Why We Should Reject What Liberalism Tells Us about Speaking and Acting in Public for Religious Reasons

Nicholas Wolterstorff

§1. Psalm 72 in the Hebrew Bible and the Christian Old Testament opens as follows:

Give the king your justice, O God,
and your righteousness to a king's son.
May he judge your people with righteousness,
and your poor with justice.
May the mountains yield prosperity for the people,
and the hills, in righteousness.
May he defend the cause of the poor of the people,
give deliverance to the needy,
and crush the oppressor.

My own reflections on the moral and political significance of poverty have been decisively shaped by this and similar passages in the psalms, the prophets, and the gospels—all of which I accept as canonical scripture. I interpret what I read in these passages, about justice to the widows, the orphans, the aliens, and the poor, as implying that involuntary avoidable poverty is a violation of rights. Not, as such, a failure of charity on the part of the well-to-do—though such failure may well be involved. A violation of the rights of the poor, qua poor. What comes through, to my interpreting ear, is that to be a human being is to bear the unconditional natural right to fair and non-degrading access to the means of livelihood.

So far forth, this says nothing about the state. So let me add that in our society I see no option but for the state to function as the last-resort guarantor of this right. In other times and places it was different: The king was the last-resort guarantor, or the bishop. Should the state in our society not function as the last-resort guarantor of fair and non-degrading access to the means of livelihood, it is failing in its duty to secure justice.

My question in this paper is how I ought to espouse this religiously based view in public, and how I ought to act on it in the political domain, when so many of my fellow citizens accept neither the Christian nor the Hebrew Bible as canonical, and when so many of those who do accept these writings as canonical regard it as quaint and dangerous on my part to treat what they say about the moral and political significance of poverty as relevant to contemporary politics. You will understand, of course, that I am taking this particular case as an example of the general point: How should citizens espouse their religiously-based political views in the public space and act thereon?

The question arises for me because so many of my fellow citizens do not agree that the poor qua poor have rights. They believe that the poor qua poor are candidates for charity, not holders of rights. And they believe that the failure of the state to act as last-resort guarantor of fair and non-degrading access to the means of livelihood is not a failure on its part to secure justice, but a responsible refusal on its part to act as a charitable organization. If my views on these matters were universally shared by my fellow citizens, we would still have to discuss the difficult question of how best to secure the rights of the poor qua poor. But we wouldn’t have to debate the moral and political significance of poverty. The only question in the region would be, how best to transmit our consensus to our children.

Of course, disagreement with my views on the moral and political significance of poverty is not only to be found among those of my fellow citizens who do not accept the Christian or Hebrew scriptures as canonical. It is also to be found among my fellow Christians. So there’s work facing me on two fronts. Not only do I have to consider how to conduct my public, inter-community, discourse, but also how to conduct my intra-community discourse.

Within my own community, I will talk about the status of scripture, and about principles of scriptural interpretation, and about the exegesis of specific passages. Then I will move on to the Christian tradition, where I will highlight a large number of ringing passages about the rights of the poor qua poor. I will observe that the tradition was still alive in John Locke—where I, at least, would have expected it to be dead. (See his Second Treatise, §135).1 Along the way I will bring some live poor people into the room—so that their faces can be seen and their voices heard. Talk and argument about such matters, in the absence of faces and voices, is a frail reed. I’m sure I wouldn’t succeed in persuading all of my fellow believers. But I think I would get some to come along—since many of them have formed their views in oblivion of scripture and tradition rather than on the basis thereof, while yet officially acknowledging their relevance.

§2. The most pervasive and influential answer to my question to be found on the American scene is that offered by political liberalism. I think that answer is mistaken. But given its popularity, it’s with an analysis and appraisal of the liberal answer that we must begin.

Unfortunately, anyone who chooses to talk about liberalism faces the

necessity of saying what is that about which he has chosen to talk. A shared understanding cannot be presupposed.

At the core of liberalism, as I shall be taking it, is a certain understanding of society and its members. The liberal regards the normal adult members of society as free and equal in the following way: equally free in that each has it in his or her power to act as moral agent; equal in that each has the inherent right, subject to appropriate qualifications, to pursue what he or she regards as good and obligatory; and equal also in that none bears a right by 'nature' which the others do not also bear.

With this understanding in hand, the liberal then focuses his attention on the political dimension of society. Here two strands of thought can be identified. In the first place, the liberal tries to formulate a general criterion of political justice for a society whose members understand themselves as thus free and equal—he tries to formulate, in Rawls’ phrase, "a political conception of justice" for such a society. I speak, in this indefinite way, of the liberal as "trying to formulate a general criterion" for political justice, because, when it actually comes to the criterion offered, one finds considerable diversity among liberals. Classical liberals, such as John Locke, focused entirely on the rights of individuals in formulating their criterion of political justice. And as to the rights of individuals, they focused almost entirely on their negative rights—that is, on their right to freedom from interference in the pursuit of such goals, and the application of such principles, as they have chosen for themselves. But if we grant to John Rawls his wish to be regarded as a liberal, then we must regard classical liberalism as but one of many liberal options. For though Rawls also thinks entirely in terms of the rights of individuals, he most certainly does not hold that the formulation of a political conception of justice, for a society which regards its normal adult members as free and equal, can confine itself to the specification of negative rights. Fairness is what he regards as the appropriate principle.

