Chapter 14

Governance of religious diversity

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Abstract

While Western Europe seemed to have found a relatively stable equilibrium between minority rights and majority interests after the Second World War, immigration and nationalist movements have lately produced tensions. The Islamic minority in particular is experiencing a rejection of its cultural expressions. This chapter assesses how cultural diversity can express itself in the contestation of value claims, and what this implies for the opportunities given to religious minorities to substantiate their identity. It uses halal food production and consumption in the Netherlands as a case study of contested religious practice. In the debate about ritual slaughter, politicians found it difficult to determine their position amidst fundamental questions regarding religious freedom, and sought certainty in legal, political, scientific, economic, and historical arguments. Private governance of halal food production has led to a range of halal certifiers at different societal levels that lack cohesion, while meta-governance efforts suffer from similar fragmentation.

14.1 Introduction

Sustainability is often associated with environmental protection. However, the word "sustainable" intrinsically denotes "the long-term self-supporting viability of any type of system (Throsby, 1997)", and may thus apply to the persistence of ecosystems as well as the economic and social system. An aspect that has been rather neglected by sustainability science is the cultural system that sustains societies. Yet this system is of vital importance for the functioning of any society. Ever since the spread of humankind and the development of trade, virtually all societies have been multicultural, and tensions have occurred between different cultures. While Western Europe seemed to have found a relatively stable equilibrium between minority rights and majority interests after the Second World War, immigration and nationalist movements have produced tensions between the values of cultural minorities and those of secular society in recent years. The Islamic minority in particular is experiencing a rejection of its cultural expressions. The veiling of women, building of minarets and ritual slaughter are only a few of the Islamic practices that have been contested by politicians, the media and civil society. Cultural diversity is an important asset to any society, but perceived incompatibility can lead to destabilisation of the cultural system underpinning any sustainable society. Therefore this chapter assesses how cultural diversity can express itself in the contestation of value claims and what this implies for the opportunities given to religious minorities to substantiate their identity. It used halal food production and consumption as a case study of contested religious practice. The research context is the Dutch parliamentary debate, where the production of halal food has been fiercely contested, and the halal food industry which took over the task of ensuring halal food production.

14.2 The importance of the cultural dimension of sustainable development

Burfort, Hoover et al. (2013) advocate the incorporation of the cultural dimension of sustainable development in the sustainability discourse, and present an overview of the sparse available literature regarding cultural approaches to sustainable development. Some of this literature advocates a cultural-aesthetic dimension, claiming that cultural vitality is a basic requirement for a healthy society (Hawkes, 2001), that respect for cultural diversity, identities, local language, and cultural integrity is crucial, and that open dialogue should be promoted. Others argue for a political-institutional dimension, which encompasses organisations as well as institutional norms and formal rules and procedures. Proponents of a religious-spiritual dimension of sustainable development acknowledge the need for a moral and spiritual shift in order to initiate a transition towards sustainable development (Burford et al., 2013).

UNESCO supports the view that as an underlying dimension, the norms, values, and moral ideas of society influence all three pillars of sustainable development, i.e. the ecological, economic, and social pillars. The ecological pillar is influenced by ethical considerations about the use of technological innovations (e.g. For example, whether the application of technology to influence human or animal genetics should be regulated by setting moral boundaries). The economic dimension of sustainable development also needs ethical considerations, since the dominant consumer culture is exhausting our resources. In a social context, shared values are needed to resolve conflicts and to strive towards a sustainable society (Leo, 2012). In the discussion regarding sustainable development goals, as the successor to the Millennium Development Goals (MDGs), UNESCO has proposed cultural sustainability as an independent pillar of sustainable development to ensure inclusive social development. Culture could contribute to this objective by creating a sense of membership and belonging, enhancing tolerance, mutual understanding, and trust between different societies, while acknowledging diversity. Furthermore, it could foster common resource management through the use of social capital, and stimulate innovative learning (UNESCO). This approach to a cultural dimension of sustainable development is picked up below and further elaborated for the case of tensions relating to multiculturalism in Western Europe.

