



## DEMOCRACY AND RELIGIOUS FREEDOM: LIBERAL VALUES IN A CENTRAL ASIAN CONTEXT

**Jon MAHONEY**

Ph.D., Associate Professor of Philosophy, Kansas State University  
*jmahoney@ksu.edu*

### Abstract

Perennial questions about religious freedom and democracy include, ‘what are the moral limits to religious freedom?’ and ‘what does respect for religious freedom require?’ In this paper I examine some aspects of these questions and consider some examples from the context of Central Asia. My aim is to highlight the relevance of some basic elements of political morality to any democratic state. There are a variety of forms of state religion policy that are consistent with democracy. Moreover, if we try to apply liberal political values in the Central Asian context there are interesting and difficult challenges. I consider some of these challenges by briefly discussing religious freedom in the Kyrgyz Republic.

**Keywords:** Democracy, Religious, Freedom, Liberal Values, Central Asian.

### Introduction

In classical liberal thought (Locke, 1980, Rawls, 2007) debates about religious freedom are often centered on two related questions, first, ‘what are the moral limits to religious freedom?’ and secondly, ‘what does respect for religious freedom require?’ These questions are interconnected. If we have a clear view about the moral limits to religious freedom, including how these limits impose obligations on citizens who vary in their religious convictions, then we can use this view as guide for settling difficult questions about which religious convictions and practices should be permitted and which can be prohibited. Religious freedom imposes moral obligations on how citizens should treat each other and these obligations serve as a guide for state religion policy. For instance, when should a government restrict the expression of a religious belief or a religious practice? If I am the only Buddhist in my society does my minority status permit the state to care less about my religious freedom than everyone else’s? Or suppose I believe in a theocracy, say, a caliphate or some other conception of government according to which the authority of the state derives from religious authority. Can I legitimately be prevented from espousing my views in books, articles, or on the internet? Should I be permitted to stand on a street corner and attempt to persuade you to accept my view if my views are deemed unorthodox or in some other way challenge the status quo?

Part I presents an account of political authority and religious freedom. Political authority in this context refers to the fact that every state purports to have a justification to exercise coercion through law and by other means. Part II draws on ideas from social scientists (Grimm and Fink, 2011, March, 2015, Kuru, 2009, 2014), anthropologists (Bayat, 2013) and historians (Thompson, 2013) who work on politics and religion in order to illustrate some ways that context is important when we think about religious freedom. Part III considers some ways that political philosophy can make a positive contribution to how we approach political conflicts, including conflicts between religious citizens. I conclude in Part IV.

### **I. Political Authority and Religious Freedom**

The problem of political authority centers on questions such as, ‘what justifies the coercive authority of the state?’ and ‘where does this authority come from and what are its limits?’ Classical liberal political philosophers emphasize the idea that liberty is the core political value that justifies political authority (Locke, 1980, Mill, 1978) whereas some contemporary liberal philosophers claim that equality is the most fundamental political value (Rawls, 1993). From a classical liberal perspective, liberty, including liberty of conscience, is a right that entitles each person to a status of non-interference by others, including the state. This right of non-interference is not absolute of course because the rights of others impose moral limits on how one can exercise one’s religious beliefs. From an egalitarian liberal perspective, the liberty right to religious freedom is understood as a legal promise that each citizen has a political status that is equal to that of all other citizens. In other words, religious freedom serves the aim of permitting people to exercise their various religious beliefs while at the same time standing in a relation of political equality to other citizens.

Regardless of whether one is a classical or egalitarian liberal, if one accepts the basic framework of liberalism, there will be agreement on some basic points. As a matter of moral principle, liberals will in general accept the following two points:

1. When it comes to the expression or practice of religious beliefs there is always a strong presumption in favor of permitting the expression or practice of such beliefs just so long as no one else’s equal right to the same liberty is violated.

2. When a religious belief or practice violates someone else’s equal right to liberty then there is a presumption in favor of restricting the belief or practice in order to prevent someone else from having her liberty undermined.