I will be arguing that liberalism is unfair to at least certain kinds of religion. But before I get to that, let me put in a plea for fairness to liberalism. Many of the accusations which in recent years have been lobbed at liberalism are unfair. It is charged that liberalism denies the existence of moral agents other than individuals. That’s unfair. Liberalism does not deny the existence of non-individual moral agents; it simply doesn’t pay any attention to them in its theory. Ignoring is not denying. It is charged that liberalism denies that agents other than individuals have rights. That’s also unfair. Liberalism does not deny the rights of entities other than human individuals; rather, in its theory it pays them no attention. It is charged that liberalism denies all but negative rights. That’s unfair. It’s true that in its formulation of a political conception of justice, classical liberalism makes reference to no other rights than these; but it doesn’t deny that there are others. And even that is not true for liberalisms such as Rawls’. It is charged that liberalism denies the existence of responsibilities and regards morality as consisting entirely of rights. That too is unfair. It’s true that...
It is also definitive of liberalism, as I shall be taking it, to embrace a certain view as to the proper basis of public political debate, and of political decision making, in a society which incorporates a diversity of religions—when that society regards its normal adult members as free and equal. The view is that those members are neither to base their political debate in the public space, nor their political decisions, on their own particular religious convictions, nor on such religious convictions as they might all share. When it comes to such activities, they are to allow their religious convictions to idle. They are to base their political debate in the public space, and their political decisions, on the principles yielded by some source independent of any and all of the religious perspectives to be found in the society. To this, the liberal adds one important addendum: The source must be such that it is fair to insist that everybody base his or her public political discourse, and political decisions, on the principles yielded by that source. This addendum eliminates what would otherwise be obvious candidates for the political basis. A good many of the nationalism of the contemporary world are rich and thick enough to serve as the basis of the political debates and decisions of the members of a society; in addition, they are often relatively independent of the religions to be found in the society. But rarely if ever will it be fair to insist that the life of the polity be based on some nationalism; for it never happens anymore that all the citizens of a single polity belong to the same nation, the same 'people.'

In this paper I will have nothing further to say about liberalism's understanding of the normal adult members of society as free and equal. Neither will I have anything further to say about the first of the two major strands which I identified within liberalism, namely, liberalism's attempt to formulate a criterion of political justice appropriate for a society which thus understands its normal adult members. I will focus entirely on the second strand. And of the two elements in that strand, liberalism's embrace of the separation position with respect to governmental action, and liberalism's embrace of the independent-basis position with respect to political debates and decisions, I will speak mostly about the second. For the sake of convenience, I shall call the second strand as a whole, with its two components, the neutrality postulate.

§3. Why does liberalism affirm the independent-basis position? That is, why does the liberal insist that, in a society which regards its normal adult members as free and equal, political debate in the public space be conducted on the basis of principles yielded by some source independent of all the religions in society, and why does he insist that political decisions be made on the basis of such independent principles?

An obvious question to ask at the outset is, what are we to understand as the scope of "political"? It's open to the liberal to carve out, within the sphere of what is ordinarily and loosely called "political," a sphere of the truly political, or of the politically fundamental—call it what you will—and to specify that he means his thesis to apply only to that inner sphere. Rawls does that; citizens in public are to appeal to the independent basis when dealing with matters of constitutional essentials and basic justice. But nothing that I have to say will depend on reaching precision on this point. And in any case, the dynamics of liberalism lead to a very expansive view on the matter. Rawls' willingness to limit the scope of his normative thesis to matters of constitutional essentials and basic justice is grounded on his conviction that though in principle all political debates in the public space, and all political decisions, ought to be conducted in accord with the thesis, it's much less important that we do so when we move beyond constitutional essentials and matters of basic justice. (The difficult but unavoidable question of what constitutes public space is also one which I cannot treat on this occasion.)

My question, once again, is why the liberal embraces the independent-basis position. What are his reasons? One reason which liberals have offered ever since the emergence of liberalism in the seventeenth century is that it's just too dangerous to let religious people debate political issues outside their own confessional circles, and to act politically, on the basis of their religious views. The only way to forestall religious wars is to get people to stop invoking God and to stop invoking canonical scriptures when arguing and determining politics—unless perchance the independent basis should yield various propositions about God, and should yield the conclusion that some canonical scripture is reliable on certain matters.

I must confess my inability to see any cogency in this reasoning. I think that if I had been living in the seventeenth century, I would have found it cogent. But I live in the twentieth century. And so far as I can see, the slaughter, torture, and generalized brutality of our century has mainly been conducted in the name of one and another secularism: nationalisms of many sorts, communism, fascism, patriotism of various sorts, economic hegemony. The common denominator is that human beings tend to kill and brutalize each other for what they care deeply about. In seventeenth-century Europe, human beings cared deeply about religion. In our century, most seem to have cared much more deeply about one and another secular cause. Liberalism's myopic preoccupation with religious wars is outdated.

