

Religion in Public Space from Theoretical and Practical Perspectives

Nguyen Thi Le

MA., Institute of Social Sciences Information, Vietnam Academy of Social Sciences

Email: lenguyen22@gmail.com

Received 20 August 2021; published 15 November 2021

Abstract: *Religion, despite its significance in social life, has always been a complex and controversial issue, especially in its relation to politics (state), human rights and liberal democracy. From a theoretical perspective, the paper contributes to clarifying the distinction between the public and private spheres, as well as religion the public sphere/space. Besides, the paper analyzes disputes about the free expression of religious symbols in public space through the case of the French Republic.*

Keywords: Religion, Public Space, Public Sphere, Private Space, Private Sphere, Religious Freedom, Secularization, France

Introduction

Religion, after the Peace of Westphalia of 1648 separating state and church in Western European countries, is said to have lost its taken-for-granted status in society and the public sphere. This idea resembles that of secularization theorists. Charles Taylor, in his book *A Secular Age* (2007), described the retreat of religion from the public sphere and the coming of a secular age. However, others find it a misconception. Religion will not be banished from public sphere. Instead, it will have a certain public role, regardless of ongoing modernization process (cited by Nguyen Van Bac, 2016). Besides, the global resurgence of religion and the process of “de-personalizing” religious beliefs and practices indicate that the

religious actors reappears in different public spaces of modern societies (Hoang Van Chung, 2016). It is the tendency of history that the normative condition for liberal democracy is not to relegate religion to the private sphere. There are several difficult issues related to the relationship between religion and public life, notably the debate over the free expression of religious symbols in public space in France.

1. The distinction between the public and private spaces

Public space and public sphere are not completely identical, but there is no clear distinction between them (Duncan, 1996: 130). Don Mitchell argues that the public space is a location for manifesting dissent, while the public sphere has been more than

characterized by exclusion (Low, 2017). However, there are gender similarities among these concepts, that is, women are linked to private, indoor spaces, men are linked to the public, outdoor spaces. The relationship between gender and space is also one of the main concerns of feminist discourse and relates to the controversial issue of the free expression of religious symbols in public space, which is the main topic of the paper. In that sense, the public space and the public sphere are interpreted to mean the same thing therein.

The ambiguous distinction between the public and private spheres is traced to the viewpoints of Western political theorists (Weintraub, Kumar, 1997) in liberal discourse that ascribed to the distinction between the market and the state, or between the sphere of “public” power of the state and that of voluntary relations among “private” individuals in the market (Low, 2017). The public sphere is defined differently by different scholars. Immanuel Kant argued that the “public sphere”, formed in the Enlightenment, was as an intermediary between civil society and local government. It is an arena where citizens could express their opinions, views, and common concerns towards the municipal government. Thus, it refers to enlightenment, respect for publicity, and freedom and suggests that the prohibition in public space will hinder a people’s progress towards the good (cited by Tran Huu Quang, 2017).

Jürgen Habermas and Hannah Arendt then contributed to further clarifying the definition of public sphere.

In *The Structural Transformation of Public Sphere* (1962), Habermas defined the public sphere as made up of private people

gathered together as a public and articulating the needs of society with the state, which is one of the prerequisites for democracy. His viewpoints of the public sphere are explicitly Kantian, and he develops the category of civil society into the basis from which public opinion emerges. Of these, Kant was the most influential on Habermas and his work was “fully developed” in the public sphere (cited by Nguyen Xuan Nghia, 2014).

Similarly, Arendt in *The Human Condition* (1958) argued that the public realm (polis) is the area of plurality, freedom, speech, action and natality. The term ‘public’ signifies the world itself, in so far as it is common to all of us and distinguished from our privately owned place in it. Unlike the private realm that operates through necessity and violence, the public realm is one of speech and persuasion. She emphasized that the public space is a place where people can meet, exchange different views and express the voice of democracy or the voice of civil society. The more secured the activities of civil society in the public space and/or the stronger the interaction between citizens and the state, the higher the voice of the people and the degree of democracy achieved and strengthened (Trinh Van Tung, 2019).

