

## Secularism as an alternative to fundamentalisms: Questions for feminists

### Abstract

These are edited excerpts from a panel and open discussion organized by Women Living Under Muslim Laws at the AWID Forum held in Bangkok in September 2005. The panelists were Soheib Bencheikh, the mufti of Marseilles; Vahida Nainar from the Women's Initiative for Gender Justice; and Dr. Vivienne Wee from City University in Hong Kong.

### Introduction

#### WLUML

This is a panel being run by Women Living Under Muslim Laws but we hope to take this issue far beyond issues facing Muslim communities and countries. The issue of secularisms and fundamentalisms is an issue facing all of us in very varied contexts. We hope this will kick off a fruitful discussion among feminists.

As an international network, Women Under Muslim Laws has long discussed the issue of fundamentalisms: we have debated the meaning of the term 'fundamentalisms'; we've analyzed the warning signs of fundamentalisms. When we say that we reject fundamentalisms and the political manipulation of culture and religion, the question then arises: what is the alternative that we are proposing?

It seems that as feminists it is time that we discuss amongst ourselves more clearly what do we mean by secularism. That's why, in fact, in our original title we've used the word 'secularisms' in the plural because maybe we have many different concepts and ideas of secularism. In many languages there is no word for 'secularism' and in some instances the word used is understood to mean 'anti-religion'. Some, like Soheib Bencheikh, prefer to use the term '*laïcité*' because they feel 'secularism' does not accurately convey the particular French approach.

This morning, in the Forum plenary, it was very rightly pointed out that secularism is only a beginning, a first step beyond which many other steps would follow. We first need to discuss what do we mean by that first step? As feminists do we have a shared understanding of the many models of secularism, of different models appropriate

in different contexts? What are the different models? When we say the state must be neutral, how is that neutrality manifested in concrete forms? I hope we can begin to raise the questions but time may be too short to come up with concrete answers.

### **Presentations by Panelists<sup>1</sup>**

#### **Vahida Nainar**

In India, we have a constitution written in English and we are called a 'Secular Democratic Republic' i.e. as understood in the English sense rather than the French 'laïcité'. How we use it in our conversations and in our writings has different meanings. Before I go into what it means in India, I would like to list how we use the term 'secularism'.

Secularism at an individual, personal level could mean 'religion means nothing to me.' It could mean 'religion is not important to me, it's not big deal.' Or it could mean 'religion does not matter much in my life.' Or that 'religion is a deeply personal matter to me.' When a state opts for secularism as part of its national definition or identity again it means different things. One is, of course, separation of state and religion. I think that's what Soheib was talking about. It means that the state does not have a religion, that religion is not a consideration in governance - it is not important in the administration of a country. Or that religion is irrelevant or has no place in state matters or that all religions have equal status.

But in India, the majority religion is interpreted as a more tolerant religion and therefore secular. So it has come to mean different things in India when we refer to secularism.

Similarly, the term 'fundamentalisms' is used to mean different things. One is the political use of religion or culture. Another

is a fanatical or extreme interpretation of religion or a conservative interpretation of religion and religious practices. Or indeed it is used to mean the dogmatic following of a certain religion or religious practices, or in fact any 'isms'. I have heard people talk about economic fundamentalisms. If you are not wavering on your attitude about something, they say you're fundamentalist about it. In our normal conversation it is used in all of these various ways. When we use these terms therefore, we need to be mindful that they can mean any of these things.

When secularism is debated and chosen as part of the state's self-definition, it is often out of a desire to keep religion away or at best accommodated. It is to dilute the influence of religion in state matters. It emerged during the Enlightenment period to escape the tyranny of religion particularly when religion as an influence, begins to be irrational, unreasonable and not in tune with the modern times. When religion is seen as a concern in state matters, then secularism comes up as a solution. But has this 'secularism solution' worked? Let's look at India as a case study.

India is, constitutionally, a secular democratic republic. Secularism is meant and interpreted as equal respect for all religions. This interpretation is not in the constitution but in many academic writings, jurisprudence and explanations by political leaders since the formation of the constitution. The constitution further guarantees freedom to propagate, preach and practice religion. It is this constitutional article that is used to justify the interpretation of secularism to mean equal respect for all religions.