The other side of the matter is also worth mentioning: Many of the movements in the modern world which have resulted in reforms and revolutions that the liberal admires have been deeply religious in their orientation: the abolitionist movement in nineteenth-century America, the civil rights movement in twentieth-century America, the resistance movements in fascist Germany, in communist Eastern Europe, and in apartheid South Africa. These movements are regularly analyzed by Western academics and intellectuals as if religion were nowhere in the picture. The assumption, presumably, is that

---

3 An exception to this generalization is the recent Virginia v. Rosenberger decision. It remains to be seen whether this represents a change of direction.
religion plays no explanatory role in human affairs; it's only an epiphenomenon. Thus does ideology shape scholarship! The truth is that even the free and equal doctrine, which lies at the very heart of liberalism, had religious roots—indeed, constituent of dissent of the seventeenth century.

However, thinkers in the liberal tradition have offered other and more substantial arguments for the independent-basis position than the argument that the offering of religious reasons in political debate is dangerous. Let me look briefly at Locke's main argument; and then, somewhat more expansively, at Rawls'.

§4. Locke's argumentation was epistemological—part and parcel of his general epistemology. Though Locke had a good deal to say about awareness, or "perception," as he called it, this being what he identified as knowledge, the focus of his epistemology as a whole was on belief, and more specifically, on entitlement to believe. Doing what we ought to do, by way of the formation and maintenance of our beliefs, was what he mainly had his eye on. Belief is more important than knowledge, Locke says, because there's much more of it: Knowledge is short and scanty. And entitlement in beliefs is important because in many situations we are obligated to do better, by way of gaining true beliefs and eliminating false ones, than we would be doing if we just allowed beliefs to be formed in us haphazardly.

Accordingly, Locke set out to formulate a criterion for entitlement in beliefs. Not a general criterion for entitlement, however. Though much of Locke's rhetoric is universalistic, a number of passages, both in the Essay concerning Human Understanding and in the Conduct of the Understanding, make clear that Locke had no interest whatsoever in offering a criterion of entitlement applicable to all beliefs. He was concerned exclusively with situations of maximal concernment—"concernment" being his word. That is, he was concerned exclusively with situations in which one is obligated to do the best to find out the truth of the matter, and to believe in accord with the results of one's endeavor. His strategy was to articulate a practice of inquiry whose employment constitutes, in his judgment, doing the best. It follows that, on matters of maximal concernment, one is entitled to one's belief (or non-belief) if and only if one has employed the optimal practice, and one believes or refrains from believing in a manner appropriate to the results of the employment.

Locke sometimes describes this supposedly optimal practice as "listening to the voice of Reason." At other times he describes it as "getting to the things themselves." The point of the latter formulation is that, by employing the practice, one gets to the things themselves instead of resting content with what people tell one about the things. One circumvents tradition.

The essential elements of the practice are easily described. We can think of it as having three stages. With some proposition in mind concerning the matter in question, one first collects evidence concerning the truth or falsehood of the proposition, this evidence to consist of a non-skewed and sufficiently ample set of beliefs which are certain for one because their propositional content corresponds directly to facts of which one is (or was) aware. Secondly, by the exercise of one's reason one determines the probability of the proposition on that evidence. And lastly, one adopts a level of confidence in the proposition corresponding to its probability on that evidence. To employ this practice, says Locke, is to do the best.

Whether or not a matter is of maximal concernment to a person is a function of the whole contour of that person's obligations—with the consequence that which matters are matters of maximal concernment varies from person to person. Locke insisted on an extremely important limitation on this principle of variation, however. Matters of religion and morality are of maximal concernment to everybody. Accordingly, everybody is under obligation to employ the optimal practice on such matters.

Locke himself believed that by employing the practice we could arrive at a substantial set of beliefs about God; he furthermore believed that by employing the practice we could establish the reliability of the New Testament. Thus Locke was definitely not a proponent of secularism. His thought, rather, was that when it comes to forming beliefs on matters of religion and morality, it is our obligation, instead of appealing to the moral and religious traditions into which we have been inducted, to appeal to the deliverances of our generic human nature—to the yield of our human "hard wiring."

It just follows that when debating political matters, we are not entitled to appeal to our own particular religious tradition. It would be wrong to do so. It would be wrong to do so whether or not the matter was political. That's not to say that everything we have come to believe, by virtue of being inducted into some religious and ethical tradition, is off-limits in political debate. If, by employing that generically human, optimal, practice, one succeeds in arriving at some of the content of one's tradition, then one is entitled to appeal to that content in one's political debate. But one is then entitled to do so only because it's part of the yield of that generically human practice. Though religion is not necessarily excluded from the debate, everything other than rational religion most definitely is.

This Lockean defense of the independent-basis principle of liberalism was

---

4 See, for example, Chapter 1 of Cohen and Arato, Civil Society and Political Theory, which talks as if there were no churches in Eastern Europe at the time of the overthrow of communism.

5 A recent discussion of this point is David Richards, "Public Reason and Abolitionist Dissent," Chicago-Kent Law Review 69 (1994):787–842. The irony, of course, is that a doctrine born out of religion should be turned by Rawls and cohorts against that which gave it birth.

