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Rawls on Religion in Public Debate

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INTRODUCTION

Can religious argument be a part of public political debate in a modern liberal democracy? Can religious believers genuinely affirm the rules of liberal democracy without losing their own identity and moral integrity? Is there a justification for “privatizing” religion for the sake of political values such as public peace or stability, or for advocating a law on the basis of an appeal to strictly religious reasons, in spite of the modern differentiation of politics from religion?

The questions with which I begin this study are intensively debated in contemporary political philosophy. Nobody reasonably questions the possibility of entertaining religious arguments in our private life – they are simply a part of our ongoing ethical conversation, in that some of our deepest desires, needs, values, goods, and duties are derived from religious experience. Such experience is often an essential element of the philosophy in terms of which we conduct our lives. Yet serious disagreements emerge when the relationship between religion and politics comes to be debated. The main problem pertaining to the presence of religion in what theorists like to call the “public square” – meaning, broadly, the arena of public discourse internal to a society – is not the issue of having a religious world view as such, but rather that of there being a plurality of religious and philosophical goods, values, norms, etc., which are not always compatible, because their content cannot be a matter of public consensus. As Amy Gutmann and Dennis Thompson rightly state,

when seeking to address the problems of contemporary democracy: "Political decisions are collectively binding, and they should therefore be justifiable, as far as possible, to everyone bound by them" (Gutmann and Thompson, 1996, 13).

Pluralism within society entails a very basic conflict between two values. The first of these is the requirement for public justification of political arguments, based on shared values. The second is what John Stuart Mill, in *On Liberty*, called the pursuit of "our own good in our own way" (Mill, 17), and what William A. Galston calls "expressive liberty", whose core is the "ability of individuals and groups to lead their lives as they see fit" (Galston, 2005, 45). This conflict prompts the question about the possibility of, and conditions for, religious constraints being admitted into public political debate.

The tradition of liberalism has developed both the idea of a separation of the state from religion and the idea of religious freedom itself. However, it hasn't ever reached agreement about any detailed solutions with regard to these matters. Seeking to strike a balance between radical secularization on the one hand, and friendly cooperation between church and state on the other, when it comes to the religious neutrality of the state liberal democracies exhibit a range of variants. However, despite the differences, there is common agreement about the foundations of religious freedom: religious apostasy should not be recognized as a crime in civil law, and nobody can be forbidden from, or coerced into, maintaining religious convictions and practices.

From a theoretical standpoint, there are three possible directions we might go in when seeking a solution to the problem of the differentiation of religion from politics:

- a) religious exclusivism or state secularism – in which religious arguments are simply excluded from political life, and religion is effectively limited to the private sphere and to the realm of religious organizations (Robert Audi, Richard Rorty);
- b) religious inclusivism – in which religious arguments are accepted within political life, even where such reasoning is taken to constitute a basis for coercive laws (Michael Perry, Christopher Eberle);
- c) various mixed forms – public religious arguments are accepted conditionally, subject to various kinds of limiting constraints

(a group far from unanimous in their opinions, including a variety of authors, such as John Rawls, David Hollenbach, Nicholas Wolterstorff, Kent Greenawalt, Jeffrey Stout, Anthony Laden and Paul Weithman).¹

The topic of my research is the conception of political liberalism developed by John Rawls in his 1993 book *Political Liberalism* [PL], and revised in his well known article from 1997, "The Idea of Public Reason Revisited" [Idea]. I shall argue that Rawls offers a promising alternative to both secular liberalism and religious fundamentalism. His conception has been widely debated, attracting both support and criticism.

Although *Political Liberalism* is not a treatise about religious freedom, the role of religion figures as an important issue in this book. Rawls's conceptions of political justice and public reason imply some religious constraints in public debate. However, the same constraints are also imposed on all other comprehensive doctrines – philosophical, moral, etc. By introducing the concept of reasonableness, Rawls opens up a new perspective on the question of religion and liberalism. He expresses this problem more sharply in the Introduction to the Paperback Edition of PL, and in the article "The Idea of Public Reason Revisited", indicating that religious doctrines, especially ones that are fundamentalist or, at least, less sympathetic to liberalism, are the real test of a well-ordered society.²

¹ Daniel Dombrowski (2001: 114) establishes four categories: *pure exclusivism* (Rorty, Gray), *partial inclusivism* (Rawls, Audi), *partial exclusivism* (Quinn, Smolin, Wolterstorff) and *pure inclusivism*. Hollenbach (1991, 87-106) mentions three approaches toward religion in public life: a) a liberal democratic stance with secularist implications (Rorty and Rawls as a moderate secularist), b) a view endorsing the fundamental presuppositions of liberal democratic theory while seeking to provide greater public space for religion (Greenawalt), and c) a critique of standard liberal democratic theory that seeks to justify a much greater public role for religious convictions (Perry, Lovin).