How has this interpretation of secularism manifested itself over the last 50 odd years in India? The state supports, finances and

manages religious institutions. There are temples that are managed and run by state governments. The state provides subsidies for religious purposes like for Muslims to go perform pilgrimage to Mecca. Moreover, religious institutions establish and run schools, places of worship, cultural centers and other similar kind of institutions as a matter of constitutional right. While there are civil laws, commercial laws, criminal laws that have nothing to do with religion, when it comes to personal laws and family laws you have the Muslim personal law that is applicable to Muslims in India. You have the Hindu Code Bill for Hindus and Christians are governed by legislations such as the Indian Marriages and Divorce Act and the Succession and Inheritance Act. In addition, in secular India, state events are performed with religious ceremonies. If the state inaugurates a development project, it is often accompanied by a religious ceremony. These are the ways the interpretation and practice of secularism manifests itself at various levels of state institutions in India.

With all the above in place, how is India 'secular' or what aspect of religion is prohibited? It is prohibited to use religion for political purposes. This is not stated in the constitution but described as one of the rules of the Election Commission. It is prohibited seeking wars on religions grounds. There are criminal provisions that prohibit incitement of people using religious arguments i.e. hate speeches are criminalized. There is legislation to outlaw religious or cultural practices like dowry or *sati*. There is legislation passed using 'secular' means, i.e. the state legislative machinery, to regulate religious laws. The passing of the Dissolution of Muslim Marriages Act, 1939 or the Muslim Women Protection (on Divorce) Act, 1986 are other examples of such legislation.

It is these formulations, interpretations and practices of secularism in the past 50 years that has led us to where we are today. There is an increased and successful use of religion to capture power. We had a very right-wing Hindu political party that held power in central government for five to seven years. Not in power any more, they remain a significant national political party. They are the political wing of a Hindu Right group, the Rashtriya Swayam Sevak (RSS), a group that speaks about Hindu supremacy and of establishing a Hindu nation. There is increasing infiltration by members of right-wing forces in state institutions including the judiciary to varying degrees and at various levels in different states in India. There is a steady decline in the representation of members of minorities in state institutions. There is an increase in the incidence of persecutions of minorities in India, particularly the Muslim and Christian minorities. There is an increasing influence of religion in women's lives. The state decidedly encourages religious identity. There is really no freedom to be a-religious or to be an atheist. Most of the state forms have a column that ask for your religion and if you leave it blank; it will be filled in for you on the basis of your name. This kind of religious practice is obviously problematic in women's lives.

Thus India, despite being 'secular', has all of the above experiences - so where is the problem and what is the problem? Is the formulation of secularism in India the problem? Is the way we understand secularism a problem? Would it have been better if secularism meant the 'total separation of state from religion' as the French concept of *laïcité* suggests? Was this meaning even a possibility given the context in which India became independent, i.e. the context of partition on the basis of religion? Because at

the time of independence, it was important to reassure the minorities that they would have religious freedom and their institutions and their language and their religion would be protected in secular India. Is it possible now to revert to that interpretation, given that all religion and religious practices can be found in every nook and corner of the country? Or is the problem a result of a disconnect between secularism as a national identity and at an individual level. Is the way secularism manifests as national identity a reflection of the sum effect of the practice of secularism or lack thereof at an individual level? Is it that the more secular people are in their practice, the more secular the state or vice versa? Because the way state and state institutions practice secularism actually depends on its people who form these institutions and not the state which is an abstract entity. If the state opts for secularism as its national identity and its people are searching their religious identity at individual level or when state opts for a religious national identity and the people feel the need to practice secularisms, there is a disconnect leading to a lot of the above kind of questions and issues.

In the struggle of women right's, secularism is often seen as an alternative. One thing we have experienced is we certainly have problems with religious laws but we also have to struggle in non-religious matters. We still have to struggle for equal pay and against domestic violence. The question really is whether secularism is a solution to patriarchy? Patriarchy is based on religion but secularism in that sense is not divorce from patriarchy. Secularism as a notion evolved in a patriarchal society. So the question "Is secularism an alternative to patriarchy?" is also something that needs to be discussed. Perhaps there is a need to have, as feminists, our own definition and

understanding of secularism. Clearly as it was pointed out there isn't one. These are the questions I'm hoping we will have an opportunity to discuss.