6 The matters which follow are discussed much more amply in my recent John Locke and the Ethics of Belief (Cambridge: Cambridge University Press, 1996).
enormously influential in the centuries between him and us. Today, however, almost nobody accepts it—at least, almost nobody in academia. The defense rests directly on the epistemology of classically modern foundationalism. "We hold these truths to be self-evident." Constitutional assemblies making epistemological pronouncements! The intertwinement of traditional liberalism with classical foundationalism is there for all to see. But almost everybody today rejects classically modern foundationalism. I do so as well. With that rejection, the traditional defense of the independent-basis principle is rendered null and void.

No point in beating the dead horse—not on this occasion, anyway. Let me rather close our discussion of Locke by remarking that as long as the Lockean practice was widely thought to yield a substantial rational religion, along with rational evidence for the reliability of the Christian scriptures, American religious leaders were relatively content with liberalism. That was the situation throughout the nineteenth century. It was when skepticism on those scores began to spread—impelled especially, in my judgment, by the emergence of Darwinian evolutionary theory and the rise of biblical criticism—that tensions began to mount between religion and political liberalism.

§5. In his recent book, Political Liberalism, John Rawls tacitly concedes the untenability of Locke's way of defending the independent-basis principle of liberalism. For he concedes the existence in our society of a plurality of significantly different religions with adherents who are entitled to their adherence. The test of entitlement does not pick out one from the diversity; nor can it serve as guide for newly devising a "rational" religion, or some "rational" secular perspective, which will then be the sole entitled member of the mix. "The political culture of a democratic society," he says, "is always marked by a diversity of opposing and irreconcilable religious, philosophical, and moral doctrines. Some of these are perfectly reasonable, and this diversity among reasonable doctrines political liberalism sees as the inevitable long-run result of the powers of human reason at work within the background of enduring free institutions" (3-4). It must be conceded that Rawls' reasonableness is not identical with what I mean by "entitlement." But in the course of his discussion it becomes clear, so I judge, that if "reasonable" in the above passage is interpreted as entitled, Rawls would happily affirm what would then be said.

Now, then, does Rawls defend the independent-basis principle of liberalism? Locke held it to be a truth of the matter about normal adult human beings that they are free and equal. Though I did not explicate this part of his thought in my discussion above, Locke offered arguments for this position. He thought that societies which did not regard their normal adult members thus were


mistaken—deeply mistaken. Rawls shies away from all such ontological claims. In their stead, he employs a consensus populi strategy.

In the contemporary world there are societies which regard their normal adult members as free and equal. Rawls thinks American society is such a society; he holds, so far as I can tell, that all constitutional democracies are such societies. So consider such societies. And attend then to the shared political culture of such societies; attend to the "political mind," as one might call it, of such societies. Identify the fundamental organizing ideas in those political minds. And then "elaborate" or "unfold" (27) those ideas into principles of justice capable of serving as the basis of deliberations and determinations concerning matters of constitutional essentials and basic justice. Of course the identification of those ideas, and the elaboration of those ideas into principles of justice, must not be whimsical or arbitrary. The principles one arrives at must be ones that one can reasonably expect all citizens of such societies to endorse who use the light of our common human reason. The principles must "win [their] support by addressing each citizen's reason" (143).

The principles of justice thus arrived at will be "freestanding" (10) with respect to all the comprehensive perspectives present in society. For they will not have been derived from any one of those perspectives, nor from any overlapping consensus among those perspectives. They will have been derived instead from the shared political culture of the society. However, if the society is to be at all stable and enduring, the comprehensive perspectives present within the society—or at least the reasonable ones among them—must each find the principles of justice acceptable from its own standpoint. Citizens must "within their comprehensive doctrines regard the political conception of justice as true, or as reasonable, whatever their view allows" (151). This is necessary if the society is to be stable and enduring and no one position is to enjoy a hegemony which stifles opposition by coercion or persuasion. But the source of the principles is to be independent of one and all comprehensive doctrines. The principles are to be arrived at—to repeat—by rational reflection on the political culture of constitutional democracies.

It is principles of justice thus arrived at that are to serve as the basis of political debate in the public space, and political decisions—at least on matters of constitutional essentials and basic justice. The "question the dominant tradition has tried to answer has no answer," says Rawls; "no comprehensive doctrine is appropriate as a political conception" (135). Not at least for democratic societies with constitutional regimes. In such a society, no one of the reasonable comprehensive doctrines can "secure the basis of social unity, nor can it provide the content of public reason on fundamental political questions" (134). One of the great merits of Rawls' discussion is that, under "comprehensive doctrines," he includes not only religions but comprehensive philosophies. No comprehensive vision—be it religious or not, be it of God and the good, or only of the good—no comprehensive vision can properly serve as the basis of public reason on fundamental political questions.
Rawls acknowledges that liberalism may well seem paradoxical at this point. Speaking on behalf of the objector, he asks:

why should citizens in discussing and voting on the most fundamental political questions honor the limits of public reason? How can it be either reasonable or rational, when basic matters are at stake, for citizens to appeal only to a public conception of justice and not to the whole truth as they see it? Surely, the most fundamental questions should be settled by appealing to the most important truths, yet these may far transcend public reason! (216)

