Why Christianity benefits secular public discourse, and why, therefore, Anglican bishops should sit in a reformed House of Lords

Nigel Biggar

I. Reforming the House of Lords

Since the failure of the Coalition government's attempt—or rather the Liberal Democrats' attempt—to reform the House of Lords in 2012, the issue has been kicked into the long grass, where it is likely to remain for some long time. The reason for this is that, when push comes to shove, governments worldwide are traditionally reluctant to spend valuable time and energy on reforming second chambers—e.g., the Canadian Senate has been awaiting reform for over a century and the Irish Seanad for the best part of one.

Judging by the centre of gravity of the last bout of public discussion in Britain, if the House of Lords were to be reformed, membership would be entirely or overwhelmingly by election. This would go against the Wakeham Commission's report on Lords reform in 2000, which recommended that a reformed upper house include a significant number of members appointed by an independent Appointments Commission.

It would also go against the conclusions of the most thorough available analysis of the options, Meg Russell's *Reforming the House of Lords: Lessons from Overseas* (2000), which draws on the experience of Canada, Australia, Italy, Germany, France, Spain, and Ireland. Russell observes that part of the value of a second chamber is its inclusion of members who are independent of party politics and who bring important expertise and experience into parliament, which enables more reflective and intelligent public deliberation. Such inclusion, however, is very difficult to obtain through election.¹ None of the other second chambers achieve the same reputation for expert membership as the House of Lords.² She also observes that a second chamber ought not to rival the first chamber in authority, otherwise it would become more of a party-political arena and lose the desired deliberative qualities. Hence, it needs to be seen as less 'representative'.³

Given this considered, expert wisdom, why does the government and why do political parties prefer membership by election? In part, because the House of Commons is sensitive to its loss of reputation and public trust through the so-called expenses scandal. But the reason is mainly, I think, the dominance of a democratic populism. It is very widely believed that political legitimacy can only be had through democratic election.

I think that this is a major mistake, and I think so, both as a Christian and as a human being who has reflected on human affairs. Of course, a good political constitution needs a part where rulers are made sensitive and accountable to those they rule—that is, an elected legislature that can hold government to account and stop it in its tracks. A good constitution needs a democratic element. After all, at least according to a biblical and Christian view, rulers exist to serve the ruled: kings are expected to be shepherds of their people.

Nevertheless, one ought not to be naïve about the people. On this I think that Christian tradition, personal experience, and history concur. The popular will—which,

¹ Meg Russell, *Reforming the House of Lords: Lessons from Overseas* (Oxford: Oxford University Press, 2000), pp. 304, 318.

² Russell, *Reforming the House of Lords*, p. 306.

³ Russell, *Reforming the House of Lords*, pp. 317, 325.

we should remember, is usually only the will of a dominant part of the whole people—is not always right and just. As a Christian I call to mind that it was the people (the *laos* as in ‘laity’) who bayed for Jesus’ blood in the Gospels, and it was the people (the *demos* as in ‘democracy’) which, according to the Acts of the Apostles, responded to the Christian persecutor, Herod, by lauding him as a god.⁴ If kings can be sinners, then so can the people. As a reader of history, I remember that Hitler was elected by due democratic process.

What this means is that a healthy political constitution should *not* be entirely democratic. Of course it needs an elected house of popular representatives, which should be predominant. But it also needs other parts too, to balance it. The constitution needs to be *mixed*. I think that Wakeham and Russell are right. In addition to an elected House of Commons, a healthy constitution also needs a House of Lords composed of a wide range of experts and leaders of civil society. That is, it needs an aristocracy of wisdom, not of land, and this can only be secured by appointment, not popular election.

The good thing about elected representatives is that their dependence on popularity makes them sensitive to the *needs* of the electorate. The danger, however, is that elected representatives, whose main ambition is to stay elected, will sacrifice their better judgement about the common good to the *wants* of their electors. In parliament we need to be sure of hearing voices that are not constrained from speaking unpopular truth by the desire to remain popular. Elections cannot give us that guarantee. That is why an upper house should be entirely appointed by an Independent Appointments Commission, whose brief is to ensure a wide representation, not of people, but of expertise and wisdom.

II. The place of Anglican bishops in a reformed House of Lords

So much for my view of the composition of a reformed upper house, and of the means of composing it. Now to the question of the place of Anglican bishops. Should they be among the appointees?

