline of religious beliefs and practices in modern societies.63 Rather than declining and becoming privatised, some have even claimed that we are observing ‘desecularisation’64 and even entering a ‘postsecular’.65

61 In a similar vein, but from a different perspective, a recent study argues that the growing appeal of religion in different parts of the world does not result from disillusionment with science but rather represents ‘an outlook of detachment around the rise of modern science and capitalism’. See generally Akeel Bilgrami, Secularism, Identity, and Enchantment (Harvard University Press 2014).


63 Bader (n 14) 35. Bader in brief posits that ‘there is no evidence indicating a general decline of religion, or a general revival or return of religion. Religion is not generally subjectivised or privatised, and the state and (organised) religions are not strictly separated. Finally, neither societies nor states are completely secularised’. Bader(n 20) 13 (emphasis original).

64 Casanova (n 23); Peter L Berger (ed) The Desecularization of the World: Resurgent Religion and World Politics (Ethics and Public Policy Center 1999); Adam B Seligman, Modernity’s Wager (Princeton
stage in the history. The main reason for these claims is that recent years have seen an upsurge of revival or resurgence of religious movements in the political domain all around the globe against the different theses and assumptions of the secularisation paradigm. Politicisation of religious groups and their claims to identity and politics, the rise of religious-based identity conflicts, the role of religion in social and state transformations, and the rise of new religious movements (particularly Evangelical Christianity and Pentecostal Awakenings), which have been frequently witnessed in different parts of the world (from Iran to Latin America), have presented as examples of this revival. Those events and processes in global politics, especially the September 11 attacks, have also put religion at the core of international affairs and challenged and destabilised prevalent ‘secular/religious binary’ in world politics which has regarded religion as privatised and assumed that the role and significance of religion and religious actors are irrelevant in international politics.

In particular, especially in the Western Europe, revival of religion has had serious dramatic effects on the ‘institutional and political arrangements to govern the relationship between religion and politics in the framework of liberal democracies, long seen to have been solved once and for all’. Increasing immigration and the religiously driven political demands of immigrants have challenged the typical

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65 Jurgen Habermas claims that we are in a ‘postsecular’ stage, which is used by him to describe ‘modern societies that have to reckon with the continuing existence of religious groups and the continuing relevance of the different religious traditions, even if the societies themselves are largely secularized’. Eduardo Mendieta, ‘A Post-Secular World Society? On the Philosophical Significance of Postsecular Consciousness and the Multicultural World Society: An Interview with Jurgen Habermas’<http://blogs.ssrc.org/tif/wp-content/uploads/2010/02/A-Postsecular-World-Society-TIF.pdf> accessed 10 February 2014.


67 Surely, in Eastern and in Central Europe, with the decline of communism, and the mushrooming of new religions, the same point could apply to the one that I am making here.

understanding of secularism which had been pervading for hundred years.\footnote{For debates over the relationship immigration, multiculturalism, and religious resurgence, for example see Bader (n 14) 178-200; Minkenberg (n 69); Nicholas J Demerath, Crossing the Gods: World Religions and World religions (Rutgers University Press 2001).} A growing demand of newcomer religious groups for accommodation of religious belief and practices, which is mostly shaped around the headscarf debate, has triggered the visibility of religion in public sphere.

In sum, we have observed the occurrence of both the ‘secularization’ and the ‘intensification of religion’ simultaneously\footnote{Sommerville (n 60) 252. Some even claim that religion has been much more visible, not resurgent. For those see Jeff Haynes, ‘Religion, Secularisation and Politics: A Postmodern Conspectus’ (1997) 18 Third World Quarterly, 714. For a good summary of the debates over the reasons for the resurgence of religion see, Anson Shupe, The Stubborn Persistence of Religion in the Global Arena In Emile Sahliyeh (ed), Religious Resurgence and Politics in the Contemporary World (State University of New York Press 1990); Scott M Thomas, ‘Taking Religious and Cultural Pluralism Seriously: The Global Resurgence of Religion and the Transformation of International Society’ (2000) 29 Millennium 815; Monica D Toft, Daniel Philpott and Timothy S Shah, God’s Century: Resurgent Religion and Global Politics (WW Norton & Company 2011).} and that ‘confining religion to a narrower channel’ has made ‘the flow of its energy more rapid’.\footnote{Sommerville (n 60) 252. See also C John Sommerville, The Secularization of Early Modern England: From Religious Culture to Religious Faith (Oxford University Press 1992).} These aforementioned developments therefore have deeply eroded the following premises of the secularisation thesis which have nourished the prevalent understanding of secularism: the more societies are modern the less religion has significance in all aspects of the societies, religion ought to be confined to the private realm with the expectation that it will inevitably wither away, religious arguments ought not to be allowed in public political debate and public visibility of religion should be minimal.

One might readily object to this claim, for example, by arguing that (i) the role of religion in the both political, social and private spheres has been retained in the non-Western and less modernised regions or (ii) religion has returned to the stage in the Western societies due to ‘pre-modern’ or ‘traditional’ religions of new
immigrants. Therefore, religious revival does not dispel the argument that secularisation and modernisation bring decline of religion.

Both justifications seem unfounded and indefensible. They reflect a Western and Christian bias by implicitly claiming that even though Christianity has been secularised and modernised, other religions are still fundamentalist and not compatible with democracy and human rights. However, by arguing so, they ignore the fact that Christianity still maintains relevance and plays an influential role in Western societies today despite the expectations that modernity and secularisation are interrelated and that social differentiation causes religion to decline. Orthodox churches in eastern and southern Europe, both fundamentalist and Pentecostal forms of Christianity in USA, Asia, Africa, Latin America, and the Christian Right movement in the USA are still preserving their effective roles at both social and political level. They also cannot, as mentioned before, sufficiently explain the example of the US which indicates how ‘the most “modern” country’ in the world can also be ‘the most Christian and the most religiously diverse’.

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74 Even though pre-modern or traditional does not mean ‘fundamentalist’, here the concepts of pre-modern or traditional have been mostly used by the proponents of the idea of the decline of religion to describe ‘fundamentalist’ religions. For a good summary of the types of religions in the sense of their evolution in the modernisation process, see Roberto Cipriani, *Sociology of Religion: An Historical Introduction* (Walter de Gruyter 2000) 185-6.

75 Janet Jakobsen and Ann Pellegrini in their collection of essays on secularism, aim to show dominant narrative of secularisation has been a Western ‘hegemonic’ project and mainly remained tied to Christianity. See Janet Jakobsen and Ann Pellegrini (eds), *Secularisms* (Duke University Press 2009). Bader also argues that this Western and Christian bias, ignoring folk religions and categorises all other ‘high’ religions under the name of ‘other’ religions, and regarding ‘immigrant religions’ in the Western societies as ‘pre-modern’ or ‘traditional’ and eliminating them from the analysis make the decline thesis as ‘theoretically weak’ and ‘empirically indefensible’. Bader (n 14) 40, 41-3; Bader (n 20) 11; Veit Bader, ‘Religion and the Myths of Secularization and Separation’ (2011) RELIGARE Working Paper 5/2011, 10-11.

76 See generally for example Steve Bruce, *Secularization: In Defense of an Unfashionable Theory* (Oxford University Press 2013).

77 See Mouzelis (n 4) 210.


79 For a general study of the Christian Right and their socially conservative policies regarding abortion, homosexuality and so forth, see Daniel K Williams, *God’s Own Party: The Making of the Christian Right* (OUP 2010).

80 Bader (n 14) 41-43; Bader (n 74) 10-11. In a similar vein to Bader, Modood and Kastoryano argue that the American model is an example of a model of state secularism coexisting with a very religious society. Tariq Modood and Riva Kastoryano, ‘Secularism and the Accommodation of Muslims in Europe, in Tariq
On the other hand, one might also claim that appealing to the fact that religion has not declined and to the idea that religion is resurgent are not sufficient to rebut the secularisation thesis. Even though he was strongly of the view that religion is dead in his early works, Steve Bruce is one of the most prominent proponents and oft-cited scholars of this approach. Besides accepting that religion has not declined, in his recent study, he points to the fact that religions have been transforming themselves in the modernisation process by shifting from ‘authoritarian dogmatic religion[s]’ to ‘individualistic forms of religion[s]’. He calls this ‘internal secularisation’ of religions. For Bruce, the major churches have responded to the growing liberalising trends in societies and its concomitant that change in attitude towards hierarchy and authority by becoming ‘more liberal in doctrine and more ecumenical in inter-church relations’. This ‘internal secularization’, as Bruce puts it, is still a strong proof that secularisation is still continuing.

What does Bruce’s claim that religion has been internally secularised do with the general secularisation thesis, including its political dimension? Bruce’s aforementioned claim should be evaluated from my above claim that the secularisation paradigm has divergent dimensions which should be evaluated separately. It may be inferred his idea that Bruce confirms this by arguing that the view of the decline of religion has failed, but the general secularisation thesis still survives because we have witnessed a liberalisation of religion, namely internal secularisation, during the modernisation process. In other words, Bruce argues that religion has not declined but it has become individualised and privatised.
Given the aforementioned debate over the role of religion in the modern era, my main claim has both some affinities and differences with Bruce’s aforementioned last claim. As mentioned before, I argue that the secularisation thesis has been successful in terms of political secularisation during the modernisation process but reject the claim that religion has declined and lost its significance at both social and individual levels. Unlike Bruce, however, I argue that liberalisation of some religions should not be regarded as a herald for the declining role of religion at both social and individual level. It should rather be regarded as a step towards ‘a different type of religiosiosity’.\(^{86}\) Even though Bruce makes a distinction between the decline and privatisation of religion by rejecting the former, he seems to implicitly expect that privatisation brings decline in the public role of religion.

I accept that we are observing a change in religious practices and beliefs in the modern era. As Veit Bader argues, individualisation and subjectivisation of religions have been seen ‘in the “Protestantization” of the Catholic, Orthodox and Christian religions, and in the changes of other “old” religions like Islam, Judaism, modern Hinduism’. We have also witnessed ‘the revival of old religions (e.g. pietism, Methodism, and particularly Pentecostalism’ (…))’ and ‘new age spirituality’.\(^{87}\) On the other hand, rather than regarding these patterns of changes in religiosity as a proof for supporting the idea that religion will lose its collective power as a social force or spirituality will replace religion, it should be seen as an opportunity for religions to democratise and liberalise themselves by solving their fundamentalist dilemma; to learn —actually some of them have learned— how to adopt these new forms of religiosity; and ‘to accept the difference of believers, other believers and nonbelievers’.\(^{88}\)

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98-9. John Sommerville also aims to show that religion has just been changing its form rather than declining in the secularisation process. Sommerville (n 60) 253.

86 Mouzelis (n 4) 211.

87 Bader (n 14) 43-4. Here Protestantisation means privatisation and subjectivisation of a certain religion which is becoming more belief-centred, rather than practice-centred. See, Bader (n 14) 38.


Fundamentalist dilemma refers to ‘accepting the general characteristics of democratic politics, i.e. politics with non-violent means’ or ‘giving up to enter the political arena making public claims on the basis of private truths’. See, Bader (n 14) 110; Casanova (n 23) 165. For a good explanation for how
Unlike Bruce, I also suggest that we need to make a distinction between the individualisation and privatisation theses. Accepting the aforementioned changing patterns in religion should be extricated from the ‘Protestant bias’ of the secularisation thesis that individualisation is an irresistible trend for all religions in the later stages in modernity. On the contrary, as Bader argues, viewing religion as a ‘bare of all collective, social and practical dimensions is an absurdity’ and ‘belief without a minimum of shared attitudes and practices is a sham’. Moreover, even though ‘voluntarism is a matter of degree’, it seems a ‘non-realistic utopia’ that religious beliefs could be completely disentangled from ascriptive (...) practices.

In other words, changes in forms of religiosity should not be considered as a reason for confining religion to the private sphere. Individualisation does not necessarily bring the privatisation of religion. The former, as Jose Casanova rightly argues, is ‘a historical option’ not a necessary element essential to the modernisation process or ‘a modern structural trend’. On the contrary, the aforementioned politico-social developments regarding the role of religion in national and international politics refer to ‘deprivatisation’, not ‘privatisation’ of religions in the modern era. Religion has neither declined nor has it been privatised, and religious actors play a significant role in—and even have the right to—shaping political society and international relations. Moreover, instead of decreasing or disappearing, religion has

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89 Veit Bader argues that only the individualisation thesis ‘survives critical scrutiny, and only when it is clearly distinguished from the privatisation thesis’. Bader (n 20) 12.
90 The secularisation thesis has been mostly nourished by the Protestant bias. As Protestantism favours individual religious belief and practice, the secularisation thesis in a similar vein predicts privatisation and individualisation of religious beliefs. See Casanova (n 23); Madeleine Gray, The Protestant Reformation: Beliefs and Practices (Sussex Academic Press 2003); Harold J Berman, Law and Revolution II: The Impact of the Protestant Reformations on the Western Legal Tradition (Paperback edn, Harvard University Press 2006).
91 Bader (n 14) 44.
92 Bader (n 14) 44.
93 Casanova (n 23) 215.
95 Shah (n 45) 5-6. It is clear that Casanova has made some revisions with his earlier works. In his earlier works, Casanova argued that religion should play a role only in civil society, not political realm, which echoes the American wall of separation model. For his revised idea, see Casanova (n 93).
retained its role as an identity and cultural marker of the citizens. Collective religious identities still serve as a ‘marker of cultural difference and resources for organisation and mobilisation’. For these reasons, the individualisation thesis should be delinked from the privatisation thesis due to the exclusionary features of confining religion to the private sphere.

To conclude, even though the secularisation thesis has been relatively successful at the political level, it infers that it has partly failed at the sociological level: religion has neither been in decline nor become privatised in the wake of modernisation. It has been only witnessed a transformation or changes in religious patterns, belief and practice and a growing religious diversity, politicisation and public visibility of religion. Accordingly, the fact that religion has in fact retained its importance and has not simply lost its significance in Western liberal societies urges us to rethink and revise not only theoretical but also institutional and political arrangements regarding the role of religion in politics and particularly the place of religious arguments in public political debate. The next chapter focuses upon this crucial question.

96 For a more detailed explanation of this claim see Chapter Five of this study regarding how religious loyalty has been a source for religious resurgence in Turkey.

97 Bader (n 14) 45. For instance, the privatisation-thesis, for Bader, contradicts with ‘the cultural defence thesis’ and ‘cultural transition thesis’, which both demonstrate the strength and role of religion for societal mobilisation. For further information and cases regarding how religion and religious identity play a key role against cultural assimilation efforts of states, see Bader (n 14) 45; Bader (n 20) 12. Bader rightly notes that ‘the secularisation thesis’ has neglected the ‘power asymmetry’ between majority and minority religions and claims that religions are ‘public and go public’. Bader (n 20)12; Bader (n 14) 44.

98 I mainly benefit from Veit Bader’s following argument while formulating this last claim: From the perspective of politics, for Bader, we observe ‘the changing forms and types of religions and of religiosity under specific institutional conditions and in specific contexts’ or ‘we see country-, region- and institution-specific changes in belief and practice, and increasing religious diversity’. Bader (n 20) 11 (emphasis original). For a similar view, see Taylor (n 14)1-24.

99 There are several empirical studies in the scholarly literature challenging the secularist claim that religion will lose its significance in the wake of modernisation process. For an excellent summary of these studies see Fox (n 11) 539-42.

4. Conclusion

The main argument raised in this chapter, which also constitutes the second assumption of facilitative secularism, has been that secularism as minimal differentiation should be delinked from the restrictive interpretations of philosophical and sociological secularisation. This is necessary for two reasons.

First, that the whole secularisation thesis is not completely invalid. Some basic claims of political, philosophical and sociological secularisation are conceivable. Some basic predictions of the thesis have also come true in the modernisation process. In this regard, I have argued that even though religion has neither been in decline nor become privatised in the wake of modernisation — in other words, even though some predictions of sociological secularisation have failed — this does not necessarily mean that all other politically and philosophically related claims of the secularisation thesis are invalid. I have rather argued that political secularisation has been widely observed and has also been relatively successful in the modernisation process. In other words, the value of secularism as minimal differentiation has been widely accepted and may be seen as an essential feature of democratic states. In a similar vein, all predictions of philosophical secularisation have not failed. Philosophical secularisation is rather a reality in the modern era. The direct impact and control of religion on economic, cultural, social and political spheres has mostly diminished. Those spheres have had their own values, operated according to their own logic and governed by scientific knowledge. The supremacy of science, reason and rationality over traditional ways of thinking to grasp the life we live in and how it operates is salient. For this reason, instead of dropping the whole secularisation thesis when some predictions of it fail, the validity of the politically, philosophically and sociologically related claims of the secularisation thesis should be examined separately.

The second reason is that if secularism as minimal differentiation, as the simple political meaning of secularism, is tightly associated with and informed by the
restrictive interpretations of philosophical and sociological secularisation, this leads to
a restrictive and exclusionary understanding of secularism at the political level in
liberal political theory. In other words, if political secularism is closely linked to
sociological secularisation, in other words, if shaped according to the idea that religion
will inevitably decline (or fade away) and become privatised and individualised, this
results in embracing a restrictive understanding of secularism, namely secularism as
strict separation/neutrality. This form of secularism separates the state and religion
strictly, confines religion to the private sphere, and therefore prevents the use of
religious arguments in public political debate. In a similar vein, the state embraces a
restrictive understanding of secularism if it embraces philosophical secularisation as a
comprehensive doctrine. This form of secularism is called ethical secularism in this
chapter. Ethical secularism devalues the religious belief and faith. It establishes a
hierarchy among goods and recognises the superiority of a particular conception of the
good over religious ones. It relies on the belief that particular values and virtues should
be absorbed by individuals to lead a good life. It pursues certain policies in order to
decrease the influence of religion at both social and individual levels and to impose its
own values and virtues upon individuals to create enlightened citizens who lead their
lives in the light of science and reason only. Ethical secularism therefore generates
serious problems regarding religious freedoms and democracy at the expense of value
and moral pluralism.

Although dominant, these restrictive forms of secularism are but one answer to
the controversial relationship between religion and the state, particularly between
secularism and the place of religious arguments in public political debate. It cannot be
proposed as the unique ideal way for governing the relationship between the state and
religions. Given the relevance of religion and growing religious diversity in the modern
era, grounding theoretical arguments and the organisation of institutional religious
governance models on a presumption that religion will decline and inevitably become
privatised cannot remain plausible answers to the question of the place of religious
arguments in public political debate.
Accordingly, a more facilitative understanding of secularism should be embraced in order to address the aforementioned controversial relationship between secularism and the place of religious arguments in public political debate. In the light of the aforementioned claims raised in this chapter, I argue that facilitative secularism is based on the basic claim of political secularisation, viz. that there should be a minimal role differentiation of spheres between the state and religion. Facilitative secularism, however, does not presuppose the decline and the privatisation of religions in modern societies. It rather acknowledges that religion is still a ‘stable and positive aspect of social life’\textsuperscript{101} and ‘possesses intrinsic value’.\textsuperscript{102} It therefore aims to address the question of the place of religious arguments in public political debate by seeking to create a more inclusionary framework for public political debate to afford religious arguments a proper place in public political debate. This has been seen as necessary to ensure better the democratic ideals of equal participation and state neutrality.

The next chapter is allocated to answering the following crucial question: Is exclusion of religious arguments (a priori) from public political debate a necessary condition to pursue the democratic ideals of equal participation and state neutrality?

\textsuperscript{101} Ferrara (n 18) 81.
\textsuperscript{102} Ferrara (n 99) 186.
CHAPTER FOUR:

THE PLACE OF RELIGIOUS ARGUMENTS IN PUBLIC POLITICAL DEBATE

1. Introduction:

In this chapter, I seek to explore the relationship between secularism and the democratic ideals of equal participation and state neutrality. I principally aim to question the validity of a strong assumption of secularism as strict separation/neutrality: that the democratic ideals of equal participation and state neutrality are best ensured when there is a strict separation between the state and religion and religious arguments are (a priori) excluded from public political debate. Special focus is dedicated to a critical examination of restraints imposed upon religious arguments while evaluating their eligibility for public political debate.

I contend in this chapter that secularism as strict separation/neutrality has restrictive and exclusionary effects on religious arguments in public political debate and it is thereby inconsistent with the democratic ideals of equal participation and state neutrality. For this reason, we should consider a better way of pursuing those democratic ideals. I propose that secularism as minimal differentiation, not secularism as strict separation/neutrality, best demonstrates these two democratic ideals. Therefore, the entrance of religious arguments to public political debate should be facilitated by developing a more inclusive and pluralist framework for public political debate and redefining the doctrine of restraint. Particularly I argue that the place of both religious and secular arguments in public political debate should be determined according to whether they comply, not with secular or public reason, but with the normative criteria of secularism as minimal differentiation and the civic virtues of deliberation.
In this regard, this chapter is structured in four main parts. The first part briefly examines the relationship between secularism and the democratic ideals of equal participation and state neutrality. The second part then briefly sketches out the doctrine of restraint with a special reference to secular and public reason. The third part proceeds to suggest why both principles of restraint are exclusionary and restrictive. The final part of the chapter seeks to develop an alternative and more inclusive framework for public political debate and to reformulate the doctrine of restraint.

2. The Relationship Between Secularism And The Democratic Ideals Of Equal Participation and State Neutrality

It has been widely argued that democracy is best flourished under politically secular regimes and therefore believed that ‘modern democracies have to be “secular”’.\(^1\) Even the critics of the ideal of secularism and the regimes of weak and plural establishment recognise that a minimal role, functional, organisational, and institutional differentiation between the state and religion — what I call secularism as minimal differentiation — is a precondition for liberal democracy.\(^2\) This is because, I argue that, in addition to theoretical and normative reasons provided in the first

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\(^2\) See Chapter Two. As mentioned in Chapter Two, even though some critics of secularism, such as Veit Bader and Alfred Stepan, regard an agonistic or indifferent state or a state that respects twin tolerations between the state and religion as a sufficient criteria to regard a political system democratic, they implicitly favour and retain secularism as minimal differentiation.
chapter of this study as to why secularism as minimal differentiation is valuable; secularism as minimal differentiation promotes, guarantees and secures two essential ideals of democracy: equal participation and state neutrality.

Equal participation is one of the essential ideals of democracy. Democracy ‘is a system of conflict regulation that allows open competition over the values and goals that citizens want to advance’. In a democratic system, either in a direct or indirect way, all citizens, secular or religious, have equal political rights to participate in the democratic decision making process and become the authors of the laws they are subject to. They have also equal rights to engage with the state and to advance their interests without being arbitrarily excluded as long as they do not use violence, violate the rights of others and obey to the rules of the democratic game. In this sense, there is always a potential risk of excluding, or even persecuting, non-religious or other minority religious beliefs and arguments when the state ‘act[s] on religious reasons or enforce[s] religious purposes’. Thus, only a minimally secular state flourishes a democratic framework that enables equal right to participation and ‘gives maximum liberty and equality, conceived individualistically or non-individualistically, to all citizens’. More importantly, freedom of religion is a ‘meaningful option only if the state enables its citizens to participate actively in the process of ideal legislation’.

State neutrality is the second essential ideal of democracy. The aforementioned ideal of secularism, namely equal participation, also prevents the state to single out or favour any particular religious/non-religious reason or worldview. It therefore enables

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7 Bhargava (n 5) 31.
8 Mathias Thaler, ‘From Public Reason to Reasonable Accommodation: Negotiating the Place of Religion in the Public Sphere’ (2009) 23 Diacritica 1, 10.
all citizens to relate to the state at an equal degree. In other words, state neutrality is a guarantee of equal participation. Granting equal participation of all affected parties to the democratic decision making processes, the state not only establishes and maintains its political legitimacy but also aims at ensuring social stability and public unity among non-believers and people who have different faiths and beliefs. It therefore creates ‘the lowest common denominator’ among them to live together and to reach consensus on resolving political disputes.

In other words, ‘the exercise of legitimate state power’ should take place ‘in secular terms’ because a neutral state should not give any priority to a particular ‘substantive conception of what constitutes the good life’. It therefore should not establish any religion. It should rather exclude ‘religion from the public sphere of the state’. ‘If laws are adopted based mainly on the religious convictions of citizens and officials’, this detriments the democratic and neutral character of a liberal democratic state. By defining the public and political sphere within neutral, not religious, terms, secular democratic regimes also guarantee freedom of thought and expression.

Even though it is widely accepted that separating the state and religion in a minimal sense is valuable for the sake of demonstrating the democratic ideals of equal participation and state neutrality, the debate begins when considering how to separate state and religion. This debate mainly revolves around the question of whether the democratic ideals of equal participation and state neutrality require eliminating all religious arguments from public political debate. The dominant answer

9 Taylor (n 1).
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has been that ensuring those two ideals of democracy requires separating the state and religion completely and strictly\textsuperscript{15} and placing restraints on religious arguments in democratic decision making process to provide ‘protection to a reason-based polity against a social (dis)order that is based on dictates of religious doctrine and emotions’.\textsuperscript{16} This approach, what I call from the beginning of this study secularism as strict separation/neutrality, has been even offered as ‘the preferred or (...) the only morally legitimate institutional solution’.

This position firstly claims that democracy requires that sovereignty should be derived from people, not from the sacred. In other words, ‘the collective control over the individual, which is often implicated in religious autonomy, is potentially dangerous to popular sovereignty’.\textsuperscript{18} Secondly, the public sphere, where political activity takes place, should be open to all citizens, and be defined without reference to religious convictions.\textsuperscript{19} Allowing religious arguments in the public sphere is inconsistent with this condition for democracy because religiously motivated individuals and groups rely on religious considerations which ‘make a claim for absolute truth’ by considering alternative religious views to be ‘false, misguided, or incomplete’.\textsuperscript{20} For this reason, they are ‘divisive’\textsuperscript{21} and dangerous for establishing and

\textsuperscript{15} Andras Sajó, who is one of the influential supporters of this approach, claims that ‘there can be no constitutionalism without some level of secularism, nor can it exist outside a secularised (modern) society’. Sajó (n 1) 612; Andras Sajó, ‘Constitutionalism and Secularism: The Need For Public Reason’ (2009) Cardozo Law Review 2401, 2401. Moreover, he regards expulsion of ‘the particularism resulting from religious (or ethnic) allegiances’ from the public sphere as the conditions of a stable and unified society. Sajó (n 1) 612. For others who have a similar view, see above (n 1).
\textsuperscript{16} Sajó (n 1) 624 (emphasis original); Sajó (n 14) 2401.
\textsuperscript{17} Veit Bader, ‘Religious Pluralism: Secularism or Priority for Democracy’ (1999) 27 Political Theory 597, 620. Besides the reasons mentioned here, another significant reason for arguing that democracy requires a complete separation between the state and religion resonates with and reflects a certain absolutist and ideological approach that religion is incompatible with democracy. For criticism of both approaches, in addition to claims raised in Chapter Two of this study, see, for example, Ekins (n 6) 85-86; Stepan (n 3); Paul Weithman, ‘The Separation of Church and State: Some Questions for Professor Audi’ (1991) 20 Philosophy & Public Affairs 52, 57; Michael W McConnell, ‘Secular Reason and the Misguided Attempt to Exclude Religious Argument from Democratic Deliberation’ (2007) 1 Philosophy and Culture 159, 165.
\textsuperscript{18} Sajó (n 1) 628.
\textsuperscript{19} Bahlul (n 1) 101.
\textsuperscript{20} Ekins (n 6) 83.
securing consensus, peace and stability among religious and non-religious worldviews in a society. Finally, religious reasons are ‘irrational’, ‘inaccessible’, ‘idiosyncratic’, in other words, they are based on ‘inexplicable grounds and/or a non-reciprocal attitude toward the citizenry’s critical reflection’. Since the ‘liberally-justified authoritarisation of political power’ requires reaching consensus through democratic process among ‘reasonable’ political arguments, these features of religious arguments make them ineligible to be accepted to the public political sphere.