14.3 Tensions regarding cultural diversity in Western Europe

It is especially since the 1960s that Western Europe has seen a regular influx of migrants from different cultural backgrounds. Many post-war labour migrants and later refugees came from Turkey and Northern Africa, and brought with them Islamic values, lifestyles and practices. Yet even these Islamic traditions are not homogeneous, but mixed with ancient local traditions of the home countries. These elements necessitated ways of dealing with this cultural difference as opposed to the European Judeo-Christian tradition and the recently developed secularism. According to Grillo (2007), multicultural societies in Europe have gone through three phases in the governance of diversity. In the late nineteenth to mid-twentieth centuries, cultural differences were denied and migrants were assumed to assimilate under the regime of strong nation states. Assimilation required a seamless integration, whereby the migrants "accept and internalise the values and culture of the dominant group" (Scott & Marshall, 2009, p. 27). However, people were unwilling or unable to completely accept and adapt to the dominant culture, and during the second half of the twentieth century, integration was actively stimulated. The claims of diversity became recognised and racism was criticised (Grillo, 2007). The term integration was redefined by Roy Jenkins (1967), former UK Home Secretary, who explained that equal opportunities and cultural diversity in an atmosphere of mutual tolerance are needed, but not easily achieved. In fact, attaining

this goal has become even more difficult in an era when the governance of diversity is being criticised and the value of certain lifestyles is being questioned. Some even argue that multicultural societies in Europe are becoming too diverse to ensure social cohesion (Grillo, 2007). This growing tension in the third phase of multicultural governance is sparked by nationalist movements which claim that a homogeneous, established and unchangeable European culture of tolerance and secularism is being challenged by a homogeneous, religious, intolerant and unchangeable ideology, that of Islam. Both representations are wrong, since cultures are neither homogeneously accepted by all members, nor are their values unchangeable. This flexibility of cultures makes it possible to find policy compromises in culturally diverse societies. What these compromises look like, however, depends on the governance setting and the policy options considered by different actors. The next two paragraphs show two different contexts in which actors tried to facilitate the expression of culturally diverse identities. The first example is the debate about a ban on non-stunned ritual slaughter in the Dutch parliament, in which conflicting cultural values led to a different framing of the problem and possible solutions. The second example shows how the Dutch halal food industry tries to ensure the production of halal food for the heterogeneous Islamic minority.

14.4 The politics of ritual slaughter

In 2011/12 a fierce debate took place in the Dutch Parliament regarding a bill which would have resulted in a ban on non-stunned ritual slaughter. While some topics were unanimously agreed upon, others led to diverging "frames". Frames are constructs of meaning that represent value claims and guide the policy discourse by assuming a specific problem, promoting a particular solution, and motivating actions (Entman, 1993). In the course of the debate, these frames changed from polarised initial frames in the Lower House towards more inclusive and moderate frames in the second term of debate. Yet, the polarisation of frames increased again in the Upper House, with animal activists confronting religious compromise seekers. All parties agreed that animals should not undergo unnecessary suffering during the slaughter process. Moreover, they acknowledged that ritual slaughter covers only a small share of the Dutch meat production compared to intensive meat production processes, whose practices are frequently criticised. It was also agreed that current meat labelling practices are insufficiently informing the consumer. The export of non-stunned meat was criticised as drastically increasing the scale of Dutch non-stunned meat production. Finally, all parties acknowledged that a prohibition of non-stunned ritual slaughter may shift production to neighbouring countries or to the black market, although the animal rights party was less explicit about this issue than other parties. The main question was whether animal welfare and religious views on ritual slaughter are compatible. Within

the framework of this question, fiercely debated topics included the significance of religious freedom and animal welfare, the use of science, the compliance of the draft bill with the European Convention on Human Rights as well as the Dutch constitution, and the participation of religious groups in decision making.

At a superficial level, the debate dealt with the confrontation between the religious values underlying non-stunned ritual slaughter and the secular values of the protection of animals from what was seen as unnecessary suffering. At a deeper level, however, the debate touched upon more essential questions concerning the opportunities that should be given to minorities to substantiate their religious and cultural identity: to what extent do minorities have the right to implement their practices and to what extent do the majority of the population have to respect these rights? Should religion play a role in the public domain and to what extent should religious practices be regulated by secular states? Throughout the debate, most politicians found it difficult to position themselves amidst these fundamental questions and sought certainty in legal, political, scientific, economic, and historical arguments.