An upper house comprising an aristocracy of expertise and wisdom should certainly include representatives of relevant religious communities and experts in relevant religious traditions. Religion is an important part of the lives of many people in this country. Some citizens believe that the right kind of religion is important to social and political health. Whether that is true or not, religion is a potent social and political force. Therefore, it would be foolish—as well as illiberal—to exclude religious representative and experts from parliamentary deliberation. Indeed, it would be foolish not to ensure their presence.

Meg Russell disagrees. She objects to the representation of religious groups in an upper house. Her objections are brief and almost entirely practical.⁵ First, referring to the singular privileging of Anglican bishops, she says that representation of only one religious group in multi-cultural Britain is “outdated”. I agree: we should have wider religious representation. Against this she argues that it is “difficult to envisage” agreement on wider religious representation which “fully satisfied all religious groups”. That might be true, but since when did a political arrangement ever fully satisfy everybody? Political life is about sufficiently satisfactory compromises. In

⁴ Acts 12.21.

⁵ Russell, *Reforming the House of Lords*, p. 330.

fact, support for the Anglican establishment is widespread among the minority faiths.⁶ Given this good will from non-Christian believers, and given that opposition to the Anglican establishment from Christian non-conformists is not what it once was,⁷ the prospects for reaching a sufficiently satisfactory agreement on religious representation actually seem quite good.

Back to Meg Russell. Her next move is to argue that none of the other seven chambers she has reviewed reserve seats for religious representatives. That point, however, is only cogent for the fashion-conscious.

Finally, she argues that if religious groups should have guaranteed representation, then why not also employers and trade unions, teachers and doctors, etc. I agree: the upper house *should* also include eminent representatives of the professions, of employers and employees, of scientists and philosophers, among many others. My ideal is not dissimilar to that of the Irish Seanad, which has ‘functional’ or vocational’ representation. It is dissimilar, however, in preferring politically independent appointment to election. The problem in Ireland is that Senators are elected and that the system of election is in the hands of members of the Dáil and local councillors—i.e., of political parties—except in the case of the universities. The result is that most of those elected by the various functional or vocational panels are people who failed to get elected to the Dáil.

III. Anglican privilege and humanist public orthodoxy⁸

So far I have argued that a reformed House of Lords should contain a wide range of relevant experts and representatives of civil society; that in order to guarantee this, they should be appointed and not elected; and that representatives of a suitable range of religious communities, not excluding Anglican Christianity, should be among them. Now comes the further question, Should Anglican representation be privileged in some way, perhaps in size of representation?

First of all, there is nothing wrong with privilege as such. Privilege can be justified, if there are good reasons for it. Are there good reasons for Anglican privilege? I think so. I believe that that establishment of Anglican Christianity helps to keep liberal society healthy, by keeping it humanist. My argument for this takes its cue from an unlikely quarter: namely, the thought of the pre-eminent theorist of liberal politics in recent times, the late John Rawls. Rawls’s later work is motivated by awareness that liberal values and the larger views that support them are not universally held, and that a liberal ethos is therefore contested and vulnerable. There will always be views that would suppress it—what he calls ‘unreasonable’ comprehensive doctrines—and there is no guarantee that these will not prevail, as they did in the case of the Weimar Republic. The virtues of tolerance, of being ready to meet others halfway, of reasonableness, and of fairness comprise political capital that can depreciate and constantly needs to be renewed. Consequently, Rawls tells us, “the problem of stability has been on our minds from the outset”.⁹

So a liberal point of view is not neutral, not a view from nowhere. Liberal space is not indefinite. It is bounded by certain moral commitments, which are

⁶ See Nigel Biggar, “Why the ‘establishment’ of the Church of England is Good for a Liberal Society”, in *The Established Church: Past, Present, and Future*, ed. Mark Chapman, Judith Maltby, and William Whyte (London: T. & T. Clark, 2011), pp. 16-17.

⁷ Biggar, “Why the ‘establishment’ of the Church of England is Good for a Liberal Society”, p. 24.

⁸ In the following sections I abbreviate and develop the argument first presented in Biggar, “Why the ‘establishment’ of the Church of England is Good for a Liberal Society”.