On this view, there are limits to political authority in the sense that government cannot arbitrarily restrict the expression or practice of a religious belief. Restrictions need a

justification. One such justification for restricting religious expression or practice is the need to protect other people from having their rights violated. John Stuart Mill is probably the most influential example of someone who thought about liberty and political authority in this way. Although Mill was thinking about all kinds of liberty, not just religious freedom, the following passage is a good illustration of how this idea is relevant to our topic here:

If all mankind minus one, were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind. (Mill, 1978)

One of the important points that Mill is making here is that how many people hold a particular belief should be irrelevant to whether the expression or practice of that belief is permitted or not. As a matter of politics, of course, things are otherwise. Majority privilege is one factor that corrupts the principle that it should not matter if one person is a Muslim or one million people are Muslims, whether there are only a few atheists or many atheists, and so forth. In nearly every political context, membership in the majority group correlates with majority insensitivity to the disadvantages that religious minorities face. In America, for instance, many citizens will be less concerned about religious discrimination if the victim is a Muslim as opposed to a Christian. Yet Mill emphasizes, correctly, that the religious identity of someone who is oppressed or silenced should make no difference to the question of whether she has a right to religious freedom.

A more recent example of a political philosopher who defends a generous account of religious freedom is John Rawls. Rawls, a 20<sup>th</sup> C egalitarian political philosopher, defends the idea that every citizen should be treated equally as a matter of law and public policy, regardless of her religious identity. As he put it in his “Liberty Principle”

Each person has the same indefeasible claim to a fully adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all...(Rawls, 1993)

On this view, once we agree that a right to religious freedom should be granted to a Sunni Muslim, we should be committed to granting the same right to a Hindu, a Buddhist or a Christian. Likewise, the only time the state has a moral justification to restrict a liberty right is when doing so is essential to protect the rights of someone else. If for instance a religious citizen wants to use force to compel other citizens to go to mosque or to church, even if she or he appeals to religious values as the reason for doing so, the state has the political authority to intervene. In other words, rights can be restricted for the sake of rights.

As a starting point, Mill and Rawls offer a plausible first step to answering the question ‘what are the moral limits to religious freedom?’ But this is merely a first step. We

need to specify what counts as ‘violating someone else’s right to liberty?’ Can words do that or should we limit those instances of permissible restrictions by the state to actions that violate someone else’s rights?

It seems clear that in some contexts, mere expressions of religious belief cannot pose a threat to someone else’s liberty. For example, if someone asserts that ‘God made the universe’ or that ‘God did not make the universe because God does not exist’ it is hard to see how these claims pose a threat to someone else’s liberty. These claims might offend and they might also persuade someone else to accept a false belief but in general, to be offended or to be persuaded is not to have one’s liberty violated. What about this belief, ‘there should be a Caliphate in Central Asia because we are mostly Muslims and good Muslims want to live under a Caliphate’? Does this belief differ from the other two just mentioned and if so does it differ in ways that justify prohibiting people from expressing it? We might say that someone who claims that ‘God did’ or ‘God did not’ create the universe asserts a religious proposition that is apolitical and that this is a difference that makes a difference in the context of religious liberty. Likewise, if we do make the judgment that a religious belief or practice violates someone else’s rights we also need to answer difficult questions such as, ‘what are the best means to prevent violations of people’s liberty?’ Prison? Education? Censorship? Surveillance?

## II. Varieties of Religious Freedom

If we are committed to democracy, we do not need to be committed to the peculiar view that there is only one model of democracy and that each democratic state ought to emulate that one model (Stepan, 2000). This inflexibility is impractical when we consider how differences in culture, religious identity and historical experience shape the politics of religious freedom. Consider, for example, the significantly different political histories in Turkey, France, and America. As Ahmet Kuru argues in *Secularism and State Policies Toward Religion: The United States, France and Turkey* (2009), one causal factor that explains why strict secularism is widely supported in Turkey and France—but not in America—is that Turkey and France were at one time a theocracy. The French Revolution and the creation of the Turkish Republic were in part motivated by those opposed to the union of religious and political power. On Kuru’s view, the historical memory of having once been a theocracy helps to explain why many French and Turkish citizens are far more opposed than Americans to the mixing of religion and politics. It is true that some Americans do not like it when politicians express religious convictions in a political context. Yet as a rule, if an American presidential candidate states that he or she believes that God has inspired her or him

to run for office, that kind of statement is not a political liability. In part due to differences in political culture, even if a French presidential hopeful held this belief, she would not express it in front of a television camera. How we think about religious freedom should be sensitive to how differences in background culture correlate with different state religion policies within democratic states.

