

Is public sphere secular by principle?

Zora Hesová

Abstract

The article critically examines the place of religion in modern conceptions of public space and asks whether the modern public space is “secular” in principle and what it means. Questioning the place of religious communities, traditions and claims in a public sphere clearly hinges on the conception of public sphere. The answer given will depend on the perspective we adopt, whether it is a normative perspective, a critical anthropological perspective and a philosophical-historical perspective. The article examines three answers that stand for three different perspectives and that are the following: Yes, No, and a qualified Yes. While each of perspectives defines the place of religion differently, the article retraces the evolution of a dialogue over the last twenty years. The tendency is to recognise the place of religion while adapting the notion of public sphere from secular and exclusive to post-secular and inclusive, while retaining the crucial normative aspect that public space holds for a democratic society.

Key Words: Public Sphere, Religion, Secularity

The place of religion in a democratic public space has come to the forefront in the past decade. The reasons are multiple: European states have finally started to face the fact of a lasting immigration from Muslim countries; religious fundamentalisms are on the rise, and last but not least, democratisation processes have reached countries with strong religious traditions, especially in Eastern Europe and Latin America. Contradicting the expectation of a progressive privatisation of religion, public religions are increasingly visible, as they provide collective identity and function as sources of soft power. Also, in a democratic polity, religious liberty is a fundamental personal right and democracies encourage religious manifestations.

Yet, the “return of religion to politic” – and to public life in general – is largely a seen, as Ralf Dahrendorf puts it, as a “serious challenge to the rule of dem-

ocratically enacted law and the civil liberties that go with it.”¹ The demand for extending all sorts of religious liberties in times of growing power of transnational public religions constitutes, hence, a democratic paradox: the liberal character of a democratic public space is often believed to be a threat in itself to the paradigm of a secular and liberal character of democratic policies. Liberty, in short, would constitute weakness in the face of illiberal actors.

Is religious visibility really a problem or does it force democracies to reconfigure their conception of secularity of public spaces? In the first decade of the new millennium, a debate has taken place between the foremost theoreticians of political liberalism (John Rawls), of public space (Jürgen Habermas) and secular politics (Charles Taylor). The well noted debate has led to recognition of the role of religions in the theory of public space and to a host of propositions as how to reconcile religious freedoms and democratic pluralism: through efforts of mutual translation of secular and religious discourses.

The concept of mutual translation and learning processes seemed to be an enticing intellectual construction, yet a very abstract ideal. Parallel to it, anthropologists (such as Talal Asad) have looked critically into the reality of secular politics, while others have reflected on the actual debates occurring in Europe and beyond.

Noting the shifts of conception of public space from “secularist” to “secular”, I will argue that a closer look at the debates about religious liberties, both theoretical and political, reveals instances of mutual translation and efforts to redefine of the boundaries of public space. To do that, the article will advance the following points: a) The definition of a public sphere as a discursive space that stands in contradiction to religious influence; b) It is possible to solve the above paradox through a process of mutual translation of secular and religious arguments; c) secularity needs to be reconsidered if the neutrality of public sphere should not remain a biased secularist conception and; d) in the current theoretical and political debates the concept of “secularity” is indeed being reconsidered both theoretically and practically, and that mutual translation is well underway; and e) the debates often concern the boundaries of a public space and not its neutrality.

Theoretical view: The definition of a public sphere as a discursive space stands in contradiction to religious influence

The concept of the «public sphere» was conceptualised most thoroughly in the field of political philosophy by Jürgen Habermas (*The Structural Transformation of the Public Sphere* 1989; German original published in 1962). The foremost German philosopher of the critical-rationalist Frankfurt School defines public sphere (*Öffentlichkeit*) as the following: a discursive space that emerged as a space

1 R. Dahrendorf, *Vote God, pray for liberty*, *The Guardian* 21. 11. 2006 [<http://www.theguardian.com/commentisfree/2006/nov/12/post607>]

in which private individuals came to gather as a public; a space where private individuals use their reason to discuss power and matters of mutual interest; and a space where common judgment may be reached. A public sphere is the realm of politics (production and circulation of discourses), independent of state authorities; all citizens are invited to form public opinion and define the rules for a polity, regardless of their social status and political view. The bourgeois public emerged, according to Habermas' reconstruction, in 18th century due to growing literacy, printed journalism, and strength of commercial bourgeoisie, in opposition to ruling social classes as a discursive arena. The new, civic politics, were inclusive, blind to social status, and concentrated on common concerns. Later it was restructured and transformed by print and electronic mass media.