⁹ John Rawls, *Political Liberalism* (New York: Columbia University Press, 1996), p. 141.

expressive of a certain understanding of human beings. Some worldviews will not support a liberal ethos; and some will actually corrode it. So if a liberal ethos is to survive, supportive views have to be fostered by public institutions, and corrosive ones (somehow) suppressed. As Rawls writes: “The principles of any reasonable political conception”, writes Rawls, “must impose restrictions on permissible comprehensive views, and the basic institutions those principles require inevitably encourage some ways of life and discourage others, or even exclude them altogether”.¹⁰ Rawls believes that a liberal view of human being and liberal values can find, and need to find, support in a limited plurality of larger views of the world—what he calls ‘reasonable’ comprehensive doctrines, and what I call humanist worldviews. Among these are his own secular Kantianism, but also certain versions of Christianity and, indeed, of Islam.

Nevertheless, Rawls believes that public discourse—the discourse of parliament and the law courts, and perhaps also of public rituals—should not involve religious references, but should be conducted in terms of ‘public reason’. Public reason, he proposes, should comprise the set of liberal moral values and such anthropological tenets as are necessary to make sense of it, upon which various ‘reasonable’ comprehensive doctrines converge. That is to say, it comprises the ‘overlapping (moral and anthropological) consensus’, which he believes can be made to float free of the various larger theological and metaphysical views that sustain it.

Here is where I part company with him. Rawls gives the immediate impression that public orthodoxy should consist only of a liberal ethos or morality, and that it should be neutral with regard to more comprehensive readings of the world. However, if one looks more carefully, he actually implies more. He admits that the overlapping consensus about a liberal ethos is supported only by a limited range of worldviews and that contrary ones need to be discouraged. In fact, therefore, Rawls’s public orthodoxy comprises *both* a liberal ethos *and* a definite range of humanist worldviews. It is both moral and more comprehensively doctrinal.

This raises a practical problem. How can a single state, a single national set of institutions, conventions, and rituals simultaneously affirm a variety of worldviews—albeit a limited variety—without sounding impossibly dissonant and incoherent? There are several ways of doing this. One way is for a state to adopt as its public creed a vague, monotheistic deism, under which umbrella various religious humanists and tolerant non-religious humanists can huddle more or less comfortably. This, arguably, is what the United States has done—and given its historical origins partly in a reaction against highly coercive forms of religious establishment, it could have done no other.

In England, however, history has taken a different course. The English state’s establishment of Anglican Christianity has survived, but become increasingly less coercive and more generous. Nowadays most non-Anglican Christians, most non-Christian religious believers, and even many who practice no religion at all support the Anglican establishment-lite, because they recognize the benefits it brings to the whole national community. The English arrangement, therefore, offers another model of public orthodoxy—one where the state affirms a single (Christian) humanist comprehensive doctrine, but where the manner of its affirmation is sufficiently generous and hospitable as to allow other kinds of humanist to identify with it, if not to own it fully.

¹⁰ Rawls, *Political Liberalism*, p. 195.

IV. Anglican Christian humanism

But *is* Anglican Christianity really humanist? Yes, it is, though its humanism is, of course, religious, not atheistic. As an expression of orthodox Christianity, Anglicanism is structurally humanist in its credal affirmation of the special dignity of human being made in the image of God—a dignity intensified by God’s assumption of human flesh in the Incarnation. According to this high vision, human beings are not merely the random result of the blind operation of physical forces, nor their activity simply determined by genes or chemistry, nor their asserted significance just so much desperate whistling in the enveloping cosmic dark. In Christian eyes humans are the creatures of a benevolent divine intelligence, which has striven through natural evolution to bring about individuals who flourish in freely understanding and investing themselves in the truth about the world’s good.

This Christian humanist vision generates a view of human dialogue and of dialogical virtues, which is, I think, adequate to the moral demands of political controversy in a plural society—and *more* adequate than the thin, *laissez-faire* liberalism that now prevails among us. As Christian humanism sees it, there *is* truth to be understood: as the creation of the one wise God, the world possesses a given rationality that is there for rational beings to grasp. And since human beings are not only rational but finite and fallible, and since they are made to flourish in society, their reasoning needs to be social: they need to reason *together*. Conversation, therefore, is an important common endeavour. It is not properly an occasion for the egotistical display of wit, for the scoring of clever points, for the assertion of superior rhetorical power, or for the domination of the weak by the strong. It is rather about the common searching out of the truth, and common deference to its authority.