Here is another example. In his recent book on the Arab Spring, *Will the Middle East Explode?* Mohamed Ayoob (2014) emphasizes four important differences between the political histories of Europe and the Arab Spring States, Tunisia, Libya and Egypt: 1) “the historical trajectory of [mosque]-state relations in the Middle East has been very different from... [church-state relations] in Europe...”; 2) there have not been “no major wars of religion” such as those between Protestants and Catholics in early modern Europe; 3) in early Islam religious doctrine was, “interpreted by scholars toiling away in their seminaries outside the control of the state”; this is a much more decentralized form of religious practice than what once existed in Europe; and 4) the current state of political Islam is linked to the authoritarian regimes they challenge. (Ayoob, 2014) It is worth noting that in some central cases, such as Egypt, the authoritarian regimes challenged by those committed to Islam were post-colonial states supported by the West (Thompson, 2013).

Here is a third example. In some contexts, the correlation between rentier state and authoritarianism is stronger than the correlation between religious identity and authoritarianism (Kuru, 2014). If the rentier state model allows us to identify causes, then the ratio of resource wealth to total GDP is more relevant than religious identity to explaining why some states are authoritarian. Yet in the context of Central Asia, as McGlinchey (2011) argues, repressive state religion policies cannot be adequately explained by the rentier state model alone. The rentier state model predicts a correlation between a high contribution of resource wealth to GDP and authoritarianism. There are only two rentier states in Central Asia, Kazakhstan and Turkmenistan yet the most repressive regime is Uzbekistan. In McGlinchey’s view, we need a new model (McGlinchey, 2011) for explaining authoritarian states in the Central Asian context in part because of unique features to politics that are absent in other contexts.

Now let us consider some implications of these ideas about context and religious freedom as they apply to the Kyrgyz Republic. There are a number of unique features to religious freedom in contemporary Kyrgyzstan. As a legal document, the 2010 Kyrgyz Constitution (adopted by referendum shortly after the revolution in spring, 2010) has some remarkable features. For example, there are 33 articles devoted to human rights, including religious freedom and freedom

of conscience. There are many open questions about state religion policy and about religious freedom more generally. The Kyrgyz Constitution guarantees significant religious freedom but of course politics and law do not always match when it comes to principle. However, in contrast to other Central Asian states there is more religious freedom in the Kyrgyz Republic. At the same time, within the political culture there is a presumption that the state needs to constantly monitor religious practices. Within the liberal tradition, liberty of conscience is typically understood as part of a general set of individual liberties. This of course reflects an individualistic conception of politics, religion and culture according to which an individual's personal judgment about religion is treated as more or less authoritative. In the Kyrgyz Republic and throughout Central Asia religious freedom is generally framed within different background assumptions. What is designated as a traditional form of religious identity (typically Hanafi Islam or Russian Orthodox) is treated as having significant normative authority. Citizens who want to explore other forms of religious identity are often viewed with suspicion and sometimes as a threat. There is also a presumption that the state should work to prevent people from developing 'false' beliefs about religion through educational programs.

Although not an exhaustive list, the following five variables are important to the politics of debates about religious freedom in the Kyrgyz Republic:

1. Religious Identity of the Majority: A long tradition of moderate Hanafi Islam in Central Asia.
2. Unique Political Conditions: The Kyrgyz Republic is the only democracy in the region.
3. Identity: Ethnic and cultural diversity that includes a large Uzbek minority (about 15% of the total population) along with Koreans, Russians and Dungans, among others.
4. Nationalism: An emerging Kyrgyz ethnic nationalism that poses a significant threat to ethnic and religious minorities and to democratic development in general.
5. Geopolitics: Attempts by Russia, China, Turkey and the U.S. to influence political and economic development in the Kyrgyz Republic.