Habermas theorises the public sphere essentially as an inclusive, egalitarian discursive arena in which arguments are exchanged and which opens up space for rational consideration. The public sphere is a space for deliberative processes, both formal and informal. Habermas distinguishes between formal deliberations of rules (legislative, judicial, administrative) and informal deliberations in a larger public sphere. The normative view of a public sphere defines it as a space of deliberative rationality that John Rawls calls "public reason". It is based on a procedural, deliberative conception of democracy in which citizens participate ideally as private, rational actors, whose transcendental assumptions are left to their private life. Religion is hence explicitly not part of a normative view of the public sphere. Also, the democratic state presupposes an institutional separation between religion and politics, whereas public administrations are required to be strictly impartial towards religious communities, neutral towards them and respectful of diverse religious opinions.

As long as modernisation, democratisation and secularisation were regarded as parallel processes, there was no challenge to the normative views of public sphere. Most of them were formulated in the 1960's and 1970's. In the long run, the public sphere would become and remain secular. Yet, since the 1990s it has become clear that, against the assumptions of a secularist modernisation theory, religions have not disappeared, but are becoming increasingly public in their character. The phenomenon of the de-privatization of religion was described in 1994 by the sociologist José Casanova.² Religions have not retreated into private life but continue to enter in the public life also, in Northern America as well as in Europe and in other democratising countries. Even as organised religions (traditional churches) do indeed lose their influence, globalisation and immigration produce diverse arenas for religions to assert themselves.

The radical discursive conception of the public sphere stands in conflict with the renewed religious fact. The trouble with religion lies in the claim to ultimate authority: "Religion, leaving its assigned place in the private sphere, had thrust itself into the public arena of moral and political contestation."³ In a deliberative public sphere in which all participants are supposed to be equal, there is no space

2 *Public Religions in the Modern World*, U. Chicago Press, 1994

3 Casanova 1994, p. 3

for a transcendental reference particular to a single group. It would lead to a discursive imbalance and an incapacity for a public sphere to continue being inclusive. For Casanova, religious groups need to accept the pluralism of worldviews in order to be part of the public life of modern democracies.⁴

This exclusionist position was most clearly expressed by John Rawls in *Political Liberalism* (1993) and spelled forcefully by Robert Audi.⁵ In a liberal democracy, political decisions are legitimate only to the extent that they are based on a reasonable agreement between citizens, otherwise they become coercive. Civil agreement must be in accordance with a constitution, the essentials of which all citizens may be expected to endorse. That is, the guiding principles of justice, equality, civic duty, etc. need to be based on the political values of public reason, i.e. values acceptable to all reasonable and rational citizens and as a part of the overlapping consensus. This requirement effectively excludes references to transcendent reason, such as divine law and sharia. It requires general guiding principles to be formulated in a non-religious, universalist and rationalist way.

Normative view: Solving the paradox through a process of mutual translation of secular and religious arguments

Both Rawls and Habermas did not expect religions to be a factor in public discourse when they first worked on political philosophy. Both have later returned to the question of permissibility of religious discourse in the public sphere. Rawls for his part was led to acknowledge the principle of citizen's equality, including the right of religious citizens to express their views in a preface to *Political Liberalism*, and in the article "The idea of public reason revisited".⁶ Habermas has returned to the question of deliberative rationality and religion from an epistemic point of view in the essays collection *Between Naturalism and Religion* (2008) and in a lecture called "The Public Role of Religion in Secular Context".⁷

Both Rawls and Habermas recognize the legitimate role of religion in a democratic public policy yet uphold the principle of civility of the public discourse. Religion can neither be used as a legitimation of political authority nor as a basis for public discourse unless religious arguments and notions are accompanied by a translation from a religious discourse to a secular one. That is, in order for the general access of all citizens to public discourse be granted, transcendent referents need to be expressed in immanent discourses that are universally intelligible, that is, without the transcendental reference.