In sum, this dominant approach claims that the democratic ideals of equal participation and state neutrality are best pursued when the state and religion is separated strictly, a secular public space, which is completely independent from religion, is created and therefore when religion is relegated to the private sphere. In particular, religious reasons cannot be used in order to justify and support any legal or political regulations in public political debate and need to be excluded from public political debate. For the sake of demonstrating the aforementioned two ideals of democracy and reaching a consensus among citizens holding competing conceptions of the good life, citizens must leave aside their ‘inaccessible’ and ‘non-public’ moral, ethnic, gender-related or religious ideas or reasons behind while entering into public political debate. They, in other words, must conform to a certain principle of restraint which has been defined by reference either to ‘secular’ or ‘public’ reasons.

22 Perry (n 21) 1429.
23 Dorfman (n 21) 289.
24 ibid 291.
25 Minkenberg (n 1) 3. For a similar view, see Jean Bethke Elstain, ‘Religion and Democracy’ (2009) 20 Journal of Democracy 5, 8-10. Veit Bader argues that a great number of leading philosophers, such as Ronald Dworkin, Bruce Ackerman, William Galston, John Rawls, Robert Macedo and Robert Audi ‘believe that (…) values of freedom, equality, and toleration are best preserved if religion is removed from public affairs’. Bader (n 17) 598. For other supporters of this claim see footnote 1. As mentioned in the previous chapter, secularism as strict separation/neutrality can take an ethical form which embraces secularism as a comprehensive doctrine.
In this regard, I will now briefly examine the doctrine of restraint placing special emphasis upon its two different versions: secular and public reason. Then, I will attempt to explain why both restraints are exclusionary and restrictive.

3. The Doctrine of Restraint

The doctrine of restraint has been applied by ‘strict separationists/neutralists’ as a crucial way to ensure and secure equal participation and state neutrality and to organise and regulate the democratic decision making processes in public political debate. The doctrine of restraint refers to ‘the claim that citizens and legislators ought to restrain themselves from making political decisions solely on religious grounds’. 27 It is invoked mainly to determine which arguments are ‘accessible’ to others to be allowed in the political debate and ‘reasonable’ to be used to justify any legal or political regulations. In other words, it aims at providing criteria for evaluating which ‘reasons’ are acceptable in deliberation among citizens. 28

This restraint principle has been defined by reference either to ‘secular’ 29 or ‘public’ 30 reasons. Even though they have been mostly used interchangeably, or it is believed that the latter encompasses the former, I shall argue that there is a notable difference between the two.

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28 Thaler (n 8) 5.
Secular reason is based mainly upon an assumption that religious reasons cannot be used in order to justify and support restrictive or coercive legislation. A secular reason depicts a reason ‘whose normative force does not evidently depend on the existence of God or on theological considerations, or on the pronouncements of a person or institution qua religious authority’. It is argued that since public sphere should be ‘secular’, public reasons are by nature secular reasons. On the other hand, public reason refers to ‘reasons on which citizens are to rest their political cases in making their political justifications to one another and to basing one’s own arguments in the political debate ‘on values that the others can reasonably (…) endorse’. Since agreement on a particular reason derived from a certain ‘comprehensive doctrine’, either religious or non-religious, is impossible, public reason requires citizens not to bring their reasons based on their comprehensive doctrines (non-public reasons) into public discussions in order to come to agreement with others. In this sense, the common idea shared by liberals has been that ‘political arguments [must] appeal to public reason and public reason alone’.

As could be deduced from this notable divergence, while the former seems to give secular arguments priority over religious ones, the latter seems to afford secular and religious arguments equal weighting when considering the features of

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33 See generally Robert Audi (n 1) 259.
35 Rawls (n 30) 226; John Rawls, Political Liberalism (expanded edn, Columbia University Press 2005) 214. For Rawls, public reason entails that citizens ‘should be ready to explain the basis of their actions to one another in terms each could reasonably expect that others might endorse as consistent with their freedom and equality’. Ibid 218. For a detailed and sophisticated analysis of which reasons count as public, see Kent Greenawalt, ‘What are Public Reasons’ (2007) 1 Journal of Law, Philosophy and Culture 79.
36 Dorfman (n 21) 289.
comprehensive doctrines and their place in politics.\textsuperscript{37} I now briefly examine both types of restraints\textsuperscript{38} with a view to showing how both of them reflect the restrictive interpretations of ‘philosophical secularisation’ and to exploring whether excluding religious arguments beforehand from public political debate ends up a less democratic and inclusive democratic public sphere.

3.1. Secular Reason

Besides guaranteeing and securing the democratic ideals of equal participation and state neutrality, the main reason for imposing secular reason upon religious reasons are that religious beliefs and arguments are contended to be (i) not ‘sufficiently rational to allow one to introduce them into politics’,\textsuperscript{39} (ii) ‘divisive’ and ‘prone to extremism and intolerance’\textsuperscript{40}, (iii) ‘idiosyncratic’ and not ‘accessible’ since they are ‘premised on beliefs that are not falsifiable’ and not ‘amendable to reasoned assessment on the basis of evidence available to everyone’.\textsuperscript{41} It is particularly contended that this last point prevents adherents of a religion from gaining a critical stance on their religious beliefs\textsuperscript{42} and makes religious arguments ineligible for public political debate.

Due to those features of religious reasons, proponents of secular reason argue that acceptance of them to public political debate ‘privileges the believer’ and thus ‘undermines the fundamental liberal principles of critical inquiry, religious and ideological pluralism, and secular reason’.\textsuperscript{43} Therefore, giving the religious arguments a

\textsuperscript{37} Bilgin (n 37) 2.
\textsuperscript{38} Note that it is quite clear that there is an obvious difference between reasoning in law and reasoning in politics. Given the scope of this study, the doctrine of restraint is examined with mostly reference to citizens who invoke secular or public reasons in public political debate.
\textsuperscript{39} Sweetman (n 31) 168. See also Brendan Sweeney, \textit{Why Politics Needs Religion: The Place of Religious Arguments in the Public Square} (InterVarsity Press 2006) 122.
\textsuperscript{40} McConnell (n 17) 160. For an advocate of this line of reasoning see Stanley Fish, ‘Why We Can't All Just Get Along’ (1996) 60 First Things 1, 18-21.
\textsuperscript{41} McConnell (n 17) 168.
\textsuperscript{42} Perry (n 21) 1429.
\textsuperscript{43} Sajó (n 1) 625.
place in the political sphere might create ‘emotional politics’ and ‘arbitrary system’ and subject law ‘to the dictates of sensitivity’ and give religions a ‘natural advantage’ among other views in a society. Religion is therefore a ‘conversation stopper’ regarding discussions of public policy in the democratic decision making platforms and should be ‘privatized’ by ‘keeping it out of’ the public sphere.

In this sense, Robert Audi, who is one of the well-known and oft-cited scholars who has formulated the secular reason, argues that the religious person should comply with two main principles while introducing her arguments into public debate: the principles of ‘secular rationale’ and ‘secular motivation’. The former principle requires that ‘one should not 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’. Audi’s supplementary principle of ‘secular motivation’ seems to constitute a more demanding and restrictive principle. It points to the requirement that one should ‘not only has and is willing to offer’, but should also be ‘motivated by adequate secular reason’. These two principles are also quite related to his other ideal expected by religious citizens to adopt, namely ‘theo-ethical equilibrium’. Theo-ethical equilibrium is built upon the assumption that a religious person should achieve ‘a rational integration between (…) religious deliverances and insights and, on the other, considerations drawn from secular thought and discussion’.

This brief overview of the secular reason indicates that religious arguments can be allowed in the public and political sphere provided that they are ‘translated’ or ‘at

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44 ibid 626.
46 Robert Audi, Religious Commitment and Secular Reason (Cambridge University Press 2000) 86.
47 (n 1) 279; Audi (n 46) 86.
48 Audi (n 1) 284 (emphasis original).
49 Audi (n 32) 699.
least translatable’ into secular reasons. 50 Another remarkable observation is that the proponents of the secular reason regard secular and public reasons as identical. In other words, they claim that ‘public reasons are explicitly and by definition secular’. 51 In their view, ‘neutral’ ‘come[s] to mean “secular”’. 52 This tendency regards ‘secular, “objective”, reasoning’ as the ‘neutral starting point’, and therefore excludes religious reasoning form politics by labelling it as ‘controversial, subjective, and inappropriate’. 53

3.2. Public Reason

Public reason developed by political liberals seems more inclusive than secular reason in terms of the conditions for allowing the religious arguments in public political debate. Even though both proponents of restraints assume a strict separation between the state and religion, proponents of public reason seem to have smoothed the nature and scope of restraints.

I will briefly examine the doctrine of public reason referring to John Rawls, with whom the doctrine of public reason is mostly associated. 54 Rawlsian public reason can

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50 Sajó (n 1) 607.
51 Bader (n 17) 610.
52 Bader (n 17) 174. For a similar claim, see also Stephen V Monsma and Christopher Soper, The Challenge of Pluralism: Church and State in Five Democracies (Rowman & Littlefield 1997).
53 Bader (n 17). For instance, Sherry views faith as irreconcilable with reason and favours reason over faith, see Suzanna Sherry, ‘Enlightening the Religion Clauses’ (1996) 7 Journal of Contemporary Legal Issues 473, 477. In a similar vein, as Maeve Cooke argues, Jurgen Habermas argues that neutrality requires secularism, in other words, translation of religious arguments to secular ones to be accepted to the formal public sphere. See Maeve Cooke, ‘A Secular State for a Postsecular Society? Postmetaphysical Political Theory and the Place of Religion’ (2007) 14 Constellations 224, 231.
be accepted as one of the well-articulated and also oft-cited theoretical approaches to the doctrine of restraint.55

Rawls was one of the most influential scholars who ventured to give religious arguments a proper place in political debate in a most detailed and sophisticated manner without privileging secular arguments. Rawls was motivated mainly by eliminating the exclusionary features of secular reason which were insufficient to deal with growing religious diversity and demands of religious minorities in politics in modern Western societies. For this reason, Rawls, in his renowned book, *Political Liberalism*56 (hereinafter, PL), aimed to look for a more inclusive democratic framework to give religious arguments a proper place in public political debate in a religiously diverse society.

Pointing to the tension between consensus and diversity in a modern society, Rawls argued that none of the comprehensive doctrine can constitute the basis for consensus and stability. Since one of the essential features of modern democracies is pluralism of incompatible but reasonable comprehensive doctrines, an imagination of a well-ordered society in which citizens are required to agree on a unique conception of good life is inconsistent with pluralism. In other words, Rawls saw a potential compromise or consensus among different comprehensive doctrines impossible since he argued that they are ‘incompatible, incommensurable, and conflicting’.57 He therefore argued that only a ‘political conception of justice’ guarantees stability and unity which all competing reasonable comprehensive doctrines might be able to endorse.58 For the sake of consensus and stability and of reaching agreement,59 citizens should endorse the fundamental principles of political conception of justice (not a comprehensive conception of justice) and leave their moral, religious or

55 Kent Greenawalt, for instance, argues that John Rawls ‘has given us the best known and most completely developed account of public reasons’. Greenawalt (n 35) 80.
56 Rawls (n 30) 1996.
57 ibid 135.
58 ibid xviii. Christina Lafont defines this as ‘overdetermination thesis’ which refers to the idea that we can ‘arrive at the same results by different epistemic paths’. Christina Lafont, ‘Religion in the Public Sphere: Remarks on Habermas’ s Conception of Public Deliberation in Postsecular Societies’ (2007) 14 Constellations 239, 240 (emphasis original).
59 Rawls’ consistent emphasis upon stability can be observed in several pages of PL. See generally, Rawls(n 30) 65; 133-4; 141.
philosophical views aside while entering into the public deliberation to discuss political issues.

This point is what makes Rawls’ approach different and more inclusive than the proponents of secular reason. He did not limit the content of comprehensive doctrines to religious ones only. He aimed to indicate that a doctrine can be comprehensive even if it is secular, such as Kantian and Millian liberalism [or utilitarianism], 60 when it has virtues and ideas that have a character exceeding the beyond of political values and are imposed upon the public at large.61 In this context, Rawls regarded religious doctrines, not the only one, but among those of comprehensive doctrines which view their conception of the good as a transcendent one, and therefore do not accept the compromise.62

Accordingly Rawls did not offer a robust theory of secularism which equates public reason with secular reason. Contrary to the aforementioned secular reason approach which is ‘characterised by secularization of public and political sphere and its concomitant moral outlook’, 63 Rawls regarded giving secular arguments priority over religious ones inconsistent with pluralism and diversity. He regarded pluralism and diversity as one of the significant features of democratic societies and as ‘the natural outcome of the activities of human reason under enduring free institutions’.64

This, in other words, means that Rawls did not totally eliminate restraints upon religious arguments. He only aimed to prevent the privileged position of secular reasons over religious ones in public political debate. Rawls offered reasonableness as the main condition that should be met by both secular and religious all comprehensive doctrines in order to be accepted to the public deliberation of fundamental political issues. Reasonableness, according to Rawls, provides ‘fair terms of cooperation’ which

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60 Rawls characterises classical utilitarianism as a comprehensive doctrine. Rawls (n 30) 134-35; Rawls (n 35) 169-70. Rawls also argues that secularism is itself a ‘comprehensive nonreligious doctrine’. Rawls (n 33) 452.
61 Rawls (n 30) 78.
62 ibid 175.
63 Bilgin (n 37) 2.
64 Rawls (n 30) xxvi.
are acceptable by other free and equal citizens. In this sense, a reasonable comprehensive doctrine does not reject the fundamentals of a democratic regime and not repress the basic rights and liberties recognised in the political conception. A political conception of justice provides the common basis to guide public political debate among citizens holding reasonable comprehensive doctrines.

In this regard, in public political debate about the coercive legislations, citizens should give each other accessible reasons for their arguments which are not based on their own exclusive, incompatible, incommensurable, and conflicting comprehensive doctrines and which can be understood and accepted by other citizens. Public reason, therefore, requires citizens not to bring their reasons based on their comprehensive doctrines (non-public reasons) into public discussions while engaging in public reasoning in order to come to agreement with others. In other words, one should rely on reasons that need to be comprehensible on the basis of rational thought and accessible to everyone.

This sort of an approach inevitably requires reasonable individuals. Rawls argued that a reasonable person should accept disagreement on political issues as a part of the human condition and should not intend to suppress other comprehensive doctrines by using political power. Citizens who adhere to public reason should ‘respect each other as free and equal citizens’. In public political discussions, every citizen should be ready to listen to others and conform to a ‘moral duty’, what Rawls called ‘duty of civility’, ‘to be able to explain to one another how the principles and

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65 Rawls (n 35) 61.
66 Rawls (n 30) xvi. Political values contained in the political conception are ‘toleration and mutual respect, and a sense of fairness and civility’. Rawls, Political Liberalism (Columbia University Press 1993)122.
67 Rawls (n 30) 135, 214.
69 Greenawalt (n 14) 453.
policies they advocate and vote for can be supported by the political values of public reason’.70

Religious citizens, like any other citizens, should comply with this ‘moral duty’ and must abandon to apply to religious reasons as the only base of their arguments while entering into the political debate. In other words, Rawls envisioned that religious citizens must wholeheartedly accept the fundamentals of political conception of justice, rather than a simple modus vivendi. In this sense, while Rawls favoured reasonable religious comprehensive arguments which ‘is ready to cooperate with others’, he labelled the religious comprehensive doctrines which ‘engages in cooperation but favours its own interest over terms of cooperation’ or ‘unwilling to cooperate at all’ as ‘politically unreasonable’.71

Rawls also offered a narrower scope for applying public reason compared to the proponents of secular reason. Given the nature of secular reason examined above, it might be argued that the scope of secular reason seems to cover all coercive/noncoercive laws and policies and all political questions. It also seems to require that secular reasons should be invoked by not only judges, officials, public authorities or legislators, but also by citizens. Rawls, however, argued that public reason is appealed only to the resolution of ‘constitutional essentials’ and the ‘question of basic justice’, not the regular political questions.72

Even though Rawls argued that judges, officials, public authorities or legislators and citizens who are entering into ‘the public political forum’ should invoke public reason,73 he stated that the political conception of justice should regulate only the

70 Rawls (n 30) 217.
71 Bilgin (n 37) 19-20.
72 Rawls (n 30) 214-28. Rawls’ portrayal of the scope of public reason is much narrower. For instance, Lawrance Solum argues that the scope of public reason should be broad and it should be appealed to all coercive legislation. See Lawrence B Solum, ‘Constructing an Ideal of Public Reason’ (1993) 30 San Diego Law Review 729, 739.
73 See Rawls (n 35) 767-8. The duty of public reason also applies to manifestation of political parties and candidates competing for office and citizens voting. Rawls (n 30) 215. Moreover, Rawls regards the court
political sphere of basic social, political and economic structures, not the informal, what he called, ‘background culture’ of the civil society, such as churches, universities, family, insofar as basic rights and liberties of the citizens are protected. In other words, public reason is not appealed to the issues in the background culture in discussions even if the topics are related to political issues. In this sense, even though Rawls claimed that keeping free expression of religion in the realm of background culture may diminish or eliminate adversity between religions and the state, he formulated a ‘proviso’, or namely ‘wide view of public reason’, that reasonable comprehensive doctrines, like religious arguments, may participate in public political discussion provided as long as they can give suitable political reasons ‘in due course’ supported by public reasons.

4. The Restrictive Features of both Secular and Public Reason

Did Rawls really succeed in assigning religious arguments a proper role in political debate without privileging secular arguments? Not completely. Even though Rawls aimed to put ‘religious and secular doctrines on an equal footing in the public reason and the values of political conception of justice. Rawls (n 30) 236.

Rawls (n 35) 11.

Rawls (n 35) 443-4. This distinction between the public political forum and background culture of civil society resembles the distinction made by Jurgen Habermas between formal and informal public spheres. Habermas places an ‘institutional translation proviso’ between formal (including parliaments, courts, ministries and administrations) and informal public sphere. According to him, only secular reasons count beyond the formal public sphere and only invoked by public officials. Habermas (n 54) 9-10. Christopher Lafont argues that even though much more inclusive, constraints upon religious arguments invoked by Habermas are as strict as those of Rawls. Lafont (n 58) 245. In other words, Habermas allows religious contributions in political deliberation only in the deliberation taken place in the informal public sphere. In addition, Habermas’ approach can be accepted as more restrictive than that of Rawls. While Rawls makes a distinction between secular and public reason, Habermas regards secular reasons as ‘generally accessible’ only and therefore equates ‘general accessibility’ with ‘secular’. Cooke (n 53) 230. For a similar but more comprehensive criticism towards Habermasian perspective see Veit Bader, ‘Post-Secularism or Liberal-Democratic Constitutionalism’ (2012) 5 Erasmus Law Review 5.

Rawls (n 33) 783-4 (emphasis added). This wide view of public reason epitomises a significant shift from his aforementioned approach in the first publication of PL in 1993. Because Rawls argues in PL published in 1993 that citizens cannot bring reasons derived from their own comprehensive doctrines engaging in public reasoning. See Rawls (n 66); John Rawls, ‘Commonweal Interview with John Rawls’ in Samuel Freeman (ed), Collected Papers (Harvard University Press 1999) 616.
formation of political morality', 77 his doctrine of public reason still imposes more additional burdens upon religious people than the adherents of secular comprehensive arguments. His understanding of public reason therefore bears the traces of a restrictive understanding of secularism at the expense of a more inclusive and difference-sensitive democratic framework for public political debate.

I now explain my reasons for this claim as a part of my broader attempt to reconsider the relationship between secularism and the democratic ideals of equal participation and state neutrality. I attempt to show that demonstrating these two ideals of democracy do not require a complete separation between the state and religion and invoking secular or public reason with the aim of excluding religious arguments from public political debate. Demonstrating these two ideals of democracy, on the contrary, require allowing religious arguments enter public political debate. For this reason, a more inclusive and pluralist framework for public political debate and a more inclusive doctrine of restraint beyond exclusionary and restrictive secular and public reason restraints should be envisioned.

My alternative approach derives mainly from criticisms that I have raised in previous chapters against secularism as strict separation/ neutrality and particularly against secular and public reason that I will provide below. Even though my alternative approach is based on criticism of both secular and public reason, it does not necessarily suggest that all restraints upon non/religious arguments should be abolished completely. Rather, I suggest that even a more inclusive and pluralist framework for public political debate should invoke some certain normative constraints that should be imposed on both religious and non-religious citizens. This is necessary for the sake of ensuring social stability, public unity and consensus. However, this framework should not aim to attain and secure social stability, public

unity and consensus as the essential values and goals of secularism at the expense of differences and pluralism in a society.

In this regard, I will now aim to explain my alternative approach in a more detailed way by first exposing and also responding to the restrictive and exclusionary features of both secular and public reason. This attempt is worth taking because it helps me show why religious arguments are not epistemologically inferior or more divisive than secular arguments and, in a similar manner, epistemological status or prone to divisiveness are not the sole criteria for evaluating the eligibility of a non/religious argument for entering public political debate.

4.1. Affording Secular and Public Reasons Equal Weighting: Religious Reasons are not Inferior than Secular Reasons

Even though public reason is more inclusive than secular reason, it can be argued that the proponents of both doctrine of restraint endorse an exclusivist and restrictive conception of public deliberation. They therefore reduce the relationship between secularism and the democratic ideals of equal participation and state neutrality to narrowly defined simple formulations. Their strict emphasis on the preservation of consensus, stability, and unity in a society and resting far too much emphasis on reasonableness and reason giving, rationality, and neutrality have resulted in the exclusion of religious individuals or groups of people from the political processes. This has raised serious concerns about equal participation and neutrality and pluralism, diversity and difference as the indispensable features of democratic societies.

I will now not only reveal but also present my critiques against the restrictive and exclusionary features of secular and public reason benefiting from several oft-cited works of and theoretically strong criticisms raised by leading scholars. Before delving into every single aspect of my main critiques, it might be useful to present a couple of common themes regarding the exclusionary effects of the aforementioned secular and
public reason: I argue that they both (i) embrace the ideological aspirations and presuppositions of philosophical secularisation and thereby privilege a very specific understanding of reason, (ii) inevitably eliminate beforehand religious arguments from entering into public political debate; (iii) violate the ideal of state neutrality by implicitly or explicitly equating ‘neutral’ with ‘secular’ or giving priority to ‘secular’ arguments over religious ones in the formulation of political ethical values that promoted and embraced by the state; (iv) cause disenfranchisement of or marginalisation and radicalisation of religious people and therefore cause creation of a more polarised society and a state which is indifferent to difference, (v) ignore and not sufficiently address ‘the transformative power of deliberation’ and ‘the stabilizing effect of civic deliberations’.

4.1.1. Secular Reason: Ideological and Exclusionary

Proponents of both secular and public reason stick to restrictive interpretations of non-religious basic epistemological underpinnings and presuppositions of philosophical secularisation which devalue religious reason. In other words, they champion and give priority a normative and metaphysical priority and superiority of science, scientific method, reason and rationality over metaphysical ideas, religious belief, revelation, sentiment, superstition and dogma. By endorsing this Enlightenment oriented specific version of reason over religious reason, they also devaluate ‘experience, emotion, virtues and traditions of practical knowledge’. This attitude results in declaring religious reason as irrational, dogmatic, and inaccessible. Besides pointing to their epistemological status, the proponents of secular and public reason

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78 Cooke (n 53).
79 Thaler (n 8).
80 For this reason, criticisms raised in the previous chapter against the basic restrictive interpretations of the Enlightenment philosophy and its configuration of religion phenomenon are also valid for being used against the proponents of both secular and public reason.
81 Veit Bader, Secularism or Democracy: Associational Governance of Religious Diversity (Amsterdam University Press 2007) 69. This is also related to emphasising Kantian moral autonomy ‘as an unconditional requirement of reason, severed from all emotions and worldly passions’. Ibid 74. This approach, in other words, discounts ‘practical knowledge, and, of course, passions’. Bader (n 17) 617.
also regard religious arguments as divisive and prone to extremism so as to exclude them from public political debate.

Religious arguments, however, are not necessarily irrational, dogmatic, and inaccessible or secular arguments are not automatically rational, open to criticism, and accessible. First of all, religious arguments need not necessarily be irrational and unconvincing. Therefore, an argument over the rationality of religious beliefs is incomplete and insufficient. For instance, ‘the reason can be used to establish the rationality of basic religious beliefs’ as well and if a religious believer regards her arguments as reasonable as secular arguments, she must be convinced why secular reasons are better than religious ones. This therefore requires an analysis and discussion of the rationality of religious belief. Accordingly, it must be proved that religious arguments are not as rational as secular arguments, and the only way of this requires a lively and on-going public square debate. Thus, this inevitably requires the acceptance of allowing the religious arguments in the public debate.

Given the idea that religious arguments are dogmatic and a religious believer cannot gain a critical stance on her religious beliefs, one might oppose this claim arguing that loyalty to the Ultimate Reality or adhering to certain doctrines of a religious system ‘is not immune to either criticism or suspicion’. This is not to disregard that some religious believers cannot gain a critical stance towards their religious beliefs. However ‘close-mindedness’ or ‘fanatical tenacity’ should not be regarded as the traits of religious persons only. A secular argument can also be ‘dogmatic, intolerant, and uncompromising’. Religious discourse ‘is not necessarily more problematic – more monologic, say – than resolutely secular discourse’ or a

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82 Sweetman (n 31) 168.
83 ibid 165-6.
84 ibid 168.
85 Perry (n 21) 1431 citing David Tracy, Plurality and Ambiguity: Hermeneutics, Religion, Hope (Harper & Row 1987) 112.
86 Perry (n 21) 1431.
87 McConnell (n 17) 167.
88 Perry (n 21) 1431.
secular argument or discourse can also be perfectly ‘divisive’, ‘sectarian’ or it may be ‘fundamental’ which is sometimes brought to bear in political debate ‘dogmatically’.

Religion, however, as Michael Walzer notes, ‘is a mixed bag, exactly like secular ideology’. All religious groups cannot be labelled as conservative or fundamentalist, on the contrary, there have been several religious groups which adhere to the principles of democracy and put forward potentially legitimate and democratic religiously based arguments. In this sense, excluding every religiously based argument from public political debate by failing to draw a distinction between moderate and excessive inevitably ignores the efforts of some religious groups which aim to prove the compatibility of their religious convictions with liberal democracy. This results in allowing several potentially divisive and absolutist secular political arguments automatically to enter political debate, but excluding potentially legitimate and democratic religiously based arguments.

