Psychoanalysis of RELIGARE

Marie-Claire Foblets, Katayoun Alidadi, Jørgen Nielsen, Zeynep Yanasmayan (eds.)


Reading the 30 chapters of this book has been like dating 30 beautiful women. If such intensive dating is all done in the same week, at the end you are a little overwhelmed and feel the need to take a break and put some order in your life. This is what I would like to do in this review, putting some order to this incredibly rich book. I shall do that through what I call the psychoanalysis of RELIGARE, aimed at revealing its conscious and unconscious drives. In this psychoanalytic exercise I shall lay on the analyst couch and sit in the analyst’s chair at the same time: I am not sure Sigmund Freud would be happy with this double role, but it corresponds to my double hat as a member of the RELIGARE team (and in this capacity bearing the co-responsibility of its choices), and reader of the RELIGARE book.

RELIGARE is the name of an EU research project devoted to study religious diversity and secular models in Europe and to propose innovative approaches to law and politics. It involved 13 universities and research centres that worked together for three years investigating the diversity of religious and belief convictions in contemporary Europe with a focus on law and on questions relating to management of pluralism under State law. In the context of the RELIGARE research five books have been published (and two more are in the pipeline). Four of them are devoted to specific issues: family law, the public space, religion in the workplace, and the affair of the burqa. The fifth book, that is the subject of this review, offers a synthesis and an evaluation of the whole project.

1 This review is a revised version of the presentation of the book delivered at the workshop ‘Religious Pluralism and Secularism’ (Luxembourg, 16 January 2015).
2 See <www.religareproject.eu>.
3 Francis Messner (ed.), Public Funding of Religions in Europe; Anne Fornerod (ed.), Funding Religious Heritage, both forthcoming with Ashgate.
The structure of the present book is clear-cut. On the one hand, there is the final report of the RELIGARE project; on the other, the reactions to the RELIGARE findings of 27 well-known scholars. Inviting so many experts to express their opinions on the project was an act of courage that paid off. The comments range from sharp criticism to wholehearted endorsement of the RELIGARE conclusions. However they are never banal and provide an interesting picture of the current debate on law and religion.

What is the main value of the RELIGARE research? To answer this question we need to understand the geometry of this project. At its centre there is religious diversity. How to deal with this new and largely unexpected phenomenon is RELIGARE’s main preoccupation. The normative framework within which the issue of religious diversity is placed is defined by two rights: the right to freedom of religion and belief and the right to non-discrimination. This is a choice: the normative framework could have been different. For example in the US debate many voices say that freedom of religion is impossible. Therefore freedom of religion is not the right tool to deal with religious diversity: better to get rid of it and rely on a set of different rights such as freedom of expression or freedom of association that can perform the same job in a more inclusive and less selective way. RELIGARE did not take this route but it could have done so and the outcome would have been completely different, like in the old movie Sliding Doors. Focusing on the right to non-discrimination is another choice that can be questioned. Why not go for pluralism, just to mention another of the founding values of the European Union, and build a framework based on freedom of religion and legal pluralism? I am not saying that RELIGARE should have taken these alternative directions. I simply would like to make clear that RELIGARE’s normative framework, like that of any other research project, is based on a number of unspoken presuppositions that constitute its implicit ideology.

Once identified the problem to be addressed and the two main principles that define the normative framework in which that problem is placed, RELIGARE goes on offering a model that should provide a sound answer to the management of religious diversity. This model is based on two pillars: inclusive State neutrality and even-handedness. Again this choice raises a set of queries. Can the State be really neutral? Many doubt it. And, even conceding that it can, should the State be neutral or should reflect the majority values? Where are the borders of inclusion? Do they extend to those who contest the idea

---
(2014). All books have been published by Ashgate in the series “Cultural Diversity and Law in Association with RELIGARE”.