

Social Capital, Social Identities

From Ownership to Belonging

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Cement of Society? Why Civil Religion is unfit to create Social Bonds

Civil religion, as Durkheim put it, is an “objective social fact”. According to this notion, any nation has a civil religion that can be examined by an observant social scientist. Empirical research might identify, say, Mercedes Benz, the Rhine, sausages and a rather robust way of playing football as elements of the German civil religion. Therefore, we might subsume several kinds of widely shared beliefs that provide a basis for social integration under the term “civil religion”. But what I want to examine in this paper is a stronger notion of civil religion, a notion that really takes the *religious* sphere into account. It does so by insisting that citizens need a common credo that clearly transcends a shared pride in the national production of victuals: a profession of *faith* that creates social bonds among the citizens and from each citizen to the state itself. It is about conveying a sense of the exclusive peculiarity of the particular state and its values, of their sacredness even, to the citizens. Furthermore, I’m interested in the normativity of this stronger concept of civil religion. Its advocates diagnose a lack of common values in their respective community and propose civil religion as a remedy that is supposed to deliver a cement of society. It is maintained that communities do not have a choice, they *must* have a civil religion, otherwise they will fall apart.

In my paper I want to discuss whether civil religion in this stronger, normative variant really is a candidate when such a cement of society is needed. I would like to identify the premises upon which this strong notion of civil religion is based – with a little help from Rousseau.

I will try to examine civil religion’s historical and systematic conditions to demonstrate the problem that civil religion is supposed to solve and finally discuss the solution.

What are civil religion’s historical conditions?

Civil religion is a phenomenon of the Occident. It emerges where a process of pluralization has taken place; homogenous societies do not need civil religion, there is agreement about shared values, about what is sacred to all citizens. For example, this was the case in the antique religions of the polis where the members of the polis were identical with the followers of the cult practiced in that particular society. Pre-Reformation Christianity was also relatively homoge-

nous, at least in the sense that there was a standard which the majority of the citizens of Catholic states accepted, a standard that was placed in revelation and its interpretation by the Church of Rome. This relative homogeneity was ended by the Reformation: now not only minorities held a dissenting faith; huge parts of the society shook or even superseded Catholicism's dominance.

With the rise of such heterogeneous societies the question of what might keep the different parts together arose. What could take the place of the unifying religion of former times? What might replace the standard that was questioned along with the religious division?

After the civil wars of the 16th and 17th century it seemed clear that religion was no longer a means to prevent conflicts, rather it had proved to be their main cause. No wonder it was widely seen as the way out of the misery to ban religion from the public sphere.

Religion had therefore lost its former potential to give rise to public conflicts because it had lost its political impact with its exile into the private sphere. What was lost at the same time was the unifying influence religion had shown by the formulation and defense of shared values, by rituals to protect these values and by its motivating force concerning the observation of the moral standard.

The fear of society's losing its moral foundation along with a unifying religion is the starting point for the reflections of those political philosophers who presented concepts of civil religion.

Jean-Jacques Rousseau got to the heart of this fear when he wrote that, if the Divinity did not exist, there was no one left but the "(self-) interested villain" (Rousseau 1969, 602; my translation, M.R.). Civil religion is based on the premise that morality without religion does not exist.

What are civil religion's systematic conditions?

Civil religion is in service to politics, its instrumental character is desired by the citizens. The stability of the state is supposed to be a central purpose which all citizens want to promote; civil religion is judged to be the means with which to realize this purpose. Now it is a respectable position to hold that in the face of a pluralistic society it is a good idea to establish a civil religion that unifies the diverging social forces and ties them to the state. Rousseau, for example, is convinced that every person of goodwill will accept this thought. Several participants in the contemporary debate on civil religion share Rousseau's conviction. After all it is comprehensible why the concept of civil religion seems attractive in a time that faces the challenges of pluralism and the shortcomings of liberalism even more strongly than in Rousseau's days. In this situa-

tion it may be advisable to examine the assumptions upon which the concept of civil religion is based.