In this regard, allowing the aforementioned moderate religious groups’s religiously based arguments in the public sphere can trigger challenge and reinterpretation of traditional fundamentalist and paternalist religious beliefs within religious groups in line with democracy and human rights. This sort of an inclusion, as Michael Sandel mentions, ensures public criticism of hidden and strong motivators of fundamentalists and radicals and prevents them from being the unique religious voice heard in the public square. In other words, ‘preventing citizens from conveying their

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89 ibid 1434; 1436.
90 ibid 1438.
93 McConnell (n 17) 167.
full reasons into public deliberation may instead subtract unreasonable views from the criticisms they deserve’. 95

This also helps the citizens gain an opportunity to ‘take into account perspectives different from their own and, if necessary, to revise their positions’. 96 As Jeremy Waldron underscores, it is quite important for a person to be aware of and familiar with the views other people hold. Even if she resists changing her own view, this may improve her own view ‘by exposure to a religion or a metaphysics’ that she is at first tended to reject’. Excluding religious or any other moral arguments from public deliberation renders public debate a deliberation that ‘in the name of “fairness” and “reasonableness” (…) consists of bland appeals to harmless nostrums that are accepted without question on all sides’. 97

These two examples show us that deliberation might have a ‘transformative power’ 98 or effect over both religious and secular citizens. Allowing religious arguments enter into public political debate might give them an opportunity to modify themselves, their strong views or to produce ‘new perspectives’. 99 In other words, as deliberation might urge fundamentalist and radical (religious) groups to revisit their traditional close-minded views and to take into consideration the merits and benefits of participating democratic deliberation, 100 it also allows both religious and secular citizens to be exposed to alternative and conflicting views that help them improve their

95 Bonotti (n 94) 117.
96 ibid 117. For instance, as Perry notes, when a religiously based moral argument opposing to homosexual sexual conduct, which is also supported by a secular argument, such as homosexuality like alcoholism is pathological or threaten to the traditional family values, is allowed in the public debate; this sort of an argument can be tested by ‘competing scripture – or tradition-based religious arguments’. Perry (n 21) 428.
98 Cooke (n 53) 228.
99 ibid 230.
100 For the reasons why choice to to adhere to holistic religious beliefs and self-distance from politics might have high costs for those religious groups, see Eldon Eisenach, The Next Religious Establishment: National Identity and Political Theology in Post-Protestant America (Rowman&Littlefield 2000).
own view(s) and make them ready to debate issues in an inclusive deliberation process.101

The advantages of being aware of and familiar with the ‘different, unexpected, and unfamiliar arguments’102 can also be used to challenge another exclusionary rationale for excluding religious reasons from public political debate: accessibility. Religious reason is seen as inaccessible because it is assumed that it is not ‘amenable to reasoned assessment on the basis of evidence available to everyone’ and premised on non-falsifiable beliefs.103 However, as Michael McConnell puts it, ‘religious beliefs rest on the same sorts of experience, and can be evaluated according to the same criteria of evidence, as any other beliefs’.104 This view regards faith and reason as not opposites.105 Even though evaluating McConnell’s provocative argument over whether faith and reason are not opposites requires deeper analysis from the perspective of epistemology, it may be argued that creating an exclusionary principle based on a hotly debated issue and the ‘epistemic pre-screening devices like the principle of secular rationale’ violate the theory of democratic deliberation. This sort of an approach ‘rests on inaccurate stereotypes and questionable epistemological premises, and would disenfranchise religious persons’.106

In this sense, McConnell finds the accessibility argument ‘underinclusive and overinclusive’107 arguing that there are several secular arguments which are overtly inaccessible: ‘arguing on the basis of personal experience’ which are ‘predicated on

101 This transformation power of deliberation, however, is not defended in this study when it comes to mean that deliberation aims at reaching ‘agreement on a single right answer through transformation of perceptions, interpretations, and evaluations’. See Cooke (n 53) 228. Deliberative democrats, particularly Jurgen Habermas, support this form of an understanding of transformation. See, Jurgen Habermas, Between Facts and Norms (William Rehg tr, Polity Press 1996); John S Dryzek and Valerie Braithwaite, ‘On the Prospects for Democratic Deliberation: Values Analysis Applied to Australian Politics’ (2000) 21 Political Psychology 241. My approach emphasises the significance of transformation through deliberation for the sake of moderation and inclusion, not of reaching agreement for a single right answer. It accepts the significance of and expression of divergent perceptions, interpretations, and evaluations in public political debate as long as, as will be examined below, they conform to the restraint of the civic virtues of deliberations.
102 Cooke (n 53) 230.
103 McConnell (n 17) 168.
104 ibid 168-9.
105 ibid 169.
106 ibid 174.
107 ibid 169.
evidence available to oneself’; ‘knowledge’ which is only accessible to particular groups, such as sexual harassment (claimed that it cannot be got by men), racism (only victims can completely comprehend its nature), identity politics and so forth. Moreover, a significant portion of moral arguments are also not open to empirical and scientific confirmation. These arguments are held by us simply because ‘they render our total understanding of the world more coherent or because they appear self-evident upon due reflection’. In this sense, the primary aim of McConnell is to prove that secular arguments ‘are not based on “reason”, where reason means ratiocination’, namely ‘they are based on ideological positions or points of view’. Thus, not only religious arguments but also secular arguments reflect distinctive world views and it seems utopian to consider that laws in a pluralistic society are based on ‘shared premises, common to the entire populace’.

In a similar vein, Matteo Bonotti also criticises the claim that religious arguments are more ‘idiosyncratic’ and ‘inaccessible’ compared to non-religious ones. He notes that a significant number of arguments in political debate are not based purely on scientific and empirical grounds. On the contrary, most of them are the “empirically-untestable” arguments advanced by liberals, communists, communitarians, conservatives etc.’, i.e. ‘the libertarian belief that “people have a right to dispose freely of their goods and services (…)” or the communitarian claim that “human beings are above all cultural beings embedded in their communities”’. Accordingly, even Bonotti states that ‘if we were able to always make political decisions on the basis of empirically testable arguments, (...) politics would no longer be required’.

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108 ibid.
109 ibid 170.
110 ibid 170.
111 Bonotti (n 94) 107, 119.
112 ibid 119. McConnell contends that even if we insist on keeping the accessibility argument on the table, it can apply directly only to ‘mystery religions’ whose traditions based upon ‘arcanum, or secret wisdom’ which are not available to the outsiders. However, McConnelly claims that most religious traditions do not belong to this group of religions and notes that ‘not everyone agrees with the Bible, just as not everyone believes in Keynesian economics’. McConnell (n 17) 170.
Accordingly, resting far too much emphasis on accessibility also ignores the aforementioned transformative power of deliberation and undervalues ‘the capacity of the democratic process to resolve conflicts peacefully’. Even though it has been argued by strict separationists/neutralists that religious arguments are divisive, intolerant and prone to extremism and a threat to political stability, this idea is a ‘myopic and outdated’ view which reflects the fears of the memories of the wars of religion of the sixteenth and seventeenth centuries. This approach at best affords a pragmatic rather than a moral case for a certain kind of secularism and thus this historical fact cannot be used as the unique argument to support an approach saying that allowing religious arguments in public political debate inevitably results in political and social conflict. This risk is always possible; however, the unique and indispensable solution for eliminating this risk is not adapting exclusionary practices. As Paul Weithman and Christhoper Eberle argue, asking religious believers to restrain their convictions as the central feature of their identities in the public realm while allowing only secular reasons ‘is itself a recipe for significant alienation, resentment, and divisiveness’. In other words, discounting distinctive views automatically as illegitimate for the sake of consensus and stability may result in marginalisation and radicalisation of religious groups. Secular or public reason decreases the impacts of democratic participation and deliberation which foster ‘compromise and mutual accommodation’. Therefore, excluding religious groups from political debate does not ‘decrease divisiveness and promote toleration’, but, on the contrary, it intensifies ‘the anger and hostility that citizens feel toward the hegemonic and exclusionary practices of the secular power’. To put it differently, excluded religious or any other particular groups become ‘alienated and radicalised’ and attempt to engage in politics ‘outside the system’.

113 McConnell (n 17) 167.
114 Bader (n 17) 602.
115 Langerak (n 94) 132.
116 ibid 134.
117 McConnell (n 17) 167.
118 ibid.
119 ibid.
Moreover, religious debates about some controversial issues, such as racial discrimination or war, are not much more divisive than secular debates. Even some issues are by nature controversial, thus any debate over these issues is unavoidably divisive ‘without regard to whether the debate is partly religious or, instead, only secular’\(^{120}\). As Michael McConnell rightly argues, ‘there is no real empirical matter that religiously motivated political activism is any more strident, any more divisive, than “secular” activism’.\(^{121}\) A religious argument can be ‘harsh’ and ‘uncompromising’, but at the same time, it can be ‘generous, gracious, and humble’\(^{122}\).

In sum, secular reason relegates religious groups to the margins of the social and political life disregarding at the same time the moderating effect and transformative power of deliberation process on arguments and reasons. This results in sticking to a strong understanding of stability, unity and consensus at the expense of differences and pluralism in a society. This sort of an approach only ‘misses the real problem’\(^{123}\) and desires that ‘the game should be won by the secular side’.\(^{124}\) In this regard, this question may be raised against the common claim raised by the proponents of secular reason is that ‘without secular reason-giving, privileged knowledge (...) will become mandatory’:\(^{125}\) Does favouring secular reason which excludes religious arguments from public political debate not privilege secular over religious and render this sort of an approach less neutral? Given the criticisms of secular reason presented above, my answer to this question is definitely ‘Yes!’. For this reason, Rawls’s attempt to afford secular and religious arguments equal weighting while determining the scope and nature of comprehensive doctrines can be seen as a significant attempt to avoid the aforementioned wide-ranging criticisms. Notwithstanding its success, it is still quite exclusionary and cannot effectively deal with addressing to the problem of finding religious arguments a proper place in the decision make process.

\(^{120}\) Perry (n 21) 1437.
\(^{121}\) McConnell (n 17)167.
\(^{122}\) McConnell (n 17)167.
\(^{124}\) ibid 509.
\(^{125}\) Sajó (n 14) 2401.
4.1.2. Public Reason: Less Ideological But Still Exclusionary

Two criticisms can be raised against the claim that Rawlsian idea of public reason is inclusionary. First, that even though Rawls’ formulation of comprehensive doctrines includes both unreasonable secular and religious arguments, ‘the paradigmatic example of such views, and the only one to which his strictures apply in practice, is religion’.\(^{126}\) In other words, although secular doctrines, such as ‘Kantianism, utilitarianism, or epistemic naturalism’, have been accepted as comprehensive along with religious beliefs by Rawls, ‘no one seems to think that political opinions based on such views should be excluded from public deliberation’.\(^{127}\) Accordingly, my aforementioned entire analysis of the criticisms towards secular reason is also valid for Rawlsian public reason since its common aim is to eliminate especially religious arguments from public political debate.

Rawls’ aforementioned renowned proviso, namely his wide view of public reason, is still exclusionary even though this wider version of public reason can be regarded as much more inclusionary compared to his early writings or proponents of secularist perspective. Even if Rawls welcomed reasons based on comprehensive arguments in public political debate, he supported the idea that they must eventually be supported by public reason. In other words, as Rawls accepted the introduction of ‘any comprehensive doctrine, religious or secular (…) into political argument at any time’, he also pointed to a requirement that citizens ‘should also present what they believe are public reasons for their argument’.\(^{128}\) Accordingly, ‘their opinion is no longer that of one particular party, but an opinion that all members of a society might reasonably agree to’. In a word, accepting the introduction of comprehensive doctrines complying with the ‘proviso’, as Rawls himself confirmed, ‘does not change the nature and content of justification in public reason itself’.\(^{129}\)

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\(^{126}\) McConnell (n 17) 159.

\(^{127}\) ibid 159.

\(^{128}\) Rawls (n 76) 619.

\(^{129}\) Rawls (n 33) 784.
In a similar vein, in his analysis focusing on the place of religious political parties in Rawlsian political liberalism, Matteo Bonotti depicts Rawls’ conceptions of reasonableness and the ideal of public reason as ‘thick’ arguing that Rawlsian political liberalism based upon these restrictions on religious arguments prevents democratic political contestation from flourishing. Similar to the aforementioned arguments about the positive effects of public deliberation, Bonotti notes that tolerating religious political parties and allowing them in politics lead them to ‘undergo a process of “democratic acculturation”’ that ‘may contribute in moderating their claims’, otherwise suspending their democratic rights (i.e. if they are banned) often result in ‘authoritarian outcomes and destroy democracy from above rather than from below’.

The second criticism is that despite the fact that Rawls narrowed the scope of public reason to ‘constitutional essentials’ and the ‘question of basic justice’, the following examples indicate how he implicitly intended to broaden its scope. For a start, while juxtaposing what the question of basic justice consists, he concluded his sentence by mentioning that ‘and other things not covered by the constitution’. In addition to the lack of clarity about which issues can be categorised as constitutional essential or the question of basic justice, this sentence also shows that how Rawls aimed to extend the scope of public reason which must be appealed to. In addition, despite the narrow scope of the issues to which public reason is applied, Rawls desired that not only the issues related to constitutional essentials and basics of justice, but also all political questions should be resolved appealing to public reason.

5. A More Inclusive and Pluralist Framework for Public Political Debate

Bonotti (n 94)107.
ibid 109 (references omitted).
Rawls (n 33) 767.
Rawls (n 30) 215. In this sense, for a comprehensive criticism of Rawlsian public reason, see Perry (n 21) 1451-7.
This brief examination of the exclusionary features of both secular and public reason above, which are formulated on the basis of the claim that there should be a complete separation between the state and religion, indicates that the results strict separationism/neutralism might potentially produce are counter-productive and contradictory with its objectives. Even though they support a complete separation between the state and religion and exclusion of religious arguments from public political debate for the sake of assuring and securing the democratic ideals of equal participation and state neutrality, they violate the former by imposing more additional cognitive burdens upon religious citizens than secular citizens. Unlike secular citizens, religious citizens are forced to either abandon or translate their religious views while entering into public political debate. In other words, as Melissa Yates argues, religious citizens are forced to ‘split’ their public identities from their non-public identities. This results in an unequal distribution of obligations of citizenship among religious and secular citizens and exclusion of a significant portion of citizens who demand to invoke religious reasons or at least cannot translate or cannot find non-religious publicly accessible reasons available for their arguments in public political debate.

It is however possible in some cases that ‘only religious values can motivate and orient the believers’ standing in civic deliberations’. A strict separation of the state and religion by invoking secular or public reason results in disregarding the moral weight of faith in the life of a person. This, more importantly, leaves no room for the voice of religious citizens in the democratic decision making processes and eliminates the possibility of attaining a consensus among secular and religious citizens. This therefore underestimates the significance of religious (or ethnic) identity-based political claims to democracy and might also potentially result in relegation of them to

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134 Habermas (n 54) 11. Jurgen Habermas also argues that similar epistemic attitudes should be embraced and similar burdens should be imposed upon secular citizens. Secular citizens should embrace an epistemic mindset that enables them to self-critically assess the limits of secular reason. ibid 15. See also Melissa Yates, ‘Rawls and Habermas on Religion in the Public Sphere’ (2007) 33 Philosophy Social Criticism 880, 887.

135 Yates (n 134) 883.

136 ibid 880.

137 Thaler (n 8) 8 (emphasis original).

138 See Habermas (n 54) 8; Thaler (n 8) 8.
the margins of society, creation of a more polarised society and of a secular state which is indifferent to difference.

Strict separationism/neutralism is also inconsistent with the democratic ideal of state neutrality. This is because and a state embracing this approach cannot gain a neutral stance.\(^{139}\) This approach violates the ideal of state neutrality by implicitly or explicitly equating neutral with secular or favouring secular worldview at the expense of the representation of other worldviews or goods in the formulation of political ethical values promoted and embraced by the state. In other words, strict separationists/neutralists equate secularism to state neutrality by, firstly, privileging secular arguments over religious ones in terms of determining the conditions for allowing them in public political deliberation at the expense of a more inclusive liberal democratic deliberation. Secondly, as noted in the previous chapter while discussing ethical secularism, they attempt to favour and impose a certain conception of the good upon society and individuals at the expense of value and moral pluralism among competing conceptions of the goods. Rather than promoting a notion of ‘free-ranging pluralism’ so as to ‘reconcile competing claims to ultimate authority’,\(^{140}\) they claim superiority of secular worldview over other conceptions of the good, especially over the religious ones.

These problematic aspects of both secular and public reason are much more salient given the recent crisis in modern democracies in terms of not effectively responding to the growing religious diversity and religious freedom related demands of religious groups which aim to take an active place in public political debate. Given the increasing ethno-religious pluralism and multiculturalism in the Western world, which have been also fuelled by the exclusion of religious arguments from politics and the secularisation thesis, the secular state in the Western world has been criticised for


being ‘unable to foster mutual understanding and create an appropriate framework of coexistence for the whole society under conditions of pluralism’.  

The conditions and requirements of a well-functioning free and democratic society must therefore take into consideration the notion that religious arguments should play a more active role in politics for the sake of respecting for and effectively addressing pluralism and diversity.  

‘There is no persuasive “democratic reason” to accept the notion that religious arguments ought to be excluded from democratic deliberation.’  

Excluding ‘any citizens on the basis of their religious, philosophical, epistemological, or moral standpoints’ is deeply and fundamentally against democracy.

Democracy is best flourished only when every citizen is allowed an equal right to participate in the democratic decision making ‘without prior limitations based on epistemic, methodological, or ideological premises of their arguments’. A democratic decision making process should be ‘open to all those affected by the decision’, and where ‘participants have equal opportunities and resources to influence the process’. In other words, political outcomes become ‘legitimate to the extent they receive assent through participation by all those subject to the decision in question’.

Accordingly, a more inclusive framework for public political debate ought to be envisioned by allowing reasons and arguments that are based upon moral, philosophical, and religious views enter into public political debate. This sort of a framework should promote consensus, stability, unity or ‘coexistence and

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141 Zucca (n 123) 500.
142 For a similar view, see Audi (n 1).
143 McConnell (n 17) 160.
144 ibid 160.
145 ibid 170.
communication\textsuperscript{148} in a society without disregarding the vitality of diversity and pluralism or dissent and conflict/disagreement which are endemic to democracy.

In this regard, in order to create a more open, inclusive, and pluralistic framework for public political debate, I suggest reconsidering both (i) the ideal of consensus and its cognate concepts of stability and unity, and (ii) the nature and validity of the doctrine of restraint. In particular, I suggest redefining the doctrine of restraint that should be imposed upon both religious and secular arguments with reference not to reasonableness or accessibility but to \textit{secularism as minimal differentiation and the civic virtues of deliberation}. I argue that instead of excluding religious arguments from deliberation by appealing to reasonableness, both secular and religious arguments should be evaluated according to whether they embrace \textit{a non-authoritarian perspective} and a \textit{self-critical attitude} towards their own comprehensive arguments. This is because endorsing the civic virtues of deliberation while considering which arguments should be allowed to public political debate extends the inclusiveness of deliberation process and enhances the possibility for respecting differences in the democratic decision making process. I will now explain both claims.

\textbf{5.1. The Ideal of Consensus: A Reconsideration}

Even though this study has argued that secularism as minimal differentiation is valuable to attain and secure stability, unity, and consensus; this does not come to mean that my approach supports a strong and exclusionary version of these values of secularism at the expense of expression of difference and disagreement in the public sphere. This study rather argues that difference and indeed conflict/disagreement are not only ineradicable but also intrinsically valuable. For this reason, ensuring stability, unity and consensus as the essential values of secularism should not be necessarily ensured by preventing the expression of differences in public political debate. On the contrary, those values of secularism are best demonstrated when the voices of the

\textsuperscript{148} Zucca (n 123) 494.
divergent sectors of society are allowed to be heard in public political debate. When it comes to secularism, consensus over the meaning of secularism or the standards of reasoning should be attained as a result of a more inclusive and pluralist public political debate. In other words, not only the features of political ethics or political moral outlook embraced by the state but also the understanding of secularism adopted by it should rather be determined and legitimised in the eyes of the different sectors of the society as a result of a consensus through an inclusive public political debate. This sort of a consensus not detriments but rather fortifies stability and unity in society by preventing marginalisation and radicalisation of religious groups. I will now try to explain my claims by inspiring and benefiting mainly from Chantal Mouffe. I will apply Mouffe’s theoretical framework, which provides an agonistic criticism of liberal and deliberative democracy, to criticise the conception of consensus and its cognate concepts of stability and unity supported by the strict separationists/neutralists and to develop an alternative understanding of these values of secularism.

5.1.1. Rational Consensus: A Restrictive Form of Consensus

Secularism as strict separation/neutrality is based on a notion that any consensus attained through a public political deliberation should be a sort of rational consensus. This rational consensus is mainly based on two claims. First, that social arrangement and cohesion of a democratic society are secured, not when a simple modus vivendi between divergent comprehensive doctrines, but only if ‘consensus via the use of public reason’ is achieved over ‘the criteria for a just society’.149 In other words, social solidarity and integration are guaranteed only when the political order is accepted by all citizens ‘for right reasons’ and only when social integration among divergent world views ‘is intimately bound up with the rational acceptability of laws and political decisions’.150 Given that secularism is one of the essential criteria for creating a just

149 Thaler (n 8) 12.
150 Maeve Cooke regards this view as the main feature of Rawlsian and Habermasian form of liberalism. Cooke (n 53) 224.
society, it is safe to argue that strict separationists/neutralists believe that a consensus over the meaning of secularism and the standards of reasoning should be a rational consensus.

Second, that religious reasons and arguments should not therefore be allowed into public political debate. Strict separationism/neutralism argues that reaching a consensus between competing views of the individuals requires the practice of ‘the moral economy of disagreement’, that is based on the idea that ‘people should not merely state their competing points of view, but they should also seek to find points of agreement’.\(^{151}\) In other words, people should seek ‘rationales for their own positions that minimize the rejection of the positions they oppose’.\(^{152}\) By appealing to this, strict separationists/neutralists support the idea that ‘provided that the procedures of the deliberation secure impartiality, equality, openness and lack of coercion, they will guide the deliberation towards generalizable interests, which can be agreed upon by all participants thereby producing legitimate outcomes’.\(^{153}\) In this sense, given that strict separationists/neutralists, as mentioned before, regard religious values as private irrational, inaccessible and divisive; in other words irreconcilable, religious reasons and arguments cannot meet the criteria of the moral economy of disagreement. They should either be translated into secular reasons or be excluded from deliberation to attain a rational form of consensus over the meaning of secularism.

These two claims indicate that strict separationists/neutralists aim to attain consensus and achieve the values of stability and unity in a society by requiring every single citizen to conform to allegedly shared values, abstract and universal principles, and political ethical and moral values, which are mostly defined with reference to the basic presumptions of philosophical secularisation, namely rationality and accessibility,


while deliberating in the public deliberation. In other words, they define the parameters of these political ethical values and the standards of reasoning with reference to a certain secular philosophy at the expense of expression of differences in the public sphere. They therefore view politics or public political debate as a domain that is independent from disagreement among moral, religious or ethnic values. As mentioned before, strict separationists/neutralists require citizens to leave behind their moral, religious or ethnic values and reasons behind while entering into public political debate. This is seen necessary to reach a rational consensus not only over the criteria for a just society but over the meaning of secularism. They therefore opt to eliminate religious reasons from public political debate and to confine ‘pluralism to a nonpublic domain’. 154

Accordingly, inspired by Carold Gould, I argue that consensus or agreement is the basis of discourse of strict separationists/neutralists at the expense of expression differences in the public sphere. 155 In other words, the strict separationist/neutralist conception of consensus neglects the ‘political culture of disagreement’. 156 They aim to attain consensus, and therefore ensure and secure stability and unity by excluding all forms of differences from public political debate. This, as Chantal Mouffe puts it, just reflects an attempt of ‘escaping the implications of value pluralism’. 157 It is quite clear that one of the values mentioned by Mouffe is religious ones.

To clarify, the strict separationists/neutralists ignore two crucial aspects of democratic societies. First, that the strict separationists/neutralists disregard the fact that consensus over the meaning of secularism ‘inevitably bears the hallmarks of power structures within society’. 158 And second, that they disregard the value of difference and conflict/disagreement to ensure a more democratic polity. In other

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154 ibid 8.
156 ibid 90.
157 ibid 7-8.
158 Thaler (n 8) 12.
words, strict separationists/neutralists are ‘blind to the nature of (…) the ineradicability of antagonism’.  

Given my first claim above, I argue that the strict separationists/neutralists deny the ineradicable nature of antagonism by creating a public sphere where ‘power and antagonism’ are eliminated, pervasiveness of powers structures are ignored and ‘a rational consensus’ is realised. They deny the fact that any consensus over what secularism means, how the state and religion should be separated or over the standards of reasoning is always a product of power struggles and reflects the ideological preferences of power structures within society. Even if they are presented as universal and shared, political and ethical values embraced by the state and therefore the meaning of secularism embraced by it reflect the ideological preferences of the hegemonic power. In other words, even though the aforementioned consensus is sought by the strict separationists/neutralists by arguably creating conditions for allowing all affected parties to the democratic decision making process, both secular and public reason, as noted above, exclude a significant portion of society from public political debate. As a result, the answer of what secularism means is always shaped by the relatively powerful secularist side which inevitably takes the position of dominant actor in public political debate. This results in exclusion of the less powerful religious sides from politics who are deprived of enough necessary material and power in order to challenge the existent regime of religious governance in a society. This also fuels administrative, political, and cultural inequalities and a power asymmetry between the different sectors of society.

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159 Chantal Mouffe, ‘Pluralism, Dissensus and Democratic Citizenship’, 2
160 For the argument why normative theory should take into consideration the power structures in a society while considering the place of religious arguments in the public sphere, see Thaler (n 8) 3.
162 Thaler (n 8) 3.
163 Veit Bader points to the relationship between ignoring power asymmetries between majority and minority religious groups (especially newcomers to the Western world). Bader argues that ‘blindness’ or ‘benign neglect’ of religious diversity, that is, a ‘hands-off’ approach to religion (fairness-as-hands-off), ‘masks administrative, political, and cultural inequalities’ and ‘power asymmetry’ between majority and
importantly, this restrictive approach also creates serious problems in terms of respecting and recognising differences and pluralism. In some cases, as the analysis over the Turkish example of secularism reveals in Chapter Five, what type of secularism is embraced by the state is even determined and imposed upon the society by a hegemonic power without looking for building a consensus via an inclusive and pluralist public political debate. The example of Turkey proves why taking into consideration the power structures inherent in the society is crucial while aiming to attain a consensus over the meaning of secularism.

Given my above claim that strict separationists/neutralists disregard the value of difference and conflict/disagreement to ensure a more democratic polity, by assuming that power can be eliminated and a rational consensus can be achieved in the public domain, strict separationists/neutralists are impotent to accept ‘the dimension of antagonism that the pluralism of values entails and its ineradicable character’. In other words, I purport that secularism as strict separation/neutrality denies ‘the inherently conflictual nature of modern pluralism’ by assuming the possibility of ‘a non exclusive public sphere of deliberation where a rational consensus could be obtained’. By arguing that the political order is accepted by all citizens ‘for right reasons’, they disregard the problem of ‘build[ing] a fully cohesive ethical or political community bound by common moral or rational intuitions and beliefs’ in a particularly religiously diverse society. They also set aside the important ‘role played by “passions” and also “collective forms of identifications in the field of politics”, especially the religious ones by confining difference to the non-public domain. By excluding religious reasons from public political debate with the aim of attaining a

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164 Mouffe (n 153) 13.
165 Mouffe (n 153) 17.
167 Mouffe (n 153) (mentioned in abstract, no page number); Mouffe (n 159) 2. Mouffe argues that in order to resolve this problem an approach which puts ‘the question of power and antagonism’ at the centre of politics should be developed. She succinctly argues that this approach reflects the idea that ‘social objectivity is constituted through acts of power’; ‘social objectivity is ultimately political’; and this social objectivity ‘has to show the traces of exclusion’. For further information, see Ernesto Laclau and Chantal Mouffe, Hegemony and Socialist Strategy Towards a Radical Democratic Politics (Verso 1985).
rational consensus, secularism as strict separation/neutrality also equates politics to resolving societal problems in a purely rationalist and technical manner. In other words, they aim to resolve political issues, e.g. regarding the tension between secularism, democracy and religious freedom, by appealing to allegedly shared political principles and values defined within secularist ideology disregarding the fact that the moral, ethnic, religious and even sexual preferences and passions of citizens might potentially conflict with these narrowly defined principles and values.