Believing as it does in the ultimate unity and rationality of things, Christian humanism endows human conversation with a serious moral significance. It also has the resources to grace it with generous, and in that sense ‘liberal’, virtues. Rather than careless tolerance and indifferent respect, these include: an openness to being taught and corrected, since humans are seen as finite and fallible; a readiness to confess conversational dishonesty, since they are also sinners; respect for others as potential speakers of the truth, since everyone as a potential medium of God’s Word; tolerance of strange and unwelcome views, since finitude and fallibility preclude the identity of the familiar and the true; patience with frustrations in understanding, since faith sustains the hope that what is now seen through a glass darkly shall yet be seen face to face; and forgiveness as a reaction to conversational injustice, since all victims are perpetrators too.

In my view—and in direct response to the question that Robin Gill raises in his article—this humanist substance and these liberal manners are the primary contributions of Christians in general, and Christian theologians in particular, to public deliberation in a ‘secular’ or religiously and philosophically plural society. As humanist liberals, Christians will find much in common with other kinds of humanist liberal. Nevertheless, as *Christian* humanist liberals they will have peculiar gifts to bring. Unlike libertarian liberals, for example, their view of human dignity will not reduce to freedom, but will include responsibility to a given, created moral order (or ‘natural law’). And unlike Rawlsian liberals, their range of liberal virtues will be broader—as I have indicated in the preceding paragraph. Christians can be at once

distinctive and intelligible—can marry ‘purism’ and ‘realism’, to use Gill’s terms—in secular public discourse.¹¹

Surely, however, my account of Anglican Christianity is, as one commentator said of an early outing of this argument, “a tad idealistic”? How does its vaunted liberal humanism square with the Church of England’s actual record of persecuting Roman Catholics and non-conformists, with its ownership of slaves in the West Indies, with its grudging admission of women to the priesthood and episcopacy, and with its persistent exclusion from these of practicing homosexuals?

I have given a fuller apologia for the conduct of the Church of England in the past and present elsewhere.¹² Suffice it to say two things here. First, no human institution of longstanding can display an historical record that entirely consists with its anthropological and moral principles. Sin infects institutions—including churches—as well as individuals. Moreover, the fact that an institution from time to time betrays the principles that it daily affirms in its liturgy merely makes it inconsistent. It does not nullify its affirmation. Indeed, the institution deserves some credit for continuing to affirm the very principles by which its own conduct stands condemned. Inconsistency in virtue is surely better than consistency in vice.

Second, throughout its history the Church of England has maintained a liberal, Christian humanist tradition. This tradition’s seminal expression was Richard Hooker, who argued in his classic apology for the Elizabethan settlement that “we must acknowledge even heretics themselves to be, though a maimed part, yet a part of the visible Church”. It continued through the Great Tew Circle, which looked back to Hooker, looked up to Grotius, believed in reasonable religion, and worked for the reconciliation of Protestant and Catholic, parliament and king. According to Hugh Trevor-Roper, it was thanks to the Circle that the post-Restoration Anglican church was made “rational in method, ecumenical in its ultimate aims, ... conciliatory, not authoritarian ...”. And there are eminent witnesses in the late 19th century, not least Matthew Arnold, who can be found to testify both to the continuing vitality of this tradition, and to its nationwide influence.

V. Anglican privilege and the right to religious freedom

If my argument is cogent so far, then Anglican Christianity is humanist and generates virtues that can help keep public dialogue and controversy generously liberal. But how can it serve as a public orthodoxy in a plural society without doing injustice to non-Anglican Christians?

Can the public privileging of a particular religion be compatible with the liberal right to religious freedom? Yes, it can; and in England it is. In the course of the 18th and 19th centuries, the penalties for religious non-conformity in England were gradually lifted, and non-Anglicans were permitted entry to universities, the armed services, and public office. The result now is that there is no public office in England that determines either law or public policy, which may not be filled with non-Anglicans, or non-Christians, or unbelievers.

Prima facie evidence that the Anglican establishment is compatible with religious freedom is furnished by the support that many members of minority faiths give it. Indeed, Tariq Modood claimed in 1994 that it is ‘a brute fact’ that not a single

¹¹ I have tried to explain at greater length how this can be, with special reference to medicine, in “Why Religion Should have a Place in Secular Medicine”, *Journal of Medical Ethics*, forthcoming. I have also sought to articulate a coherent *via media* between ‘purism’ and ‘realism’ in *Behaving in Public: How to Do Christian Ethics* (Grand Rapids: Eerdmans, 2011).