First: *no politics without morals*. What is rejected is the liberal idea that the state's task is limited to the preservation of peace and security with the help of the civil law only. It doesn't matter if somebody sticks to the law for moral reasons, for example, the application of Kant's categorical imperative, or if the reason for not murdering one's rival is simply that the idea of being put behind bars is not that appealing. According to this position, the citizens' motives are not the state's business as long as their behavior does not conflict with the civil law. In contrast, an advocate of civil religion will maintain that mere law-abidance will not do. The reason is his concept of the state. In his opinion, a state that is limited to the functions of preservation of peace and security cannot ensure a beneficial social life. What is asked for is the moral citizen who does the right thing and strives for the common good – not out of fear of sanctions or social disadvantage, and not only out of insight into the reasonableness of the law, but because of his emotional bond to his community.

Second: *no morals without religion*. Advocates of civil religion doubt that an individual can be truly moral without faith in a Divinity. To put it more correctly, they will not deny that an agnostic or an atheist is able to act altruistically when it is clear that their investment in the public welfare will pay off for themselves as well. But as soon as their private benefit is not guaranteed, the advocate of civil religion assumes that individuals without faith in a Divinity will opt for a behavior that only serves their own egoistic interests. After all, no extended empirical studies are necessary to realize that moral behavior does not always lead directly to more happiness, a better life etc.¹ It suffices to have a look at everyday life to see that honest and generous persons are often exploited and taken for a ride. In the face of these circumstances the advocates of civil religion put their hopes in religion, namely in faith in life after death, reward of the virtuous, punishment of the depraved, in order to motivate citizens to altruistic behavior even when it is clear that it will not pay off in this world. That is the reason why Rousseau formulates the articles of civil religion as a theistic profession of faith.

Third: *no particularist morals without civil religion*. Advocates of civil religion suppose that politics cannot do without morals, nor morals without religion. But they would not be content if it were possible to make all citizens "religious" somehow. After all, in their opinion the problem is not only the existence of citizens who lack faith in a Divinity. In their eyes, religious citizens are better than atheistic or agnostic citizens (as long as their faith is compatible with the laws of

¹ For the idea of religion's necessity for morality see Kant 2003, A 223–224, p. 167 f.

the state). But if the scope of their faith is universalist, this will not necessarily help the state. Such a faith implies a universalist morality stating that all human beings have the same right to claim assistance. In contrast, advocates of civil religion want to promote a particularist morality that motivates individuals to take care of their fellow citizens and of their own community. After all, it is the welfare of their own particular community that is to be fostered with the help of civil religion. And the objective of the particularist morality is patriotism.

What is religious in civil religion?

Civil religion is not a denomination. Rousseau as well as other supporters assumes that every citizen can be, say, a Protestant and a follower of civil religion at the same time.

There is no question about truth; civil religion is an artificial product and is designed – so to speak – on a drawing-board in accordance with the needs of the respective community. Is it possible to call this concept a religion at all?

If *religio* is understood as a “bond”, as the commitment of individuals to each other, it seems justified to talk about civil “religion” (Kobbert 1914, 571). Problems arise when civil religion is based on a different notion of religion. The Latin term “*religio*” is used by Cicero next to other terms (like “*pietas*”) to indicate the obligation to ritual adoration of the Gods. Lactantius attributes “*religio*” to “*religare*” (to link) in the sense of a closeness of men with God. Martin Luther uses “*religio*” as synonymous with “*fides*” and “*cultus*” (Wagner 1986, 524).

Whenever the term “religion” is not only understood with respect to human interaction but also with regard to the relationship between God and man, it is difficult to use it in the context of civil religion. The characteristic of civil religion is the separation of the metaphysical from the moral part of religion and exactly this separation is the reason why its advocates think that one could be, say, a Protestant, and a follower of civil religion at the same time. Let’s suppose it is possible to be a Protestant follower of civil religion or rather a civil religious Protestant. Whenever a metaphysical question arises, according to the concept of civil religion this person would have to answer it as the Protestant he also is. This kind of question is judged to be politically irrelevant, it is a matter of the private sphere, in contrast to questions concerning the living together of men. In this respect our civil religious Protestant would be referred to civil religion because morality with its relevance for human interaction within the state is seen as a matter of politics.