### Open discussion

Following presentations by the three panelists, the floor was opened to participants.

#### Speaker from the floor

I want to throw in some other ideas. My understanding of secularism historically, is that it was a reform movement within religion in Holland. People were being told that religion means you should only be concerned about the hereafter and they revolted and said, No we want to know what is happening here and now; we want accountability here. That is just my understanding of where this term comes from. I want to emphasize two things. One is that if the *laïcité* form of secularism does not exist in our cultures, you have a problem. Those of you from Muslim backgrounds in our parts of the world know it is usually translated as 'without religion', 'anti-religion' which it is not so but that's the way it is translated. I also wanted to emphasize that patriarchy is system, it's a structure of power, and religion is a faith but it is also an ideology. You cannot compare a discourse with structures of power. When we are talking about secularisms and so-called fundamentalisms, we have to understand they are used by patriarchy and structures, but they are two different kinds of things we are trying to address.

#### Speaker from the floor

I found the three contributions very interesting, especially, though, as regards an ideological construct - secularism as being also an ideological construct - which presupposes clear dividing-lines between the religious and the secular. And I'd like us

to have a bit of discussion specifically on that. What's becoming clear at the moment is how difficult it is to draw these dividing-lines between the religious and the secular. The construction of this dichotomy is also connected to the failure of secularization, or secularism as an ideology - not just as an analytical theory, but as an ideology. To take Latin America as an example, and especially the role of the Catholic Church, I'd like to tell you briefly about an instance in which strategic secularism was actually used by the religious sectors. The Church articulates not just a religious discourse but also a rational discourse. Sexual and reproductive rights are opposed not just by invoking the Bible, the supernatural, but also by means of a discourse based on scientific research into the shortcomings of the condom as a contraceptive method, and by a legal discourse, on natural law. It's not just religious players who articulate the Church's position: starting in the 1970s in the United States, and now throughout Latin America, a growing number of non-governmental organisations have been using civil society as the most democratic post-authoritarian-government arena not just for putting forward their own demands, their religious position, but also for getting the religious agenda to predominate in state structures by influencing policy. To finish up, the point I want to make with this example of strategic secularism is simply that the toughest challenge is precisely to redefine the dividing-lines between the religious and the secular, and I think that our constructs, the constructs influenced by secularism as an ideological construct, must be varied in order to counter the reactionary politicization by religious discourses in contemporary societies and democracies.

**Speaker from the floor**

I'm from Bangladesh. From the Indian

experience, it is not clear in the constitution what the state means by 'secularism'. Same happens to other neighboring countries like Bangladesh: when it was liberated it was secular country but now it is not. I suggest that those who are working on these issues clarify what is secularism to us as the women's movement. They also need to mobilize other women's organizations so we can push the individual state either to include secularism where is not included, or also to revise and clarify more in the constitution. Then we can globalize that issue.

**Speaker from the floor**

I come from Mexico, and I'd like to say that since the 19<sup>th</sup> century our country has been a secular one. It used to be a religious - Catholic - country, but since the 19<sup>th</sup> century it has been secular. The state and education are secular. But what has been happening lately? These days we have a right-wing government, one that has allowed the Church to interfere again in political issues, and this has caused secularism to become diluted in many private universities and schools - it's not like this in the state, but in many schools secularism is becoming diluted. Why? Because the Church is currently insinuating itself into a lot of things in our country. At the same time, other women were talking about what patriarchy used to be like... Patriarchy exists in Mexico. We call it 'machismo': men are very macho, because they are the patriarchy - as our friend here was saying, the patriarch is the boss, and today machismo is still very strong in our countries in Latin America.

**Speaker from the floor**

I'm from the Philippines where we have several religions and Islam being a minority religion but getting the headlines, as you probably know: fundamentalisms and all that. I would like to agree with the lady from

Mexico where our state is secular but the Church gets involved and gets in the way of development. It promotes policies or does not promote for example birth control. There is a situation where secularism is the condition but it evaporates into the air because of certain interests. Individuals have a better chance of developing themselves under a democratic regime and that's why I think we can use politics here by bringing a democratic form wherever we are.

