

Title: Regulating Religion to Maintain the Status Quo

Introduction

Marx, Durkheim and Weber can be found on most syllabi for teaching method and theory in the study of religion, though for the most part their theories are regarded as historic and of limited relevance for analysing 'religion' in society today. While Weber connected religion to class and economics explicitly, and Durkheim analysed how social cohesion and deviance uphold the norms of a society, it is Marxian theories I wish to explore through Antonio Gramsci's conceptualisations of hegemony and consent to show how the state regulation of religion supports the status quo and minimises dissent. As a case study, the remodelling of Pagan groups in the UK from counter-culture to 'civilised religion', as they attempt to gain public recognition, reveals how the state regulation operates today where 'other' religions become subservient lesser versions of the religion of the ruling classes.

In his book titled *Hegemony*, Robert Bocock notes that the concept was latent in Marx but, since the working class did not overthrow capitalism, Marxist theorists turned to Althusser, though his concept of 'power was statist – located in the state and its constituents such as the army, police and church – the repressive or ideological state apparatuses' (Bocock, p. 16). In contrast, Foucault's concept of power was diffuse, internalised, and underestimating impositions by the state. Therefore, Gramsci's idea of hegemony came in for a revival as it has elements of both and allowed for individual agency for change.

Gramsci on Hegemony

Antonio Gramsci (1891-1937) was a Sardinian-born socialist and founding member of the Communist Party in Italy. He was imprisoned by Mussolini's Fascists in 1926. While in prison, Gramsci wrote over 30 notebooks and around 500 letters to friends containing his political philosophical ideas and analysis. In 1935, he was moved to a hospital in Rome on health grounds but was unable to recover from his multiple ailments and died in 1937.

Gramsci's use of the term hegemony refers to the power dynamic of the ruling elite who maintain their preferences as the norm. This becomes the dominant expression in society through consent – everyone has internalised the view as their own or as common sense. This becomes the status quo and other views are marginalised. Thus 'the concept of hegemony is linked with a complex set of claims about what could be a coherent viewpoint on the world. ...only a coherent world-view, a well-rounded philosophy and related morality, could be hegemonic' (Bocock, p. 17).

However, Gramsci's ideas are not systematic, scattered as they are throughout the *Prison Notebooks*, but of crucial importance is the legal and educational institutions for exercising hegemony (Bocock, p. 29). 'According to Gramsci, the state "educates" the citizenry into consenting to its regulations (Gramsci 1971, 259).'

Gramsci was particularly interested in an education system that would develop counter-hegemonic ideas among working class, the organic intellectuals, and to give voice to the

subaltern or excluded members of society, to critique the status quo. As Craig Martin puts it in his book *Masking Hegemony* (2010, p. 91):

Gramsci analyses how hegemony is created and maintained, and also how it might be overturned. While Marxist ideology saw the social classes as opposed, economically determined, Gramsci observed that the state operates through class alliances. A union of political, intellectual and moral leadership creates the hegemony of the ruling classes (Mouffe, p. 179).

In Notebook 4, Gramsci says that the class that is able to articulate the interests of other social groups as its own is best placed to exercise hegemony. Hegemonic apparatuses include schools, churches, the media, architecture and the names of streets through which ideology is produced and diffused in the superstructure of civil society. Through these, the ruling classes create the favourable conditions for their expansion. As Jon Simons puts it:

Such leadership requires an ideology or conception of the world that operates in art, law, economic activity, and life in general, and which is a coherent version of common sense beliefs about the world and human relationships. Hegemonic rule thus means that subordinate social classes consent, at least implicitly, to live according to everyday beliefs that legitimate capitalist social order. (Simons 2015)

It is not through the imposition of a worldview but a diffusion of it so that each subject thinks it is their own view. The ruling classes can be overturned through a new alliance of different social groups whose interests are aligned, creating a counterhegemonic bloc with its own conception of the world, before seizing power (Simons 2015). This means hegemony is inherently unstable due to its relationality. Alliances between classes can change, which opens up the possibility of challenge from subordinate groups to create a counter-hegemony (Barker and Jane, p. 77).

Often university education in the humanities does foster counter-hegemonic ideas, which is why they are seen as a threat by the state. In the UK there is ever more interference by the state, first through the Research Excellence Framework and its funding bodies pushing researchers to demonstrate public impact. As this is modelled on bio-medical research, it has been quite challenging for scholars in Humanities to evidence impact. There is also now a Teaching Excellence Framework that seeks to regulate higher education further. This has come in after the marketisation of universities in the UK which has led to an expansion of managers who reinforce the government's agenda, presenting it as the university's own, and minimise dissent through promotion of compliant colleagues and exclusion of those who question the system.