Collectively, these variables provide compelling reasons to predict that whatever model of state religion policies are developed in the Kyrgyz Republic local factors that are not present elsewhere will play a crucial role. Those who advocate a democratic conception of religious freedom should also defend state religious policies that take these factors into account, not as a concession to undemocratic political values but as a recognition that feasibility constraints need to be navigated if democratic state religion policies are to have any chance of success. On this point, we should accept one of the central points defended by

Nader Hashemi in his recent book *Islam, Secularism and Liberal Democracy* (2011) which is that, “the long-term prospects for political secularism are better when it is not imposed top-down but rather when it emerges bottom-up, based on a democratic consensus over the proper role of religion in government.” (Hashemi, 2009)

As a final point in this section, we should also resist any analysis that falls prey to the overly simplistic “clash of civilizations thesis” (Huntington, 1993). This is the wrong way to try to develop ideas about religious freedom that are sensitive to historical, cultural and political factors. This thesis holds that different religious traditions and cultures are by their very nature either compatible with democratic values or not. This view is demonstrably false in part because it vastly overstates the authority of tradition and in part because it vastly understates what is politically possible within traditions. The “clash of civilizations” thesis puts the wrong kind of emphasis on variables that do indeed make a difference to whether democratic politics is possible. As Asef Bayat (2007) argues, whether a religious identity, Muslim or otherwise, is interpreted as compatible or incompatible with democratic values has far more to do with local factors, as well as the composition of local groups of religious persons, than with abstract religious values. That is one reason why the questions such as, ‘Is Islam compatible with religious freedom?’ is poorly formulated. Those who support both Islam and religious freedom in the Kyrgyz Republic, Turkey, India, Indonesia, Europe and elsewhere are living examples that Muslims can support democratic values. Asef Bayat defends this point when he notes:

I would like to suggest that the question, raised so persistently, is not whether Islam is or is not compatible with democracy (itself a convoluted concept), but rather how and under what conditions Muslims *make* Islam embrace democratic ethos. Nothing intrinsic to Islam—or any other religion—makes it inherently democratic or undemocratic, peaceful or violent. It depends on the intricate ways in which the living faithful perceive, articulate, and live through their faiths: some deploy their religions in exclusive authoritarian, and violent terms, while others read in them justice, peace, equality, representation, and pluralism (Bayat, 2013).

Bayat’s claim extends to other religious traditions as well. In every political and religious community, conflicts between political and religious authority must be negotiated. How these conflicts are negotiated will make a great difference to whether democracy is possible.

### **III. Moving Beyond Zero-Sum Politics**

In his famous work *Leviathan* (1994) Thomas Hobbes argued in 1651 that people who do not trust each other and people who are disposed to violence against each other, for religious or

for other reasons can, despite this conflict, come to see that it is in their rational self-interest to make compromises. The key is '*compromise with people one does not trust*'. One central point to Hobbes' argument is that those who distrust each other, over religion, security or some other consideration, should recognize that it is in their own rational self-interest move beyond zero-sum thinking. If those who distrust one another realize that peaceful coexistence is possible despite high levels of distrust, they need not persist in a state of conflict. By contrast, with zero-sum thinking all compromise is viewed as a losing gamble; thus, no one compromises; and therefore high levels of conflict persist. In the European historical experience, this attitude of distrust combined with zero-sum thinking was one factor that gave rise to the protracted religious wars that set much of central Europe ablaze with conflict in the 17<sup>th</sup> C. The same phenomenon persists today both on the macro and micro scale: whenever agents with different religious identities are unwilling to make the compromises that are necessary to co-exist in peace, conflict is inevitable. According to the Hobbesian model, compromise between those who are opposed over religious or other values, provided the compromise be made on the right kinds of terms and provided these terms are reliably enforced, is most likely a win-win gamble. Moreover, on Hobbes' view, a well-order state or government does not eliminate distrust; rather, a good state manages conflict and distrust. This idea of managing rather than eliminating conflict and distrust became central to those who come after Hobbes including those who, unlike Hobbes, defend democratic forms of politics. Religious toleration is one possible outcome, a desirable one at that, when people who otherwise do not agree find a way to co-exist with each other in peace (Forst, 2013).