4 Idem, p. 219

5 *Religious Commitment and Secular Reason*. Cambridge, UK: Cambridge University Press, 2000

6 The Idea of Public Reason Revisited, in: *The University of Chicago Law Review*, Vol. 64, No. 3 (Summer, 1997) [[http://www.hartsem.edu/academic/courses/summer2009/Idea%20of%20Public%20Reason%20Revisited%20\(Rawls\).pdf](http://www.hartsem.edu/academic/courses/summer2009/Idea%20of%20Public%20Reason%20Revisited%20(Rawls).pdf)]

7 Habermas, Religion in the Public Sphere, *European Journal of Philosophy*, Volume 14, Issue 1, pages 1–25, April 2006. Accessible online at: [https://www.sandiego.edu/pdf/pdf_library/habermaslecture031105_c939cceb2ab087bdfc6df291ec0fc3fa.pdf]

Rawls expresses the requirement of neutrality of the public debate in the following way: “Reasonable comprehensive doctrines, religious and nonreligious, may be introduced into public political discussion at any time, provided that in due course, proper political reasons— and not reasons given solely by comprehensive doctrines – are presented that are sufficient to support whatever the comprehensive doctrines are said to support.”⁸Hence, religious arguments are a legitimate part of public space but they should only be maintained provided that during the debate they become accompanied by reasons intelligible and acceptable to all reasonable citizens. For example, questions of public morality (a unique purpose of life, gender roles etc.) cannot be justified uniquely by a reference to a Scripture, but must be explained using rational arguments. Only then will it truly enter the public realm.

Habermas elaborates the conception of a mutual translation between the differing “epistemic communities”, assuming that religious citizens have different languages that include references accessible only to their communities, while secular citizens are using universalist arguments and are essentially monoglots. Concretely, fundamentalist religious communities can hardly participate, if they are unwilling to renounce their transcendental references (e.g. literalist scriptural reasoning). Mainstream religious communities engaging in a pluralist debate should translate their claims into a generally accessible language so that they can enter the discourse of parliaments, justice and state administrations. Religious actors hence bear the burden of “the epistemic ability to consider one’s own faith reflexively from the outside and relate it to secular views.”⁹

Habermas, for his part, dramatically changed his appreciation of religion’s role in public life and recognized religions as resources of ethical motivation and values, the suppression of which would strongly impoverish public life. According to Habermas, religious communities for example, have actually upheld advances of political liberalism (Martin Luther King and the Civil Rights Movement); they provide moral arguments and motivate social and political participation (social inclusion). The state should not only guarantee religious liberty in private, but should also actively protect devout life.

Yet, like Rawls, for Habermas the public sphere must remain secular. The contradiction between the recognition of a religion’s place in public life and the exclusion of religious reasons from justifications and discourses in public debates has been resolved by both Rawls and Habermas through a more precise definition of what is a public sphere and through an extension of the arena for non-universalist discourses. Rawls and Habermas essentially distinguish between a formal and informal public sphere. Formal public sphere includes legislature and administrative discourse, that is, all discourse by state officials or any principle that would have direct coercive effects. Texts of laws, administrative acts and contracts, for example, must be formulated in a neutral way. The informal sphere

8 John Rawls, *Political Liberalism*, Introduction, iii

9 Habermas, *Religion in the Public Sphere*, 2006, p. 10

would be a larger space of public debates among political actors and a general public such as in media. Rawls' idea is that in those debates on background culture, arguments from different kinds of discourses get mutually closer. According to Rawls, whenever "constitutional essentials" and matters of basic justice are debated, all citizens should use the language of lawmakers that is accessible to all. Questions of the principles of public reason should remain neutral, whereas when it comes to general political debate, there should be no restrictions.

Habermas ascribes the requirement of translation explicitly to an official discourse in the following way: "The principle of separation of church and state obliges politicians and officials within political institutions to formulate and justify laws, court rulings, decrees, and measures exclusively in a language that is equally accessible to all citizens. By contrast, [Rawls's] proviso to which citizens, political parties and their candidates, social organizations, churches, and other religious associations are subject in the public arena [in der politischen Öffentlichkeit] is not quite so strict."¹⁰ Hence, it is laws, court rulings and administrative decisions that need to be strictly put in a secular language. The large part of public debates is not limited by the theory of discursive public sphere, unless those discourses aspire to become laws. If they do, a liberal-democratic public sphere can only succeed to integrate its various citizens and to cope with a real diversity through a background process of mutual translation of claims.