Consequently civil religion as a phenomenon of the public political sphere can only be based on a notion of religion that focuses on morality (Wagner

1986, Chapter 1, §3). Religion in the broader sense – referring to the relations among men as well as to the relation between men and God – is at the most a premise of civil religion:

The civil religious state must ask its citizens to accept the separation of metaphysics and morality that is implicit in civil religion. This is not easy for followers of religious communities that do not teach anything like a doctrine of the two reigns or even reject it explicitly. But also the liberal state, abstinent in matters of religion, wants its citizens to accept that religion must be practiced in the private sphere only. The difference is that the civil religious state claims that it is disinterested in the metaphysical part of religion, this part being judged politically irrelevant. But in contrast to the religiously abstinent state it is dependent on exactly this part.

Its indifference concerning questions of metaphysics is, after all, a pretence; effectively the civil religious state is vitally interested in citizens who have these topics on their mind. For the very reason that the state cannot create the orientation to the public good itself and also cannot offer a substitute for faith it must presuppose a theistic profession of faith. Therefore civil religion is not a substitute for another religion, but the beneficiary of a faith it cannot produce itself. For the same reason it is infertile: it cannot reproduce closeness to civil religion itself, but has to rely on citizens who receive their faith somewhere else – in the private sphere – and who import this faith into the public sphere.

This seems to be the case with different conceptions of civil religion, whether they date back to the Enlightenment or have been drafted only recently. They all share the feature that they take the citizens' private faith into politics' service. What is the purpose of this instrumentalization? Is it (1.) the creation of a bond with the community or (2.) the preservation of liberty? Rousseau as well as other Enlightenment philosophers had rather the first purpose in mind whereas contemporary advocates of civil religion like Hermann Lübbe focus on the second. Hermann Lübbe's concept is formulated quite cautiously: according to him, every kind of religious orientation that is integrated into our political culture and that can reach a consensus (Lübbe 2004, 316) determines a civil religion. But what function is such a weak conception of civil religion supposed to have at all? What is the benefit of civil religion in these circumstances? Taken as "*vinculum societatis civilis*" (Pufendorf 1698, 17), a unifying bond, as Pufendorf put it, its purpose is clearer and it seems more plausible that such a stronger conception can really make a difference concerning the citizens' attitude towards their community. But be it strong or weak: no variants of civil religion do justice to pluralism. They all stand in the way of pluralism because they set out in advance the particular reason a citizen must have to be law-abiding. They dictate the citizens' motivational sets.

Can civil religion keep its promises?

Again: what reflections form the basis of the conviction that civil religion is needed? There is a skepticism about rationalism that is judged useless for the task of transforming amoralists into citizens who care for the common good. Reason alone does not serve to improve social life, it may even help the amoralist to realize his aims more effectively at the expense of his fellow citizens. There is also a mistrust with regard to moral universalism that is dismissed as a chimera, a pretty idea without any consequence. Whoever claims that every individual is responsible for all human beings just because of his membership of the human race is supporting – according to the advocates of civil religion – those who want a pretext for not looking after people in their close vicinity. Rationalism is opposed by “love of duty”, which is to be created with the help of religion. Universalism is replaced by moral particularism by clearly defining what and who the citizens are responsible for: the state and its citizens.

The individual is supposed to have an emotional, religious bond to the state and its fellow citizens; these bonds make the citizens law-abiding and provide for social consensus. Is it really possible to reach the desired loyalty of citizens with the help of an instrumentalized religion? As mentioned earlier, we must distinguish whether this instrumentalization is supposed to serve (1.) the creation of the social bond or (2.) the preservation of liberty.