Of course, a compromise that results in peaceful co-existence is not always possible. From the standpoint of the liberal framework on religious freedom and rights, toleration need not extend to those unwilling to accept the fact that other people do not agree with them about religion. On the surface it might seem paradoxical to claim that we do not have a moral obligation to 'tolerate the intolerant' yet this is not really paradoxical if we use our terms clearly. In this context, the intolerant are those who refuse to recognize the right of others to exercise their own ideas about religion just so long as in doing so they reciprocate that right as it applies to others. Someone who is willing to use force to compel another to comply with a religious belief is intolerant and thus state power can be enlisted against this person, for the sake of others' rights.

#### **IV. Conclusion**

We can think of democratic values as a range within a set of options. Imagine a circle that contains core democratic values such as religious freedom, freedom of the press, and the right to

vote. In the case of religious freedom, this right includes the right to engage in a religious practice of one's own choosing, the right to be non-religious, the right to have access to religious literature and the right to assemble with other like minded persons to engage in religious rituals. Any democratic state should be committed to protecting these values. However, within this set of values there are permissible variations on how we interpret democratic values, including for instance, a more assertive secularism—the French or Turkish models or a more passive secularism—the American model (Kuru, 2009). Reasonable citizens can disagree about which options within the set is best for which political context. Yet if citizens accept the value of religious freedom in good faith, then they will put forth their best efforts to expand this freedom as much as is possible within the limits of the rights of all citizens.

How to delineate limits should be guided by principle, rather than mere politics. Yet where boundaries are drawn that specify when a religious belief or practice exceeds the limits of what is reasonably tolerable will in practice always be influenced by political, cultural, historical and other factors.

In this paper I have tried to outline some ways that liberal ideas about religious freedom and democracy are helpful for thinking about religious freedom in a variety of contexts, including Central Asia. Whether the liberal framework is modified in ways that help realize the aim of democracy and religious freedom of course ultimately depends not on what political philosophers think but on what political agents do.

## References

- Ayoob, Mohammed, 2014. *Will the Middle East Implode?* Polity.
- Bayat, Asef, 2013. *Life as Politics: How Ordinary People Change the Middle East, Second Edition*. Stanford, CA: Stanford University Press, 2013.
- Bayat, Asef, 2007. *Making Islam Democratic*. Stanford University Press.
- Constitution of the Kyrgyz Republic*, (2010). English translation: <http://www.refworld.org/pdfid/3ae6b5ae0.pdf>
- Forst, Rainer, 2013. *Toleration in Conflict*. Trans. C. Cronin. Harvard University Press.
- Grimm, B. and R. Finke, 2010. *The Price of Freedom Denied: Religious Persecution and Conflict in the Twenty-First Century*. Cambridge University Press.
- Hobbes, Thomas, 1994. *Leviathan*. Ed. E. Curley. Hackett.
- Hashemi, Nader, 2012. *Islam, Secularism, and Liberal Democracy: Toward a Democratic Theory for Muslim Societies*. Oxford University Press.
- Huntington, Samuel, "The Clash of Civilizations?" *Foreign Affairs*, Vol 72, no. 3, Summer 1993: 22-49.
- Kuru, Ahmet, Summer, 2014. "Authoritarianism and Democracy in Muslim Countries." *Political Science Quarterly* 129, 3: 399-427.
- Khuru, Ahmet, 2009. *Secularism and State Policies Towards Religion: The United States, France, and Turkey*. Cambridge University Press.
- Locke, John, 1980. *Second Treatise of Government*. E.d. C.B. McPherson. Hackett.
- March, Andrew, June, 2015. "Political Islam: Theory." *Annual Review of Political Science*, Volume 18:103-23.
- McGlinchey, Eric, 2011. *Chaos, Violence, Dynasty: Politics and Islam in Central Asia*. Pittsburg University Press.
- Mill, John Stuart, 1978. *On Liberty*. 8th Ed. Hackett.
- Rawls, John, 2007. *Lectures on the History of Political Philosophy* (E.d. S. Freeman). Harvard University Press.
- Rawls, John, 1993. *A Theory of Justice, Revised Edition*. Harvard University Press.

- Stepan, Alfred, October, 2000. "Religion, Democracy and the Twin Tolerations." *Journal of Democracy*, Vol 11, no 4: 37-57.
- Thompson, Elizabeth, 2013. *Justice Interrupted: The Struggle for Constitutional Government in the Middle East*. Harvard University Press.