Thus, both Habermas and Arendt agree on the “public sphere” which is closely linked to citizenship in a democratic society and is related to the viewpoint of “citizen’s right to access and exclusion” for public spaces (Trinh Van Tung, 2019). Trinh Van Tung also concludes from the above interpretation that everyone has the right to access public space regardless of socio-economic status or social class, which is protected by the constitution and

by law, because those spaces are common property, serving the common needs of everyone. Each individual in that society shows his way of life (individual) and way of living in a community (society). While the private sphere is considered as a solvent for private life, inclusive of family, work, groups, clubs, etc., the public sphere is solvents for the public life of individuals (Nguyen Thi Que Huong, Nguyen Thi Hoa, 2021).

2. Religion in Public Space

How religion in the public space is interpreted, or more specifically, the practice of religion, the right to freedom of religion, and the free expression of religious symbols in a liberal democracy is allowed in public spaces or limited to private spheres? This question has been of great interest in Western sociology over the years.

Religion, on the one hand, emerged to meet the spiritual needs of people. Many theories have different explanations for religion, but all agree on one point that religion satisfies the psychological needs of members of society. However, such sociologist as Émile Durkheim has the view that religion exists to serve social needs rather than psychological ones (cited by Tran Thi Thuy Hang, 2014). The rituals, the worship of icons, and the belief in supernatural beings “excite, maintain or recreate certain mental states” that bring people together, provide a ritual and symbolic focus, and unify them. From his functionalist perspective, religion is about community: it binds people together (social cohesion), promotes behavior consistency (social control), and offers strength for people during life’s transitions and tragedies (meaning and purpose) (Connolly, 2018). To this extent,

religion in public space is examined from the perspective of the community needs of individuals in society.

On the other hand, traditional liberalism identifies human rights as universal and available to all individuals, regardless of religion, race, status, gender, etc. Hence, liberals who advocate universal human rights believe that human rights are absolute and that the limitation of rights means that our existence as human beings is limited as well (see: Nguyen Hung Vuong, Le Xuan Hoa, 2021; Chu Van Tuan, 2016; Nguyen Tan Hung, 2008). Traditional libertarian views, however, limit religion to “private” or “non-political” terms.

Religious tolerance and the role of religion being restricted to the private sphere as such traced firstly to the classical Enlightenment idea of the modern international system in 1648 as the Peace of Westphalia ended the era of religious wars (May, Wilson, et al., 2014). However, there are some differing opinions as well (Mcdougall, 2020). The Peace of Westphalia is said to have marked the separation of secular and theocratic in Western Europe, or the separation of political power and religious power (state versus church), which espoused the idea that religion was banished to the private sphere and the jurisdiction of the Holy Roman Empire was strictly limited. Since then, nation-building has gradually taken shape with the separation of state and church in different versions, as indicated by the distinction between the public and private spheres. But this does not necessarily accurately reflect the political and social realities in those countries.

Then, the secularization theory in the late nineteenth century assumed that the decline of religion is an inevitable trend

of modernization. While some scholars believe that modernization will cause the death of religion, others have a more moderate view that sacred values have retreated from public life into direct and personal relationships (Connolly, 2018). The repositioning of religion into the private sphere not only has theoretically separated religion from politics but has also devalued religion in that the public sphere is considered superior to the private one in terms of the political aspect. It causes religion to be seen as a matter of private or group interest depending on what happens at the political level.

After Habermas' *Structural Transformation of the Public Sphere* was published, there was much discussion of the public sphere associated with the revival of civil society. The public sphere is increasingly envisioned as a discourse infrastructure and normative lubricant for a well-functioning civil society. At the same time, the question of religious movements and discourses arose once again not only in the processes of modernization but also in the public sphere. Special attention has been paid to developments in the Muslim world and the challenges of adapting Muslim faith practices to all aspects of modern life, from culture to society, from politics to identity, from security to conflict and discrimination. The complex role of religion in public spaces led Habermas to change his initial idea that social rationality would cause religion to eventually disappear from public life. Instead, he argued that "religion should not be limited to the private sphere of individuals, but must involve the public life" (Nguyen Xuan Nghia, 2012). The secularization, deliberately excluding, ignoring, or degrading religion, would

potentially deprive modern society of an important moral resource. In other words, by excluding religion, secular society becomes impoverished (May, Wilson, 2014).

José Casanova and G. Dekker et al. also agree that predictions about the development of secular society, which holds that religion may be purely a private experience and that religion will be excluded from public life, has been proven false (cited by Nguyen Van Bac, 2016). Religion is not excluded from public life due to the process of modernization, nor is the personalization of religion a historical trend or a condition for a modern, liberal democratic society.

