

## BOOK REVIEWS

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### **Monarchy, Religion and the State: Civil Religion in the United Kingdom, Australia and the Commonwealth**

NORMAN BONNEY

Manchester University Press, Manchester and New York, 2013, x + 182 pp (hardback £75) ISBN: 978-0-7190-8987-9

This book by the late Professor Norman Bonney is slightly mistitled as it implies a breadth of coverage which it does not contain. The main argument is concerned rather with a specific theme – that is, the Christian aspects of the United Kingdom monarch's accession and coronation oaths and ceremony (and his own proposals for sweeping reforms). This is a theme which, to a greater or lesser extent, occupies the entire book (save Chapter Five).

Chapter One begins with an interesting theoretical account of the failure of the secularisation thesis (albeit that Bonney avoids this word, unwilling to admit total defeat) and the concept introduced by Grace Davie of vicarious religion, the function of which he describes rather neatly (indeed the entire book is written with clarity and an elegance of style): 'Vicarious religion may be thin, shallow and not all that common or evident, but its activity and supportive mass attitudes, like a seed, a virus or embers, may preserve potential which can, given the right circumstances, burst forth into life' (p 16). His underlying argument is that political and religious elites invoke religion in an often political manner (in the form of the established church) on behalf of the wider population, which is largely uninterested yet acquiescent in the arrangement. He then applies this argument to the coronation.

Chapter Two provides a clear and accessible historical overview of the constitutional status of the monarchy from the early twentieth century and beyond and, in particular, the wording of the oaths taken at the coronation and their evolution in relation to external pressures and sometimes the sensibilities of the newly installed monarch. This is followed in Chapter Three by a more detailed analysis of the procedures used to install a new monarch, including a discussion of the various oaths which are sworn on accession, with a particular focus on the most recent examples.

Chapter Four contains a sociological analysis of the 1953 coronation and the extent to which it was greeted by a consensus of approval by the British population, concluding that there was a degree of consensus but that this is capable of exaggeration. Although this chapter is concerned with the coronation, the purpose of the writing seems slightly out of step with the overall analysis

presented in the preceding chapter and later chapters. A clearer link to the main thesis of the book might have given this part a sharper focus.

Chapter Five is a more generalised commentary on 'state religion' in the UK which focuses in some detail on emerging quasi-religious, quasi-secular practices replacing formal Christian prayers in the Scottish and Welsh assemblies, although the author finds these practices wanting owing to a continued apparent bias towards Christianity. It is arguably a poor fit with the rest of the book and apparently a re-tread of previously published journal articles. Had this been omitted, the book might have been logically retitled to reflect its main preoccupation, and some of the more engaging aspects, such as the historical analysis, might have been usefully expanded.

Chapters Six to Eight contain the key elements of Bonney's arguments for reform of the prevailing coronation and accession oaths as he challenges their Anglican Christian character on a variety of bases, including the potential challenge from non-Anglican protestants, other religions and, of course, secularists. Considerable space is devoted to the changing religious demographics of the UK and (in Chapter Eight) the former 'Dominions' (in particular Canada and Australia) to illustrate the marginal status in popular religion of the Anglican Church and thus to question the appropriateness of the monarch's oaths to uphold the doctrines of the Church of England. However, Bonney's solution is not to widen the coronation and accession oaths and rituals to put them on an inter-denominational or multi-religious footing. Indeed, on the basis of rather scant evidence, he argues that this process is already underway, while reserving a special place for the Anglican Church – something he calls (with a limited attempt at justification) 'state Anglican multifaithism' (p 137).

This attempt to accommodate irreconcilable religious positions, however, is as unsustainable and unattractive to the author (in a rare moment where his prose jars uncomfortably) as 'the Hitler/Stalin pact' (p 137). His solution is a secular one: 'Humanist and secular values provide a superior common discourse for the communication of fundamental values' (p 169) and he clearly prefers a coronation (if there is to be a monarch at all) which is stripped of its religious features. Yet his expectations of being heeded are clearly limited as he identifies throughout the book the constitutional problems which reform would entail, such as the 'deep and profound conflicts and debates which would emerge if the traditional arrangements were to be reordered' (p 95), 'the great difficulties associated with any departure from the continued dominance of the established church in the core rituals' (p 127) and the likely unwillingness of the 'secular leaders of the State' to devote their energies to entering into this particular fray (p 95).

Ultimately, this book is likely to provoke approving nods from the author's former colleagues at the Edinburgh Secular Society. It will be useful (in places) to those with an interest in the recent history of the monarchy

(Chapters 2–3) but it seems unlikely that it will make new converts to the secularist cause. The discussion is somewhat one-sided: no space is allowed for a consideration of the potential benefits of an Anglican, Christian or even religious accession or coronation and this is a significant gap. Although well written, even on its own arguments it lacks total conviction – there is a sense that the author is aware that few people are likely to be galvanised by his cause, not least (and rather depressingly) because of the indifference of the majority, but also because of the rather lukewarm support he anticipates from those presumably with a similar mind-set to himself, who desire change but who ‘lack the motivation, daring or capacity’ to demand it (p 95).

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## Religious Liberties for Corporations? *Hobby Lobby*, the Affordable Care Act, and the Constitution

DAVID H GANS AND ILYA SHAPIRO

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The controversial US Supreme Court decision in *Burwell, Secretary of Health and Human Services v Hobby Lobby Stores Inc*<sup>1</sup> has important ramifications for religious liberty worldwide. Three closely held for-profit companies, including Hobby Lobby Stores Inc, sued the US Department of Health and Human Services (‘the HHS’) to prevent them from being required to facilitate access to four specific contraceptives that conflicted with their owners’ Christian beliefs that life begins at conception. The legal basis for their objection was the Religious Freedom Restoration Act 1993, as amended (‘the RFRA’), which prohibits the Federal Government from substantially burdening a person’s exercise of religion except where the government can show that the burden is the least restrictive means of furthering a compelling government interest. This applies even where the burden results from a rule of general applicability. The US Supreme Court held by 5 to 4 that HHS regulations did violate the Act. Justice Alito, delivering the opinion of the court, construed the protection of ‘persons’ in the RFRA to include corporations because it was intended to provide very broad protection for religious liberty and because protecting the rights of closely held corporations, such as Hobby Lobby, protected the religious

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