#### **Speaker from the floor**

There are three points that troubling me that I'd like to offer for consideration. In the context of England in the political moment one of the ways the term 'secular' is being use is to equate it to being without any values at all. That's immensely troubling for people who want to assert values such as feminism or socialism or even humanism and who wants to assert these values based on religion, which is different from a particular interpretation of religion. The second thing, again in the UK context, with the kind of political terrorism that is very much a focus of public policy, 'secularism' doesn't allow us to distinguish between people on the one hand from religious communities who are dissidents, and on the other hand those who follow forms of political religion. With the [London July 2005] bombing and things, there is a lot of discomfort within Islamic and other communities about how to be Islamic but not be fundamentalist. The third thing was, is it right to suggest that women are always losers in the sense that there are trade offs? There are many dimensions of equality. If you start to kind of breaking it down in terms of choice, entitlements, you could have equalities in some of them and trade-offs others. You could perhaps trade choice for status and opportunities and so on.

#### **Speaker from the floor**

I think the fundamental issue is the need for equality from a human rights perspective. Human rights is about dignity. It is about decency. It's about trying to deal with the leverage that is also assumed by how human rights is invested by culture and religion. Also because human rights was founded by liberalism and by the divide between religion and state so it is invested with all sorts of acknowledgment of how one is more equal than another. So much so that it took women until 1993 to have coined a phrase that is so simple: that women's rights are human rights. Simply that connection obligates us to see equality is, in fact, the cornerstone.

#### **Speaker from the floor**

I'm from an organization based in London, where we deal with fundamentalism and have been problematizing secularism for years and years. We have been both promoting secularism, but also realizing that every existing form of secularism is deeply unsatisfactory, deeply inegalitarian and protects religious rights in ways that they shouldn't be protecting while also failing to protect minorities and the lives of people.

The equality argument is an interesting one but it is not sufficient because of course fundamentalists have used equality arguments precisely to argue for forms of protection for religion that are protection of the religious Right. In England, the issue that Women Against Fundamentalisms dealt with was precisely that we don't live in a secular state. It is a Christian state, It protects forms of Christianity that is protecting the Church of England in Britain and that does have an impact on what people can say or not say about Jesus Christ. There is a huge amount of self-censorship in Britain. There is also a civil society that will protest against

it. It is in this context that the Muslim Right fundamentalists have argued for protection of their so-called rights and the right to have blasphemy provisions. That is not protection as a person but protection of religious thought. I think that's the confusion in England.

British society isn't secularized and the government has failed to make the distinction between political forms of religion and religious beliefs and practices. The distinction it has made is between what they call 'extremism' i.e. people bombing us in Britain and what they call 'moderation' which is people promoting the bombing of people abroad.

The issue of secularism for Women Against Fundamentalisms was that it provides a state structure - no doubt one which will always be imperfect and it will always have to be struggled with and struggled around in a democratic framework. We don't have any final answers because we don't know where the lines should be drawn between belief, practice, protection of people as minorities, the freedom to exit religion as well to join them; in many societies the right to convert is a major issue.

I would like to end with one practical example of what having a secular civil society space within a secular state structure can offer. I say this to all my Indian friends and sisters here because we have really criticized ourselves - both those of us that live in the diaspora and those of us who live in India - for our multiple and collective failures to stop the rise of fascism in India and to stop the attacks on religious minorities.

Even under a fascist regime, the Supreme Court acted. Also, in the diaspora we clearly identified these as political forces,

and there have been two major reports by diaspora communities in America and in Britain detailing the money that the Hindu fascist groups were raising, the ways in which they made themselves respectable, the connections with fascist movements in India and the connection with killing. It's very difficult to actually prove that the money given in good faith for relief work following the earthquake in Gujarat was actually being used to promote a fascist project. But we did identify these processes and made a lot noise about them. The communities that came together to work on this includes different kinds of people: Hindus, some who have converted to Buddhism; Christian evangelicals because Christians have been murdered by Hindu fascists in India; Indian Muslims also Pakistanis because it is a South Asian group; and a whole bunch of us from various religious backgrounds, as well as atheists, communists, and other sorts of people without beliefs. It is 50 years of deeply flawed, deeply implicated Indian secularism that has allowed that space, not only in India for civil society in India to act but civil society groups abroad to act.