¹² Biggar, “Why the ‘establishment’ of the Church of England is Good for a Liberal Society”, pp. 8-14.

article or speech by any non-Christian faith in favour of disestablishment can be found; and he wrote that “the minimal nature of the Anglican establishment, its proven openness to other denominations and faiths seeking public space, and the fact that its very existence is an ongoing acknowledgement of the public character of religion, are all reasons why it may be far less intimidating to the minority faiths than a triumphal secularism”.¹³

Nevertheless, even if Anglican establishment is compatible with a legal right to religious freedom, it might still entail an offense against the equal dignity of non-Anglicans, implying a condescending tolerance, a ‘symbolic ostracism’. I myself do not find this point cogent. I can understand why public Christian theological affirmation might somewhat disturb non-Christian or non-theistic citizens. It might confront them with views with which they do not agree. It might contradict them. It might require them to tolerate a certain element of difference and foreignness in public institutions and rituals. However, encounter with difference is a normal feature of social life, and tolerance is, after all, a classic liberal virtue. So why would it—as *such* and absent any restriction of civil or political liberties—offend their dignity as equal citizens?

As I see it, there can be no such thing as a public order that is morally, anthropologically, and metaphysically neutral. It must commit itself one way or another. In which case, it is inevitable that some members of any plural society will find themselves in a public order that affirms a worldview that is more or less different to their own; and will feel somewhat irritated by it. Secularist public institutions that refuse to make any theological affirmation need not be intentionally atheist; yet they are still not neutral. They cannot avoid implying that theological affirmation is unimportant for social health. Many theistic citizens—not least Muslims—will disagree strongly with this implication, and feel somewhat disturbed by the studiously agnostic silence of public space. This alone, however, does not give them sufficient reason to feel that their dignity as equal citizens is being affronted. Not all contradiction amounts to objective offence.

Although she is a proudly American opponent of religious establishment, Martha Nussbaum inadvertently corroborates this argument. On the one hand, she holds that, in affirming a particular religion as orthodox, a state necessarily reduces dissenters to second-class citizens, denying their basic equality and sanctioning “dignitary affronts in the symbolic realm”. “Our [American] ‘fixed star’”, she tells us, “is that no ... [religious] orthodoxies are admissible”. Her solution is essentially Rawlsian: “The hope is that public institutions can be founded on principles that all can share, no matter what their religion. Of course these institutions will have an ethical content, prominently including the idea of equal respect itself. But they should not have a religious content.”¹⁴

That is on the one hand. On the other hand, and without any visible embarrassment, Nussbaum admits that respect for individual conscience does *not* mean that every religion and world-view must be equally respected by government. ‘Extreme views’, which contradict or threaten the very foundations of the liberal constitutional order and the equality of citizens within it, must be resisted—certainly, if they seek to find practical embodiment, but even if their mere verbal expression becomes a threat. Such views “will not ... be able to present their ideas in the political

¹³ Tariq Modood, “Establishment, Multiculturalism, and British Citizenship”, *Political Quarterly*, 65 (1994), p. 53.

¹⁴ Martha Nussbaum, *Liberty of Conscience: In Defense of America’s Tradition of Religious Equality* (New York: Basic Books, 2008), pp. 18, 23.

sphere on an equal basis with other ideas”. Nevertheless Nussbaum herself believes that in such a situation “*people* [as distinct from their menacing deeds and words] are all respected as equals”.

What Nussbaum fails to notice is that her preferred liberal polity would itself establish a public orthodoxy, from which dissenters—such as religious believers who hold that the public acknowledgement of God is basic to political health—will feel alienated. Some of them might even feel that their dignity is being affronted. Nussbaum contends—quite correctly—that they need not. Ironically, however, she thereby confirms that an established orthodoxy of some sort is actually inevitable; that some are bound to find themselves more or less on the wrong side of it; and that contradiction, even suppression, of dissent need not amount to an offense against equal dignity.

VI. Conclusion

A state that would maintain a healthy liberal ethos needs to promote humanism and suppress anti-humanism. That is, it needs to establish a humanist public orthodoxy. The most coherent way to do this is to establish a particular humanist tradition, but in such a liberal and generous way that other humanists can support, or at least tolerate, it. Christianity is one such tradition and an Anglican establishment-lite could justly continue to present it as the humanist public orthodoxy of ‘secular’ (that is, plural) England. Were it so to serve, then a certain privileging of Anglican representation in a reformed House of Lords, with its aristocracy of expertise and wisdom and its representation of civil society, would be justified.