His answer is that it would be inconsistent with the society’s understanding of its adult members as free and equal for the members to conduct their fundamental political debates and make their fundamental political decisions on any basis other than that of the consensus populi. Democracy, he says, implies . . . an equal share in the coercive political power that citizens exercise over one another by voting and in other ways. As reasonable and rational, and knowing that they affirm a diversity of reasonable religious and philosophical doctrines, they should be ready to explain the basis of their actions to one another in terms each could reasonably expect that others might endorse as consistent with their freedom and equality. Trying to meet this condition is one of the tests that this ideal of democratic politics asks of us. Understanding how to conduct oneself as a democratic citizen includes understanding an ideal of public reason (217–18).8

Why We Should Reject What Liberalism Tells Us

and elaborating those ideas into principles of justice—both the analysis and the elaboration having been conducted in such a way that one can reasonably expect all who use their common human reason to accept the principles of justice that emerge. When the coercive power of the state is involved, as ultimately it always is when political issues are under consideration, I would violate the equal freedom of my fellow citizens if I did not debate and act on the basis of reasons which I can reasonably expect at least the reasonable and rational among them to accept. And to fail to treat them as free and equal is out of accord with the consensus populi of the constitutional democracy of which I am a citizen.

May it be that I have interpreted Rawls more sternly than he intends? He does say, after all, that “the ideal of citizenship imposes a moral . . . duty . . . to be able to explain to one another on those fundamental political questions how the principles and policies they advocate and vote for can be supported by the political values of public reason” (219, my italics).9 The ideal imposes a duty to be able to explain, not to explain. Possibly this is what Rawls has in mind. It’s a position which has some plausibility with respect to one’s own deliberations and decisions; it has none whatsoever, though, when it comes to the offering of reasons in public. Suppose that the reasons I offer in the public square for the policies I favor and the actions I take are ones that it would be unreasonable of me to expect all my reasonable fellow citizens to accept—parochial religious reasons. There are consensus populi reasons which I am able to offer to the same end—in some sense or other of “able to.” But I don’t in fact offer those reasons. Perhaps I’m not interested in offering them; perhaps I’m not aware that I could offer them. I offer what I acknowledge to be parochial religious reasons. If there’s an issue here of the violation of the equal freedom of my fellow citizens, surely it’s the reasons which I actually offer that is the relevant phenomenon, not the reasons I could have offered. Consider an analogy from epistemology. If I hold a belief on the basis of reasons, then it’s the reasons on the basis of which I actually hold the belief that determine its entitlement, not my possession of reasons on the basis of which I could have held it.

Or perhaps what Rawls has in mind is not just that I be able to offer reasons that I can reasonably expect all my reasonable fellow citizens to accept, but that I be ready and able to offer such reasons. That is suggested by this passage: “As reasonable and rational, and knowing that they affirm a diversity of reasonable religious and philosophical doctrines, they should be ready to explain the basis of their actions to one another in terms each could reasonably expect that others might endorse as consistent with their freedom and equality” (218; my italics). If this is what Rawls has in mind, it would be appropriate to ask

8 Cf. Ibid., 217: “when may citizens by their vote properly exercise their coercive political power over one another when fundamental questions are at stake? Or in the light of what principles and ideals must we exercise that power if our doing so is to be justifiable to others as free and equal? To this question political liberalism replies: our exercise of political power is proper and hence justifiable only when it is exercised in accordance with a constitution the essentials of which all citizens may reasonably be expected to endorse in the light of principles and ideals acceptable to them as reasonable and rational. This is the liberal principle of legitimacy. And since the exercise of political power itself must be legitimate, the ideal of citizenship imposes a moral, not a legal, duty—the duty of civility—to be able to explain to one another on those fundamental questions how the principles and policies they advocate and vote for can be supported by the political values of public reason.”

9 Cf. Ibid., “What public reason asks is that citizens be able to explain their vote to one another in terms of a reasonable balance of public political values” (243; italics added).
what constitutes readiness. I'm ready and able to offer such reasons, but I don't in fact do so.

Appropriate, but not especially relevant. The relevant response is that I, as one who holds the views indicated at the beginning of this paper, would find myself silenced were I to accept even this qualified stricture. As I have indicated, my own views on the rights of the poor have been formed by reflecting on the scriptures which I accept as canonical. I am now told that if I want to present and debate those views in the political arena, I must find an entirely different basis. I must base them on the consensus populist, rationally analyzed. Either that, or be ready and able to appeal to base them on that. I see no hope whatsoever of success in that project. A large proportion of my fellow citizens deny that the poor have any such rights as I believe they have. Should someone extract principles of justice from the consensus populist which entail that the poor do have such rights as I believe they have, I would, on the basis of that entailment, conclude that her analysis was a mis-analysis. I cannot appeal to the consensus populist; the challenge facing me is to try to reform it.