3. Debates over the free expression of religious symbols in public spaces: a case study of France

Since the Peace of Westphalia, the secular state has been built based on such principles as: (i) religious neutrality, (ii) respect for religious beliefs; (iii) no exclusion of any religion (Nguyen Thi Le, 2019). The separation of churches or religious organizations and the state is one of the prerequisites for a secular state. Viewpoints and policies to manage this relationship are different by states. The relevant question is whether a state recognizes the role of religion or appreciates its significance in society? If so, does it promote a particular religion by stipulating national holidays according to that religion? Or should the state support and treat all religions equally? Or does the state even give special attention and support to minority religions to ensure more equality in practice?

Take France for example. The French Revolution proclaimed freedom of religion and belief through the Declaration of the

Rights of Man and the Citizen of 1789. Catholic Christianity, the religion of a plurality of the French people, is no longer the state religion. Protestants in France had the right to organize worship services, and that country's Jews have been given full rights and duties of citizens since September 1791 (Bobineu, Tank-Storper, 2012: 55). However, when Catholic Christianity ceased to be the state religion, it was merged into the political sphere, which created a re-overlapping of politics and religion rather than a logic of state-church separation. The "secular treaty" of 1905-1907 marked the complete separation of the State and the Church in France, whereby established religion was no longer considered one of the institutions that structure the society; religion is only a private affair; freedom of thought and belief are fundamental freedoms for everyone (Bobineu, Tank-Storper, 2012).

By 1984, the issue of "Islamic hijab headscarf" triggered a heated public debate regarding the wearing of religious clothing or religious symbols in French public elementary and secondary schools. Controversy arises because the secular model of separation between state and church in France appears in fact to be religiously biased. National holidays, for example, are largely based on the Catholic calendar, not on those of Judaism and Islam. While the retreat of religious practices into the private sphere does not matter for Catholic people but it does for religions such as Judaism and Islam. Olivier Bobineau and Sébastien Tank-Storper (2012) observe that the Muslim scarf represents an interesting reversal: it is taken off by Muslim women in the private sphere and worn only in the public sphere.

In terms of human rights in a free, democratic society, the right to religious freedom guarantees one of the most private realms of people and their beliefs against governmental and theocratic oppression. While the right to freedom of religion is basic and absolute, the freedom to express religion is limited, as demonstrated by the 1948 Universal Declaration of Human Rights. It protects the right to religious freedom for each individual but includes a provision that obliges religious individuals and organizations to comply with statutory restrictions on rights to ensure due recognition and respect for the rights and freedoms of others, as well as to meet the legitimate requirements of morality, public order and the general welfare in a democratic society (Do Lan Hien, 2019). The 1966 International Covenant on Civil and Political Rights also states: "Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals, or the fundamental rights and freedoms of others" (cited by Nguyen Khac Huy, 2017; see: Nguyen Ngoc Huan, 2014).

To that extent, Talal Asad, Wendy Brown, Judith Butler, and Saba Mahmood (2013) argue that the separation of the state and the church is not simply the arrangement of religion in states and communities but also stipulates what religion is and what religion should be. They also indicate that the French government's approval of laws banning public school students from "using religious symbols of particular interest" and banning female Muslims from wearing their hijabs in public does not violate the right of religious freedom of Islam because

it does not interfere with anyone's beliefs (or proper position of religion); the ban only limits the public expression of those beliefs". However, giving priority to the majority religions in the public sphere may create a hierarchy of religions based on the perceived distinction between public and private spheres.

Conclusion

Public debates over religious symbols (the hijab, the cross, etc.), constitutional conflicts over church-state relations, and political controversies over the treatment of minority religions are quite common in Western countries. Religion is indeed a complex and controversial issue since it is associated with one of the basic human freedoms and in a complicated relationship with politics and the development of religions by different countries. The perspectives and policies promulgated by different states on religious freedom and morality as well as the characteristics of a given civil society have somewhat complicated it further. Therefore, it is necessary to regulate the relationship between state and religion in the process of building liberal democratic societies. Appropriate policies should be promoted to both satisfy the needs of religious practice while maintaining the principles of freedom and equality of religion and ensure that religion does not infringe on secular spaces □