² In the Introduction to the Paperback Edition of PL, Rawls writes that the problem of building a just and stable society of free and equal citizens is relatively easy where different reasonable liberal doctrines are concerned. He writes: "Thus, the question should be more sharply put this way: How is it possible for those affirming a religious doctrine that is based on religious authority, for example, the Church or the Bible, also to hold a reasonable political conception that supports a just democratic regime?" (PL, xxxix). Religion engages even more of his attention in "The Idea of Public Reason Revisited", where the whole section entitled "Religion and Public Reason in Democracy" is devoted to dealing

Rawls's way of thinking about religion might be summarized by two statements. The first comes from "The Idea of Public Reason Revisited": "There is, or need be, no war between religion and democracy" (Idea, 176). The second, in *Political Liberalism*, claims that "under reasonable pluralism the religious good of salvation cannot be the common good of all citizens" (PL, xli). To identify the proper place for comprehensive doctrines in political life is one of the major tasks of political liberalism. Accomplishing this for religion amounts to more than just answering certain questions that are important for all religious citizens: it would also constitute a real test of the workability of political liberalism. Rawls is trying to explain both the positive role of religion and the need for limits and constraints to be imposed on it in public life.

In this study, I aim to present Rawls's views concerning religion and politics in the context of the conflict of values which emerges in liberal democracy, and to consider the various different attitudes to this problem found in contemporary political philosophy. In Chapters One and Two, my intention is to outline the original project of Rawls himself, concentrating on his key ideas: the demarcation of public culture, background culture and private culture, his conception of reasonableness, wide public culture and the wide proviso of public reason, and of the liberal principle of legitimacy and that of reciprocity. I will also cover Rawls's conception of the religious person as a "wholehearted" citizen in a liberal democracy.

In Chapter Three, I present the disagreement between Rawls and Christopher Eberle about religious argumentation in public life. According to Eberle, religious constraints violate both religious freedom and the liberal principle of living life as one has chosen to do so. I focus on the critique of Rawls's ideas of reasonableness and mutual respect, which in his system furnish the principal reasons for the constraints of public reason. I also examine the problem of inclusion of religious groups which contest mainstream liberal culture.

In Chapter Four, I discuss the views of Robert Audi – his affirmation and his critique of political liberalism. Audi criticizes Rawls from a different standpoint than Eberle. Seeking to identify shared

with the problem of the compatibility of religions with the institutions of political liberalism.

public reasons for instituting coercive laws, he advocates two main principles for civic ethics: the principles of secular reason and of secular motivation. He also argues that political liberalism cannot refrain from entertaining some definite conception of the good.

In Chapter Five, I try to respond to both of these kinds of challenge to Rawls's political liberalism. His conception is *de facto* an alternative to both secular liberalism and religious fundamentalism: he neither privatizes religion nor promotes a secular culture. What he does do, though, is propose some mechanisms to defend against religious intolerance or religiously (or doctrinally) motivated discrimination. I examine the application of the wide proviso of public reason and investigate various other philosophical conceptions as potentially complementary to Rawls's. Subsequently, I attempt to compare his views with those of Jürgen Habermas, concentrating on the problem of translation of religious values into political ones.

This study closes with an Addendum whose purpose is to offer a comparison between Catholic social teaching and political liberalism. I spell out the overlap between these two doctrines, both with regard to the values of religious freedom and tolerance and with respect to the idea of the common good. I show that the demarcation between morality and law need not lead to the privatization of religion: being subject to forms of constraint need not prevent the Catholic Church from active engagement in the public sphere.

It is a debated question whether Rawls's project of a well-ordered society is a highly idealized one or a sound theory based on moral rights and duties. Do Rawls's duty of civility and virtue of reciprocity really belong within a theory of justice, or do they lie beyond the scope and reach of all principles of justice? This book represents one sort of attempt at helping to answer that question – in this case by considering it in the light of the issues surrounding the role of religion in public debate.