The fact that I would find myself silenced will not seem to most people a decisive objection to Rawls' stricture! So let me move on to highlight other difficulties. The strategy Rawls proposes for arriving at the consensus which is necessary if his stricture is to be met has no chance whatsoever of succeeding. The stricture is that, with respect to fundamental political issues, we are to debate in the public arena and to act (or to be ready and able to debate and act), on the basis of principles of justice that we can reasonably expect all those of our fellow citizens who are reasonable and rational to accept. The strategy for obtaining those principles of justice is the analysis/elaboration strategy. Suppose, then, that someone has followed that strategy; she has analyzed our political mentality into its constituent ideas and has elaborated those ideas into principles of justice. I submit that no matter what those resultant principles of justice may be, the reasonable thing for her to expect is not that all reasonable people who use their common human reason will agree with her results, but that not all reasonable people will agree. It would be utterly unreasonable for her to expect anything else than disagreement. The contested fate of Rawls' own principles of justice is an illustrative case in point. There's no more hope that all those among us who are reasonable and rational will arrive, in the way Rawls recommends, at consensus on principles of justice, than that we will all, in the foreseeable future, agree on some comprehensive philosophical or religious doctrine.

But what about the stricture itself, and Rawls' reason for it: Failure to satisfy the stricture represents failure to treat one's fellow citizens as free and equal? Well, in the first place, there's something very much like a fallacy of composition in Rawls' reasoning at this point. We must each stand ready to defend our political beliefs and actions, says Rawls, in terms that we can "reasonably expect that others might endorse as consistent with their freedom and equality." (218). So suppose it's true that, when conversing with Ryan, I must, to honor his freedom and equality, offer (or be ready to offer) reasons for my political beliefs and actions which I can reasonably expect him to endorse if he uses "our common human reason"; and suppose it's also true that, when conversing with Wendy, I must, to honor her freedom and equality, offer (or be ready to offer) reasons for my political beliefs and actions which I can reasonably expect her to endorse if she uses "our common human reason." It doesn't follow that the reasons I offer to Ryan must be the same as the reasons I offer to Wendy. To Ryan, I offer reasons that I hope he will find persuasive; to Wendy, I offer reasons that I hope she will find persuasive. They need not be the same reasons. They need not even be reasons that I myself accept! Ad hoc reasons would satisfy Rawls' stricture. Contrary to his assumption, the reasons don't have to be reasons for all comers.

But is it true—and this, finally, is the fundamental point—is it true that offering to Wendy reasons for my political views which I know or learn she doesn't accept, and which, accordingly, I cannot reasonably expect her to accept, is to violate her freedom and equality? And is it true that to vote, and otherwise act politically, on the basis of reasons which I do not expect all those affected to accept, is to violate their freedom and equality?

A distinction here is important. What's wrong with explaining to Wendy my religious reasons for thinking that involuntary avoidable impoverishment is a violation of rights, even though I don't expect her to accept those reasons? How does doing that violate her freedom and dignity? In no way whatsoever, so far as I can see. The 'silencing' component in Rawls' stricture—if that's the right interpretation—is just out of place. At most what he ought to say, as, so we have seen, perhaps he means to say, is that I should always have additional reasons available—reasons that I reasonably expect Wendy to accept.

But even this I fail to see. In our constitutional democracies we try to persuade each other on political issues, usually on an ad hoc basis: Offering to Republicans reasons that we think might appeal to them, if we can find such; offering to Democrats reasons that we think might appeal to them, if we can find such; offering to Christians reasons that we think might appeal to them, if we can find such; offering to America-firsters reasons that we think might appeal to them, if we can find such; and so forth. Rarely do we succeed in reaching consensus even among reasonable people of all these different stripes; but we try. Then, finally, we vote. Are we, in voting under these circumstances, all violating somebody's freedom and equality? On certain understandings of freedom and equality we probably are; "freedom" and "equality" are extraordinarily elastic terms. But it cannot be the case that we are violating those concepts of freedom and equality which are ingredients in the political culture of constitutional democracies, since it is characteristic of all constitutional democracies to take votes and act on the will of the majority.

A final point: In our society, the independent-basis principle of liberalism engenders a paradox. It's my own conviction that, when it comes to the political issue of poverty, I ought to act and vote on the basis of my religious
convictions—that conviction being itself a religious conviction on my part. Should someone try to stop me from voting, and acting politically, on the basis of my religious convictions, that would violate the free exercise of my religion. Accordingly, if honoring the freedom and equality of citizens did require adherence to the independent-basis principle, then honoring the freedom and equality of citizens would also require non-adherence. Let it be added that I am not unique in my refusal on religious grounds to divide my life into secular and religious components.

In summary, the Rawlsian defense of the independent-basis principle of liberalism fares no better than the Lockean defense. Yet these, though not the only defenses of the principle, seem to me the best.

§7. It’s worth briefly taking note of the fact that the other half of the neutrality postulate of liberalism, namely, the separation principle, also has consequences in our society which violate the freedom and equality of citizens. The state, in all contemporary constitutional democracies, funds a large part of the educational system. One can imagine a constitutional democracy in which that is not the case; in the contemporary world, however, it always is the case. The separation principle specifies, then, that such state-funding must not in any significant way aid any religion—nor any comprehensive non-religious perspective.