The marketisation of education will only continue unless a new counter-hegemonic view is created through alliances with other groups outside education in order to change public opinion, which appears to have bought into the idea of universities providing 'value for money' rather than questioning the implications of this, such as the expansion of elite universities at the expense of more localised universities that now can't afford to provide Humanities courses, thus making History, English and even Religious Studies (always combined with theology or another subject) elite subjects.

Jim Collins (in Barker and Jane, p. 79) rejected the notion of hegemony in Gramsci because culture is heterogeneous – fragmented – due to the impact of immigration, ideas of ethnicity,

gender, youth cultures and so on. Yet I think their impact is, at the end of the day fairly limited when you see who is still in power. Perhaps it is because of culture's heterogeneity that groups remain isolated and thus the status quo is never seriously challenged. Those that do gain acceptance and a certain level of power must resemble the ruling classes in dress and manner.

Likewise, marginal groups that want to become accepted as 'religions' must resemble in several ways the dominant religion, and yet be content with a status a little below that religion in terms of social and political influence.

Religion as apolitical

For Marxist theories, religion is part of or a tool of the state apparatus, yet it does not always do so willingly. There had been occasions when Rowan Williams the former archbishop of the Church of England challenged government policy but was told to shut up. It was viewed as transgressive for an archbishop to make a political comment because there is the assumption that religion is apolitical (Martin 2010, p. 109).

As meanings and practices are presented as universal truths by the ruling classes, Gramsci (1971: 349) likened this to how 'religion' operates: it provides moral codes of behaviour 'in the secular sense of a unity of faith between a conception of the world and a corresponding norm of conduct.' In Europe, it seems by privatising religion to limit the influence of churches, the state substitutes the church in providing moral codes and a worldview. Naomi Goldenberg (2015) argued that religions operate as vestigial states but, in reading Gramsci, it seems it is states, at least in modern Europe, that operate like religions, or rather churches.

The framing of religion as a private matter has put churches and similar bodies in a strange situation as subordinate or vassal states. While it may seem that the Protestant emphasis on faith reduces a church's relevance, its secondary emphasis on good deeds allows a church to remain public as a charity 'for the advancement of religion' (more on this later). In England and Wales, they are forced into this peculiar existence, between being defined as concerned with private matters of 'faith' while serving the public good, because if a church or similar body were to become wholly-privatised, they would cease to be a religion *in law*. They would be a corporation regulated under corporate law.

The hegemony is that groups defined as religions need to remain apolitical and thus non-threatening to the state (as some have tended to be, otherwise they get portrayed as 'not true' religions or versions of a religion). State hegemony is maintained through legislation and the harnessing of the media and education to create the public view that religions provide social cohesion, especially since the Blair administration in the UK. But there is also the apparent contradiction, as Martin says, between the view of religion as 'private and generally harmless' and the view that it is 'violent, authoritarian, and essentially tribal... thus special measures are required to keep them in place (2010, pp. 112-3).

Martin (2010, p. 120) quotes Talal Asad (1993: 47) that:

...the characterization of religion as matter of "belief" – which on the surface appears to be a private, interior matter – is part and parcel of a discursive regime that hopes to "privatize" religion. This sort of definition of religion is far from arbitrary; it was the result of a process in which political forces defined belief as something "private" and

“interior” in order to reinforce privatization and toleration of Protestant sects after the wars of the Protestant Reformation. It is not a neutral use of the word religion, but one with a political goal.

This was the political philosophy of John Locke in his *A Letter Concerning Toleration*, which both Craig Martin (2010, p.120) and Russell McCutcheon (2003, p. 239) discuss. Locke likens the separation of church and state to ‘heaven and earth’, making it seem ‘natural rather than normative’.

Charity Law as replicating the hegemony

Charity registration is the primary means for a group to gain recognition as a religion in England and Wales. Charity law categorises religion as non-political, non-economic and for the ‘good’ of society. In regulating religion, it suppresses dissent and discourages heterogeneity in groups applying to be recognised as a religion. This categorisation of religion keeps religion out of the political sphere, because it generally views religion as a private matter centred on beliefs. Yet, as groups must also prove their ‘religious’ activities are for public benefit, it domesticates religion by forcing groups to conform to liberal Protestant Christian values. This raises important questions about the way religion is framed as promoting the good according to liberal values (Harding 2014).

In England and Wales, registration as a charity can be on the basis of ‘Relief of Poverty; Advancement of Religion; Advancement of Education; and Other ways that benefit society.’