Habermas attempts to divide the epistemic burden between both parties. Religious actors should become reflexive and find ways to reconcile their own religious beliefs with respect for the freedom of religion of others. Secular citizens have to recognize a certain epistemic status to the discourse of religious participants: they "may not deny that religious worldviews are in principle capable of truth."¹¹ He asks for a "a complementary learning process" that is "is certainly necessary on the secular side unless we confuse the neutrality of a secular state in view of competing religious world views with the purging of the political public sphere of all religious contributions."¹²

Anthropological view: secularity needs to be reconsidered unless neutrality of public sphere remains a biased secularist conception

While both political philosophers have successfully constructed a model of a secular public sphere that remains theoretically open to religious actors under some conditions, the theories remain largely abstract and patronizing. They are normative: they define the ideal state as a public discourse and introduce conditions and burdens.

10 Habermas, *Between Naturalism and Religion*, Cambridge, 2008, p. 122

11 Habermas, 'Faith and Knowledge,' <http://isites.harvard.edu/fs/docs/icb.topic1318815.files/Habermas%20Faith%20and%20Knowledge.pdf>

12 Jürgen Habermas, Notes on a post-secular society, 2008 [<http://www.signandsight.com/features/1714.html>]

Especially Habermas suggests a utopian sounding solution in which both religious and secular actors make efforts to alleviate the burden of others and meet in the middle: religions adopt as secular language and secular citizens adopt a post-metaphysical thought. It is not surprising that a number of critical voices were raised – not necessarily against Habermas’ accommodating conclusions, but rather against the language and the premises of the theory of public space.

A critical discourse coming largely from anthropology has questioned the premises of the rationalist normative claims. Namely, the required, the ideal neutrality of “secular” was criticised as a wholly fictional concept. When observed in real life, an impartial state is hardly neutral towards religion, even in a secularized Europe. A series of recent anthropological contributions (Talal Asad, Armando Salvatore) have shown that the idealized picture of a state neutral towards religion hides practices and principles that in reality interfere in a religious sphere: the secularized European state defines religion in such ways that cannot positively deal with non-European religions or with recent religious developments.¹³ In particular, European secular discourse defines religion mainly as a discursive system of dogmas, while neglecting orthopraxy and the communal aspect of religion.

Talal Asad argues that modern secular society prescribes a specific relationship between state and a person’s morality or identity. The complex historical arrangements of law, moral practice and politics, are a result of a particular European/American political history, and they are in no way a product of political neutrality. Especially the assumption of a privacy of religion based on the notion of religion as a belief, neglects other aspects of communal practice and public morality that are part of the religious realm in other religions, namely in Islam. Yet, those other, unrecognized aspects have concrete implications for conceptions of the public and the public sphere. They often involve a demand of collective rights and protections to an extent that was practically inexistent in secularized societies beforehand.

What European states understand as religious neutrality, immigrant communities often perceive as a certain (often negative, anti-religious) ideological stance.¹⁴ Also, it is blind to secularizing requirements that are contained in a very strict and straight forward definition of private belief and public religions practice: the former being fully free, the latter being subject to legal restrictions. As such, modern states are hardly neutral. Rather, they often assume sovereignty over public religious manifestations. In *Religious Pluralism and Values in the Public Sphere*, Lenn Goodman returns to the exclusion argument in Rawls liberalism, saying that his secular doctrine is also a comprehensive one so it is inconsistent to exclude other comprehensive doctrines.¹⁵ Hence, even the secular state cannot avoid having certain dimensions that are viewed as religiously non-neutral. Poli-

13 Cf. Talal Asad: *Formations of the Secular: Christianity, Islam, Modernity*. Stanford University Press, 2003; Armando Salvatore: *Rethinking the Public Sphere Through Transnationalizing Processes*, Palgrave 2013.

14 Cf. Asad, 2003

15 Lenn E. Goodman, *Religious Pluralism and Values in the Public Sphere*, Cambridge University Press, 2014

tics and religion are more mixed than what the theoreticians presuppose. Secularity needs to be re-thought as not simply a religion-free concept and consequently, secular space not simply a religion-free space.

In parallel, the anthropologists' remark, religions are increasingly part of the public sphere whether the fact is recognized or not. Along with immigrant communities, globalisation, neo-fundamentalism, sects and democratisation of further countries bring new configurations of politics and religion into the realm of democratic politics. Due to globalisation, religion's soft power increases easily, for example through the channels of evangelicals campaigning for conservative family values from the US to Croatia, through conservative protestant development agencies in Africa or through ideological neo-fundamentalist networks.