Now suppose there are parents present in society for whom it is a matter of religious conviction that their children receive a religiously integrated education. There are in fact such parents present in contemporary American society. Were the state to fund an educational program in accord with the religious convictions of those parents, it would, obviously, be aiding their religion, and thereby violating the separation principle. But if the state funds other schools but refuses to fund schools satisfactory to those parents, then those parents, in a perfectly obvious way, are discriminated against. If those parents are forbidden by law to establish schools which teach in accord with their convictions, then the discrimination is embodied in law. If they are not legally forbidden to establish such schools, then the discrimination is located in the economics of the matter. Were those parents to establish schools which teach in accord with their convictions, they would have to pay for those schools out of their own pockets while yet contributing to the general tax fund for schools. Obviously the free exercise of their religion is thereby infringed on—in a way in which that of others is not.

There’s a common pattern to the liberal’s impression that his independent-basis principle and his separation principle both deal fairly with religion—to his impression that the neutrality postulate honors the freedom and equality of the religious members of society as much as it does the non-religious members. That common pattern is this: The liberal assumes that requiring religious persons to debate and act politically for reasons other than religious reasons is not in violation of their religious convictions; likewise he assumes that an educational program which makes no reference to religion is not in violation of any parent’s religious convictions. He assumes, in other words, that though religious people may not be in the habit of dividing their life into a religious component and a non-religious component, and though some might be unhappy doing so, nonetheless, their doing so would not be in violation of anybody’s religion. But he’s wrong about this. It’s when we bring into the picture persons for whom it is a matter of religious conviction that they ought to strive for a religiously integrated existence—it’s then, especially, though not only then, that the unfairness of liberalism to religion comes to light.

§8. My argument up to this point has been entirely at the level of ethical, political, and epistemological theory. Let me now be so bold as to engage in some social analysis. I understand Stephen Carter, in his recent book, The Culture of Disbelief, to be pointing to a prominent feature of our actual civil and political society here in the United States. What he observes is that there is a strong impulse in very many Americans to disapprove of bringing religious conviction into discussions which take place in the public space—and it makes no difference whether those discussions be on political issues or others. “We are,” says Carter, “one of the most religious nations on earth, in the sense that we have a deeply religious citizenry, but we are also perhaps the most zealous in guarding our public institutions against explicit religious influences. One result is that we often ask our citizens to split their public and private selves, telling them in effect that it is fine to be religious in private, but there is something askew when those private beliefs become the basis for public action” (8). This seems to me indubitably correct. There has been, in our country, a widespread embrace of the independent-basis thesis of liberalism—and more generally, of its neutrality postulate. There has been a silencing of religion in the public square.

What has rushed in to fill the void is not noble discussions about principles of justice which have been extracted in Rawlsian fashion from the consensus populi. For nobody cares about principles of justice thus obtained. What has rushed in to fill the void is mainly considerations of economic self-interest, of privatism, and of nationalism. These today dominate our discourse in the public square. For people do genuinely care about their own economic well-being, they do genuinely care about protecting their private lives, and many of them do genuinely care about their nation.

As a consequence, public discussion of political issues has been profoundly debased—assuming, as I do, that discussion of political issues purely in the flat secular terms of economic self-interest, of privatism, and of nationalism, is a debased discussion. Let alone not mentioning God, none of these even so much as alludes to anything at all transcendent. Indeed, of the three, only
nationalism even so much as extends beyond the self; and it extends beyond
egotocentric self-ism only by introducing group self-ism into the picture. I do
not regard the embrace of the neutrality postulate as the only cause of the
debasement of public dialogue. The spread of capitalism, intensively and
extensively, also bears responsibility, as do the contemporary media. But
apart from religion, what people in contemporary society care most deeply
about is their pocketbooks, their privacy, and their nation. If the reigning ethos
says that it is wrong to introduce religion into the public space, then it is these
other concerns that people will appeal to. What else? In all the great religions
of the world there are strands of conviction which tell us that pocketbook,
privacy, and nation are not of first importance. In all of them there are strands
of conviction which tell that, in the name of God, we must honor the other—even
when that other is not only other than ourselves but other than a member of
our nation. Silence religion, and the debasement represented by private and
group egoism will follow.

Adherence to the neutrality postulate has a debasing effect on religion as
well. What we are witnessing today on the American scene, as the utterly
natural and predictable response of religious people to the silencing of religion
in the public space, is outbursts of resentment. We had better expect such
outbursts to continue. Many religious people feel profoundly that their voice is
not being heard—as of course it isn’t. But an outburst of resentment is very
different from a reasoned and civil discussion. Yet how are religious commu-
nities supposed to develop a reasoned voice on political matters when the
neutrality postulate is in full sway? In their churches and synagogues and
mosques? Does anybody seriously believe that churches, synagogues, and
mosques can possibly engage in reflection of a depth which could compete
with the sustained reflection that takes place in the public academies of the
land? The only thing that can compete with the academy is the academy. But
when it comes to the academy, we must note that though no one raises an
eyebrow when those who are committed to comprehensive utilitarianism use
the resources of the public academy to work out the political implications of
their view, a similar use of the resources of the public academy by Christians,
Jews, or Muslims would raise an uproar. This is the effect of the liberal
silencing of religion in the public square, coupled with the tag-end of the
Enlightenment view, that while religion is irrational, utilitarianism and such
like, though they may be mistaken, are eminently rational, and thus appropri-
ate for the public academy. I think we must expect, in a society committed to
the neutrality postulate, that religious people, qua religious, will by and large
either have little to say on matters of politics, or little to say beyond simplistic
sentiments expressed in tones of resentment. The system disadvantages seri-
ous religious reflection on political issues.