Although the Dutch constitution, as well as the European Convention on Human Rights, provides guidance on balancing majority interests and minority rights, the interpretation of these laws is up to the politicians. The political game influences decision makers as institutional arrangements can lead to different frames, lobbyists influence individual policy makers, and the willingness of religious groups to cooperate may make laws obsolete. Science has the ability to provide knowledge, but conflicting results may ensue and scientists cannot provide the moral considerations to decide between various policy options. An export-oriented country such as the Netherlands also always has to keep its economic interests in mind, and there was the danger of a spillover of stricter animal welfare regulations from the relatively small-scale ritual slaughter to the entire meat industry. The historical perspective played a role in the debate about the ban on ritual slaughter, as it would affect not only Muslims but also the Jewish community, who had already experienced a ban on their slaughter method during the World War II. Although a political majority decision was taken at the end of a long process of debate, this was a compromise that left the controversy and its related uncertainties undecided (Kurth & Glasbergen, 2015a). The next section illustrates how in the absence of government regulations, the demand for halal food by Dutch Muslims is being met by the halal food industry.

14.5 The fragmentation of the halal certification market

While the globalisation of the food industry is increasing the availability of ethnic foods in Europe, it also poses challenges to the right of Muslims to express their identity through halal food practices. Long production chains increase the risk that halal food gets contaminated through contact with haram products. This is especially problematic

because halal is a credence quality attribute, meaning that the process of food production is very important for the halal worthiness, which cannot be assessed by analysing the final product (Bonne & Verbeke, 2008). An additional challenge is the anonymity resulting from long production chains, which makes trust-based purchases almost impossible and auditing extremely complex. This is where halal certification appears to create transparency in the market and to enhance consumer choice.

In the Netherlands there are five larger halal certification bodies and many small local certifiers. Qualitative interviews with them have shown that the market for halal certification is fragmented, due to its nature and due to differences between the halal certifiers. The Dutch halal certification market is large enough to accommodate several certifiers. Moreover, market entry is relatively easy and suspected fraud motivates new certifiers to enter the market. The certifiers themselves differ very little as regards halal standards and the procedures they use. Yet, they have different ethical backgrounds and not every certifier is equally recognised by Islamic states for export. Finally, different approaches are used to acquire legitimacy, ranging from low prices to religious involvement of Imams. This fragmentation of the Dutch halal certification market (see also Box 14.1) creates challenges regarding the mutual recognition of certifiers during the certification of processed food. Moreover, laxness with regard to monitoring the standards and procedures may hamper a level playing field. The certification of export goods is also complex and obscure. Moreover, the variety of halal certificates creates confusion among consumers.

Box 14.1 Fragmentation of the Dutch halal certification market

- Certification competition
- Easy market entry
- Suspected fraud
- Different standards
- Different procedures
- Different ethical backgrounds
- Different export recognitions
- Different forms of legitimacy

A meta-governance body has been advocated in order to check the certifiers and create a universal halal standard. An analysis revealed, however, that efforts to achieve international harmonisation of halal standards have created another fragmented system at a higher level (see Box 14.2). The different meta-governors, such as the World Halal Council, the World Halal Food Council, the Standards and Metrology Institute for Islamic Countries and the Halal Working Group of the European Committee for Standardisation, also use different standards and procedures. An entanglement of political, economic, and religious interests of Islamic states such as Indonesia, Malaysia,

and the Gulf states is at play here, and there are different sources and degrees of support for these initiatives. The European Committee for Standardisation in particular lacks legitimacy among Dutch certifiers due to its non-religious approach to halal standards (Kurth & Glasbergen, 2015b).

Box 14.2 Fragmentation of the halal meta-governance market

- Different standards
- Different procedures
- Non-religious approach
- Political, economic, and religious power preservation
- Different sources and degrees of support and authority

14.6 Conclusion

The aim of this chapter was to assess how cultural diversity can express itself in the contestation of value claims and what this implies for the opportunities given to religious minorities to substantiate their identity. We have found that politicians involved in a political debate find it difficult to position themselves with regard to essential questions such as the extent to which minority rights should be protected, and whether the state should intervene in religious practices in the interest of secular majority values. As a result, religious practices concerning food standards have remained largely unregulated in the Netherlands. This is problematic, on the one hand, with regard to the unsolved policy controversy, and on the other hand, in the light of globalisation leading to complex production processes that increase the risk of cross-contamination between halal and haram food, which is not regulated either. Halal certifiers try to introduce more transparency into the market, but the fragmentation of the certification market as well as the meta-governance market leads to another layer of interwoven interests and uncertainty for halal consumers.

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