To examine the question as to whether civil religion is really the means to the end in mind, I want to sketch two ideal types of citizens, the religiously indifferent on the one hand, and the practicing Christian on the other. In this thought experiment neither is an extremist, the religiously indifferent is no militant atheist, while the Christian does not strive for a theocracy, but accepts the separation of religion and politics, of church and state. Presumably, neither the Christian nor the religiously indifferent wants the second purpose (civil religion as a means to the preservation of liberty) because the instrument that is supposed to protect liberty – civil religion – instead threatens liberty in their eyes. The religiously indifferent does not want to commit herself to any religious purpose; the Christian is afraid of the idolization of the state (Luther 1950, 4 – 10). Hermann Lübbe might counter this by suggesting that ‘God and not a political institution was the addressee of religious responsibility’ and that civil religion was not an instrument to ‘idolize the political system but the guarantor of its liberality’ (Lübbe 2004, 209). Suppose civil religion really is the beneficiary of an already existing faith of individuals, as I have tried to show earlier. Then the Christian might reply to Hermann Lübbe that it is not civil religion that figures

as a guarantor of liberty, but his personal faith, and that this was even more the case, the lesser the state tried to instrumentalize this faith.

Presumably both the Christian and the religiously indifferent hold that freedom of worship and tolerance are protected much better without civil religion. The Christian might say that the desired purpose would be served more effectively if freedom of worship were protected as well as possible, while the religiously indifferent would maintain that investment in education, in the cultivation of responsible, mature citizens was a better guarantor of liberty – and much less controversial.

What about the purpose of civil religion named first, the creation of a social bond? Probably the religiously indifferent is loyal to the state precisely because it enables citizens to realize their individual conceptions of a good life. What would civil religion be good for in such a case? Trying to motivate the religiously indifferent to more active civil commitment with the help of civil religion would rather prove to be counterproductive because it would be difficult for her to stay loyal to a state that is not religiously neutral. The Christian would have a similar problem. He would not have any difficulty being a good citizen in a liberal, religiously disinterested state, especially because it guarantees his freedom of worship. But it is conceivable that a Christian would object to a civil religious state because this would mean idolizing the state. And of course he would dislike the instrumentalization of religion in general. He would fight against a propagation of religion because of an expected social advantage. For our exemplary Christian, religion would not be a kind of social superstructure, but the epitome of the bastion of liberty. And most probably he would suffer an allergic reaction if the state tried to use his faith as a useful instrument in the state's services. But if my thesis were true, this is exactly what the civil religious state would have to do – remember, I claimed civil religion cannot produce the desired effects itself but is only the beneficiary of an already existing faith.

Couldn't the advocate of civil religion be content to maintain with Böckenförde that 'the liberal, secular state is based on values it cannot itself guarantee' (Böckenförde 1976, 60; my translation, M.R.)? This could mean welcoming different professions of faith as well as the reasons for the religiously indifferent's loyalty as guarantors for the state's liberality and to protect the conditions for their flourishing as much as possible. But the advocate of civil religion goes much further. According to him, you cannot have morality without religion, or good politics without morality. The religion he means does not consist only of the said individual religious convictions that the citizens already possess. They must be transformed politically to motivate the citizens towards commitment to the community. After all, the aim is a collective political morality that implies a conception of the good which all citizens are supposed to share, name-

ly, the good of that particular community. This particularist morality is expected to come to life and be kept alive with the help of a religion that is common to all citizens, in short, a civil religion.

If someone really intends that citizens commit themselves only or at least primarily to matters regarding their own state, civil religion might be useful. But I think this person should have an answer for the following question: does the purpose which civil religion promises to serve justify the risky patriotism and moral particularism with which it is accompanied? After all, even Rousseau as a fan of civil religion admits that the love of one's own state thus promoted implies partiality and exclusion (Rousseau 1964, 464). Whoever claims he wants committed, mature citizens, no matter whether they look after their sick neighbor or fight for a free Tibet, cannot advocate civil religion just like that: as I said, it implies a focus on the problems of the home community. It is not significant whether this is the home state or a post-national constellation, for example the European Union. What counts is the particularist, exclusive character of the civil religion and of the morality that goes with it.

An advocate of civil religion might object that a particularist morality is not necessarily exclusive because we might suppose an order of priority (say, the care for your family comes first, then your city, your state, your continent and so on).² But what is decisive is that the civil religious state does not leave it to the citizens to choose the place of their commitment. It gives a guideline that in the end is illiberal: the obligation to one's own community and fellow citizens comes first.