In this regard, my approach argues briefly that invoking secular or public reason and forcing citizens to bracket their comprehensive views in deliberation for the sake of both rational consensus, reasonable pluralism; for preventing divisive conflicts; and for securing stability and unity have serious exclusionary effects. This sort of an approach ends up with ensuring ‘fair terms of social cooperation’\textsuperscript{168} between people holding divergent comprehensive doctrines and fortifying consensus over the normative foundations of a society at the expense of expression of differences, particularly the religious ones, in deliberation. Demanding people for distancing themselves from their deepest religious commitments while entering public deliberation, not prevents but deepens resentment and exclusion and works at the expense of stability and unity and mostly of the ideal of equal democratic right to participation in decision making processes.

Moreover, defining the normative foundations of a society and the parameters of standards of reasoning by appeals to allegedly shared values, abstract principles, an integrating ‘meta-narrative’ or ‘symbolic universe’\textsuperscript{169} might result in adopting an ethical form of secularism. Ethical secularism, as mentioned in the previous chapter, devalues the religious belief and faith, establishes a hierarchy among goods and recognises the superiority of a particular conception of the good over religious ones. It might also take a perfectionist form that relies on the belief that particular values and virtues should be absorbed by individuals to lead a good life. Seeking consensus over the standards of

\textsuperscript{168} Rawls (n 33) 229.
\textsuperscript{169} Bader (n 81) 48.
reasoning appealing to comprehensive values of ethical secularism therefore results in exclusion of religious groups from public political debate.

However, as Veit Bader argues, liberal-democratic states should not adopt any particular world view, whether it is secular or religious because ‘modern societies and modern conceptions of nonfoundational and agonistic democracy can and should leave this centre empty’. 170 Democracy does not necessarily be stable only if we also agree on its deep foundations. 171 Non-foundationalism seems to prevent the restrictive interpretations of the relationships between the state and religions which embrace a particular secularist philosophical foundation, aim to privatise religion, and exclude religious arguments from public political debate. In this regard, I argue that the area of politics should not be seen as a ‘neutral terrain that could be insulated from the pluralism of values and where rational, universal solutions could be formulated’. 172 ‘The goods recognised by pluralism are ‘qualitatively heterogeneous and are not reducible to a common measure of value’ and cannot also be ‘fully rank-ordered’. 173

In this regard, since the ‘relations of power are constitutive of social relations’ and conflict/disagreement is itself valuable, the aim in a democratic society should not be to ask ‘how to eliminate power but how to constitute forms of power more compatible with democratic values’ 174. In this sense, I argue that value pluralism or political conflict and disagreement should be seen as ‘endemic to political life [and to democracy as well]. 175 Value pluralism requires that ‘democratic deliberation and decision should be guided by mutual acceptance and the quest for inclusive rather than exclusive policies’. 176 Rather than aiming to overcome an ‘us/them opposition’, a

170 Ibid 48-49.
171 Ibid 114.
172 Deveaux (n 166) 8.
174 Mouffe (n 153) 14.
175 Deveaux (n 166) 3.
176 Galston (n 173) 268. For further arguments about agonism and agonistic democracy, see Chantal Mouffe, The Return of the Political (Verso 1993); Bonnie Honig, ‘The Politics of Agonism’ (1993) 21
democratic system should ‘establish this us/them discrimination in a way that is compatible with pluralistic democracy’. In this sense, the main aim of democratic politics should not be to eradicate passions from the public domain, (nor to ‘relegate them to the private sphere’), so as to reach a rational consensus, but to ‘mobilise those passions towards democratic designs’. It is obvious that religious reasons are one of the significant examples of those passions.

In sum, I argue that placing a strict emphasis on attaining a rational consensus or on the preservation of stability and unity at the expense of diversity and pluralism is the main obstacle to develop a more inclusive and democratic understanding of secularism and therefore to create a more democratic framework for public political debate. Democracy, as mentioned above, requires the regulation of the relationship between the state and religion in a more democratic and inclusionary way so as to include differences to politics and to allow expression of divergent views in the public sphere. In this sense, attaining consensus, stability and unity as the essential values of secularism requires granting equal political rights to divergent sectors of the society to participate the democratic decision making process and to become the authors of the laws they are subject to. This can only be achieved by establishing consensus over the meaning of secularism through a more inclusive and pluralist public political deliberation and also, concomitantly, by recognising both the function of democratic participation and deliberation.

5.1.1.1. Conflictual Consensus


Mouffe (n 153) 14-15. See also Mouffe (n 159) 4-5. See also Chantal Mouffe, The Democratic Paradox (Verso 2000) 80-107.

Mouffe (n 159) 5.

Despite the fact that I criticise the strict separationist/neutralist rational conception of consensus, I do not totally reject the possibility of any form of consensus. I rather favour a form of consensus which is not a strict and unity-based but which is flexible and reached through an inclusive public political debate. Even though indicating what the nature of this sort of a consensus is and how to reach it requires broader analysis which extends the scope of my analysis, it may be briefly said that my understanding of consensus has some similarities with ‘conflictual consensus’ postulated by Chantal Mouffe.\(^\text{180}\)

Chantal Mouffe accepts that ‘a pluralist democracy demands a certain amount of consensus and that it requires allegiance to some values, which constitute its “ethico-political principles”’. She notes that ‘those ethico-political principles can only exist through many different and conflicting interpretations’, thus ‘such a consensus is bound to be a “conflictual consensus”(...)’.\(^\text{181}\) In other words, consensus over the constitutional essentials and criteria for a just society, ‘the demands and practices of social and political cooperation’ or ‘the content of what is “fair and reasonable”’ is not long lasting but ‘is always incompletely theorized and tied to constellation of “registers” or discourses’.\(^\text{182}\) In this sense, inspiring from Mouffe, I argue that the same is also valid for any potential consensus over the meaning of secularism and the

\(^\text{180}\) This also shows that agonistic democrats also do not neglect the availability of consensus. Please note that Maeve Cooke’s idea of ‘open-ended deliberation’ has some similarities with Mouffe’s conflictual consensus. Cooke argues that general agreement is a regulative idea not an achieved goal. Cooke (n 53) 229. Therefore, political legitimacy does not depend on the actual attainment of such an agreement but rather on the process itself which tends towards it. See Matteo Bonotti, ‘Pluralism and Moderation in an Inclusive Political Realm: A Normative Defence of Religious Political Parties’ (PhD Thesis, University of Edinburgh 2010)157. For another understanding of consensus which is similar to Mouffe’s conflictual consensus, see Jeremy Waldron, ‘Religious Contributions in Public Deliberation’ (1993) 30 San Diego Law Review, 838-9.


\(^\text{182}\) Thaler (n 8) citing Duncan Ivison, *Postcolonial Liberalism* (Cambridge University press 2002). In other words, the members of a society do not necessarily comply with political norms only ‘for right reasons’. ‘Social arrangements are in some respect always similar to a modus vivendi.’ Thaler (n 8) 12; 13.
standards of reasoning in a certain society. The separation between the state and religion can be accepted as an essential ethico-political principle which is appealed to govern the religious pluralism and address the religious freedom related politicised claims of religious citizens in a society. In this regard, any consensus over what this ethico-political principle means or how it regulates the relationship between the state and religion is always open to registers and discourses. This is because, as mentioned above, the consensus over what secularism means or standards of reasoning reflects the societal and historical power struggles inherent in a specific society.

Accordingly, any consensus over the meaning of secularism and the standards of reasoning should be always open to reconsiderations and modifications. Agonism between the power structures should be always taken into consideration which shapes the nature and content of those standards. For instance, the members of a society might have arrived at a consensus over secularism as strict separation/neutrality or over the restraint of secular reason so as to evaluate the place of religious arguments in public political debate. The prevalent consensus as a product of certain power relations in this hypothetical society might be based on the idea that there should be a strict separation between the state and religion and that religious reasons should be eliminated from public deliberation for the sake of securing legitimacy and fostering stability and unity. This consensus, however, should be always conflictual, contingent, and open toreinterpretations. For instance, growing religious diversity and demands of religious accommodation in this society should encourage citizens to reconsider this consensus over the meaning of secularism and over the standards of reasoning. In other words, in the event of changing societal circumstances, a contextual, not abstract, approach should be embraced by them to find religious arguments a proper place in this democratic society. Instead of ignoring power structures and excluding a priori religious arguments by appealing to abstract principles, the members of this

183 Mathias Thaler claims that real practices should be given more visibility in the agenda of normative political theory. Thaler (n 8) 15; 3-4; 6. Thaler argues that public reason should be conceived in terms of a ‘discursive and dynamic modus vivendi’. This, according to him, implies acknowledging the pervasiveness of power structures in society at all times, without giving upon the potential for deliberation among secular and religious citizens’. Thaler (n 8) 1. While doing this, Thaler benefits from Duncon Ivison’s idea of ‘discursive and dynamic modus vivendi’. See Duncon Ivison, ‘The Secret History of Public Reason: Hobbes to Rawls’ (1997) 18 History of Political Thought 126.
hypothetical society should act responsively and be open to the religiously based arguments raised by minorities who have not succeeded in ‘formulating their viewpoints in a publicly accessible language’ and have not had enough necessary material and power to challenge the current political system created by the historical and existing power structures. Otherwise, resting far too much emphasis on a long lasting consensus and embracing a strict neutrality towards demands of recognition or accommodation of minority religious groups result in ignoring the existent power asymmetries, inequalities and differences between religious groups and inevitably favouring and privileging old majority religious groups. This works at the expense of expression of religious differences in public political debate and dealing effectively with religious freedom related demands of religious minorities.

5.2. An Alternative Doctrine of Restraint

The need for developing a more inclusive framework for public political debate does not only require reconsidering the ideal of consensus and its cognate concepts of stability and unity but also reconsidering the mechanism of constraint imposed on both secular and religious citizens. Even though I argue that a consensus over the meaning of secularism and the standards of reasoning should be conflictual and a more inclusive and pluralist framework for public political debate should be generated, when it comes to the mechanisms of constraint, I do not embrace an anything goes approach, which aims at eliminating all constraints upon non/religious arguments. This approach is neither feasible and nor desirable. An agonistic approach to democracy, for instance, seeks to abolish all mechanisms of restraint and supports ‘frank and full public square discussions of all our differences’. However, my approach diverges from the agonistic interpretation of deliberation and does not hold an anything goes moral or radical cultural relativism as regards the place of religious arguments in public

184 Thaler (n 8) 15.
186 For a similar view, see Cooke (n 53) 234.
187 Langerak (n 94) 133.
political debate. An approach that favours anything goes is not feasible for democratic societies because abolishing all reason restraints might result in endless deliberation without any amount of consensus. It is also not desirable because this results in allowing any anti-democratic or authoritarian secular and religious arguments directly into public political debate. This not only prevents attaining consensus at the end of a public political deliberation but also might negatively affect the pluralist democratic nature of the society. For this reason, a certain amount of consensus is required for a pluralistic democracy.

In this regard, unlike the strict separationists/neutralists who endorse secular and public reason, I argue that these constraints should be imposed equally on both secular and religious arguments. Instead of defining the doctrine of restraint by appealing to secular or public reason the restraint principle should be reformulated by (i) invoking secularism as minimal differentiation as a restraint principle that should be complied with by both secular and religious citizens, and (ii) disconnecting limits of reason from the civic virtues of deliberation.

5.2.1. Secularism as Minimal Differentiation

I argue that even for a more inclusive framework for public political debate, secularism as minimal differentiation, undergirded by the principle of two autonomies, should be seen as the first — and necessary — constraint that ought to be imposed upon the use of religious arguments in public political debate. There are two main reasons for offering secularism as minimal differentiation as a normative criterion of restraint. First, that secularism as minimal differentiation is valuable and a prerequisite for democracy. Secularism as minimal differentiation not only ensures, guarantees and secures peace, stability, unity, consensus and pluralism in a given society but also promotes, guarantees and secures the democratic ideals of equal participation and state neutrality. Second, that defining the political meaning of secularism in a minimal sense makes it possible for arriving at a conception of secularism and its value upon
both secular and religious citizens could reasonably agree. I propose that an agreement
among them over the meaning of secularism as minimal differentiation can provide the
basis for addressing the exclusionary features of secularism as strict separation
neutrality and to create the conditions for building a consensus over the meaning of
secularism through a more inclusive and pluralist public political debate.

In this regard, religious citizens should comply with the normative criterion of
secularism as minimal differentiation. The main reason for this is that arguments raised
by anti-democratic, fundamentalist and radical religious groups cannot always be
evaluated as democratic since these groups by nature do not accept the minimally
secular foundations of the state and not appeal to the principles of democracy. This
prevents an illiberal or anti-democratic argument from gaining support by the majority
via democratic methods and from being used to enact laws. For this reason, religious
citizens should be willing to accept the minimally secular foundations of the state and
that the language of the law should not specifically refer to certain religious
convictions. They should respect the outcome of political process without insisting on
their claims of ultimate truth that relates to the political processes.\(^\text{188}\) In other words,
by accepting the criterion of secularism as minimal differentiation, they at the same
time should accept ‘the obligation to promote democracy’.\(^\text{189}\)

In a similar vein, both secular and religious people ought to respect the
principle of two autonomies. They, in other words, ought to respect the autonomous
sphere of the state in return for the state’s promise not to interfere in the autonomous

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\(^{188}\) This is quite similar to Habermasian distinction between formal and informal public sphere. While
drawing this distinction, it is inferred that Habermas also accept secularism as minimal differentiation as
a restraint upon religious citizens, Habermas argues that ‘every citizen must know and accept that only
secular reasons count beyond the institutional threshold that divides the informal public sphere [where
democratic opinion- formation takes place] from [formal public sphere where democratic will-formation
takes place and includes] parliaments, courts, ministries and administrators’. Habermas (n 54) 9-10. This
distinction derives from Habermas’s two-track model of deliberative politics. See Habermas, *Between
Facts and Norms* (William Rehg tr, Polity Press 1996). My approach, however, narrows down the scope
of reason restraint and places the institutional translation proviso somewhere significantly higher than
Habemasian one. For instance, unlike Habermas, my approach might argue that the jurists of legislators
might refer to religious values or arguments while considering a tension between equality and liberty in
a religiously driven case as long as the language of law or legislation will be minimally secular.

\(^{189}\) See Weithman (n 17) 56-61.
sphere of religious citizens and groups. Religious citizens should accept that the state should be ‘independent of institutional religion or ecclesiastical control’, in return for, religion should be ‘independent of state or political control’. 190 If religious citizens violate this principle and interfere with the businesses of the state, secularism as minimal differentiation loses its meaning.

It should also be noted that an objection to offering secularism as minimal differentiation as a restraint principle would argue that it is a unilateral constrain that should be imposed upon religious citizens only and therefore still imposes undue and asymmetrical burdens upon religious citizens than secular ones. In response to this, I argue that secularism as minimal differentiation also imposes some normative criteria upon secular citizens with which they need to comply. It requires secular citizens to acknowledge that democracy does not necessarily flourish only when there is a strict separation between the state and religion or secularism is embraced by the state as a comprehensive doctrine. They should accept that this might come to mean imposition of a certain institutional arrangement, exclusion of (a priori) religious arguments from the public sphere and rendering a democratic deliberation over the meaning of secularism and alternative understandings of secularism parochial. Therefore, they should accept that invoking secular and public reason to exclude religious arguments beforehand from public debate, and relegating religion to the private sphere is only one view among others to regulate deliberation in the public political sphere, a product of certain power structures and open to modification. In this regard, secularism as minimal differentiation requires secular/non-religious citizens to self-critically assess the limits of secular reason 191 and ‘restrain from denying the possible truth of religious claims’. 192 They should be open the possibility that religious persons might have something meaningful to say in the deliberation process. 193


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5.2.2. The Civic Virtues of Deliberation

Along with secularism as minimal differentiation, I suggest that restraints that should be imposed upon both secular and religious citizens should be modulated and be conceived in terms of, not secular or public reason, but deliberative constraints. This is because the civic virtues of deliberation guarantees a more wide-open and inclusive public deliberation and therefore better demonstrates the democratic ideals of equal participation and state neutrality.

To clarify, individuals, political parties or any other actors participating in public political debate should not be subject to exclusionary constraints of secular or public reason while deliberating. Espousal of the civic virtues by both religious and secular citizens should be a sufficient criterion to determine their eligibility for public political debate. I suggest that instead of constraining the content of secular or public reason or hoping for ‘too much consensus in common sense’, a thinner conception of reasonableness should be embraced. This requires disconnecting the link between the civic virtues and limits of reason for ‘civilised and decent ways of living with disagreement’. In other words, the civic virtues of accepting disagreement on political issues as a part of human condition and not suppressing other comprehensive doctrines by using political power should be delinked from the requirement of reasonableness. Respecting each other as free and equal citizens in the public political discussions or being willing to listen to others does not necessitate providing secular or public reasons in public political debate.

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194 Bader (n 17) 618.  
195 Bonotti offers a ‘thinner’ conception of reasonableness by eliminating ‘burdens of judgement’ from the content of public reason and arguing that ‘fair terms of social cooperation’, namely complying with ‘regulated rivalry’ and ‘loyal opposition’, is sufficient for invoking a condition for allowing religious or any other moral and philosophical arguments. Bonotti (n 94) 111-2; Bonotti (n 180) 108. However, I think, even if Bonotti argues that we can take the risk of tolerating anti-democratic parties (i.e. racist) for the sake of a more inclusive democratic system that accommodates political dissent, this approach is still open to criticism in terms of tolerating intolerance or illiberal arguments and conduct.  
196 Bader (n 17) 618.  
197 Rawls (n 30) 60. See also Nagel (n 68) 230.
Owing to reasons presented before regarding why the epistemological status of religious reasons is not inferior than secular ones, this delink not only helps us putting religious and secular arguments on an equal footing without giving priority one over another but also helps creating a much more inclusive and difference sensitive framework for public political debate. Disconnecting limits of reason from the civic virtues of deliberation while determining which arguments should be allowed to enter public political debate therefore extends the inclusiveness of deliberation process and enhances the possibility for respecting differences in the democratic decision making process.

In fact, the main reason for suggesting this disconnection stems from the inclusionary potential and the aforementioned ‘transformative power of deliberation’ 198. Through deliberation and public discussion ‘people often gain new information, learn of different experiences of their collective problems, or find that their own initial opinions are founded on prejudice or ignorance, or that they have misunderstood the relation of their own interests to others’. 199 This helps to ‘moderate self-interest, empower the marginalized, mediate difference, further integration and solidarity, enhance recognition’. 200 In this regard, promotion of free deliberation among equals 201 deliberation provides ‘a more wide-open and inclusive model of democratic discourse’. 202 Deliberation renders both religious and secular citizens more moderate, makes them willing to be open to criticism and prevents them from being marginalised, hostile and passionate. Deliberation increases the possibility for (i) drawing a distinction between the excessive/fundamentalist and moderate/democratic religious citizens, groups and their religiously based arguments, (ii) triggering the challenge and reinterpretation of traditional fundamentalist and paternalist religious beliefs within religious groups in line with democracy and human

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198 Cooke (n 53) 228.
201 Mansbridge and others (n 146) 65; Dryzek (n 147). For more information about the theoretical assumptions of Dryzek about deliberative democracy, see John S Dryzek, Discursive Democracy: Politics, Policy and Political Science (Cambridge University Press 1990); John S Dryzek, Deliberative Democracy and Beyond: Liberals, Critics, Contestations (Oxford University Press 2000).
202 Macedo (n 152) 4.
rights, (iii) being aware of and familiar with the views other people hold or even questioning, or even revising, their resistant attitude and strong arguments, and more importantly, (iv) intensifies, not the anger and hostility, but compromise and accommodation between religious and secular citizens and groups.

Accordingly, instead of excluding religious arguments from deliberation by appealing to reasonableness, both secular and religious arguments should be evaluated according to whether they embrace the civic virtues of deliberation. The civic virtues can be basically defined with reference to the basic rules of the democratic game and the basic requirements of participating in a deliberation. Rather than limiting the content of those civic virtues, it can be briefly said that both religious and secular citizens should embrace a non-authoritarian perspective and a self-critical attitude towards their own comprehensive arguments.

Embracing a non-authoritarian perspective requires both sides to accept the ‘essential contestability of claims to truth and rightness’. It, in other words, requires respect for plurality and diversity of reasons, ideas and beliefs, and to be willing to acknowledge that their arguments derived from their own comprehensive doctrines to justify a coercive law or policy cannot always override others’. Religious and secular citizens should accept that disagreement and conflict are essential parts of a democratic system, thus, none of the comprehensive good can be imposed upon the whole society and the agreement reached at the end of deliberation process should be respected.

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203 Maeve Cooke argues that non-authoritarianism requires rejection of authoritarian conceptions of both ‘knowledge’ and ‘justification’. I mainly benefited from her approach while formulating non-authoritarian perspectives with some alterations. For details of her approach, see Cooke (n 53) 224; Maeve Cooke, ‘Avoiding Authoritarianism: On the Problem of Justification in Contemporary Critical Social Theory’ (2005) 13 International Journal of Political Studies 379.

204 Matteo Bonotti uses these two constraints in his analysis while talking about developing a more inclusive framework for public political debate by referring mainly to Maeve Cooke and Jurgen Habermas. I have also tried to express what I mean when I refer to the civic virtues of deliberation benefiting from, but making some minor alterations to, his suggestion. See Bonotti (n 180).

205 Cooke (n 53) 234.
Embracing a self-critical attitude can be accepted as a corollary of embracing a non-authoritarian attitude. It requires both religious and secular citizens to be willing to engage the views of others, test their arguments during the deliberation process, and to be challenged, criticised and even be rejected by the opposite side. On the other hand, this requirement does not necessarily mean to argue that religious arguments should be translated into secular arguments because they are inaccessible and should be made comprehensible to non-religious citizens. Religious arguments, as argued throughout this chapter, are not strictly inaccessible. Embracing a self-critical attitude requires religious citizens to become ‘reflexive’ with their own faiths ‘from the outside’ and ‘speak in a manner to which (...) [non-religious citizens] can imaginatively relate and respond’. This not only makes religious arguments more graspable to non-religious citizens but also make them open to inspection and public scrutiny and ready to be discussed and critically evaluated by others during the deliberation process. Moreover, and more importantly, this helps enhance the process of mutual learning between secular and religious citizens.

To conclude, the normative criteria of secularism as minimal differentiation and the civic virtues of deliberation establish a more equally distributed restraint principle among secular and religious arguments by eliminating the exclusionary features of reasonableness. They therefore not only guarantee a more open, inclusive, and difference-sensitive democratic framework for public political debate but also convey and facilitate the aforementioned transformative power of deliberation. In other words, facilitating, not restricting, the entrance of religious arguments to public political debate, helps religious citizens and groups make their values and arguments more conducive to public political deliberation and then convey them into public political debate, particularly their demands of recognition and accommodation. This therefore helps better pursuing the democratic ideals of equal participation and state neutrality.

206 Habermas (n 54) 9-10.
208 Thaler (n 8) 10.
5. Conclusion

In this chapter I have illustrated the relationship between secularism and the place of religious arguments in public political debate. I have basically aimed to question the validity of the strong assumption that pursuing the democratic ideals of equal participation and state neutrality requires a strict separation between religion and the state and exclusion of religious arguments from public political debate. This approach, what I call secularism as strict separation/neutrality, particularly claims that, due to they are irrational, dogmatic, inaccessible and divisive, democracy requires religious citizens to conform to a certain restraint principle. This principle has been defined by reference either to secular or public reasons to ensure and secure stability, unity and consensus.

I have mainly claimed that a strict separation of the state and religion and exclusion of religious arguments a priori from public political debate are themselves inconsistent with and work at the expense of the democratic ideals of equal participation and state neutrality. Both secular and public reasons presuppose the exclusionary interpretations of philosophical and sociological secularisation, give priority to secular reasons over religious ones and equate neutrality with secularism. They therefore impose more additional cognitive burdens upon religious citizens than secular citizens. They favour secular worldview at the expense of the representation of other world views or goods in the formulation of the political ethical values promoted and embraced by the state. This results in exclusion of a significant portion of citizens who demand to invoke religious reasons or at least cannot translate or cannot find non-religious publicly accessible reasons available for their arguments and decisions; leaving no room for consensus among religious and secular citizens and no room the voice of religious people in public deliberation; and creation of a more polarised society and a secular state which is indifferent to difference.
In this regard, I have argued that the democratic ideals of equal participation and state neutrality are best pursued when there is a minimal differentiation between the state and religion and when a more inclusive, difference-sensitive and pluralist framework for public political debate is created. This framework should allow every citizen an equal right to participate in democratic decision making process and welcome the reasons and arguments that are based upon moral, philosophical, and religious views without resorting to secular or public reason. This framework can be created by reconsidering both the ideal of consensus and the doctrine of restraint.

Unlike strict separationists/neutralists, I have suggested in this chapter that this sort of a framework can be generated by embracing a more flexible and thinner conception of consensus — and also stability and unity. I have argued that the understanding of secularism embraced by the state and its main features should be determined and legitimised in the eyes of the different sectors of the society as a result of a consensus through an inclusive public political debate. The necessary conditions for building this consensus requires (i) accepting that stability and unity should be attained by not excluding but rather allowing the expression of differences in public political debate, (ii) regarding the vitality of diversity and pluralism or dissent and conflict/disagreement as endemic to democracy, and (iii) recognising the moderating effect and transformative power of deliberation over both secular and religious arguments. Furthermore, since any consensus over the meaning of secularism and the standards of reasoning reached through deliberation always reflects the power structures and power struggles inherent in a specific society, it should also be conflictual, contingent, and open to reinterpretations. In other words, consensus over the meaning of secularism or the standards of reasoning should be always subject to a never-ending reconsideration and modification. This ensures reconsideration of the meaning of secularism or the standards of reasoning embraced by the state continuously according to changing societal conditions, e.g. growing religious diversity as a result of immigration, in order to better pursue the democratic ideals of equal participation of state neutrality.
As to the restraint principle, I have suggested that the restraint principle should be reformulated with reference to the normative criteria of secularism as minimal differentiation and the civic virtues of deliberation. In particular, I have argued that instead of excluding religious arguments from deliberation by appealing to reasonableness, both secular and religious arguments should be evaluated according to whether they embrace a *non-authoritarian perspective* and a *self-critical attitude* towards their own comprehensive arguments. I have argued that disconnecting limits of reason from the civic virtues while evaluating which arguments are eligible for public political debate extends the inclusiveness of deliberation process and enhances the possibility for respecting differences in the democratic decision making process. This also increases the possibility of increasing transformative and reconciliatory potential of deliberation over both secular and religious citizens.

In the next chapter, the normative and theoretical claims raised in the preceding chapters in this thesis are applied to the example of Turkey. The chapter seeks to provide arguments why the place of religious arguments in public political debate in Turkey should be determined within the context of normative and theoretical assumptions of facilitative secularism for the sake of ensuring better the democratic ideals of equal participation and state neutrality.
CHAPTER FIVE:

FACILITATIVE SECULARISM AS AN ALTERNATIVE TO MANIPULATIVE SECULARISM: THE EXAMPLE OF TURKEY

1. Introduction

In this chapter, I apply facilitative secularism to an illustrative scenario of the Turkish experience of secularism. I take a two-pronged approach. First, I examine the features of the prevalent understanding of secularism in Turkey with the aim of revealing to what extent they are restrictive. If it is coherently shown that the Turkish understanding of secularism exemplifies secularism as strict separation/neutrality or ethical secularism, this permits me to suggest reconsidering the relationship between secularism and the place of religious arguments in public political debate in Turkey. This reconsideration is necessary for pursuing better the democratic ideals of equal participation and state neutrality in Turkey. Second, I attempt to indicate why these exclusionary features of the Turkish experience of secularism cannot be overcome by adopting passive secularism, which is favoured by a great number of scholars and also embraced by the current ruling party Adalet ve Kalkınma Partisi (the Justice and Development Party, hereinafter the AKP) between 2002 and 2007. I aim to show that the place of religious arguments in public political debate in Turkey should rather be determined according to normative and theoretical assumptions of facilitative secularism for the sake of demonstrating better the democratic ideals of equal participation and state neutrality.