Religion in English law, at least, appears to be conceived as *sui generis* – the view that religion is somehow unique and so it gets a unique status in law, in distinction to politics, education and so on. This categorisation relies on the distinction between ‘religion’ and ‘secular’ and perceives them as having different functions in society: e.g. a ‘religious’ activity is ‘non-political’. By treating religion as a special category, the Charity Commission has made life complicated for itself, especially when it insists that the activities must also be religious in nature, which means the group must have:

1. Belief in a supreme being or entity
2. Worship of the supreme being or entity
3. Theological cohesion
4. Ethical framework

It is interesting to examine how groups negotiate criteria for religion as defined by public bodies in order to highlight both the problems with defining religion and how the state marginalises groups that do not fit their criteria by denying them access to certain benefits. Not only is conforming to state definitions of religion a challenge for groups, but, according to Matthew Harding (2014: 2), ‘in charity law we find the state marking out certain purposes as ‘charitable’ according to contested conceptions of the good and then extending legal privileges to the citizens who pursue those purposes.’

In English law: “‘Religion’ is sometimes treated with reference to individual beliefs’, as in individual court cases of discrimination, or in terms of collective beliefs and practices, as in charity registration’ (Pocklington 2015: 134). So, while the Church of Scientology is regarded as religious by some bodies, such as HM Revenue and Customs, it is not by others, such as the Prison Service or Charity Commission. In some cases, the criteria for one is met,

while it is not met for another. Again, with Scientology, they met the criteria for ‘religion’ ‘for the purposes of the Places of Worship Registration Act 1855’ (after a high court ruling?). but were still not able to satisfy the Charity Commission criteria, particularly when defining worship practices (Pocklington 2015: 139).

The Charity Commission is a non-ministerial government department that regulates charities within the limits of the Charity Act. Although part of the civil service, it is independent of ministerial influence (Pocklington 2015: 138) and governed by a board with members who have links to financial services, economics, social enterprise and law. These are the types of people defining and interpreting ‘religion’. In fulfilling such criteria, groups reproduce normative Christian understandings of what constitutes the ‘core essence’ of religion based on belief and worship (Owen & Taira 2015).

Of particular interest is where ‘prevailing concepts of religion are extended, challenged or rejected’ and how conceptualisations change over time (Beckford 2003: 3). According to the Charity Act of 2006¹ a religion can involve a belief in more than one god; and a religion which does not involve belief in a god. This is because Buddhist groups because exceptions were made for ‘religions of antiquity’, though this did not include Pagans, ancient or modern

Peter Edge devotes a whole chapter to Paganisms in his book *Legal Responses to Religious Difference* (2002). He says, ‘organizational and epistemological norms of many Pagans pose a problem for legal institutions and doctrines predicated on a less diffuse approach to spirituality and religion’ (2002: 351). ‘Additionally, there is a strong commitment to non-hierarchical, non-proscriptive structures in many Pagan communities’ (Edge 2002: 355). Charity law supports non-democratic organisation with top-down authority structures. Belief, too, is hierarchical (vertical) rather than democratic/horizontal. The Pagan Federation, who failed in their applications, respects diversity, but that makes it ‘not a religion’ according to the Charity Commissioners. The problem for Pagans is they generally set out to challenge norms, not conform to them, which leaves them in a quandary when seeking registration as a religion.

For the Druid Network, the decision mainly hinged on whether Nature could be regarded as a ‘supreme being or entity’. Eventually, they succeeded in blurring the boundary of what counts as the object of religion and gained charity registration in 2010. The Druid Network case showed both a moulding of Druidry to the charity definition of religion, and also a blurring of the boundaries of what counts as ‘religion’. The charity definition of religion now has an extension: ‘belief in a god (or gods) or goddess (or goddesses), or supreme being, or divine or transcendental being or entity or spiritual principle, which is the object or focus of the religion (referred to as supreme being or entity)’ (CC 2012).

Religion is seen as essentially different from secular activities and something that contributes to the public good as long as its activities are non-political and non-economic and relate to things transcendent. Why else have a separate category of religion in the first place? Thus Charity Law serves to domesticate religion, keeping it out of the political sphere, and pushing groups to conform to a liberal Protestant Christian definition of religion: the supreme being is transcendent and requires worship practices; there is a creed; religion works for public benefit. If it doesn’t fit the criteria, it isn’t really a religion.

¹ CC (2012). Charity Act 2006: section 3 (1) (c) of the 2011 Act. Religion is defined in section 3 (2) (a).

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