In a globalized world it is difficult to differentiate between actions which serve the home community and which do not, a prominent example being the protection of the environment. And ultimately it is obvious that, say, a commitment against torture in Sudan may also be useful for the state to which the activist belongs – for example by raising awareness of the topic, thereby leading to greater attentiveness concerning abuse of power in his own state. What is more, it seems generally beneficial for a democracy to have citizens who care for other people's destiny, who are not *idiotes*. The state has to accept that with or without civil religion it cannot motivate civil commitment, let alone determine who or what is to profit from this commitment. Whenever it still attempts to do so, its enterprise becomes counterproductive: as I tried to show with the examples of the Christian and the religiously indifferent citizen, a state's experiments with civil religion just won't create the desired loyalty and unity, because many citizens will refuse to cooperate under those circumstances. Of course I realize

² Cicero for example presents a hierarchy of people we are obligated to (Cicero 1995 Vol. 1, § 53).

that advocates of civil religion will claim that liberalism is so full of flaws that my criticism concerning civil religion's illiberality does not have much weight. But I think even then the problem of civil religion's lack of efficiency remains: it is disintegrating and exclusive and thereby impedes its own purpose.

It is probably widely acknowledged today that pluralism is valuable and has to be protected. Although civil religion claims to respect plurality, effectively it aims at brazing together the different world views as much as possible. That is what *Pancasila* does – an example of a current civil religion, established in Indonesia, that strives not merely for “cooperation” between the three most important Indonesian social groups, but for a “synthesis of three different ideologies into one spirit” (Darmaputera 1988, 160). And that is what Simon Critchley, a present advocate of civil religion, wants to promote in spite of his personal reservations concerning all things religious: he sides with Emilio Gentile when he says that the political unity of the state has to be transformed into a sacral unity, a process he calls “sacralisation” (Critchley 2008, 13). What is missing these days according to Critchley is a “theory and practice of the common will, understood as the supreme fiction of an irrevocable faith [...]. The task of politics consists in the poetic construction of a supreme fiction [...]. Such a fiction would be a fiction we all would know to be a fiction and which we would still believe in. [...] A catechism of the citizen would be such a supreme fiction, the fiction of an irrevocable faith” (Critchley 2008, 77–78, my translation, M.R.).

What unites the creators of *Pancasila* with Simon Critchley and other supporters of civil religion is obviously their serious worry that a state may fall apart without a uniting force. But it is doubtful whether this goal can be attained by attempting to create an artificial compromise between diverging opinions. This approach might be compared with a state trying to come to terms with the different languages within its territory by binding its citizens to a new artificial language for public use, say, some kind of Esperanto. The alternative would be to respect plurality, not least by refraining from faking the unity that is yearned for. But of course citizens would have to pay a price for the toleration of their individual ways of life – they would be expected to be aware of their speaking “Protestant” or “Vegetarian” (to give just two examples of “languages” of individual ways of life) and to use a generally accessible language when participating in public debates: for “all their ongoing dissent on questions of world views and religious doctrines, citizens are meant to respect one another as free and equal members of their political community. And on the basis of such civic solidarity, when it comes to contentious political issues citizens owe one another good reasons for their political statements. Rawls speaks in this context of the ‘duty of civility’ and the ‘public use of reason’.

In a secular state only those political decisions are taken to be legitimate as can be justified, in light of generally accessible reasons, vis-à-vis religious and non-religious citizens, and citizens of different religious confessions alike” (Habermas 2005, 14). That does not imply that citizens of such a state must play hide-and-seek concerning their individual convictions: “Certainly, every citizen must know that only secular reasons count beyond the institutional threshold that divides the informal sphere from parliaments, courts, and administrations. But this recognition need not deter religious citizens from publicly expressing and justifying their convictions by resorting to religious language” (Habermas 2005, 15).

Maybe it is after all more useful for civil consensus if the state does not take care of religion at all – on the one hand, by tolerating its various forms, as long as they are in accordance with the positive law, on the other hand, by staying religiously abstinent and by refusing to instrumentalize religion and to melt citizens’ opinions and attitudes together. It can merely guarantee the liberty that is needed to develop civil commitment, and that will be all RIGHT – in the proper sense of the word – with the Christian as well as with the religiously indifferent.

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