This chapter, in this regard, is structured in two main parts. In the first part, I focus on the different understandings of secularism embraced by the state elites in the Turkish political history. Rather than providing an uncritical examination of these different perspectives, I aim to reveal their exclusionary features by re-narrating them
According to my own terminology and normative and theoretical claims raised in the preceding chapters. This brief re-narration is of crucial significance because it helps me show why the Turkish understanding of secularism should be re-named in order to prevent replacing one restrictive understanding of secularism in Turkey with another. I seek to indicate that even though the Turkish experience of secularism has been generally defined in the scholarly literature as controlled or control-based secularism, control is not the correct word to define this restrictive understanding of secularism. The main reason for this claim is that defining the Turkish understanding of secularism as control-based comes to mean implicitly or explicitly offering secularism as strict separation/neutrality as an alternative to Turkey. This leads to embracing a restrictive understanding of secularism which denies the place of religious arguments in public political debate. I therefore briefly develop counter arguments against this common designation of the Turkish secularism and defend and argue for my alternative terminological choice. I aim to show that the Turkish understanding of secularism should be defined as manipulative in order to best address the exclusionary features and practices of the Turkish experience of secularism and to look for a more inclusionary secularism for Turkey.

Within this framework, I critically examine the different understandings of secularism supported by the Kemalists\(^1\) and the AKP, who are the two most leading and powerful representatives of secularists and Islamists in Turkey. I also narrow down my scope to understandings of secularism embraced by the Turkish Constitutional Court (hereinafter, the TCC) which has been the main Kemalist actor in determining the meaning of secularism and the place of religious arguments in public political

\(^1\) Kemalism refers to the ideas and principles of Mustafa Kemal Atatürk, who is the founder and the first president of the Turkish Republic. Kemalism ‘constitutes the official ideology of the state’ and is symbolized in six principles which are ‘republicanism, statism (in economic policy), populism, laicism, nationalism, and reformism’. Mete Tuncay, ‘Kemalism’ (Oxford Islamic Studies Online) <http://www.oxfordislamicstudies.com/article/opr/t236/e0440> accessed 7 May 2014. The Turkish military, the centralised bureaucracy, Kemalist intellectuals, and the Turkish Constitutional Court have been the significant defenders of this Kemalist ideology in the Turkish political life. For a detailed analysis of Kemalism and its modernisation discourse, see for example Taha Parla, Kemalist Tek Parti Ideolojisi: CHP’nin Altı Oku (Kemalist Single Party Ideology and the CHP’s Six Arrows) (İletişim 1992); Sinan Ciddi, Kemalism in Turkish Politics: The Republican People’s Party, Secularism and Nationalism (Routledge 2009).
debate in Turkey in the last fifteen years. The main aim of this critical examination is to indicate how both sides manipulate the meaning of secularism as minimal differentiation in different ways and violate the principle of two autonomies [of the state from religion and religion from the state] according to their own interests and advantages and at the expense of the expression of differences in public political debate.

In the second part, by taking indications from Chapter Four, I suggest that facilitative secularism is a better alternative for Turkey to find a proper place for religious arguments in public political debate. I seek to indicate that the democratic ideals of equal participation and state neutrality are best pursued in Turkey when there is a minimal differentiation between the state and religion and a more inclusive and pluralist framework for public political debate is generated. This suggestion includes pointing to the need to arrive at a consensus over the meaning of secularism in Turkey among secular and religious citizens through a vibrant and inclusive public political debate, and to redefine the nature and content of the doctrine of restraint.

2. An Introductory Debate: Why Control Is Not The Correct Word To Define The Turkish Experience Of Secularism

Rainer Hermann argues that ‘the story of Turkey is simple: its case is always different’. The unique character of Turkey is also valid for its experience with secularism. This is because the claim that the Turkish state neither aimed to separate religion (Islam) and the state nor supported the idea of state neutrality towards religion. Rather, the Turkish elites, namely the Kemalists, who were the most dominant actor in the Turkish politics between the early republican era and 2002, attempted to control ‘religious [Islamic] expression and institutions’. Using Andrew Davison’s words,

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as one of the supporters of this argument, ‘Islam (...) [was] not disestablished’, rather ‘it (...) [was] ‘differently established’ and ‘became a separate concern among other state concerns’ in Turkey.\(^4\) The existence of the Directorate of Religious Affairs (Diyanet) has been always shown as the indication of the Turkish state’s authoritarian guardianship of secularism and its direct control over Islam.\(^5\) For this reason, there has been a tendency in the scholarly literature to describe the unique character of the Turkish understanding of secularism as *control-based or controlled* secularity.\(^6\)

I share the idea that the Turkish experience of secularism constitutes an unusual example. As I will attempt to show within the framework of my critical analysis below, the Turkish understanding of secularism supported by the Kemalists can be seen as an ‘unorthodox understanding of secularism’\(^7\) because it deviates from the original meaning of secularism. It regards secularism as beyond a minimal differentiation between the state and religion, embraces it as a comprehensive doctrine by appealing to the restrictive interpretations of philosophical and sociological secularisation. It therefore aims to impose a certain secular way of life upon the whole society. In other words, the Turkish understanding of secularism has been inconsistent with the


\(^7\) Tank (n 6) 5.
principle of two autonomies\textsuperscript{8} of states from religions and religions from the state by attempting to violate the autonomous sphere of religious individuals and groups.

I also argue, however, that, contrary to the common trend in the scholarly literature, control is not the correct word to define this state-centric Turkish understanding of secularism. The main reason for this claim is that the word control has some inaccurate connotations. Control has been appealed to by strict separationists/neutralists in a pejorative and negative way to criticise the way the Turkish state elites regulate the relationship between the state and religion. Strict separationists/neutralists afford control a negative meaning, and regard any regulative activities of the state as a deviation from the ideals of state neutrality and the liberal ideal of \textit{limited state}. For this reason, they suggest eliminating this control factor from the relationship between the state and religion in Turkey and therefore present secularism as strict separation/neutrality as a better alternative to Turkey under the name of passive secularism.

The reasons why secularism as strict separation/neutrality is restrictive have been provided in a greater detail in the previous chapters of this study. With these reasons in mind, it seems noteworthy to briefly mention in the beginning of this chapter why control or every regulative activity of the state has not always a negative meaning as strict separationists/neutralists argue.

It is normatively and theoretically problematic to regard some activities of the state to control religious expressions and practices in the public sphere as negative. It is also problematic doing this by referring to the violation of the ideals of state neutrality and impartiality. This approach downplays the significance of some control-based or regulatory practices of the state to accommodate better the demands of

religious individuals and groups for greater freedoms and to facilitate expression of religious arguments in public political debate. Promoting religious freedoms, however, sometimes cannot be achieved without controlling religion and requires the state to play an active, not passive or neutral, role in promoting and realising religious freedoms. In a similar vein, as it has been argued in the previous chapter, we have still some reasons for invoking some sort of restraints in order to control the eligibility of both secular and religious arguments for the sake of stability, unity, and consensus and the democratic ideals of equal participation and state neutrality.

To clarify, strict separationists/neutralists reduce liberalism and liberal democracy mistakenly to the neo-liberal ideal of limited state or the idea of negative liberty only. Some neutralist versions of liberalism support this view and regard these two ideals as the core ideals of liberalism. However, they do not exhaust the scope of liberal theories. For instance, Millian liberalism or liberal perfectionism recognises either state coercion or state’s intervention to prevent people harming others and the use of other non-coercive means, i.e. discouragement, to promote individual liberties. Even though examination of divergent liberal perspectives on the role of the state exceeds the scope of this study, it can be briefly said that the core ideal of liberalism is individual liberty, not limited state. In other words, the priority of individual liberty does not necessarily equate guaranteeing or promoting religious freedom to limiting the state or supporting the idea of strict state neutrality. Ascribing limited roles to the state constitutes only one dimension of religious freedom: the negative liberty dimension. This sort of an approach ignores the positive liberty dimension of religious freedom.

9 See, e.g., International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR) art 18(3).
10 For the proponents of this version of secularism, see Chapter One of this study.
12 I discuss this issue in a detailed way elsewhere. I argue that the core ideal of liberalism is individual liberty, not limited state or strict state neutrality. Defining the Turkish understanding of secularism as control-based ignores this theoretical issue and results in offering secularism as strict separation/neutrality as the only valid approach for regulating the relationships between state and religion. See Yavuz Selim Alkan, 'Türkiye'nin Laiklik Deneyimini Tanımlamak: Kontrol-Temelli mi Manipülatif mi? [Defining the Turkish Understanding of Secularism: Control-Based or Manipulative?] (TLCK 2014, Sakarya, May 2014).
freedom.¹³ The positive liberty aspect of religious freedom ascribes some positive roles to the state, requires the state to create and offer some real social options and contexts and includes respecting collective/associational rights of religious groups.¹⁴ Another positive role of the state is also creating a more inclusive and pluralist framework for public political debate in order to demonstrate equal participation and expression of differences among divergent sectors of the society.

Beside these normative reasons, control is mostly used by the modern liberal states to regulate and govern the activities of their religious groups in practice. It can even be argued by using Veit Bader words that a strict or complete separation of the state and religion is a ‘powerful myth that does not exist even in the self-proclaimed strict separation countries’.¹⁵ Control, in practice, might refer to the official recognition of religions, granting legal personality to religious groups, financing religious schools, creating a more inclusionary framework for public political debate and so forth. These activities of the state can be perfectly fitted into its role in regulating religious practices or determining the place of religious arguments in public political debate in a society and cannot be always labelled as negative or restrictive.¹⁶

Although some regulatory activities or policies of the state are not necessarily inconsistent with secularism, state neutrality or liberalism; controlling religious expressions and practices does not grant a boundless activity area for the state. All regulative actions of the state should be conditional. As mentioned several times throughout this study, these activities and policies of the state should take into

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¹³ See, e.g. Veit Bader, Secularism or Democracy: Associational Governance of Religious Diversity (Amsterdam University Press 2007) 130.
¹⁴ In this sense, as noted in Chapter One, attaining control a negative meaning, strict separationists/neutralists embrace strict neutrality or hands-off justice, and blindness or benign neglect of religious diversity and demands of accommodation neglects the active role a state might play in order to promote religious freedoms. See Chapter One.
¹⁶ In practice, the text of the European Convention on Human Rights (ECHR) expressly provides for restrictions on manifestations of religious belief, e.g. Art. 9(2). In a similar vein, the European Court of Human Rights (ECHR) case law also reflects this principle and provides detailed and fruitful examples of state regulations regarding negative and positive aspects of religious freedoms. For an analysis of the permissible scope of the relationships between state and religions see Chapter Two (n 61).
consideration the respect for two autonomies of the state and religious individuals and groups. In this sense, control is required in order to promote religious freedoms in a certain society as long as the state does not impose a certain and perfectionist secularist good on its citizens or not arbitrarily coerce or impose religious practices or observations. In addition, the state’s control over the place of religious arguments in public political debate via the doctrine of restraint should not be used in an exclusionary manner. The state should not eliminate religious arguments (a priori) from public political debate under the guise of protecting ideological preferences and private interests of the state elites or preserving the status quo by appealing to national interests, national order and security.

In this regard, if a state violates these conditions, this requires us to use a different word from control to define the deviation of this state’s understanding of secularism from the ideal meaning of secularism. Terminologically, control mainly denotes ‘the fact of controlling or of checking and directing action; the function or power of directing and regulating; domination, command, sway’. This simple meaning of the word shows that control has not always a negative meaning. For this reason, manipulation can be a better alternative concept to be used for pointing to this deviation.

Manipulation reflects the negative aspects of the word control. Even though manipulation has several different meanings, its following two meanings are worth attention for the sake of this study:

(i) ‘exercising control or influence over others, esp[ecially] in a malign, devious, or underhand way’

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17 Oxford English Dictionary

18 Oxford English Dictionary
These two meanings at least show that manipulation refers to deviation of an ideal or practice which is done especially for one’s own advantage and interests in the name of control. For this reason, instead of labelling it as control-based secularism or controlled secularity, the Turkish understanding of secularism should be defined as *manipulative secularism* in order to show its deviation from the ideal of secularism.

The example of Turkey illustrates an unconditional and excessive control of the state over religious practices and the expressions of religious arguments in public political debate. I argue in this chapter that the meaning of secularism is manipulated by two main actors in different ways in different phases of the Turkish political history: The Kemalists and the AKP. The aim of this manipulation has been to retain their hegemonic power and interests and to perpetuate status quo at the expense of the expressions of differences in public political debate. They have had exclusionary and authoritarian tendencies and violated the principle of two autonomies. Both Kemalists’ and the AKP’s manipulative understanding of secularism are therefore inconsistent with the democratic ideals of equal participation and state neutrality.

Before commencing to examine and present the exclusionary features of manipulative understandings of both the Kemalists and the AKP, it is important to make some methodologically-related explanations. For a start, one might readily object to my argument above claiming that both the terms of control-based and manipulation describe the same restrictive understanding of secularism and using the latter instead of the former makes no significant difference in the final analysis. I shall response to this claim arguing that it makes a big difference. Calling Turkish understanding of secularism control-based neglects the aforementioned theoretical

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and empirical facts that every regulative activity or regulation of the state is not at odds with the ideal of secularism. Furthermore, even though calling the Turkish understanding of secularism control-based is not terminologically totally misleading; it is normatively and theoretically inaccurate. One who appeals to this sort of a designation explicitly or implicitly argues in favour of strict/complete separation between the state and religion. The proponents of this approach point to the control factor embedded in the Turkish understanding of secularism, with the aim of showing that the ideal formulation of secularism should entail a complete separation between the state and religion only. They therefore tend to regard secularism as strict separation/neutrality as the only viable way for regulating the relationship between the state and religion, and to implicitly or explicitly offer it to Turkey as an alternative.\textsuperscript{20} This view is also formulated under the name of passive secularism and is embraced by the AKP. In this sense, appealing to the word of manipulation while defining the Turkish understanding of secularism helps me initiate a debate for considering the need to an alternative understandings of secularism for Turkey except secularism as strict separation/neutrality.

Furthermore, I do not intend to present a detailed examination of the different phases and episodes of the Turkish political history in which manipulation of secularism has taken different forms. The main reason for this methodological choice is to eliminate possible criticisms that might argue that my analysis is descriptive and only replicates the arguments of the aforementioned scholars who point to the control-based policies of the Turkish state. These policies have already received extensive treatment in the scholarly literature. The main aim of this chapter is not to discuss what the Turkish understanding of secularism is, but rather to discuss how it ought to be. While doing this, however, I should convincingly indicate in this chapter why the Turkish understanding of secularism is exclusionary and less democratic. Revealing the existent restrictive features of current understanding of secularism in Turkey also helps me developing the features of its possible alternative. For this

\textsuperscript{20} Scholars, whose works are mentioned in footnote five of this chapter, implicitly or explicitly praise passive secularism.
reason, rather than replicating the same story of the Turkish experience of secularism, I refer to these historical episodes by briefly re-narrating them according to my own terminology used in this study. This alternative and original reading of Turkish secularism permits me to indicate why a facilitative understanding of secularism, not secularism as strict separation/neutrality or passive secularism, is a better alternative for Turkey.

In this regard, how the state elites in Turkey have shaped and manipulated the meaning of secularism according to their own interests and objectives can be presented under two separate headings: the Kemalist and the AKP’s manipulation of secularism.

3. Manipulation Of The Meaning Of Secularism In Turkey

3.1. The Kemalist Manipulation of Secularism:

From the early republican era, the Kemalists occupied a steadfast position in determining both the role of Islam in the official state ideology and the place of religious arguments in politics strategically: either excluding or adapting Islam. They initially embraced secularism as an ideology by appealing to the restrictive interpretations of philosophical and sociological secularisation. They then started to place Islam in the state ideology and also allowed religious arguments in politics when their own interests are at issue or disallowed them when their own interests and hegemony are threatened. They, in other words, manipulated the meaning of secularism in different ways and violated the principle of two autonomies according to their own interests and advantages in different periods in the Turkish political history. I now explain these claims briefly.
Secularism always occupied a special and sacred place in the Kemalist ideology. It was the main pillar of the Kemalist Westernisation and modernisation project. The Kemalists believed that ‘modernity and democracy require secularism’ and secularism is ‘the only path to (...) progress (...)’. This view was mainly derived from their negative perception of Islam. They equated Islam with ‘backwardness’ and regarded it as the main obstacle in front of ‘modernisation’ and the ‘Westernisation’. It was believed that Islam is ‘neither secularizable[sic] nor privatizable’; therefore it needs to be ‘either kept under strict state control or confined to personal conscious’. For this reason, Islam was aimed to be completely removed from political discourse and relegated to the private sphere by the Kemalists expecting and hoping that religion will ultimately lose its importance at both the social and private levels in Turkish society.

On the other hand, the Kemalists did not intend to leave Islam untouched in the private sphere of the Turkish citizens. One of the main objectives of the Kemalist modernisation and Westernisation project was to create enlightened and autonomous individuals leading their life by getting rid of the illusionary and nonrational elements of Islam. They sought a complete transformation of a Turkish citizen’s perception of the world; including the values surrounding her life and the process of the construction

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21 See John O Voll, ‘Fethullah Gulen: Transcending Modernity in the New Islamic Discourse’ in M Hakan Yavuz and John L Esposito (eds), Turkish Islam and the Secular State: The Gulen Movement (Syracuse University Press 2003) 244.
24 Yavuz and Esposito (n 22) xiii. Moreover, For Yavuz, Kemalists regard modernity ‘as an alternative lifestyle free from religion’ and label ‘Islamic activism as divisive, anti-national and anti-modern’. Therefore, they aim to diminish the impact of Islam on Turkish society. Yavuz (n 6) 149.
25 Keyman (n 6) 221. This attempt mainly includes establishment of a strict separation between the state and Islam at the state level. For this purpose, a great number of reforms were made during the early republican period. For these reforms, see See Sakallıoğlu (n 5) 233-234; Niyazi Berkes, The Development of Secularism in Turkey (Hurst & Company 1998); Fuat Keyman, ‘Assertive Secularism in Crisis: Modernity, Democracy, and Islam in Turkey’ in Cady LE and Hurd ES (eds), Comparative Secularisms in a Global Age (Palgrave Macmillan 2010) 145.
of a personal or social identity. They therefore created and supported ‘a Kemalist understanding of Islam’, namely the official Islam. The Kemalists desired the Turkish citizens to lead their life in their private areas according to their own version of ‘an enlightened Islam’. This version of Islam ‘operat[es] within the constraints of a secular political system’ and ‘promotes the modernisation project of the state’.

In light of this brief explanation, it can be said, using my own terminology, that the Kemalists embraced the restrictive interpretations of philosophical and sociological secularisation and therefore appealed to ethical secularism. In other words, the Kemalist elites did regard secularism neither as a minimal differentiation between politics and Islam nor a sufficient condition for pursuing and securing stability, unity and democracy in Turkey. They regarded it beyond that and manifested it as a form of cultural identity and philosophical/political/normative stance. They manipulated the meaning of secularism as minimal differentiation by making it as a tool of their modernisation and Westernisation project and embraced secularism as a ‘comprehensive way of life’ which ought to be imposed upon society. They not only aim to impose a certain secular way of life upon the Turkish citizens but also expected them to lead their life according to the Kemalism’s own version of Islam. The Kemalists aimed to determine what type of Islam should be believed and practiced by the Turkish citizens. The Kemalist understanding of secularism therefore contradicted with the principle of two autonomies by interfering the autonomous sphere of the religious citizens. This perfectionist tendency was remarkably observed in the early republican

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26 In a similar vein, Yavuz and Esposito argue that Kemalists aimed to create ‘a new society and a Homo kemalicus, a persona guided by voluntary positivism and forced amnesia (in other words, no deeper sense of identity)’. Yavuz and Esposito (n 22) xxi.
27 The Turkish elites regarded the pervading Islamic beliefs and practices in society during the early republican era as ‘complicated, artificial and consisting of superstitions’ and also ‘reactionary, orthodox, pro-state religion of the ulama [the doctors of the holy law] of the Ottoman Empire’. They claimed that their enlightened Islam, however, did ‘not oppose consciousness or preclude progress’; fitted ‘reality, intellect and logic’ and was more ‘reasonable’ and ‘rationale’. In other words, Kemalist elites initiated ‘reforms within Islam in order to make it a “modern”, “national”, and “liveable” religion’. Sakallıoğlu (n 5) 234; Ulutas (n 5) 390.
28 Yavuz (n 6)146.
29 Tank (n 6) 4.
30 Yavuz (n 6) 146.
31 ibid 154.
era, and as will be mentioned later, came forward in the Refah Party and the AKP decisions of the TCC.  

This restrictive and ideological secularism of the Kemalists’ did not remain unchallenged though. Despite all the aforementioned attempts of the Kemalists for imposing a secular way of life or their own version of Islam upon society, instead of decreasing or disappearing, traditional Islam retained its strong role as an identity and cultural markers of the Turkish citizens. Since transition to multi-party regime in 1950s, religious groups started to question the Kemalist understanding of secularism and to challenge the Kemalists hegemonic position in politics. They sought to participate in public political debate especially via some pro-religious centre-right parties.

For the purposes of addressing this challenge, retaining their hegemony, securing their interests, and enhancing legitimacy of the regime in the eyes of the people of Turkey, the Kemalists re-manipulated the previously held understanding of secularism. They revised their own version of Islam and themselves integrated it into the official state ideology along with secularism. This new understanding of Islam, what is called ‘Turkish-Islam Synthesis’, was a slightly altered version of the official Islam embraced by the Kemalists in the early republican era. It was a moderate version of political Islam which supported modernity and did not oppose the Kemalist understanding of state and society. Especially after 1980 military coup, the Kemalists ‘articulate[d] and tolerate[d] Islamic elements in the political-public realm’ and allowed articulation of

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32 In the early republican era, Kemalists also attempted to eliminate Islam as an identity marker of Turkish citizens by favouring a homogenous secular national identity, namely ‘Turkishness’, which is delinked from and above all other religious identities. See Keyman (n 25) 146-7; Sakallıoğlu (n 5) 234-5; Hermann (n 2) 272, Yavuz and Esposito (n 22) xviii; Tank (n 6) 6; Grigoriadis (n 6) 1197 (footnotes omitted).

33 Keyman (n 6) 217.

34 See Banu Eligur, The Mobilisation of Political Islam in Turkey (Cambridge University Press 2010) 101. For the differences between Turkey’s Islam from those of Arabs and Persians, see Hermann (n 2) 265; Sakallıoğlu (n 5) 244-247.

35 Sakallıoğlu (n 5) 244.
religious arguments in public political debate as long as they remain in the boundaries of this new understanding of Islam.

It should be reminded again that the attempts of the Kemalists to incorporate Islam into the official state ideology and to allow religious arguments in politics were little more than tactical attempts to retain their hegemonic power. Alongside the aforementioned reasons, the aim of incorporation was to prevent two potential threats to the secular Turkish republic: Islamic threat by the religious groups — to prevent the success of 1979 Iran Islamic Revolution from encouraging Islamic groups in Turkey to bring Sharia (Islamic Law) and to establish a theocratic regime — and communism threat by leftist political parties in Turkey. Furthermore, incorporation of Islam into the official state ideology was not done with the aim of creating a much more inclusive and pluralist political environment or public political debate. The Kemalist elites eliminated pro-religious parties or opposition groups, which sought to act beyond the parameters the Kemalists themselves set, via military interventions in 1960, 1970 and 1980. The Kemalist elites, in other words, always managed to manipulate the parameters of the relationship between Islam and politics in Turkey to retain their hegemonic position and to protect their own interests.

This relatively softer approach of the Kemalists towards the place of religious arguments in public political debate did not survive for a long time. As a result of the collapse of the Soviet Bloc in 1990s and the disappearance of communism threat, the role Kemalists ascribed to Islam started to be seen less significant and necessary. More importantly, the growing societal and economic power of the Islamists and their

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36 ibid 236.
37 Sakallioglu defines this as a ‘nonsecular use of religion for checking and blocking communism’ by the state. Sakallioglu (n 5) 238.
demands to take a more active role in the democratic decision making processes increased the fears of the Kemalist elites and urged them to take measures against the Islamic movement. Islamic resurgence, especially led by the Refah Party and the AKP, was regarded by the Kemalists as an essential threat to the secular, democratic and unitary character of the Turkish state and stability in Turkey. But it is also clear that the Islamic resurgence was indeed regarded by Kemalists as a threat to their own hegemonic order.

Accordingly, the Kemalists unsurprisingly remanipulated their understanding of secularism with the advent of 1990s in the name of protecting stability and unity in Turkey. They changed their attitude towards Islam, its place in the official state ideology and the place of religious arguments in public political debate. The Kemalists this time opted for maintaining to support a certain understanding of ‘Turkish-Islam’ but preventing the public visibility of Islam in the public sphere and excluding religious arguments completely from public political debate. The Kemalists attempted to delegitimise all forms of opposition to the Kemalist hegemony and any alternative understandings of secularism via banning or threatening to ban the pro-religious political parties.

This remarkable shift in the Kemalist understanding of secularism therefore rendered the TCC as the main actor in both determining (particularly by excluding) the place of religious arguments in Turkish politics and protecting and retaining the

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39 For the debates over the political, cultural and economic reasons for Islamic resurgence in Turkey especially after 1990s, see Keyman (n 6) 217, 224; Tank (n 6) 7-8; Eligur (n 34) xvii; 148-149; Yavuz and Esposito (n 22) xxiii-xxiv; Metin Heper and Sule Toktas, ‘Islam, Modernity, and Democracy in Contemporary Turkey: The Case of Recep Tayyip Erdogan’ (2003) 93 Muslim World 157, 173; Hakan Yavuz, ‘Opportunity, Spaces, Identity, and Islamic Meaning in Turkey’ in Quinton Wiktorowicz (ed), Islamic Activism: A Social Theory Approach (Indiana University Press 2004), 270; Ibrahim Kaya, Social Theory and Later Modernities: The Turkish Experience (Liverpool University Press 2004).
41 Even Hakan Yavuz purports that ‘a shift from a dominant understanding of secularism as control of religion to freedom from religion’ is observed in Kemalist ideology. Yavuz (n 6) 154.
42 Kemalist establishment regime’s new strategic approach to secularism retains the place of ‘Turkish-Islam’ synthesis in the state ideology. The fact that Diyanet is not abolished by the Turkish state after the 1990s proves this claim.
interests and ideological preferences of the Kemalist state elites. Even though the military retained its role via its threat of military intervention, especially after 28 February 1998, the Kemalists started to use the TCC as an apparatus of the Kemalist state ideology and tutelage regime and to close down religious political parties by invoking secular reason in the name of protecting the secular and democratic character of the Turkish state. In other words, the TCC was politicised and started to occupy the position of overseeing politics.

Given that the place of religious arguments in public political debate is the main topic of this study, I now try to answer the question of what the main characteristics of the TCC’s understanding of secularism were and how secular reason was invoked by the TCC at the expense of developing a more inclusive and pluralist public political debate. The Refah Party and the AKP cases are worthy of attention in answering these questions. Rather than examining these cases in purely legal/doctrinal technical bases, I try to present a normative and theoretical reading of these two decisions of the TCC in the light of the main arguments raised in this study regarding the relationship between secularism and the place of religious arguments in public political debate.