I think there’s reason to believe that the fate of liberalism itself is threatened
in a society shaped by the neutrality postulate of liberalism. I suggested that
at the very heart of liberalism is the conviction that the normal adult members
of society are free and equal. That conviction emerged slowly, haltingly, and
in complicated ways, out of the seedbed of Christianity in the West. Now
suppose one shares—as probably most people nowadays do—the epistemo-
logical despair which underlies Rawls’ project. I mean, the despair of ever
grounding that conviction in the deliverances of our generic human nature. If
one rejects appeal to religion and anything similar, it is hard indeed to see what
other source there could be for that conviction than the consensus populi. We
Americans—or as Richard Rorty candidly and bluntly puts it, we liberal
bourgeois democrats—we, as it so happens, just do believe that we are free
and equal. Not that everybody is. Just that we are.

I think it is more than dubious that we all do believe this; Rawls seems to
me to have an extraordinarily idealized picture of the political culture of
modern constitutional democracies. But let that pass on this occasion; and
notice that the consensus populi is a most peculiar source. Throughout my
discussion I have been assuming that the consensus populi, if there is one, and
if it is rich and thick enough, does qualify as the independent source that the
liberal needs; and indeed it does, in a way. But it’s a very odd source in the
following way: If someone asks, why should I believe that all normal adult
members of my society are free and equal, what reason is there for believing it,
no answer is forthcoming. The liberal can observe that, as it just so happens,
we all do believe this. But this We-ism is not an answer to the why believe
question. When someone begins to wonder whether we are all free and
equal—perhaps the hypocrisy of our own society on the issue raises the
question in his mind, perhaps critical comments by someone from an alterna-
tive society raises the question, perhaps his own internal reflections do so—
when someone begins to wonder, the observation, “But we all do happen to
believe,” is no answer.

Rorty’s response is that no answer is needed. We-ism is sufficient. We all
do happen to believe that the normal adult members of our society are free and
equal; we like it this way; and that’s the entirely satisfactory end of the matter.
Rawls’ strategy allows him more room to maneuver. It’s open to him to say
that if a person wants a reason, the place to look is to his or her own particular
religion or comprehensive perspective. But if I’m right in my argument above,
that the commitment of our society to the neutrality postulate has an inhibiting
effect on serious reflection by religious communities on political issues, then
it will be unlikely that the various religious communities will in fact develop
their reasons with any depth and solidity. Liberalism saws off the branch on
which it sits.

178 RELIGION AND CONTEMPORARY LIBERALISM

Why We Should Reject What Liberalism Tells Us 179
§9. Recently a group of Christians, organized as the Christian Environment Council, appeared in Washington D.C. Speaking to the national media and the congressional leadership, they spoke up in support of endangered species, declaring themselves opposed to "any Congressional action that would weaken, hamper, reduce or end the protection, recovery, and preservation of God’s creatures, including their habitats, especially as accomplished under the Endangered Species Act." The heart of the reason they offered was that "according to the Scriptures, the earth is the Lord’s and all that dwells within it (Psalm 24:1), and the Lord shows concern for every creature (Matthew 6:26)."

Liberalism, with its neutrality postulate, insists that such appeals as this must be silenced—or that those who present the appeal always have an additional, consensus populi, reason at the ready. To those organized as the Christian Environment Council it says: speak thus to each other in your own churches, if you wish; but when you come to Washington, speak, or be ready to speak, on an independent basis. I regard that silencing-injunction as without basis, and unfair to religion.12 Besides which, I care about species; and I firmly believe that, over the long haul, endangered species are safer in the hands of those who ground their appeals in religion than in the hands of those who ground them in privatism, nationalism, or economism.

Instead of forbidding the Christian Environment Council to offer its religious reasons in the public space, why not invite them to continue saying with civility what they do believe for such reasons as they do in fact have for their beliefs—which in this case are religious reasons? Why not invite others to do the same? And why not invite and urge all of them then to listen to each other, genuinely to listen, changing their minds as they feel the force of the testimony and argumentation of others, in this way slowly coming to so much agreement as is necessary for the task at hand? In the case just mentioned, that will be a distinct service to the species endangered. And it will recognize, in the other human being, not only the worth of her humanity, and the worth of her membership in one’s own people, but the worth of her convictional particularity. Why not let people say what they want, but insist that they say it with civility? Why not concern ourselves with the virtues of the conduct of the debate rather than with the content of the positions staked out in the debate? Why not let people act for whatever reasons they wish, provided their actions fall within the boundaries of the constitution?13

12 It appears that Rawls agrees on this specific point, on the ground that "the status of the natural world and our proper relation to it is not a constitutional essential or a basic question of justice" (Political Liberalism, 246).

13 And what justifies the constitution—that all citizens accept it on the basis of their common human reason? Hardly. At the American constitutional convention, votes were taken! It’s not likely that, if votes were taken today among the populace as a whole, our present Constitution would result. But so far, most of us agree that overturning it would be the greater evil.