**Speaker from the floor**

I wonder about these 'isms' that we are talking and the words we are using here. We heard recently about multiculturalism in Canada and also in France the issue of multiculturalism within the secular state came out. Where do multiculturalisms stand within the secular state and the issue of secularism? Are Pakistanis, Iranians, women in Canada facing problems *vis a vis* the state of Canada? Also in France, our sisters from Africa face problems, how do we address these issues?

**Speaker from the floor**

Let's not forget the creation of identities, the

legitimization of political Islam is completely linked with international politics. People who were completely anti-democratic, anti-women, absolute fascists, were promoted as the Mujahideen and suddenly religiosity and linking politics with religion was given legitimacy internationally. There is a complicity between international forces and national forces which I think we have to understand and make clear to ourselves if we are ever to grapple with it.

When I think about the rise of what I call fundamentalist groups or movements, maybe we need to ask what about failure of the progressive movements? Why did they fail? It's not that they did not exist. If we have not managed to resist then we need to do that analysis if we are going to be able to understand where we are going. When we look at secularism, the alternative, and we have discussed that secularism is not enough, to me the question is whether there is any space for dissent, including outside a religiously framed discourse. Equally it is important to have space for dissent within religious viewpoints which do not fit the stereotype. It is often forgotten when we are talking about dissent that there is a monopolization of identity.

Finally there is the question of morality. I was in the U.S. earlier this year; every debate is being formulated around questions of morality. The media is completely dominated by this. I think this is all quite deliberate. Poverty is not immoral. The fact that people are dying everywhere that is not immoral. What it is immoral is a woman saying I have the right to decide what I want to do with my body. One has to be looking at where the discourse is coming from. We have the example of Canada where we have this idea of multiculturalism that is leading to quite

racist and exclusive kind of development. On the other hand, we have France which does not accept that there is any such a thing as minorities and therefore there is no information on racial groups, etc. So those groups become marginalized. Neither of these systems of governance seems to have worked. To me these are questions to the future to expand beyond secular and non-secular, secular and fundamentalism, but questions of governance, systems of interaction in governance which we have not examined.

#### **Speaker from the floor**

Religions did not fall from heaven the way they are today. Religions are almost 80 per cent culture; over the hundreds of years in which they developed, they changed, answering the problems of the day. So when we speak of Islam, or any religion as it is today it is the cultural aspect that is very strong, even stronger than sometimes the divine aspect. That's one fact we cannot forget.

You can't lump all religions together. I'm afraid I'm ashamed to say I'm a Buddhist and that in Buddhism we don't believe in a God; there is not concept for instance of blasphemy, whereas in the Mosaic religions you have a concept of blasphemy and of God. It is extremely difficult to argue beyond the certain point because you suddenly find yourselves face to face with God: He said and you said... so who is going to win? This is something we have to regard where there is absolutism in religion which denies any further argumentation or thought. I think this differentiation has to be made because this is one of the roots of the kind of totalitarianism in religion itself. I think we can look at religion as something progressive, in the sense of changing with the times as it has done always, as something that is historical, a

cultural movement. At the beginning there were many feminine religions that suddenly, at a certain point, became masculine religions but every now and again they pop up like the Virgin Mary. Here is the point where feminists have to focus: we are living in the world of male cultures and male religions.

### **Vivienne Wee**

Let me first respond to the comment about how patriarchy and religion might be two different kinds of things and how we bring them together. I don't think that there is any religion or discourse that is not embedded in a context of power relations. There is no power structure that doesn't use a discourse to legitimate itself. Discourse and power structures are intrinsically linked. However, we are also looking at contesting discourses; when trying to grapple with all the different 'isms' it is very important that we are non-essentialist, that we don't say that religion is this and nothing else and secularism is this and nothing else.