43 Hakan Yavuz regards the TCC and the court system in Turkey as the ‘civilian guardian of Kemalist ideology’: ‘the main function of the judiciary is to protect the regime and the nation against anti-republican movements’. Yavuz (n 6) 165. For similar views, see Gunes M Tezcur, ‘Constitutionalism, Judiciary, and Democracy in Islamic Societies’ (2007) 39 Polity 479, 483; Ergun Ozbudun, ‘The Turkish Constitutional Court and Political Crisis’ in Ahmet T Kuru and Alfred Stepan (eds), Democracy, Islam and Secularism in Turkey (Columbia University Press 2012).

44 In 28 February 1998, the generals aimed to depose the Refah Party government, which they considered as Islamist and anti-secularist, ‘by using both public and behind-the-scenes pressure rather than taking their forces to the streets’. Jeffrey Haynes, Religion, Politics and International Relations: Selected Essays (Routledge 2011) 325. For this reason, it is called ‘soft military coup’ or ‘post-modern military coup’. This military intervention then results in the closure of the Refah Party. For further information about the military coup in 28 February 1998 and its impacts on Turkish political life, see Hermann (n 2) 274; Saban Taniyici, ‘Transformation of Political Islam in Turkey: Islamist Welfare Party’s Pro-EU Turn’ (2003) 9 Party Politics 463; Gareth Jenkins, ‘Continuity and Change: Prospects for Civil-Military Relations in Turkey’ (2007) 83 International Affairs 339.

45 Ergun Ozbudun argues that the TCC’s understanding of secularism is ‘one of the most serious “democratic deficits” of the Turkish political system’ and finds the interpretations of the TCC regarding the relationship between state and religion ‘excessively rigid’. In a similar vein, Ceren Belge the TCC’s approach to secularism is ‘a remarkable obstacle to a more pluralistic democracy’ in Turkey'. Ceren Belge, ‘Friends of the Court: The Republican Alliance and Selective Activism of the Constitutional Court of Turkey’ (2006) 40 Law & Society Review 653, 656; Ergun Ozbudun, ‘Party Prohibition Cases: Different Approaches by the Turkish Constitutional Court and the European Court of Human Rights’, (2010) 17 Democratization 125, 139.
3.1.1. The Refah Party and the AKP Decisions of the TCC: The Inconsistency between Secular Reason and the Democratic Ideals of Equal Participation and State Neutrality

As a new guardian of the reformulated manipulative secularism in Turkey, the TCC closed down the Refah Party and ruled to impose a financial penalty to the AKP on the grounds that they were the ‘center[sic] of activities contrary to the principle of secularism’. In the Refah Party case, the judgment of the TCC was not based on the party’s manifesto, but on the certain statements, speeches and activities of some leading members of the party. The TCC found that these statements and acts, taken as a whole, indicated that the party attempted to replace the unitary legal system in Turkey and to establish a plurality of legal systems based on differences in religious belief. In the AKP case, the TCC mainly used the AKP’s proposal for amending the 1982 constitution to lift the headscarf ban in Turkish universities in 2008 as a reason for closure. The TCC judged that allowing the use of headscarf in universities is

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47 There are several reasons for explaining why the TCC did not close down the party. One of the most reasonable ones, as Ihsan Dagi notes, if the TCC had closed down the AKP, as the ruling party gained 47% of votes in the last general election, this may have caused ‘unprecedented level of political uncertainty, social and economic turmoil, and potential chaos’. Ihsan Dagi, ‘AKP Party Survives Closure Case: What is Next’ (2008) 19 SETA Policy Brief 1, 1.

48 Some of these evidences are the statements of leading members of the party about lifting the headscarf ban in the universities, party’s attempt to reorganise working hours in public services to make allowances for fasting during Ramadan. See Grand chamber (n 46) para 27; 12; 39. See also <http://www.anayasa.gov.tr/index.php?l=manage_karar&ref=show&action=karar&id=2919&content=refah%20partisi> accessed 1 August 2014.


50 Summary of the Indictment (n 46) 27-54. In Turkey, women were not allowed to wear headscarf in public and private schools, universities and public buildings until 8 October 2013. See, Humeyra Pamuk, ‘Turkey lifts generation-old ban on Islamic head scarf’ (Reuters, 8 October 2013) <http://www.reuters.com/article/2013/10/08/us-turkey-headscarf-ban-idUSBRE99708720131008 accessed 14 September 2014> accessed 11 September 2014. The Court declared that the headscarf is a symbol of ‘religious fanaticism’ and is against women’s rights and the idea of their equality with men, also against the individual autonomy of women since it is ‘imposed’ on them. It is mentioned in the decision that headscarf has proselytizing effect on those who do not cover their hair (in other words, headscarf violates the rights of others). Summary of the Indictment (n 46) 113 and on. All these claims are also offered in Leyla Sahin. See Leyla Sahin v Turkey (2007) 44 ECHR 5, paras 84-110.

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inconsistent with the ideal of state neutrality and impartiality and therefore is inconsistent with secularism.\textsuperscript{51} In this regard, in both cases, the TCC proclaimed the acts and statements or policy offers of both parties as anti-secular and regarded them as initial attempts to erect an Islamic state and to bring Sharia (Islamic law) to Turkey.\textsuperscript{52} Even though the Refah Party applied to the ECtHR, the ECtHR reiterated and unquestionably adopted the reasoning of the TCC. Grand Chamber of the ECtHR also upheld the judgment.\textsuperscript{53}

I argue that, with its decisions in the Refah Party and the AKP cases, the TCC perpetuated the tradition of manipulation of the meaning of secularism as minimal differentiation in Turkey. It embraced a restrictive secularist approach which was inconsistent with the democratic ideals of state neutrality and equal participation.\textsuperscript{54}

For a start, to clarify using my terminology, the TCC saw secularism as minimal differentiation as an insufficient condition to modernise and Westernise the Turkish republic. It claimed that ‘secularism cannot be narrowed to division of religion and state affairs’.\textsuperscript{55} For the TCC, ‘although it [secularism] is defined as separation of state and religious affairs in a narrow sense and interpreted in different manners, the opinion that secularism is, in fact, the final phase of philosophical and organizational evolution of societies is also being shared in theory’.\textsuperscript{56} The TCC deemed that science and rationality can only be defined over and with reference to the ideal of secularism. It therefore claimed that progress and modernity can only be achieved with the

\textsuperscript{51} Summary of the Indictment (n 46) 113 and on.
\textsuperscript{52} The TCC defines the AKP’s ‘ideology’ as ‘moderate Islam’ and contends that ‘moderate Islam’ had been ‘produced by the centers of globalization after the 1990s for our country [Turkey]’ to bring Sharia. In other words, the TCC argued that this ideological perspective, (I think, similar to Refah’s fundamentalist Islam), uses democracy as a tool to reach the ideal of Sharia. Summary of the Indictment (n 46) 113 and on.
\textsuperscript{53} By upholding the TCC’s decision in the Refah Party case, I argue that, the ECtHR endorses the ‘manipulative secularist understanding of both the TCC and the official state ideology.
\textsuperscript{54} The TCC also embraces strict neutrality towards the religious freedom demands of religious citizens and groups as its view on headscarf and legal pluralism in the Refah Party and the AKP cases. I need to bracket examining this issue since, as is mentioned in Chapter One, I do not discuss the second dimension of the ideal of neutrality since the main topic of this study is the place of religious arguments in public political debate.
\textsuperscript{55} ‘Turkish Constitutional Court: Relevant Parts of the Constitutional Court’s Decision on the Dissolution of Refah Party’, commissioned by Refah’s Lawyers, provided to the ECtHR, p. 26.
\textsuperscript{56} ibid 26.
secularisation of both the state institutions and society. For instance, in the Refah Party case, the TCC reinforced this rigid positivist approach by noting that secularism is the ‘philosophical essence of life in Turkey’. 57

Accordingly, the TCC overtly embraced secularism as a comprehensive doctrine by linking the meaning of secularism as minimal differentiation to restrictive interpretations of philosophical secularisation. 58 It implicitly defended the imposition of this positivist world view as a comprehensive good upon society by declaring that secularism should be regarded beyond a narrow division of religion and the state affairs. Even though the ECtHR placed special emphasis on ‘the state’s role as the neutral and impartial organizer of the exercise of various religions, faith and beliefs’ 59 and the TCC endorsed this view in the Refah Party case, the TCC therefore itself violated the ideal of state neutrality by equating secular to neutral.

In addition, the TCC supported the idea that secularism is ‘one of the indispensable conditions of democracy’. 60 It argued that ‘within a secular State religious feelings simply cannot be associated with politics, public affairs and legislative provisions’. 61 Even though these statements do not have any problematic aspects and reflect a typical argument that is also raised in this study that democracy requires secularism as minimal differentiation, it should be underlined that while referring to secularism, the TCC implied a certain type of secularism, namely secularism as strict separation/neutrality. For this reason, the above sentence should be read as ‘a real democracy can only come true when there is a “complete separation” between the state and religion’. The TCC, in this way, declared secularism as strict

57 Grand Chamber (n 46) para 40. In the AKP case, the TCC repeats its claim that secularism is the ‘philosophy of life in Turkey’. See Summary of the Indictment (n 46).
58 TCC argues that ‘secularism is a civilized way of life (…) and constitutes the cornerstone of rationalism, science, improving the concept of freedom and democracy, becoming one nation, independence, national sovereignty and the ideal of humanity’. Turkish Constitutional Court (n 55) 26.
60 Grand Chamber (n 46) para 40.
61 See ibid para 40.
separation/neutrality as a strong condition of democracy. This condition required then a priori exclusion of religious arguments from public political debate.

Accordingly, the TCC allowed only secular arguments in public political debate by appealing to secular reason.\(^{62}\) It was highly sceptical about the discourse and activities of political parties which use Islamic discourse as the main impetus of their policies. It regarded these political parties as ‘pseudosecular’\(^{63}\) and evaluated any manifesto of those parties, which aimed at respecting and promoting religious freedoms, as bogus only.\(^{64}\) In other words, the TCC claimed that those policy offers of religious parties, such as legal pluralism and the headscarf should be seen as initial steps for realising their hidden intention: they invoke democracy only as a tool to achieve their main aim of bringing Sharia to Turkey.\(^{65}\)

Pro-religious political parties, according to the TCC, sought to reach their aforementioned objective by also providing alternative understandings of secularism or offering to reformulate the relationship between the state and religion in line with democracy and human rights. For instance, it was overtly mentioned in the Refah Party case that these religious parties aimed to reach their real objective by ‘giving a different meaning to the principle of secularism’.\(^{66}\) The TCC’s aforementioned claims about the incompatibility of the Refah Party’s and the AKP’s policy recommendations regarding legal pluralism and the headscarf ban with ‘secular democracy’ were the products of this sceptical and restrictive secularist attitude.\(^{67}\) In both cases, the TCC

\(^{62}\) It seems also that the TCC equates secular reason to public reason without regarding the differences between them which have been presented in the previous chapter in a detailed way.


\(^{64}\) For a similar argument, see Kevin Boyle, ‘Human Rights, Religion, and Democracy: The Refah Party Case’ Essex Human Rights Review 1, 10.

\(^{65}\) For a similar argument, see ibid 10.


\(^{67}\) The TCC’s depiction of Islam and Islamic law and statements about their compatibility with human rights and democracy are problematic. The TCC seems to readily declare that Islam and democracy and
prevented a public political debate over the relationship between secularism, democracy, religious freedom and the aforementioned two religiously oriented arguments from opening.

This attitude inevitably resulted in an overt contradiction with the democratic ideal of equal participation. The TCC excluded a significant portion of citizens from public political debate by (a priori) excluding religious arguments from politics. This sort of an attitude, as will be discussed in the last section, underestimates the significance of religious identity-based political claims to democracy. This might, in the end, result in disenfranchisement of or marginalisation and radicalisation of religious people and therefore causes creation of a more polarised society and a state which is indifferent to difference in Turkey. This attitude also ignores and does not sufficiently address ‘the transformative power of deliberation’ and ‘the stabilizing effect of civic deliberations’.

It can be concluded that, via its decisions in the Refah Party and the AKP cases, the TCC was transfigured into a politically biased state apparatus of the Kemalists. In particular, with its decision regarding the Refah Party, the TCC froze ‘predominant interpretations and institutional settings that work usually in favour of the entrenched privileged powers’. More importantly, it closed all democratic channels for discussing any alternative understandings of secularism for Turkey by (i) regarding strict human rights are incompatible and the rules of Sharia are completely incompatible with the democratic regime. By evaluating legal pluralism from a strict separationist perspective, the TCC ignores — also proclaims as ‘anti-secular’ and ‘anti-democratic’ activities to abolish secular and democratic order in Turkey — both any alternative interpretations of the compatibility between human rights, democracy and Islam and of secularism. For instance, Meerschaut and Gutwirth argue that ‘the Refah judgment [of both the TCC and the ECHR] implies a radical denial of any legal pluralism that pursues the accommodation of Islamic law and human rights: it leaves no place/space for “compatibilisation” of different legal traditions’. Karen Meerschaut and Serge Gutwirth, ‘Legal Pluralism and Islam in the Scales of the European Court of Human Rights: The limits of Categorical Balancing’ in Eva Brems (ed) Conflicts Between Fundamental Rights (Intersentia 2008) 439.

68 For the concept, see Chapter Four.
69 Mathias Thaler, ‘From Public Reason to Reasonable Accommodation: Negotiating the Place of Religion in the Public Sphere’ (2009) 23 Diacritica 1, 8.
70 Bader (n 63) 34.
71 For instance, as Ihsan Dagi notes, The TCC’s verdict of the AKP case ‘does not introduce any fresh argument’ to the secularism debate in Turkey. Especially the TCC’s decision on the Refah Party...
separation/neutrality as both the only viable way for regulating the relationship between the state and religion and the prerequisite for democracy, and (iii) proclaiming any alternative understanding of secularism, except the Kemalist version, as illegitimate. In other words, it prevented a priori the possibility of redefining the relationship between the state and religion, looking for a more inclusionary and democratic understanding of secularism and establishing consensus over the meaning of secularism and the standards of reasoning through an open, inclusive and democratic public political debate in Turkey.

Is opening a public political debate over alternative understandings of secularism, renegotiating the secular or remaking the public realm ‘necessarily a threat to the foundation of modern politics’ or ‘a backlash against modernization[sic] or a revival of premodern Islamic tradition’ as the Kemalists assumed? Given my theoretical and normative arguments raised throughout this study, my answer should be ‘No’ to this question. However, the analysis below over the alternative understanding of secularism supported by the AKP indicates that, if this is initiated by a religious political party in Turkey, this party should first respect secularism as minimal differentiation, its concomitant principle of two autonomies and should also not seek to remanipulate the meaning of secularism in line with the Islamic ideological inspirations. The meaning of secularism should rather be reconsidered and renegotiated in Turkey by arriving at a consensus over the meaning of secularism through an inclusive public political debate among both secular and religious citizens. I will now clarify this view in a more detailed way below.

3.2. The AKP’s Manipulation of Secularism

‘dismisses the possibility of a reformulated or entirely different instantiation of secularism’ and therefore confines the renegotiation of secularism in Turkey to two opposite alternatives only: ‘benevolent secular democracy (in its Kemalist form)’ and ‘menacing Islamic theocracy (overturning Kemalism)’. Hurd (n 3) 70.

72 Hurd believes ‘no’. Hurd (n 3) 70-71; 65.
The aforementioned scholars, who define the Turkish understanding of secularism as control-based, tend to view the current ruling party AKP’s alternative understanding of secularism to the Kemalists’ one as more democratic. The main reason for this tendency is that, according to them, the AKP’s ‘passive secularism’ challenges effectively the Kemalists’ control-based secularism by aiming to eliminate state control over religion and by favouring state neutrality towards religion. It is also viewed as more inclusionary because it allows public visibility of religion.

I will discuss the validity of both claims in a detailed way below. Before commencing to do that, it seems noteworthy to mention that, I argue that, the AKP has embraced two different understandings of secularism since it came to power in 2002. It embraced passive secularism between 2002 and 2007 and then has embraced a less inclusive and democratic understanding of secularism since 2007. In this regard, it can be said at a glance that even though it is possible to accept that the AKP challenged the aforementioned restrictive understanding of secularism of the Kemalists between 2002 and 2007 and its passive secularist position was a more democratic and human rights oriented secularism, the following two points should not be disregarded. First, even though the AKP’s passive secularism was more democratic and inclusive since, in principle, it respects and favours the principle of two autonomies, it was still restrictive. It was based on a complete separation between the state and religion and strict state neutrality towards religions. Second, the developments in the Turkish political life after 2007 have shown that the AKP’s adoption to passive secularism was only a tactical and strategic move to prove the

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Kemalist establishment that it was not an Islamic oriented party. After 2007, with its growing ‘electoral hegemony’ and ‘dominant party’ position in the Turkish politics, the party has replaced its passive secularism with an ideological one, which also has authoritarian tendencies. It has started to respect secularism as minimal differentiation but to violate the principle of two autonomies by pursuing a conservative and religious line and seeking to impose its own moral religious values upon society. In other words, the AKP has perpetuated the Kemalist tradition of manipulation of the meaning of secularism in a different way. This manipulative shift in the meaning of secularism has only resulted in the replacement of the Kemalist restrictive understanding of secularism with a new restrictive one.

3.2.1. Between 2002 and 2007: The AKP as an Obedient to Status-Quo

The TCC’s aforementioned restrictive attitude towards the religious arguments in public political debate forced the AKP to remain obedient to the status quo and not to cross the red lines set by the Kemalist establishment between 2002 and 2007. Under the Kemalist elites’ tutelage, the party aimed to prove itself against the secular Kemalist establishment that it was ‘not an ideology based Islamic party but a liberal and conservative party of the center’. On the other hand, it is unfair to argue that the party stuck completely to the Kemalist understanding of secularism and did not aim to challenge it during this period. The AKP, on the contrary, shared the aforementioned

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76 Keyman (n 25) 150. For a similar view, see Ioannis N Grigoriadis, ‘AKP and the Paradox of Islamic Europhilia’ (2004) 3 Turkish policy Quarterly 65, 66. For a fruitful analysis on the AKP’s ‘conservative democratic’ identity see Faruk Alpkaya, ‘AKP ve Muhafazakarlik’ (The AKP and Conservatism) Radikal Iki (İstanbul, 14 March 2010).
criticisms of scholars who criticise the Kemalist understanding of secularism on the grounds that it aimed to control and prevented the public visibility of religion. The AKP therefore embarked on an attempt to present its critical stance towards control-based secularist understanding of Kemalism and embraced a passive secularist approach.

This passive secularist attitude included respecting secularism as minimal differentiation but eliminating control of the state over religion by favouring the ideal of state neutrality. The AKP insistently argued that it ‘respects the secular foundations of the Turkish Republic’ and regards ‘secularism as a pre-requisite of democracy and an assurance of the freedom of religion and conscience’. However, it also criticised the view of regarding exclusion of religion from the public sphere ‘as a necessary pre-condition for democracy’. The party rather suggested contemplating on ‘how laicism should be developed in order for democracy (…)’. In other words, the party claimed that secularism needs to be empowered by democracy and ‘a democratically negotiated secularism’ should be taken into consideration to maintain religious freedoms and social harmony in Turkish society. This democracy oriented understanding of secularism can only be created by eliminating the state manipulation over religion, supporting state neutrality towards any comprehensive doctrines or

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78 The AKP Party Programme <http://www.akparti.org.tr/english/akparti/parti-programme> accessed 2 September 2014. In their comprehensive analysis, William Hale and Ergun Ozbudun also similarly define the AKP as a secular party. As a basis of their claim they show that the AKP holds the opinion that the state should be neutral towards religions. See William Hale and Ergun Ozbudun, Islamism, Democracy and Liberalism in Turkey: The Case of the AKP (Routledge 2010) 22. On the other hand, some argue that the AKP is an Islamic party. See Fuller (n 6); Arda C Kumbaracidasi, Turkish Politics and the Rise of the AKP: Dilemmas of Institutionalisation and Leadership Strategy (Routledge 2009). Eligur even claims that the AKP is both Islamic and ‘opposed to democracy’. Eligur (n 34) 11. For other debates over the identity of the party, see Atasoy (n 77) 11; Burhanettin Duran, ‘The Justice and Development Party’s “New Politics”: Steering toward Conservative Democracy, a Revised Islamic Agenda or Management of New Crises’ in Umit Cizre (ed), Secular and Islamic Politics in Turkey: The Making of the Justice and Development Party (Routledge 2008) 85.


80 Yavuz (n 6)159.

81 For a similar analysis, see Menderes Cinar, ‘Turkey’s Transformation Under the AKP Rule’, (2006) 96 The Muslim World 469, 476. Kuru also similarly notes that according to the AKP ‘secularism needs to be empowered by democracy to maintain religious freedom and social harmony’. Kuru (n 73) 179.
divergent religious views and ideas, and evaluating the religious freedom related demands of religious citizens, such as headscarf, within the framework human rights.\textsuperscript{82}

It may be inferred from the above brief explanation that, when referring to state neutrality, the AKP, indeed, implied the need for the Turkish state to respect the principle of two autonomies.\textsuperscript{83} The AKP regarded secularism as an ‘institutional stance and method’ and an ‘orienting principle for the state, but not for the individual’.\textsuperscript{84} When secularism is embraced by the state beyond an institutional method but as an ideology, the party claimed that the state aims to control religious expressions and practices and to impose a secular way of life upon citizens and therefore violates the autonomous sphere of the religious individuals. This sort of an attitude might also result in embracing a hostile attitude towards religion.

The AKP rather regarded religion as ‘one of the most important institutions of humanity’.\textsuperscript{85} For this reason, the party ‘reject[ed] the interpretation and distortion of secularism as enmity against religion’.\textsuperscript{86} It argued that the state should be neutral and ought to respect the religious way of life that a citizen might wish to lead and her religiously related freedoms rather than imposing a secular way of life or a certain understanding of Islam upon her.\textsuperscript{87} In this sense, the relationship between the state

\textsuperscript{83} Yalçın Akdogan’, who is the advisor of Recep Tayyip Erdogan and reviews the political ideology of the AKP in a booklet, which is published on the AKP’s official website and thus reflects the official views of the party, implicitly argues that the party favours ‘two autonomies’ of the state and religion. Akdogan (n 82).
\textsuperscript{84} Heper and Toktas (n 39) 176.
\textsuperscript{85} The AKP Party Programme (n 78).
\textsuperscript{86} ibid.
\textsuperscript{87} Grigoridis (n 6) 1201 (footnotes omitted). The statue of the party also says that ‘secularism is a principle of freedom and social peace’ and this ideal ‘allows people of all religions and beliefs to practise their religion in peace, to express their religious convictions and to live accordingly, but also allows people with no religious beliefs to organize their lives in their own direction’. Ozbudun (n 75) 548. This view is also perfectly parallel with the Art. 18 of the ICCPR. The elevation of religion over secularism is probably contrary to this article because the human rights committee of the ICCPR has suggested that religious beliefs should not be elevated over equivalent non-religious or secular beliefs, as long as the latter come within article 18. See (n 9) art 18.
and religion should be ‘designed to protect religious freedoms and practices against the state [intervention]’. The party defended the idea that the state’s role must be limited to ‘redistributive and regulatory policies’ and it must embrace a ‘passive interventionist’ secular attitude in terms of not only the role and place of Islam in the private sphere but also of public expression of Islam. This requires a more tolerant, neutral and impartial Turkish state which does not aim to control religion, interfere in individual religious choices and prevent their public visibility (this is quite clear when headscarf issue considered) or impose its own understanding of religion on its citizens with the aim of secularising them.

Let’s assume that the AKP did not leave its passive secularist position after 2007 — i.e. most of the aforementioned scholars who define the Kemalist understanding of secularism control-based think that the AKP has still a passive secularist approach. In this case, we would say that the AKP’s passive secularism is an invaluable attempt due to its critical stance towards the Kemalist manipulative secularism. This attempt is also particularly invaluable in terms of its potential to initiate a debate in Turkey over the need to develop an alternative understanding of secularism for Turkey. Nevertheless, from a general theoretical and normative perspective, despite the fact that its emphasis on the principle of two autonomies make the AKP’s passive secularism more democratic and inclusionary, the outcomes, which a passive secularist position might potentially produce, contradict with the party’s main aim of democratising the Kemalist understanding of secularism. Those outcomes are also inconsistent with the party’s aim to transform the Kemalist understanding of the state to a form which is neutral towards and respectful to the autonomous sphere of religious individuals and allows public expression of religion.

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88 Yavuz (n 6) 161
To clarify briefly, the AKP’s passive secularism aims to eliminate the ethical secularist features of the Kemalist understanding of secularism by pointing to the need to abolish control of the Turkish state over religion and to respect the principle of two autonomies. Even though it can be accepted as a prudential attempt per se, while doing this, the party disregards the aforementioned fact that control is not always negative or problematical. More importantly, by aiming to eliminate the control-based activities of the Turkish state, the party also mistakenly retains the Kemalist understanding of secularism’s main restrictive feature: secularism as strict separation/neutralit.y. It limits the role of the state to passive interventionism or limited state only and separates the state and religion completely and strictly.

Accordingly, the AKP’s passive secularism replaces a restrictive understanding of secularism with a new one only. In other words, passive secularism replaces the Kemalist manipulative secularism, which is a combination of ethical secularism and secularism as strict separation/neutralit.y, with a new restrictive strict separationist and neutralist model. For this reason, all criticisms raised throughout this study against the restrictive features of secularism as strict separation/neutralit.y are also valid for the AKP’s passive secularism. 90 Rather than replicating them in a detailed way, it can be briefly said that passive secularism, which is based on strict separation/neutralit.y, is inconsistent with the democratic ideals of equal participation and state neutrality since it excludes, a priori, religious arguments from public political debate, and equates neutral with secular by appealing to secular or public reason. It is therefore still exclusionary and has a weak potential for providing an inclusive and pluralist framework for public political debate in Turkey.

3.2.2. After 2007: The AKP as the new Manipulator of Secularism in Turkey

90 My aforementioned criticism towards critics who define the Turkish understanding of secularism as control-based and therefore downplay the situations where control is not inconsistent with promoting religious freedom is also valid for Kuru’s passive secularism.
The remarkable shift in the AKP’s discourse and policies after 2007 can be seen as a signal that the AKP has given up its aforementioned passive secularist position. The party has started to evaluate the relationship between the state and religion in a more ideological, authoritarian and exclusionary way. This shift also indicates that the party’s adoption of passive secularism between 2002 and 2007 was only a tactical move to prove the Kemalist establishment that it was not an Islamic oriented party.

The AKP’s crushing victories in three consecutive local and general elections have fortified ‘electoral hegemony’ and ‘dominant party’ position of the party in the Turkish politics. Also, the declining power of the Kemalist elites, which leads to the opposition gap in Turkey, has rendered the AKP the most powerful and unrivalled political actor in the Turkish political life. Thanks to these developments, especially after 2007, the AKP has turned out to be a challenger from an obedient political actor against the Kemalist establishment. It has begun to challenge the Kemalist establishment more clearly and effectively and to boldly proclaim its alternative perspective to secularism. The party has started to use a more exclusionary political language and to appeal more intensely to Islamic themes in its discourse. In practice, it has started to follow socially conservative and religiously inspired policies such as, criminalising adultery, banning alcohol consumption, raising a religious generation and preventing abortion.