There are a number of claims that religious groups are increasingly putting forward in secular societies. They are usually of the following types: exceptions from general laws (ritual slaughter, ritual use of drugs, religious symbols); conscientious objections against individual rights and general duties (reproductive rights vs. medical performances such as abortion and contraception; conscientious objection against active military duty); right to private education. Even secular states are losing the grip they previously had on secularized societies under the soft power of transnational religious movements. Public religion (but not necessarily religion's traditional institutions) is increasingly a visible and influential fact.

Political science and philosophy: Alternative views on secularity

Secularity has indeed been re-explored in great length since the beginning of the debate on secular public space and increasingly, the reconfigured conception of secularity finds its expression in actual political debates.

First, "secular" means different things, according to the conditions in which secularity is evolving. Pluralist religious growth pluralism can be a factor in a development of secular political order. In Latin America, for example, the states evolve into a more impartial and secular direction not because of secularization, but for the opposite reason. The political scientist Dan Levine showed how the return of religion into Brazil and other Latin American states brought in a great religious diversity, while the Catholic Church loses grounds steadily to a plurality of evangelical churches. As a result of growing pluralism of and, competition between religious groups, state institutions and public debates adopt an increasingly "secular" stance. "The impact of violence on the churches is visible in their new openness to issues of rights and freedom of organization, but also in a withdrawal from direct political engagement and a diversification of political positions in all the churches".¹⁶ It is

16 D. Levine, *The Future Of Christianity In Latin America*, The Kellogg Institute, Working Paper #340 - August 2007, [<https://kellogg.nd.edu/publications/workingpapers/WPS/340.pdf>]

namely in the interest of all actors to adopt open, plural and neutral political institutions. Another example of secularism is India, the country of intense religious practices which managed to establish a stable pluralist and secular political system.

Secondly, if secular political order need not be based on secularism, it needs a new definition. Public opinion makers picked up on those changes and started to rethink the concept of secularism and secularity. After the modernisation thesis of secularisation had been discredited some 30 years ago, a new term has taken place of secularism. Charles Taylor proposed a notion of secularity (*sécularité*)¹⁷. It does not denote absence or weakness of religion, on the contrary. In Taylor's view expressed in "A Secular Age", modernity has brought about a certain general epistemic context in which all the actors, religious, agnostic, indifferent ones, partake. Taylor proposes an alternative concept of a secular discursive field, that of an "immanent frame". It is a non-normative, historically evolved discursive context that is today accessible and comprehensible to all participants in public education and debate, be they religious or no. One can hold on strong beliefs and on to transcendental referents, but a person educated at least partly in a condition of diversity and pluralism will share a great deal of common references with those who do not share his or her core beliefs. We all, religious and not, move within the immanence of certain kind – within cultural, factual, social, scientific knowledge and practices that refer to a mechanistic universe, deontological ethics, humanism, even if our explicit beliefs may be different. In an immanent frame, whatever the beliefs, claims are mutually understandable. Agnostic people have an idea about what it means to have a transcendent referent and religious people realize well what it means not to have the concept of afterlife. Moral has been grounded on both transcendent and exclusively humanist fundaments. In this common space, both strong beliefs and unbelief are viable options and matters of personal choice. The immanence of social discourses is given and that is why, according to Taylor's theory, citizens of different backgrounds are able to communicate and share common worlds.

Taylor provides a frame to what has been called post-metaphysical thinking. The criticism of metaphysics in philosophy has evolved in parallel to a context change in larger society, in which science, technology, communication and proliferation of media have thickened the immanent part of our intellectual lives. Hence, post-metaphysical thinking has entered common cultures and is accessible even to those who do hold metaphysical views. Besides Charles Taylor, a host of other philosophers and religious figures have worked on the ideal of open-ended secularity and accessible religion: William Connolly and Tomáš Halík from Prague to name just two.¹⁸

17 Ch. Taylor, *A Secular Age*, Harvard, 2007

18 Connolly, William E. (1999). *Why I am not a secularist*. Minneapolis, Minnesota: University of Minnesota Press; Tomáš Halík: *Žít v dialogu :podněty k promýšlení víry*. Nakladatelství Lidové noviny 2014, *Vzývání ne vzývání :evropské přednášky k filozofii a sociologii dějinného křesťanství*. 1. vyd. Praha, Nakladatelství Lidové noviny 2004

Public discourse: Habermas's translation process in course

The strength of examples and the prominence of philosophic discourse on post-metaphysical thinking compel to conclude that in the realm of politics and philosophy, a mutual translation process is indeed observed, analysed and it is on-going. Does it have any effects on actual debates in the public sphere? The next point of this article will try to show that yes, indeed, political debates including religious claims evolve also in the direction of mutual translation and comprehension.