In response to the question about the clarification of what secularism means so that we know what to push for, the trouble is that the moment you nail it, it is dead; it's like nailing a butterfly. We have to be holistic about it. In other words, we have to look at all the links that come together, including for example international power structures, the geo-politics that legitimated Mujahideen and so on. How these contesting discourses link with fundamentalism is precisely that they are attempts to end the contesting discourses. Fundamentalisms are an attempt to end the discussion. They want no debate. Fundamentalism is essentialist and that's why we cannot be essentialists. What is it that we want? To give the form A, B, C, D, E is in fact very dangerous because if we do that we end up being fundamentalists about

fundamentalisms.

To the question about how we justify secular values: it's important to realize that we should justify them as ends in themselves; human rights, equalities are ends in themselves and not just means to some other ends. On the point of equality, it is all a question of claims to power, claims to resources. This whole business of equality of the collective versus the equality of individuals is a very fundamental question that we need to address because many of these collective units - whether they are called nations, or communities, or minorities or whatever it is - are basically unequal in their internal constitution. They are unequal to their individual members yet claim equality collectively and that's actually the problem of multiculturalism. I'm in agreement with our friend from the Philippines who said basically when we look at human rights and democracy, we are looking at rights of individuals. This is what is under attack: the equality of individuals. Individuals are now being claimed as members of conflicting constituencies. The power holders or the power seekers of these constituencies are using all the various tools at their disposal to claim additions of these individual members and asking them to give up their right to define their own identities.

I understand how people who are struggling not to be claimed by various constituencies feel that they need a space which you may call 'secular' where there is room for heterodoxy, dissent and so on but to call that space 'secular' might also be a bit problematic. We have many secular states that are problematic. Indonesia is a secular state, but that did not stop Indonesia from killing 2 million of its own citizens. Cambodia was a secular state, but more than 2 million maybe 3, 4 million. Nazi Germany was also secular

and killed 6 million. We cannot maintain our hopes in secularism without looking at the content of that secularism because it is very dangerous to do so. We must protect the equality of individuals. If we give up that one, we cannot talk about gender equality.

**Vahida Nainar**

The objective of my talk and how I understood the objective of the panel, was to problematize 'secularism,' in a sense to showcase one more model of secularism. While Soheib feels the solution really is to understand secularism as understood by the French term '*laïcité*', I presented the secularism we have in India and to say that it has not quite worked. But that does not mean to say that secularism as practiced in India is irrelevant or that it needs to be thrown out because it has not worked. I raised the question in my presentation of whether it was at all possible when India became independent to have secularism to mean separation of state and religion. I felt that it was not possible at that time, I think it's even more impossible now for that kind of understanding of secularism to be implemented in India.

I certainly believe that there is a widespread practice of and indeed belief in secularism, however understood, among people or civil society; particularly the women's groups, human rights groups both in India and in the diaspora. The fact that the [Hindu Right] Bhartiya Janata Party was not voted back to power at the general elections in May 2004 is a testimony to that fact. So secularism in India, however flawed, provided the space to differ and to challenge. The questions I raised in my presentation were really about the contents of secularism, what it is and what it means.

**Speaker from the floor**

My point was to stress the ideological element within secularism. Until we do not recognize that secularism behaves as an ideology and distorts some of the elements that are behind that ideology, just like religious discourse, until we do not criticize our own progressive movement and ourselves, I don't think that secularism as an ideology will be an effective one. We need to reflect on the limitations of secularism as an ideology, to follow how secularism originated, why it originated and with which power struggle it originated.

**WLUML**

As feminists we want to act. When we look at the diverse contexts that we face, what are the choices and what are the structures and what are the discourses and what are languages, and what are the terms that we can use which will advance our work? Is secularism part of that? Are there different understandings that we can access? Can we use secularism in some contexts to mean some things and therefore to advance our work? Is it not useful in other contexts? How can we, perhaps, recapture this term and make it useful for ourselves in all our diversities and recognize that perhaps we do have diversities on the particularly understanding of this term. It seems to me as feminists we keep tip-toeing around this term very neatly but we don't get into the meat of what is your understanding and what's my understanding and can we find common ground on the questions of feminisms.