1 bracket events and issues which have diminished the power of the Kemalists and help the AKP to turn out a challenger from an obedient political actor for space considerations. These developments, however, as Aylin Gorener and Meltem Ucal Erdogan also note, have ‘effectively weakened most internal checks’ on Erdogan and the AKP’s power. Aylin S Gorener and Meltem S Ucal, ‘The Personality and Leadership Style of Recep Tayyip Erdogan: Implications for Turkish Foreign Policy’ (2011) 12 Turkish Studies 357, 357. For further information about these developments, see Cizre (n 38); Gareth Jenkins, ‘Turkey’s Latest Crisis’ (2008) 50 Survival: Global Politics and Strategy 5, 6; Mustafa Kemal Coskun, ‘Fasizm Tehlikesi’ (The Danger of Fascism) Radikal Iki, (Istanbul 6 July 2008); Cem Dogan, ‘Ergenekonculuk ve AKP’ (Ergenkonism and the AKP) Radikal Iki, (Istanbul, 20 July 2008).

2 Tank (n 6) 15-16; ‘EU Irked by Turkish Adultery Law’ (BBC, 9 September 2004) <http://news.bbc.co.uk/1/hi/world/europe/3641026.stm> accessed 12 September 2014.


5 Arash Ahmadi, ‘Turkey PM Erdogan Sparks Row Over Abortion’ <http://www.bbc.co.uk/news/world-europe-18297760> accessed 12 August 2014. For more about the AKP’s religiously driven policy offers or statements, see, for example, Dror Ze’evi, ‘The Transformation of Public Space in Turkey’ (2013) 69 Middle East Brief 1.
This shift in the AKP’s attitude has been met by the secular segments of the society with great worries and fears. It has been argued that the party was engaged in duplicity between 2002 and 2007 and now has started to present its main objectives and intentions, namely transforming the Turkish state into an Islamic state, as soon as the conditions are mature. In other words, it has been claimed that the AKP only paid lip-service to the commitment to secularism and democracy between 2002 and 2007.

Moreover, and more importantly, this shift also has given way to a debate about the identity of the party addition to concerns over the party’s growing salience of Islamic identity: Has the AKP and its leader Recep Tayyip Erdoğan turned out to be authoritarian? It can be said that not mainly the substance of the party’s aforementioned religiously driven policies but the increasing ‘angry, condescending, and authoritarian tone of Erdogan’s statements’ have brought this question to forefront. The ‘Taksim Gezi Parki’ protests against Erdogan and its government in May 2013, have revealed at least that there has been a growing resentment among some individuals and groups against Erdogan’s ‘growing authoritarianism’ of a markedly Islamic character.

96 However, significant achievements regarding the consolidation of democracy under the AKP government should not be underestimated. Several reforms have been implemented in terms of, for instance, declining the power of military in Turkish politics and recognition of the extension of minority rights. See Ziya Onis, ‘Sharing Power: Turkey’s Democratization Challenge in the Age of the AKP Hegemony’ (2013) 15 Insight Turkey 103, 104-8.

97 For a similar view, see Axierlis (n 73) 39.


100 See e.g. generally Kerem Oktem, ‘Turkey, From Tahrir to Taksim’ (Open Democracy, 7 June 2013) <http://www.opendemocracy.net/kerem-oktem/turkey-from-tahrir-to-taksim> accessed 13 August 2014; Umut Ozkirimli (ed), The Making of a Protest Movementin Turkey: #occupygezi (Palgrave Pivot 2014).
Even though answering this question of whether the AKP is getting authoritarian requires a broader analysis and is beyond the scope of this study, what type of secularism the party has started to embrace after 2007 is directly connected with the answer of this question. The more the AKP becomes authoritarian the less inclusionary understanding of secularism it embraces. Given the aforementioned growing resentment and protests against the AKP government and the way the party has reacted to them, it could be safely said that, after 2007, the AKP ‘seems to have shifted toward a more conservative line, tainted with elements of authoritarianism and a more antagonistic stance toward the opposition’. The party has ‘drift[ed] towards an excessively “majoritarian democracy”’, or even ‘plebiscitiarian’ and ‘delegative democracy’ thanks to its attempts to eliminate opposition powers via politicising the judiciary and imposing restrictions over press. Concomitantly, I argue that a remarkable shift has been observed in the AKP’s approach to secularism.

I argue that, after 2007, instead of retaining its earlier passive secularist position or embracing a more democratic understanding of secularism, the AKP has started to gradually embrace a Kemalist-like understanding of restrictive and authoritarian understanding of secularism, but with a religious tone. In other words, I claim that the AKP’s new understanding of secularism is based on (i) respecting secularism as minimal differentiation, but (ii) violating its concomitant principle of two autonomies.

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To clarify, I claim that the party still respects secularism as minimal differentiation because it has never suggested or acted to discard the ideal of secularism in the sense of a minimal role, functional, institutional and organisational differentiation between the Turkish state and religion. The AKP is still not an Islamic oriented party in the sense of attempting to use coercive power of the state to Islamise the whole society and ‘abolishing the mandate of or of changing the existing system of representative democracy’.  

However, I also claim that, after 2007, the AKP has started to violate the ideal of secularism and therefore the democratic ideals of equal participation and state neutrality by violating the principle of two autonomies. Given its aforementioned socially conservative and religiously inspired policies, the party has started to pursue an overtly conservative and religious line with the aim of imposing its own moral religious values upon society. The AKP, in other words, has embraced religious values and principles in a perfectionist way. It has aimed to replace the aforementioned Kemalist ‘social engineering’ project of modernisation with its own social project of designing a ‘New Turkey in its image’ by aiming to shift the Turkish citizens’ conception of moral values. Accordingly, while the Kemalists embraced ethical secularism at the expense of the autonomous spheres of religious citizens, the AKP has started to overtly violate the principle of two autonomies by aiming to move the Turkish society in a more conservative and religious line and to interfere with the secular way of life of individuals by aiming to impose its own religious way of life upon them. It is clear that this sort of an approach also works at the expense of the

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105 Hale and Ozbudun (n 78) 22; Houston (n 79) 9.
106 Alev Cinar, in a similar vein, argues that the AKP aims to forge a new national identity for Turkey. This national identity is defined by the AKP as ‘essentially Muslim and Ottoman’. According to Erdogan, as Cinar states, ‘the authentic value system’ of the Turkish nation is Islam’. In other words, the AKP aims to replace ‘secularist national identity’ of Turkey with an ‘Islamic’ one as ‘“glue” holding together the national community. Cinar (n 102) 539-40. See also Cinar (n 102). In a similar vein, but from a different perspective, Jenny White argues that the AKP does not aim to impose Islamic law but to endorse ‘Turkish muslimhood’. See Jenny White, Muslim Nationalism and the New Turks (Princeton University Press 2013).
107 Keyman (n 74) 20; 26-9. See also Onis (n 96)104-8.
108 Onis (n 96) 108.
109 For instance, Ihsan Dagi also argues that the AKP can be defined as ‘post-modern secular’ since it ‘legislates a particular way of life and uses the state apparatus to impose its choice of morality, lifestyle
autonomous spheres of nonbelievers or other Islamic or non-Islamic religious minorities.\textsuperscript{110}

In this regard, the AKP’s new approach to secularism reminds us of my argument raised in Chapter Two that secularism as minimal differentiation and its concomitant principle of two autonomies should be respected simultaneously. Otherwise, the ideal of secularism loses its meaning. Furthermore, the political scenario of the AKP indicates that an authoritarian pro-Islamic party and leader with growing unchecked political power and unwillingness to tolerate opposition causes to dead-ends about the required process of reformulating the relationship between the state and religion in Turkey. This only leads to replacement of an old state ideology centred around an anti-democratic and restrictive secularism with a newly reformulated exclusionary, anti-democratic and authoritarian one centred around Islamic values. This therefore prevents generating a more inclusive and pluralist public sphere and framework for public political debate in Turkey.\textsuperscript{111}

Accordingly, a new understanding of secularism should be reconsidered and renegotiated in Turkey to overcome those problems associated with manipulative secularism embraced by both the AKP and the Kemalists and to create a more inclusive and pluralist framework for public political debate. In the next section, I aim to provide the reasons why my alternative understanding of secularism, namely facilitative secularism, is a better alternative for Turkey to achieve those ends. I present my reasons by taking indications from the previous chapter, where I have developed my alternative framework for public political debate and the doctrine of restraint.

\textsuperscript{110} Christian and Jewish minorities and Alevi are the salient examples of these two different kinds of minorities in Turkey. The Alevi constitute Turkey’s second largest Islamic community, after the Sunnis. See, for example, Elizabeth Hurd, ‘Alevi under Law: The Politics of Religious Freedom in Turkey’ (2014) 29 Journal of Law and Religion 416.

\textsuperscript{111} In a similar vein, Murat Somer finds AKP’s perception of secularism as ‘ambiguous’ and argues that if this understanding of secularism is not balanced by more ‘pluralist’ understandings of secularism, it might pose serious problems. Murat Somer, ‘Laiklik ve Dusunce Ozgurlugu’ (Secularism and Freedom of Thought) \textit{Radikal Iki} (Istanbul, 4 March 2012).
4. Facilitative Secularism: A Better Alternative for Turkey

The above examination of both the Kemalists’ and the AKP’s approach to secularism indicates that what secularism means or how the state and religion should be separated in Turkey has been always shaped, reflected and been the product of the power structures and power struggles in the Turkish political life. In other words, rather than looking for a more inclusive and democratic public sphere,\textsuperscript{112} the debate over secularism in Turkey has always reflected the fight between the secular Kemalist elites and Islamists over who will grasp the power of manipulation.\textsuperscript{113} The meaning of secularism has always been manipulated by the hegemonic power, either secularists or Islamists with the aim of retaining their own interests and hegemony. To that end, both sides have aimed to exclude the less powerful side from politics. They have aimed to deprive the less powerful side enough necessary material and power in order to prevent them from challenge the existent hegemonic political system.

Hegemonic and unrivalled position has therefore allowed the dominant actor in Turkish politics to present its own understanding of secularism as the only valid one to govern the relationship between the state and religion in Turkey. Any alternative approach to secularism has been regarded as a threat to stability and unity in the society. The place of both secular and religious arguments in public political debate has always been determined according to the ideological preferences of the hegemonic power. For this reason, despite their differences, any manipulative understanding of secularism embracing the hegemonic power have been (i) ideology-based and authoritarian, (ii) inconsistent with the democratic ideals of equal participation and

\textsuperscript{112} Jenkins, for instance, argues that it is worrying in Turkey that ‘the conflict is not (…) a battle for democracy and the rule of law’ but a power struggle between the two fundamentally undemocratic forces [Kemalist secular elites and the AKP], each prepared to abuse its influence for ideological ends’. Jenkins (n 91) 10-12.

\textsuperscript{113} Armagan Ozturk, ‘Laiklik ve Dindarlik’ (Secularism and Piety) Radikal (Istanbul, 1 April 2012). For similar views, see Halil Guven, ‘Barisin Dili ve Savas Halı’ (The Language of Peace and Situation of War) Radikal Iki (Istanbul 26 August 2012); Fuat Keyman, ‘Guclu Yurutme Demokrasisi’ (Strong Executive Democracy) Radikal Iki (Istanbul, 30 September 2012).
state neutrality, and (iii) exclusionary in the sense of excluding any alternative view opposed to theirs from public political debate. This exclusionary, ideological and power-retaining-focused approach to secularism has resulted in fuelling administrative, political, and cultural inequalities and a power asymmetry between the different sectors of society, leading to unprecedented polarisation in Turkey. More importantly, this restrictive approach has also raised serious concerns about the future of democracy in Turkey. It has created problems in terms of respecting and recognising differences and pluralism ‘living together within diversity’.

The understanding of secularism embraced by the Turkish state should not, however, reflect the ideological preferences of a particular political group. Its main features should rather be determined and also be legitimised in the eyes of the different sectors of the society as a result of a consensus through an inclusive public political debate. On the one hand, this consensus can only be built by creating necessary conditions for allowing all sectors of the society, including less powerful ones, to participate an inclusive public political debate over the meaning of secularism. Both secular and religious citizens should provide their arguments over how the relationship between the state and religion should be governed in Turkey without being subject to a priori exclusionary ideological assumptions and narrowly-defined restraints. On the other hand, this necessary consensus arrived as a result of an inclusive public political debate should also not be permanent, strict and unity-based. It should rather be conflictual and contingent. In other words, what secularism means or how the state and religion should be separated in Turkey should always be open to many different and conflicting interpretations. A never-ending reformulation and reconsideration of consensus over the meaning of secularism, and also the standards of reasoning, provides a more flexible and inclusive approach to governing the relationship between the state and religion in Turkey. Only this sort of a conflictual consensus can prevent manipulation of the meaning of secularism once more by powerful political groups.

114 See Ozbudun (n 99), 158; Keyman (n 74) 19.
115 Keyman (n 74) 29.
In this regard, I argue that a facilitative understanding of secularism is a more appropriate model for Turkey to overcome the aforementioned problematic aspects of the Turkish manipulative secularism. A facilitative understanding of secularism also helps establishing the aforementioned necessary consensus over the meaning of secularism through an inclusive public political debate. Facilitative secularism assumes that in order to ensure the democratic ideals of equal participation and state neutrality (i) the state and religion should be separated in a minimal sense and, at the same time, the principle of two autonomies [of the state from religion and religion from the state] should be respected, and (ii) a more inclusive and pluralist framework for public political debate should be generated by redefining the doctrine of restraint.

While clarifying this suggestion below, I place the main emphasis on the second assumption of facilitative secularism, namely the creation of a more inclusive and pluralist framework for public political debate. The main reason for this is that secularism as minimal differentiation, as one of the components of my alternative doctrine of restraint, already covers the aforementioned first assumption of facilitative secularism. Furthermore, the examination of manipulative secularism embraced by the Kemalists and the AKP, along with theoretical and normative reasons provided in the previous chapters, already indicates that both ethical secularism, secularism as strict separation/neutrality and passive secularism endorse a restrictive conception of public deliberation. They are also inconsistent with the democratic ideals of equal participation and state neutrality. Unlike these understandings of secularism, secularism as minimal differentiation undergirded by the principle of two autonomies best guarantees and flourishes those two essentials of democracy by paving the way for creation of a more inclusive and pluralist framework for public political debate.

Within this framework, I attempt to explain the aforementioned second assumption of facilitative secularism within the context of Turkey focusing the need to open a public political debate over the meaning of secularism in Turkey, which has
been prevented by both the Kemalists and the AKP until now. By taking indications from especially Chapter Four, I seek to indicate why the democratic ideals of equal participation and state neutrality are best flourished when an inclusive and pluralist framework for public political debate is created.

4.1. Consensus over the Meaning of Secularism in Turkey through a More Inclusive and Pluralist Public Political Debate

The necessary conditions for building the aforementioned consensus over the meaning of secularism in Turkey can only be created by accepting two main claims raised in this study: First, stability and unity as the essential values of secularism should be attained by not excluding but rather allowing the expression of differences in the public sphere. This requires accepting the transformative and reconciliatory potential of deliberation over both secular and religious arguments. Second, the place of both secular and religious arguments in public political debate should be determined by invoking, not secular reason as the TCC supports, but the normative criteria of secularism as minimal differentiation and the civic virtues of deliberation.

4.1.1. Targeting Stability and Unity by Allowing the Expression of Differences in the Public Sphere

Along with retaining and protecting their own hegemonic power and interests, both the Kemalists and the AKP have appealed to their own understanding of secularism with the aim of achieving stability and unity in Turkey. I argue, however, that they have not sought to attain those values of secularism via embracing a more inclusive political discourse which promotes living together through diversity and pluralism. On the contrary, both sides have adopted an approach which equates ensuring and securing stability and unity in Turkey to the exclusion of all forms of opposition. They have seen politics as a domain that is independent from disagreement among moral values, and regard one another as a potential threat to
stability and unity in Turkey. They have therefore attempted to create a public sphere where power and antagonism and difference and conflict are eliminated. While the Kemalists have invoked secular reason to exclude religious arguments from politics via party closure, the AKP have labelled any kind of opposition against the party as marginal and a threat to stability and unity by following a ‘politics of fear’.116 Both sides have therefore ignored the possibility of reconciliation and compromise among divergent sectors of the Turkish society and believe that there is only one truth and it is theirs.117

This threat-oriented approach has also underlined their claim that achieving the values of stability and unity requires bounding the whole society around common moral values, either secular or religious. They have aimed to build a fully cohesive ethical or political community at the expense of expression of differences in the public sphere. They have either imposed a secular way of life shaped according to the restrictive interpretations of philosophical and sociological secularisation or a religious way of life shaped according to Islamic values upon society.

Accordingly, I argue that both sides’ strict emphasis on the preservation of stability and unity at the expense of diversity and pluralism is the main obstacle to developing a more inclusive and democratic understanding of secularism and therefore creating a more democratic framework for public political debate in Turkey. Both sides deny the value of difference and conflict/disagreement to ensure a more democratic polity. They define secularism with reference to certain ideological preferences and prevent alternative formulations to regulate the relationship between


117 Armagan Ozturk, ‘Didaktik Laiklikten Didaktik Demokrasiye’ (From Didactic Secularism to Didactic Democracy), Radikal (Istanbul, 8 May 2011).
the state and religion from discussing and developing. This exclusionary attitude of both sides therefore leads to disenfranchisement or marginalisation of – and intensifies alienation, resentment and divisiveness among – the divergent sectors of the Turkish society. This attitude intensifies the anger and hostility of excluded groups against the exclusionary hegemonic power. This exclusionary attitude, in turn, creates a more divisive and polarized society in Turkey. For example, both the aforementioned revenge policy against the Kemalists followed by the AKP since 2007 and the Taksim Gezi Parki protests against the Erdogan government are reflections of the anger and hostility amongst excluded sectors of the society against the abuse of power by both secular and religious hegemonies.

A democratic Turkish state, however, should not adopt any particular world view, whether it is secular or religious, and should not exclude the arguments raised by the opposite side from public political debate. As noted in the previous chapter, ‘democracy is not necessarily only stable if we also agree on its deep foundations’\(^\text{118}\) or exclude all differences from the public sphere. On the contrary, democracy requires the regulation of the relationship between the state and religion in a more democratic and inclusionary way so as to include differences to politics and to allow expression of divergent views in the public sphere. In this sense, achieving stability and unity as the essential values of secularism requires granting equal political rights to divergent sectors of the Turkish society to participate the democratic decision making process and to become the authors of the laws they are subject to. This can only be achieved by establishing consensus over the meaning of secularism through a more inclusive and pluralist public political deliberation and also, concomitantly, by recognising both the function of democratic participation and deliberation in terms of fostering ‘compromise and mutual accommodation’.\(^\text{119}\)

\(^{118}\) Bader (n 13) 114.

In this regard, I argue that the relationship between the state and religion in Turkey should be reorganised in such a manner that does not overcome an ‘us/them opposition’ but to ‘establish this us/them discrimination in a way that is compatible with pluralistic democracy’. The Turkish state should not presuppose or aspire to ‘build a fully cohesive ethical or political community bound by common moral or rational intuitions and beliefs’, such as secular or religious. The main aim should be not to eliminate differences from the public domain or to relegate them to the private sphere, but to organize those differences towards democratic designs.

Accordingly, unlike the Kemalists’ and the AKP’s exclusionary conception of the public sphere, a more inclusive framework for public political deliberation should be generated. This would guarantee and strengthen stability and unity in Turkey, rather than widening it. As mentioned in the previous chapter, allowing all affected parties to public political debate on a free and equal basis results in making both religious and secular people’s voices heard in the political process and therefore strengthens the legitimacy and sustainability of the political regime. This intensifies, not anger and hostility, but rather fosters compromise and accommodation between religious and secular citizens and groups.

Moreover, the transformative potential of deliberation on both secular and religious arguments fortifies consensus over the essential characteristics of the state and over the meaning of secularism in Turkey. In other words, a pluralist deliberation process allows both religious and secular citizens in Turkey to listen and be exposed to alternative and conflicting understandings of secularism. This helps them improve their own view and make them ready to debate issues in an inclusive deliberation process. It urges both secular and religious citizens in Turkey to take into account perspectives different from their own and to revisit, or even revise, their resistant attitude and

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120 I apply Chantal Mouffe’s view, which I have mentioned in Chapter Four, to Turkey. See Chantal Mouffe, ‘Deliberative Democracy or Agonistic Pluralism’ <http://www.ihs.ac.at/publications/pol/pw_72.pdf> accessed 18 April 2011, 14-15.
121 I apply Deveaux’s view, which I have mentioned in Chapter Four, to Turkey. See Monique Deveaux, ‘Agonism and Pluralism’ (1999) 25 Philosophy and Social Criticism 3, 4.
122 See Mouffe (n 120) 16.

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strong non/religious views in line with democracy and human rights. More importantly, this prevents both sides from providing their own ideological approach to secularism as the only valid and right one. This also prevents (a priori) exclusion of the other side from deliberation and thereby increases the possibility of arriving at a consensus over the meaning of secularism and resolving conflicts peacefully over the issues related to the relationship between the state and religion. In this regard, I argue that this inclusive and pluralistic framework for public political debate can only be created in Turkey by reformulating the standards of reasoning.

4.2. An Alternative Doctrine of Restraint for Turkey

The aforementioned need for developing a more inclusive framework for public political debate in Turkey does not necessarily require eliminating all constraints upon both secular and religious reasons. Even a more inclusive framework for public political debate still requires some mechanisms of constraint in order to ensure stability, unity and consensus. These constraints, however, should not be imposed unequally on both secular and religious arguments. Instead of defining the principle of restraint by appealing to secular reason, as the TCC has done since the end of 1990s, the doctrine of restraint should be reformulated by (i) invoking secularism as minimal differentiation as a principle of restraint that should be complied with by both secular and religious citizens, and (ii) disconnecting limits of reason from the civic virtues of deliberation. The latter particularly refers to the claim that, instead of excluding religious arguments from deliberation in Turkey by appealing to reasonableness, both secular and religious arguments should be evaluated according to whether they embrace a non-authoritarian perspective and a self-critical attitude towards their own comprehensive arguments. Endorsing the civic virtues of deliberation, while considering which arguments should be allowed to public political debate, extends the inclusiveness of the deliberation process, and enhances the possibility for respecting differences in terms of determining the features of what sort of secularist approach the state should embrace in Turkey.
4.2.1. Secularism as Minimal Differentiation

Secularism as minimal differentiation, undergirded by the principle of two autonomies, is an essential restraint that should be imposed upon both secular and religious arguments when considering their eligibility for public deliberation in Turkey. The reasons for this claim stems from the normative and theoretical claims raised in the preceding chapters of this study. Rather than replicating in a detailed way, it seems sufficient to explain within the context of Turkey why one needs secularism as minimal differentiation as a restraint in two ways. First, that secularism as minimal differentiation is valuable and a prerequisite for democracy. In other words, it not only best ensures, guarantees and secures peace, stability, unity, consensus and pluralism but also the democratic ideals of equal participation and state neutrality. Second, that defining the political meaning of secularism in a minimal sense makes it possible for arriving at a conception of secularism and its value upon which the Kemalists and Islamists could reasonably agree. I propose that an agreement among the Kemalists and Islamists over the meaning of secularism as minimal differentiation can provide the basis for addressing the exclusionary features of the both sides’ manipulative secularism and opening a way for developing an alternative understanding of secularism in Turkey.

In this regard, given my example of deliberation over the meaning of secularism, religious citizens in Turkey should provide arguments for their alternative understanding of secularism by respecting this crucial restraint. They should be willing to accept the minimally secular foundations of the state and that the language of the law should not specifically refer to certain religious convictions. They should also respect the outcome of political process without insisting on their claims of ultimate truth belief that relates to the political process. In other words, by accepting the
criterion of secularism as minimal differentiation, they at the same time should accept ‘the obligation to promote democracy’.  

As a concomitant, they also ought to respect the principle of two autonomies. To clarify, they ought to respect the autonomous sphere of the state in return for the state’s promise not to interfere in the autonomous sphere of religious citizens and groups. Religious citizens should accept that the Turkish state should be ‘independent of institutional religion or ecclesiastical control’, in return for; religion should be ‘independent of state or political control’.  

If religious citizens violate this principle and interfere with the businesses of the state, secularism as minimal differentiation loses its meaning. Given that, after 2007, the AKP has started to support an understanding of secularism which keeps secularism as minimal differentiation but violates the principle of two autonomies by aiming to impose religious moral values upon society. It is vital that religious citizens should respect secularism as minimal differentiation and the principle of two autonomies simultaneously. Otherwise, there is always a risk of violation of the autonomous sphere of secular citizens by religious political groups.

In a similar vein, secular citizens should also respect the normative criterion of secularism as minimal differentiation and its complementary principle of two autonomies in Turkey. Even though this claim might sound odd on the grounds that secular citizens already support a separation between the state and religion, respecting the ideal of secularism as minimal differentiation imposes different and further duties on secular citizens. This principle prevents secular citizens from either embracing secularism as a comprehensive doctrine or from providing their arguments for what type of secularism should be supported by the Turkish state by unquestionably attributing to the features of secularism as strict separation/neutrality. Especially the TCC’s aforementioned understanding of secularism exemplifies this

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approach. The TCC presents its own exclusionary understanding of secularism, either ethical secularism which violates the principle of two autonomies or secularism as strict separation/neutrality, as the only possible way to ensure democracy, modernisation, stability and unity in Turkey. This dogmatic attitude comes to mean imposition of a certain institutional arrangement, exclusion of (a priori) religious arguments from the public sphere and rendering a democratic deliberation over the meaning of secularism and alternative understandings of secularism impossible.

In this sense, secular citizens in Turkey should accept that neither ethical secularism nor secularism as strict separation/neutrality are the only viable alternatives for attaining the democratic ideals of equal participation and state neutrality. The criterion of secularism as minimal differentiation requires them to recognise that democracy does not necessarily flourish only when there is a strict separation between the state and religion. They should be open to reasons formulating the relationship between the state and religion in a different way from that provided by religious citizens. Respecting secularism as minimal differentiation, in this sense, prevents secular citizens from excluding (a priori) religious arguments from public political debate, and guarantees a wider and open deliberation between secular and religious citizens in Turkey.

4.2.2. The Civic Virtues of Deliberation

Along with secularism as minimal differentiation, the civic virtues of deliberation as the second principle of restraint ensure a more wide-open and inclusive public deliberation over the meaning of secularism in Turkey. The civic virtues of deliberation define the content of the restraint principle with reference not to secular or public reason, but to a self-critical attitude and a non-authoritarian perspective. It therefore does not eliminate religious arguments beforehand from public political debate, but affords secular and religious arguments equal weighting while evaluating their eligibility for public political deliberation.
According to this principle, the strong link between the civic virtues and the limits of reason should be disentangled for ‘civilised and decent ways of living with disagreement’\textsuperscript{125} and a more inclusive and pluralist public political debate. Given the example of Turkey, individuals, political parties or any other actors participating in public political debate in Turkey over the meaning of secularism should not be subject to exclusionary constraints of secular reason while deliberating. Espousal of the civic virtues by both religious and secular citizens should be a sufficient criterion. Reasons provided by both secular and religious citizens for their own understanding of secularism should be evaluated according to whether they both accept disagreement on political issues as a part of human condition, respect each other as free and equal citizens, critically assess their own arguments and reasons, and not seek to suppress other comprehensive doctrines by using political power. In other words, in order to participate in a public political debate over the meaning of secularism in Turkey, both religious and secular citizens should embrace a non-authoritarian perspective and a self-critical attitude towards their own comprehensive arguments.