The Habermasian condition of translating religious arguments into commonly shared (secular) language could be observed in democratic and democratizing countries throughout Western Europe and North Africa. It is impossible to be comprehensive, so this point will have to be upheld by certain striking examples of: the effect of pluralism in the EU on religious acceptance and the largely secular language used in religion-related claims.

First, European states do indeed make effort to accommodate religious liberties as a matter of policy. Rather shortly after the USA law REFRA, the EU has adopted its guidelines on religious liberties. Even before that, the question of a religious reference in the EU constitutions was hotly debated in the EU institutions and throughout the EU member states. The EU policy stands in contrast with the secularist stance of certain members, France above all. When the law was discussed in the European parliament and the constitution was debated in the congress, both secularist and conservative groups have intensively lobbied in one or another direction. Both texts are results of compromise with which nobody is absolutely happy, but everybody recognizes the worthiness of the result of an inclusive process. While the "EU Guidelines on the promotion and protection of freedom of religion or belief" resolutely defend religious liberties, they fall short of enshrining conscientious objections, leaving the decision to the states, and upholding the protection of individual rights.¹⁹

More interestingly, the text of the European constitution is an example of a pragmatic compromise. While a strong party demanded the mentioning of Christianity and the word God in the European constitution, it was opposed both by the secularists and by those invoking the large non-Christian immigrant and indigenous minority without any relation to Christianity. Finally, in 2004, a very general sentence was chosen for the preamble of the Constitutional Treaty of the EU: "Drawing inspiration from the cultural, religious and humanist inheritance of Europe..." An earlier example of the Polish constitution was invoked during the debates: "We, the Polish nation – all citizens of the Republic – both those who believe in God as the source of truth, justice, good and beauty, as well as those not sharing such faith but

19 "EU Guidelines on the promotion and protection of freedom of religion or belief", 2013, online [[http://eeas.europa.eu/delegations/fiji/press_corner/all_news/news/2013/eu_guidelines_on_the_promotion_and_protection_of_freedom_of_religion_or_belief_\(june_24_2013_fac\).pdf](http://eeas.europa.eu/delegations/fiji/press_corner/all_news/news/2013/eu_guidelines_on_the_promotion_and_protection_of_freedom_of_religion_or_belief_(june_24_2013_fac).pdf)]

respecting those universal values as arising from other". It is worthwhile noting that the invocation debate turned largely to the identity of Europe rather than around questions of religion and transcendence per se: the questions of immigration and potential enlargement towards Turkey were as important as basing some European identity upon areligious reference. Above all, none of the actors, neither the Pope nor the Christian Democratic Party, sought to impose a religious discourse: invocation Dei, an ancient practice, was debated as a question of political identity.

When it comes to a public debate initiated by religious actors and directly concerning areligious issue, most commonly a largely secular language is used as well. A few examples to illustrate the point:

a) Legal issues are always debated in a secular language: Clause of conscience: Doctors or medical institutions, refusing to perform acts that they deem conflicting with their religious convictions, invoke their individual religious freedom to act according to their conscience.

Recent cases caught public attention in Poland (where a delayed refusal to perform an abortion in case of a sick foetus had consequences for the mother's health) and in the US (where a religious medical institution claims to have a right not to pay for a medical insurance of its employees that pays for contraception, where Sikh insist on wearing turban and dagger in public places). In both cases the religious liberty is upheld as a personal right, in those cases conflicting with other persons' personal rights (to a decent and timely medical care, to a medical insurance, to safety in public transports). Neither clause of conscience nor the personal right, have absolute priority. Usually, a pragmatic arrangement is sought – for example a mechanism of quick deferral of the patient, incumbent to the medical institutions.

b) Secular reasons used by religious actors: In 1986 the debate on divorce before a referendum on that matter in Ireland was focused in a significant part, on economic and social arguments, rather than on religious ones, from the party opposing divorce: it invoked the importance of marriage for lifelong support and stability: it "appeared to emphasise the this-worldly economic arguments and de-emphasize other-worldly religious strand in their opposition to divorce."²⁰ The referendum was defeated in 1986, and in 1997 a new referendum succeeded by a thin margin, while this time the government prepared economic provisions for its case.

c) Mutual translation: It cannot be said, of course, that most debates involving religious liberties occur in a secular language. What the few examples show is that it is possible –religious actors are very well capable of adopting their arguments, when it is necessary to persuade the others, to the parameters of a secular discourse.