References

1. Asad, Talal, Brown, Wendy, Butler Judith, Mahmood, Saba (2013), *Is Critique Secular? Blasphemy, Injury, and Free Speech*, Fordham University Press, New York, pp. ix-x.
2. Nguyen Van Bac (2016), "The possibility of religion in public spaces in the thought of Jürgen Habermas", *Journal of Religious Studies*, No. 4 (154), pp. 14-22.
3. Bobineau, Olivier, Sébastien, Tank-Storper (2012), *Sociology of Religion*, translated by Hoang Thach, The Gioi Publishing House, Hanoi.
4. Hoang Van Chung (2016), "An overview of the current notable discussion of religion in public policies", *Journal of Religious Studies*, No. 1, p. 3-27.
5. Connolly Peter (2018), *Approaches to the Study of Religions*, translated by Chu Tien Anh, Tri Thuc Publishing House, Hanoi.
6. Duncan, Nancy (Ed., 1996), *BodySpace: Destabilizing geographies of gender and sexuality*, Routledge, London & New York.
7. Tran Thi Thuy Hang (2014), "Religion from the viewpoints of Émile Durkheim", *Science and Technology Magazine*, University of Sciences, Hue University, Vol. 2, No. 2, p. 161-166.
8. Do Lan Hien (2019), "Exercising the right to freedom of religion in the relationship between church and state", *Journal of Political Theory*, No. 11, p. 84-89.
9. Nguyen Ngoc Huan (2014), "Freedom of belief and religion in international political and legal documents", *Journal of Social Sciences Manpower*, No. 8, p. 46-52.
10. Nguyen Tan Hung (2008), "Liberalism: its development and influence on the modern world", *Journal of Theoretical Work*, No. 6, p. 26-30.
11. Nguyen Khac Huy (2018), "Freedom of religion in the constitutions of some countries and the Constitutions of the

- Socialist Republic of Vietnam”, *Journal of Religious Work*, No. 10, p. 10-14.
12. Nguyen Thi Que Huong, Nguyen Thi Hoa (2021), “Public space with interreligious dialogue in Vietnam today”, *Journal of Buddhist Studies*, March 2021, p. 56-60.
 13. Nguyen Thi Le (2019), “Secular state models in the world”, *Social Sciences Information Review*, No. 10, p. 20-26.
 14. Low, Setha (2017), “Public space and the public sphere: The Legacy of Neil Smith”, *Antipode*, Vol. 49, Iss. 1, p. 153-170.
 15. May, Samantha, Wilson, Erin K., Baumgart-Ochse, Claudia, Sheikh, Faiz (2014), “The Religious as political and the political as religious: Globalisation, post-secularism and the shifting boundaries of the sacred”, *Politics, Religion & Ideology*, Vol. 15, Issue 3, p. 331-346.
 16. Mcdougall, Walter A. (2020), “The myth of the secular: religion, war, and politics in the twentieth century”, *Orbis - RPRI's Journal of World Affairs*, Vol. 64, Issue 1, p. 24-42.
 17. Nguyen Xuan Nghia (2012), “Jürgen Habermas’ thought on religion”, *Journal of Religious Studies*, No. 6, p. 16-26.
 18. Nguyen Xuan Nghia (2014), “Public space and religion”, *Journal of Religious Studies*, No. 9 (135), p. 20-38.
 19. Tran Huu Quang (2017), “The intellectual and public space in a modern society”, *TiaSang Magazine*, <https://tiasang.com.vn/-dien-dan/Tri-thuc-va-khong-gian-cong-cong-trong-xa-hoi-hien-dai-10467>, accessed on August 22nd, 2021.
 20. Chu Van Tuan (2016), “Some Western philosophers’ viewpoints on liberty and the law”, *Vietnam Social Sciences Review*, No. 9 (106), p. 36-42.
 21. Trinh Van Tung (2019), “An interdisciplinary approach to Vietnamese cultural behavior in public spaces today as a dimension of human development”, *Journal of Human Studies*, No. 5 (104), p. 15-30.
 22. Nguyen Hung Vuong, Le Xuan Hoa (2021), “The Perspectives of Western Communitarianism on Human Rights”, *Journal of Human Studies*, No. 2 (113), p. 30-53.
 23. Weintraub, Jeff, Kumar, Krishan (1997), *Public and private in thought and practice: Perspectives on a grand dichotomy*, University of Chicago Press, Chicago.