Rather than replicating in a detailed way what constraints the normative criteria of a non-authoritarian perspective and a self-critical attitude include, which have been presented in a detailed way in Chapter Four, it seems sufficient to say that the need for invoking those two civic virtues of deliberation is quite salient given the aforementioned ideology-based and authoritarian approaches of the Kemalists and the AKP to secularism. Both sides have aimed to impose their own comprehensive good, either secular or religious, upon society and have presented their own understanding of secularism as the unique right way to govern the relationship between the state and religion. They have aimed to maintain the status quo and retain hegemonic power by aiming to eliminate the expression of differences in the public sphere. Their threat-oriented approaches to democracy and secularism and their resistance to engage in the views of others have deepened marginalisation and polarisation in Turkey. Their

\textsuperscript{125} Veit Bader, ‘Religious Pluralism: Secularism or Priority for Democracy’ (1999) 27 Political Theory 597, 618.
approaches have also diminished the possibility of establishing compromise, communication and mutual learning between secular and religious citizens. They have only perpetuated the regime of exclusion to ensure stability and unity at the expense of living together through diversity and pluralism.

To conclude, the democratic ideals of equal participation and state neutrality are best pursued in Turkey by establishing consensus over the meaning of secularism through an inclusive and pluralist public political debate. The normative criteria of secularism as minimal differentiation and the civic virtues of deliberation lay the ground for this inclusive deliberation by both establishing a more equally distributed doctrine of restraint among secular and religious arguments and eliminating the exclusionary features of the Kemalist secular reason and the AKP’s religious reason.

5. Conclusion

In this chapter, my aim was twofold. Firstly, I have aimed to demonstrate that the Turkish understanding of secularism should be described, not as control-based, but as manipulative. This is a necessary step to prevent offering secularism as strict separation/neutrality as an alternative to Turkey. Secondly, I have argued that facilitative secularism is a better alternative for Turkey to overcome the restrictive features of the Turkish experience of secularism, to reformulate the relationship between the state and religion in Turkey in a more inclusionary and democratic way, and to find a proper place for both secular and religious arguments in public political debate.

I have claimed that if the Turkish understanding of secularism is defined as control-based, this comes to mean regarding any control-based activity of the state as negative and inconsistent with the ideal of secularism. This sort of a designation disregards the fact that some regulatory practices of the state to control religious expressions and practices in the public sphere are not always negative. They are even required to
accommodate better the demands of religious individuals and groups for greater freedoms and to facilitate the expression of religious arguments in public political debate.\textsuperscript{126} Furthermore, and more importantly, if the Turkish understanding of secularism is defined as control-based, this also comes to mean (implicitly or explicitly) offering to overcome the restrictive features of the Kemalist understanding of secularism by favouring secularism as strict separation/neutrality. In other words, the main aim of characterising the Turkish secularism as control-based is to achieve a strict and complete separation between the Turkish state and religion. For these two reasons, along with the reasons I have provided in the preceding chapters why secularism as strict separation/neutrality is restrictive, I have argued that the restrictive features and practices of the Turkish experience of secularism can be better addressed – and a more inclusionary secularism can be developed for Turkey – by defining its experience of secularism as manipulative. This prevents the equation of the ideal of secularism mistakenly to a complete separation between the state and religion.

My examination over the understanding of secularism embraced by the Kemalists and the AKP also indicates why manipulation is a better concept to define and to reveal the restrictive features of the Turkish understanding of secularism. I have indicated that both sides have manipulated the meaning of secularism as minimal differentiation in different ways in order to retain their interests and hegemonic power in various periods of the Turkish political history. They have done this by violating the principle of two autonomies and aiming to exclude the opposite side from public political debate. While the Kemalists have embraced either ethical secularism or secularism as strict separation/neutrality — or a combination of both — the AKP has either embraced passive secularism or has aimed to impose religious moral values upon society while respecting secularism as minimal differentiation. Both sides’ understandings of secularism have therefore been at odds with the democratic ideals of equal participation and state neutrality. This has been at the expense of expression

\textsuperscript{126} See, e.g. (n 9) Art 20(2).
of differences in public political debate and has prevented a more inclusive and pluralist understanding of secularism from flourishing.

In this regard, I have argued that the relationship between secularism and the place of religious arguments in public political debate in Turkey should be reformulated according to the normative and theoretical principles of facilitative secularism. I have claimed that the democratic ideals of equal participation and state neutrality are best pursued in Turkey when there is a minimal differentiation between the state and religion and a more inclusive and pluralist framework for public political debate is generated. To that end, consensus over the meaning of secularism in Turkey among secular and religious citizens should be built through a vibrant and inclusive public political debate. The necessary conditions for building this consensus over the meaning of secularism in Turkey can only be created by accepting the following. First, that stability and unity as the essential values of secularism should be attained by not excluding but allowing the expression of differences in the public sphere. Secondly, that deliberation has a transformative and reconciliatory potential over both secular and religious arguments. And thirdly, that the place of both secular and religious arguments in public political debate should be determined by invoking, not secular reason as the TCC supports, but the normative criteria of secularism as minimal differentiation and the civic virtues of deliberation.
CONCLUSION

The purpose of this thesis has been to contribute to the theory of secularism through a study of the place of religious arguments in public political debate. To achieve this objective, this thesis has examined secularism as strict separation/neutrality and its ethical form in order to reveal their restrictive effects on religious arguments. I have argued that the features of both understandings of secularism are at odds with the democratic ideals of equal participation and state neutrality.

The central proposal argued in this study has been that the democratic ideals of equal participation and state neutrality are best pursued when the relationship between secularism and the place of religious arguments are redefined within the context of normative and theoretical assumptions of a new understanding of secularism. This new understanding of secularism has been introduced as facilitative secularism.

Three main assumptions of facilitative secularism have been identified in this thesis. First, that there should be a minimum functional, institutional, organisational, and role differentiation between the state and religion, what I call secularism as minimal differentiation. Second, that secularism as minimal differentiation should be delinked from the restrictive interpretations of philosophical and sociological secularisation. And third, that a more inclusive and pluralist framework for public political debate should be generated. This framework should be created by redefining the doctrine of restraint. I have argued that the place of both religious and secular arguments in public political debate should be determined according to whether they comply, not with secular or public reason, but with the normative criteria of secularism as minimal differentiation and the civic virtues of deliberation.
In its final substantive chapter, this thesis has also concerned the experience of the Turkish version of secularism. The main aim of this analysis has been to indicate how well facilitative secularism provides a suitable theoretical and normative framework with respect to expression of religious arguments in public political debate in Turkey. I have argued that the democratic ideals of equal participation and state neutrality are best pursued in Turkey when the aforementioned three assumptions of facilitative secularism are embraced.

In the following, some tentative conclusions reached within the scope of this study are presented.

1. **Secularism is Valuable**

Facilitative secularism has been developed in this study on the basis of both critically addressing the hegemony of secularism as strict separation/neutrality over other forms of secularism and overcoming the restrictive features of it. This effort can be regarded as a part of critical approaches to the liberal ideal of secularism in the scholarly literature. These critical approaches focus on providing a critical reading of basic assumptions of the Enlightenment philosophy, mainstream liberalism and their configuration of religion phenomenon. This study has aimed to develop a more inclusive understanding of secularism with a special focus on addressing the growing politicised claims of religions. I have suggested that a more inclusive and pluralist framework for public political debate should be created by redefining the doctrine of restraint. This is necessary to ensure, better, the democratic ideals of equal participation and state neutrality.

In this thesis I have argued that one should take two steps before developing an alternative understanding of secularism. First, that normative and theoretical reasons
why secularism is valuable should be provided. And second, that secularism should be
defended against a radical claim that it should be dropped from our cultural, political,
legal, and constitutional language. I have argued that, otherwise, any alternative
understanding of secularism developed by skipping these two steps will be
theoretically vulnerable and therefore be a potential target of critics of secularism.

To that end, in the first place, I have concerned the political meaning of
secularism. I have argued that separation of governmental affairs from those of
religion — or, in other words, creating a state that does not single out or favour any
particular religious or non-religious reason or worldview — is valuable for some
normative and institutional reasons. Normatively, secularism ensures stability and
unity, consensus, religious equality and liberty, and peaceful coexistence of different
worldviews and religious faiths in a liberal democratic society. It also guarantees and
promotes democracy by ensuring the equal right of all to participate in democratic
decision making processes. In a word, separation between the state and religion is
normatively valuable since it is applied as a way of attaining the aforementioned some
substantive values and aims. These values and aims can be accepted as the values and
ends of secularism which, in turn, make secularism valuable.

Besides these normative reasons, I have also provided some institutional
reasons to indicate why secularism is valuable. I have done this by briefly comparing
secularism with the regimes of weak and plural establishment. I have argued that
secularism is desirable to weak and plural forms of religious establishment. This is
because secularism maximizes attaining the aforementioned values and ends better
than these regimes of establishment do. Even though I accept that the regimes of
weak and plural establishment are not necessarily at odds with religious freedoms and
democracy, they have always a risk of privileging old majority religions, disadvantaging
(new) minority religions, and causing problems regarding religious equality and
inclusion of religious differences. Accordingly, secularism is still a better alternative to
give ‘maximum liberty and equality, conceived individualistically or non-
individualistically, to all citizens’. It is also still a better alternative to deal effectively with growing religious diversity and to handle the politicisation of religion.

1.1. Secularism as Minimal Differentiation

After providing normative and institutional reasons why secularism is valuable, I have aimed to explain the aforementioned first assumption of facilitative secularism that there should be a minimal differentiation between the state and religion. To that end, I have attempted to explain why it is possible and also necessary arriving at a simple and core meaning of secularism upon which diverse perspectives to secularism could reasonably agree. I have argued that this core meaning of secularism should be determined with reference to its political meaning and this political meaning of secularism should be defined as minimal differentiation. Secularism as minimal differentiation has been identified as functional, institutional, organisational and role differentiation of spheres between religion and the state.

I have argued that it is possible arriving at a simple and core political meaning of secularism. I have indicated that even though there is a disagreement over the values of secularism and of particular institutional arrangements to serve the ideal, there is a prevailing consensus over the essential value of secularism as minimal differentiation. In other words, there is a consistency of meaning of secularism as minimal differentiation within otherwise contested conceptions of secularism. This consensus is even valid given the institutional dimension of secularism. Even the regimes of weak and plural establishment do involve secularism as minimal differentiation and recognize the rule that the influence of religion at all levels of state should be minimal. In a similar vein, even the critics of the ideal of secularism, wittingly or unwittingly, preserve the core meaning of secularism as minimal differentiation.

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They in fact target directly or indirectly a certain restrictive form of secularism — namely secularism as strict separation/neutrality.

It is also necessary to reach consensus over the core political meaning of secularism as minimal differentiation. The main reason for this claim is that defining secularism in a minimal sense (i) prevents the risk of presenting secularism as strict separation/neutrality as the only theoretically and normatively justifiable understanding of secularism to govern the relationship between the state and religion and (ii) to develop a new more inclusive understanding of secularism.

I have also argued that recognising a minimal differentiation between the state and religion is necessary, but not the sufficient condition for attaining the aforementioned values and ends of secularism. It should be indicated how the state and religion should relate to each other after separation. Accordingly, I have argued that these two different spheres also ought to be relatively autonomous from each other. For this reason, the idea of secularism as minimal differentiation should be undergirded by another essential idea that any state that embraces secularism as minimal differentiation also has to guarantee the autonomy of the state from religion and religion from the state. This principle has been called the principle of two autonomies in this study. I have argued that if both the state and religion violate this principle and interfere with the businesses of each other, minimal differentiation loses its meaning. The principle of two autonomies mainly guarantees the protection of religion from the state’s intervention and prevents the imposition of a certain conception of (secular) good by the state over religious citizens or groups.

1.2. The Reasons for the Need to Develop Alternative Secularisms rather than Abandoning Secularism Talk
After having formulated secularism as minimal differentiation, I have focused on the aforementioned second step to complete the task of justifying why secularism is valuable. In this sense, I have undertaken a thorough investigation into providing reasons so as to respond to Veit Bader’s influential and well-known suggestion to drop secularism and replace it with *priority for democracy*. I have aimed to indicate that, alongside the aforementioned reasons why secularism is valuable, we have other reasons for retaining secularism’s simple political meaning as minimal differentiation. I have thereby argued that there is still room for developing a much more inclusive and democracy-oriented alternative theory of secularism to address the issue of the place of religious arguments in public political debate.

In this regard, I have mainly argued that even though Bader claims that the secularisation thesis should be dropped completely with its divergent cultural, sociological and political meanings, he implicitly distinguishes the simple political meaning of secularism as minimal differentiation from the general secularisation thesis and tends to retain it. This at least indicates that even Bader acknowledges the value and desirability of this simple political meaning of secularism. Furthermore, even though Bader suggests that secularism should be dropped since it is an *ambiguous* concept, I have argued that the vagueness of a concept cannot be accepted as a valid reason for dropping it. Besides, even though Bader argues that secularism is an ambiguous and essentially contested concept, as mentioned above, there is a consistency of its aforementioned simple political meaning within otherwise contested conceptions of secularism. In a similar vein, I have also argued that Bader’s suggestion to replace secularism with priority for democracy does not eliminate the ambiguity concerning what the ideal of separation requires for a more inclusive and democratic political system. This is because priority for democracy is no less ambiguous than secularism. Accordingly, there is no empirical or normative tool for evaluating his claim that dropping secularism from our constitutional and legal vocabulary, or avoiding to develop alternative secularisms, will help us better to ‘economize our moral
disagreements or to resolve the substantive constitutional, legal, jurisprudential and institutional issues and controversies'.

2. Secularism as Minimal Differentiation Should be Delinked from Philosophical and Sociological Secularisation

Defining secularism in a minimal sense is a crucial but not a sufficient attempt to overcome the problem of a priori total exclusion of religious arguments from public political debate. This is also not sufficient to develop a new understanding of secularism which aims at pursuing better the ideals of equal participation and state neutrality. In this sense, the aforementioned second assumption of facilitative secularism has been presented in this study as follows: secularism as minimal differentiation should be delinked from the restrictive interpretations of philosophical and sociological secularisation.

I have provided two reasons for this claim. First, that the whole of the secularisation thesis is not completely invalid. Some basic claims of political, philosophical and sociological secularisation are conceivable. For this reason, the validity of the politically, philosophically and sociologically related claims of the secularisation thesis should be examined separately. This prevents arguing unfairly that the whole secularisation thesis is theoretically and empirically invalid and therefore it should be dropped completely. In addition, this also helps one develop alternative interpretations of the relationship between the aforementioned three dimensions of the secularisation thesis at the political level.

Second, that if secularism as minimal differentiation, as the simple political meaning of secularism, is tightly associated with and informed by the restrictive interpretations of philosophical and sociological secularisation, this leads to a

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restrictive and exclusionary understanding of secularism. This sort of secularism takes two forms: secularism as strict separation/neutrality and its ethical form. Both understandings of secularism presuppose the decline and privatisation of religion. They therefore aim to decrease the public visibility of religion, confine religion to the private sphere, and prevent religious arguments from having an impact on the public political debate. Even ethical secularism embraces the whole secularisation thesis as a comprehensive doctrine. In other words, it endorses and imposes philosophical secularisation to promote a secular way of life or an anti-religious conception of the good upon individuals.

Accordingly, I argue that facilitative secularism is based on a basic claim of political secularisation: there should be a minimal differentiation of spheres between the state and religion. Facilitative secularism, however, does not necessarily rest upon the claim that political secularisation inevitably brings and requires the decline or even the disappearance of religion in the wake of modernisation. In other words, it does not presuppose the decline and the privatisation of religions in modern societies, and does not regard religion as a private matter that needs be excluded from the public sphere. It rather acknowledges that religion is still a ‘stable and positive aspect of social life’ and ‘possesses intrinsic value’. It therefore aims to address the question of the place of religious arguments in public political debate by seeking to afford religious arguments a proper place in public political debate. This is necessary to demonstrate better the democratic ideals of equal participation and state neutrality.


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The final assumption of facilitative secularism is based on the idea that the democratic ideals of equal participation and state neutrality are best pursued when the entrance of religious arguments into public political debate is facilitated, not restricted. Given the ideal of equal participation, I have argued that it is best demonstrated only when every citizen is allowed to participate in public political debate on a free and equal basis without being excluded a priori or being subjected to a restrictive and exclusionary doctrine of restraint. Demanding people to distance themselves from their deepest religious commitments while entering public deliberation causes resentment and exclusion and thereby undermines social stability and public unity. For this reason, facilitative secularism aims to give both secular and religious arguments a proper place in public political debate. As to the ideal of state neutrality, facilitative secularism also aims to prevent equating state neutrality to a certain secular worldview and giving secular reasons priority over religious ones in the formation of political morality and political moral outlook in a liberal democratic system.

Facilitative secularism, however, does not aim to eliminate all constraints upon religious arguments. It rather aims to eliminate the exclusionary features of the doctrine of restraint, which is defined with reference to both secular and public reasons. It suggests that the place of reasons and arguments that are based upon religious views should rather be evaluated from a more inclusive perspective. This more inclusive perspective refers to creating a more difference-sensitive framework for public political debate and redefining the doctrine of restraint.

3.1. The Exclusionary Features of Secular and Public Reason

I have critically examined a strong assumption of secularism as strict separation/neutrality that the democratic ideals of equal participation and state neutrality require elimination of all religious arguments from public political debate. Secularism as strict separation/neutrality regards religious reasons as irrational,
dogmatic, inaccessible and divisive. It therefore either excludes them a priori from public political debate or allows them when they are translated or at least translatable into secular or public reasons.

Unlike the aforementioned assumptions of strict separationists/neutralists, I have attempted to indicate that all religious arguments are not necessarily irrational, dogmatic, and inaccessible or secular arguments are not automatically rational, open to criticism, and accessible. In other words, all religious arguments are not necessarily epistemologically inferior or more divisive than secular arguments. For this reason, the place of religious arguments in public political debate should not be determined according to whether they are i.e. rational or accessible.

Moreover, I have also argued that the exclusion of religious arguments a priori from public political debate by invoking secular or public reason is itself inconsistent with the democratic ideals of equal participation and state neutrality. Secularism as strict separation/neutrality violates the former ideal since it imposes more additional cognitive burdens upon religious citizens than secular citizens. It distributes the obligations of citizenship unequally among religious and secular citizens. It excludes a significant portion of citizens, who demand to invoke religious reasons or at least cannot translate or cannot find non-religious publicly accessible reasons available for their arguments, from public political debate. It therefore disregards the role of religious people in deciding on common policies and leaves no room for consensus amongst secular and religious people. Secularism as strict separation/neutrality also ignores ‘the transformative power of deliberation’ and ‘the stabilizing effect of civic deliberations’ on both secular and religious arguments. The potential risk of this exclusionary attitude is therefore disenfranchisement of or marginalisation and

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6 Transformative power of deliberation, as mentioned in Chapter Four, refers to a notion that deliberation renders both religious and secular citizens more moderate, makes them ready to be open to criticism and prevents them from being marginalised, hostile and passionate.
7 Mathias Thaler, ‘From Public Reason to Reasonable Accommodation: Negotiating the Place of Religion in the Public Sphere’ (2009) 23 Diacritica 1, 8.
radicalisation of religious people and creation of a more polarised society and a state which is indifferent to difference.

Exclusion of religious arguments a priori from public political debate by invoking secular or public reason is also inconsistent with the democratic ideal of state neutrality. Secularism as strict separation/neutrality privileges a very specific understanding of secular reason by excluding all religious reasons from public political debate. It therefore implicitly or explicitly equates neutral with secular. It favours secular worldview at the expense of the representation of other world views or goods in the formulation of political morality and political moral outlook in a liberal democratic society.


Given the aforementioned exclusionary and restrictive features of secularism as strict separation/neutrality and the doctrine of restraint upon which it rests, I have argued that entrance of religious arguments into public political debate should be facilitated. This is necessary to address and overcome the aforementioned concerns about pluralism, diversity and difference, particularly with the place of religious arguments in public political debate. More importantly, this is also necessary for the sake of ensuring better the democratic ideals of equal participation and state neutrality.

In this sense, facilitative secularism is based on the notion that the understanding of secularism embraced by the state and its main features should be determined and legitimised in the eyes of the different sectors of the society as a result of a consensus through an inclusive public political debate. Both secular and religious citizens should be allowed to enter and provide their arguments in public political debate without being subject to a priori exclusionary constraints. This sort of a
consensus should also not be a permanent or long-lasting, but rather conflictual and contingent. In other words, a consensus over the meaning of secularism and the standards of reasoning should be always subject to a never-ending reconsideration and modification. This is because it is not reached independently from real politics and it always bears the societal and historical power struggles inherent in a specific society. This sort of an approach aims to guarantee that the meaning of secularism and the standards of reasoning in a certain society do not reflect the values or abstract principles of any particular world view.

Facilitative secularism argues that the necessary conditions for building the aforementioned consensus over the meaning of secularism and standards of reasoning can only be created by accepting the two main claims made in this study. For a start, that stability and unity, which are the essential values of secularism, should be attained by not excluding but rather allowing the expression of differences in the public sphere. I have argued that allowing all affected parties to public political debate on a free and equal basis results in making both religious and secular people’s voices heard in the political process. This not only strengthens the legitimacy and sustainability of the political regime, but also fosters compromise and accommodation between religious and secular citizens. Facilitative secularism attaches importance to diversity and pluralism or dissent and conflict/disagreement and regards them as endemic to democracy. It therefore seeks to attain stability and unity via embracing a more inclusive political discourse which promotes living together through diversity and pluralism. Facilitative secularism aims to organize those differences regarding the relationship between the state and religion towards more pluralistic democratic designs by finding both secular and religious arguments a proper place in public political debate. Moreover, facilitative secularism recognises the moderating effect and transformative power of deliberation over both secular and religious arguments, which increase the possibility of and also strengthen consensus over the meaning of secularism amongst secular and religious citizens.
In addition, as mentioned above, the need for developing a more inclusive framework for public political debate does not necessarily require eliminating all constraints upon both secular and religious reasons. Even a more inclusive framework for public political debate still requires some mechanisms of constraint in order to ensure stability, unity and consensus. These constraints, however, should not be formulated with reference to rationality, accessibility or reasonableness and not be imposed unequally on both secular and religious arguments. Instead, the privileged position of secular reasons over religious ones in public political debate should be eliminated by affording them equal weight while determining the eligibility of arguments to enter public political debate.

In this regard, I have argued that the doctrine of restraint should be redefined. Limits of reason should be disconnected from the civic virtues of deliberation. In other words, instead of excluding religious arguments from public political deliberation by appealing to reasonableness, the eligibility of both secular and religious arguments for public deliberation should be evaluated according to whether they embrace the normative criteria of (i) secularism as minimal differentiation and (ii) the civic virtues of deliberation.

The former criterion refers to the idea that it is sufficient to determine the place of religious arguments in public political debate whether the owner of the argument is willing to accept that there should be a minimal differentiation between the state and religion. S/he ought to accept that the language of the law should not specifically refer to certain religious convictions. One also ought to respect the outcome of political process without insisting on one’s own claims of ultimate truth beliefs that relates to the political processes. This normative criterion also imposes some constraints on ones who provide secular arguments. The owner of a secular argument ought to recognise that the democratic ideals of equal participation and state neutrality do not necessarily require a strict separation between the state and religion. In other words, for instance, secularism as minimal differentiation requires
the owner of a secular argument to self-critically assess the limits of reasoning and to be willing to accept the possible truth of religious claims.

In a similar vein, the normative criterion of the civic virtues of deliberation evaluates the eligibility of both secular and religious arguments for public political debate according to whether the owners of both secular and religious arguments embrace a non-authoritarian and a self-critical perspective. In other words, it requires looking at whether these citizens accept disagreement on political issues as a part of human condition, respect each other as free and equal citizens, critically assess their own arguments and reasons, and not seek to suppress other comprehensive doctrines by using political power.

I have argued therefore that this two-pronged alternative principle of restraint establishes a more equally distributed restraint principle amongst secular and religious arguments. It prevents the exclusion of religious arguments a priori from public political debate and helps afford secular and religious reasons equal weighting while evaluating their eligibility for public political deliberation. This therefore promises a more inclusive and pluralist framework for public political debate and enhances the possibility for respecting differences in the democratic decision making processes. It also conveys and facilitates the aforementioned transformative power of deliberation and therefore ensures better the democratic ideals of equal participation and state neutrality.

4. Facilitative Secularism as an Alternative to the Turkish Manipulative Secularism

In the final chapter of this thesis, facilitative secularism has been applied to the example of Turkey. The purpose of the chapter has been twofold. First is to indicate that the features of the prevalent understanding of secularism in Turkey are restrictive. Second is to indicate why the place of religious arguments in public political
debate in Turkey should be determined according to normative and theoretical assumptions of facilitative secularism for the sake of ensuring better the democratic ideals of equal participation and state neutrality.

Accordingly, a two-pronged approach has been taken. Firstly, that different understandings of secularism, embraced by both the Kemalists and the AKP, have been examined with the aim of revealing their restrictive features. This analysis has revealed that even though the Turkish experience of secularism has been generally defined in the scholarly literature as controlled or control-based secularism, control is not the correct word to define this restrictive understanding of secularism. The first reason for this claim is that defining the Turkish understanding of secularism as control-based results in regarding any control-based activity of the state as negative and inconsistent with the ideal of secularism. In some cases, however, regulatory practices of the state to control religious expressions and practices in the public sphere are even required to accommodate better the demands of religious individuals and groups for greater freedoms and to facilitate the expression of religious arguments in public political debate. Secondly, that defining the Turkish understanding of secularism as control-based comes to mean implicitly or explicitly offering secularism as strict separation/neutrality as an alternative to Turkey.

For these two reasons, the final chapter has suggested that the Turkish understanding of secularism should be re-named and termed *manipulative*. This is vital not only to address the normative and theoretical problems about viewing any regulative and control-based activity of the state as negative. It is also important to prevent offering secularism as strict separation/neutrality as the only viable model for Turkey. My analysis over the understanding of secularism embraced by the Kemalists and the AKP has also indicated why manipulation is a better concept to define and to reveal the restrictive features of the Turkish understanding of secularism. It has shown that both the Kemalists and the AKP have manipulated the meaning of secularism as minimal differentiation in different ways in order to retain their interests and hegemonic power in various periods of Turkish political history. They have done this by
violating the principle of two autonomies and aiming to exclude the opposite side from public political debate. Their understanding of secularism has therefore (i) been ideology-based and has authoritarian tendencies, (ii) been inconsistent with the democratic ideals of equal participation and state neutrality, and been (iii) exclusionary in the sense of excluding any alternative view opposed to theirs from public political debate.

I have also suggested that facilitative secularism is a more appropriate understanding of secularism for Turkey to overcome the restrictive features of the Turkish experience of secularism. It is also an appropriate approach to reformulate the relationship between the state and religion in a more inclusionary and democratic way, and to find religious arguments a proper place in public political debate. I have argued that the democratic ideals of equal participation and state neutrality are best ensured in Turkey when there is a minimal differentiation between the state and religion, and a more inclusive and pluralist framework for public political debate is generated.

In this regard, in order to achieve this goal, a new consensus over the meaning of secularism in Turkey should be built among secular and religious citizens through a vibrant and inclusive public political debate. The necessary conditions for building this consensus can only be created by accepting the following. First, that stability and unity in Turkey should be attained and secured by embracing a more inclusive political discourse which promotes living together through diversity and pluralism and by allowing both secular and religious arguments to participate public political debate. Secondly, that that deliberation has a transformative and reconciliatory potential over both secular and religious arguments. And thirdly, that instead of invoking secular or public reason, the place of both secular and religious arguments in public political debate should be determined according to whether they comply with the aforementioned normative criteria of secularism as minimal differentiation and the civic virtues of deliberation.
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