I have two questions from the two contexts in which my activism has been based. The first is Pakistan. I ask myself how can I talk about secular spaces in a context where the state declares itself to be religious and where currently all identity is very determined by reference to religion. How do I protect

those people who wish to dissent - whether as a non-believer or as a believer that sees things differently from the mainstream? Then I come to the UK where at the moment those in Britain associated with the extreme Right Jamat-i-Islami, a fundamentalist party, are saying it is a secular party. What they mean is "We'll deal with our own people, so let's separate the religions"; everybody has to be identified by a religion, you're automatically presumed to be of a religion because of the certain name that you bear or certain clothing that you wear or your migrant background. That party is now claiming the right to govern a certain section of society that is defined in religious terms. That is seen as 'secularism' in Britain. When the state talks to a community, it talks to the men, the conservative men, and women have been very excluded from that process of multiculturalism.

#### **Speaker from the floor**

I work on some of these issues. Especially for Malaysia this is a crucial time. Malaysia's former Prime Minister declared Malaysia an Islamic State. We are into this whole issue of multiculturalism. I'm not Malaysian, I'm Singaporean but I work in Malaysia. There is now important work about the synergy and interdependence of religion, secularism and human rights. Human rights engaging with secularism and engaging with religion, and religion engaging with secularism and human rights. There would be state neutrality in the sense of that it's always negotiable. Who negotiates that with the state would be the population. I'm offering this particular theory to Malaysia because we are not sure whether Malaysia is a secular or religious state: it is a mixture of both. I don't think such scholars can actually develop a beautiful picture of how this might work on abortion, on apostasy, how this might work elsewhere but it is a theory that I've tried to argue this

in the particular context of Malaysia. And the most important thing is to ask: from whose perspective are we looking? Is it the state? Or is it the community? Is it the oppressor? Is it women? Is it minorities? And then you work the three factors together.

#### **Speaker from the floor**

A practical point is that we try and create secular spaces where we can't create secular states. And where the space is available, then we argue for a structure that does have some form of state-religion separation. It's not just about saying that X or Y country is not homogenous. I don't think any country is homogenous because even if it is a mono-religion country (which I'm not quite sure exists), people have heterodox beliefs within religions and non-religious beliefs. The right to exit or leave religion, the right to apostasy has to be protected. It is precisely in religious communities that apostasy is important because you can't blaspheme if you don't believe in religion at some point. It does not exist outside of religious communities. At the same time, while I completely agree that women's rights and equality will never be protected outside the concept of protection for the individual's rights, communities are collectively under attack in today's world as well. We have to deal with this notion of the collectivity under attack. This dual task faces us: how do we defend the rights of individuals within communities and the rights of communities under attack without thereby allowing a collection of individuals to use that space to then justify their religious intolerance and their control over their own communities and their intolerance towards others as well. That is a difficult problem. I think we can find our path through that in terms of the structures that we argue for and the laws and reforms that we argue for as well.

**WLUML**

I'd like to pose a few more questions. I did promise that I had more questions than answers. When we talk of the complete separation of state and religion, we have some very practical issues to examine. Do we mean, in terms of the French model for example, that if private schools are permitted and they start teaching a religious element, then the state has no control whatsoever over the content of that private education? In Britain on the other hand, the state school syllabus for religious education and the section on Islam is determined by the extreme Right parties which are collaborating with the British government. So you have a problem either way. How do we resolve this? Do we say that separate of the state and religion means surrendering all rights to monitor?

I'd just like to summarize four points that seem to have come out of our discussions and we hope that some of us will join in to take this further.

- Governance seems to be key: the need to discuss state formations, ensure good governance and to look at the impact, especially gender impact, of whatever system of governance and state structures we have or want to opt for.
- Labels are problematic and we have seen that even labeling something can start to limit it.
- The actual ideological content of something is important, not just its label, and we need to see where we can maximize social justice.
- Globalization notwithstanding, how do we deal with difference in societies that have become increasingly complex, increasingly diverse? How do we respect

difference but not allow it to come the means of oppressing some of us within society?

**Endnotes**

<sup>1</sup> Contributions to the topic by Vivienne Wee and Soheib Bencheikh appear elsewhere in this Dossier.