

Jocelyn Maclure and Charles Taylor (trans. Jane Marie Todd)

Secularism and Freedom of Conscience Cambridge, Massachusetts and London, England: Harvard University Press, 2011. 142 pp.

Because it presupposes atomistic individuals acting in the public sphere unencumbered by attachments and background assumptions about the world, liberalism, and the modern liberal democratic state, theoretically requires secularism, “a political and legal system whose function is to establish a certain distance between the state and religion” (pp. 2–3). But real, flesh-and-blood people who live in a pluralistic environment have just the sorts of attachments that conflict with this theoretical liberal stance. For that reason, the question arises: should secularism be an unequivocal principle to be applied everywhere in the same way? Or, should it be more flexible (p. 3)? In *Secularism and Freedom of Conscience*, Jocelyn Maclure and Charles Taylor rise to the challenge of proffering a response, building on Taylor’s earlier work in this area.¹

In this slim and elegant volume, Maclure and Taylor argue that respect for the moral equality of individuals and the protection of freedom of conscience and religion constitute the two major aims of secularism today, particularly as it is understood against the broader framework of the diversity of beliefs and values embraced by citizens in a plural, liberal democracy (p. 4). Ultimately, the authors aim to reflect on

the core principles that may allow social cooperation in societies marked by deep diversity, on the institutional implications of these principles, and on the ethos or ethic of citizenship most likely to support these norms and institutions (p. 5).

The book is divided into two parts. The primary theme advanced in the first part is that the modern, secular, liberal democratic state has difficulty maintaining perfect neutrality as concerns religion. While citizens may live according to their own convictions, the state advocates for equality and autonomy (p. 17). Yet advocating for equality and autonomy represents a problematic decision, for it means that those who hold views that challenge equality (such as those holding religious convictions) may find themselves subject to sanctions that render their status decidedly unequal. What Maclure and Taylor argue is that these problems arise due to a failure to understand that secularism, rather than being a univocal concept, is much more nuanced than we might believe.

To unpack the nuances, Maclure and Taylor argue that secularism relies on two operative modes: the separation of church and state (its ends), and the neutrality of the state toward religions (its means). The two operative modes can become confused, and this can lead to a differential burden being placed on those groups wishing to shield themselves from the influence of the larger society (p. 16). When the state focuses on means rather than ends, the result can be either permissive or restrictive practices with respect to religion, which in turn produce conflicts and non-optimal compromises

¹ See Charles Taylor, *A Secular Age* (Cambridge: Belknap Press/Harvard University Press, 2007); Charles Taylor, *Dilemmas and Connections: Selected Essays* (Cambridge: Belknap Press/Harvard University Press, 2011).

for religious groups and their members. The problem becomes particularly acute in the case of moral equality and freedom of conscience and religion. While all secular, liberal democratic states face this dilemma, Maclure and Taylor's identification of ends and means allows it to be addressed transparently (pp. 20, 24, 25).

Maclure and Taylor use the term "regimes of secularism" (p. 26) to describe political systems that aim to realize equal respect and freedom of conscience. They describe a continuum from the most rigid and strict—the republican model—to the most flexible and accommodating—the liberal-pluralist model. The latter model is, in their view, most capable of focusing on "the optimal reconciliation of equality of respect and freedom of conscience" (p. 34). The liberal-pluralist conception also "allow[s] us to recognize that certain policies have the effect of diverting us from the realization of the ends toward a defense of the means" (p. 41).

Having outlined secularism, the second part of the book moves to the core of the argument advanced by Maclure and Taylor: that the secular state bears an obligation to protect freedom of conscience. The authors point out that, typically, the rules that are the object of requests for accommodation are not neutral and, in fact, are sometimes indirectly discriminatory. Furthermore, convictions of conscience form a particular type of subjective preference that calls for special legal protection (pp. 72–73). For Maclure and Taylor, calls for reasonable religious accommodations are not calls for the protection of "expensive tastes" (p. 100). They further argue that individuals should not need to demonstrate that their religious conviction conforms to an established religious authority. This might spare judicial bodies the trouble of arbitrating theological disagreements or defining religion (pp. 82–83).

Maclure and Taylor's exploration of secularism provides balance to the debate about an issue that has taken on a good deal of vitriol in recent times. For example, the latest issue of *New Scientist* was devoted to the "new science of religion." The opening editorial reveals the tenor of the debate:

Religion is deeply etched in human nature and cannot be dismissed as a product of ignorance, indoctrination or stupidity. Until secularists recognise that, they are fighting a losing battle.²

Maclure and Taylor's tempered tone provides a timely contribution in the face of such histrionic and divisive attitudes so that "[t]hose who embrace worldviews such as the great historical monotheisms [can] learn to coexist and, ideally, to establish bonds of solidarity" (p. 110).

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² "Know your enemy: The new science of religion tells us where secularists are going wrong," (editorial), *New Scientist* (17 March 2012). http://www.newscientist.com/issue/2856_3.