The sociologist John Evans has sought to determine empirically whether the process of mutual translation takes place in cases of public debates in which religious arguments are employed. By interviewing both secular and religious parties he found that there is a mixed moral language containing both kinds of reasons: "Respondents actually wanted to start the conversation with secular reasons in

20 Michele Dillon: *Debating Divorce: Moral Conflict in Ireland*, U. Kentucky Press 1993, p. 60

order to be understood. As one evangelical said, he tries to avoid ‘Christian speak’ because ‘nobody knows what the heck you are talking about.’ However, if they were asked to give reasons for their reasons, then the respondents thought that eventually their religious reasons would have to be brought into the conversation, because those are ‘behind’ everything.”²¹ John Evans concludes that religious activists usually want to use public reasons in the public sphere and are well capable of translating between religious and secular reasons, while the transparency as to the motivation is rather often wished by the religious speakers and demanded by their secular counterparts.

Conclusion: Boundaries of public sphere in question

To answer the question whether the public space is secular by principle in view of the presented argument is the following: provided we understand “secular” in a second, weaker, procedural term, then the answer may be yes; if we understand “secular” as devoid of religion, that the answer is no. Secularity as an immanent pace of mutual translation and a complementary learning process allows to arrive at a maximum of mutually comprehensible and acceptable concepts and rules for common life. As long as the sphere of common deliberation is plural, contains democratic expectation of equality and a minimum of mutual knowledge, then secular public sphere is the best way to accommodate the greatest extent of religious liberties, understood as freedoms of religion and from religious constraint. Hence, it is possible to conclude that the “secularity” (as opposed to secularism) of a public sphere is an attainable reality in which imposition of mutually incomprehensible discourses may well be avoided.

On the other hand, the debates about the EU and religious liberties show that there is another conflictual aspect not to the *definition* of public sphere but to its *delimitation*. The exact boundaries of public space are increasingly being disputed. Most of the debates occur concerning reproductive rights, gender roles and collective identities, and concern thus the exact dividing line between the private and public on one hand and the ownership of public space on the other. In how far can the state impose the extent of public rules when it clashes with a particular morality: are public schools, streets and offices parts of public space or can they be viewed as individual spaces? Does a private (religious) space extend beyond the doorstep to rules governing parts of public space commerce, education etc.?

Interestingly, even the conflictual debates on constitutions in Egypt and Tunisia in 2012 and 2013 were held in largely secular language, while most contention was given to boundaries (to public speech through blasphemy restrictions),

21 John H Evans: An empirical perspective on religious and secular reasons, Immanent Frame(<http://blogs.ssrc.org/tif/2010/10/01/an-empirical-perspective/>)

to identity (preambles) and to institutions (degree of separation of religious institutions from the legal process). There is little doubt that shared public spaces need to be plural and mutually accessible, yet the exact delimitation of what is public (space of secularity) and what is not (space for religious authorities) is the new question that needs to be addressed.

Da li je javna sfera u principu sekularna?

Zora Hesova

Sažetak

U ovom radu se kritički ispituje mjesto religije u modernim shvatanjima javnog prostora i postavlja pitanje da li je moderni javni prostor u osnovi „sekularan“ i šta to znači. Propitivanje mjesta vjerskih zajednica, tradicije i zahtjeva u javnoj sferi nedvojbeno ovisi o shvatanjima javne sfere. Odgovor ovisi o stajalištu koje zauzmemo, bilo ono normativno stajalište, kritičko antropološko stajalište ili filozofsko-historijsko. Ovaj rad ispituje tri odgovora, ovisna o ta tri različita stajališta, a to su: „da“, „ne“ i „uvjetno da“. Mada se sa svakog od njih različito definira mjesto religije, rad podsjeća i na razvoj dijaloga tokom proteklih dvadeset godina. Tendencija je da se prepozna mjesto religije, prilagodbom shvatanja javne sfere, od sekularne i isključive ka post-sekularnoj i inkluzivnoj, držeći se ključnog normativnog gledišta da javni prostor osigurava demokratsko društvo.

Ključne riječi: Javna sfera, religija, sekularnost