

**RELIGIOUS CONVICTION IN  
LIBERAL POLITICS**

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## CHAPTER 1

# RELIGION AND RESPONSIBLE CITIZENSHIP

### 1.0 INTRODUCTION

On November 3, 1992, citizens in Colorado voted on a proposed amendment to that state's constitution, "Amendment 2."<sup>1</sup> Had it been successfully enacted, Amendment 2 would have repealed existing laws in Denver, Boulder, and Aspen that prohibit work- and housing-related discrimination against homosexual citizens and would have forbidden the passage of any comparable law elsewhere in the state. Although Amendment 2 was passed by roughly 53 percent of voting citizens, it was eventually struck down by the Supreme Court in 1996 on the grounds that it violated the Equal Protection Clause. The failure of Amendment 2 to pass the scrutiny of Supreme Court has not, of course, quelled any of the controversies regarding the legal status of citizens who adhere to gay, lesbian, and bisexual lifestyles. If anything, we can expect legal and moral issues regarding homosexuality to assume an even more prominent profile in American politics in the near future.<sup>2</sup>

The referendum on Amendment 2 raises all sorts of important questions. Not the least of those questions has to do with the *moral merits* of Amendment 2: are laws that forbid discrimination against gay, lesbian, and bisexual citizens morally appropriate? Is it morally appropriate for the state to force a landlord who believes that homosexuality is an abomination to rent an apartment to homosexual applicants?<sup>3</sup> Or, as advocates of Amendment 2 held, should the state refrain from employing its coercive power to discourage discrimination against homosexual citizens, given that many citizens believe themselves to be morally obliged so to discriminate? These are important and contentious questions and

have, as a consequence, been the locus of sustained and acrimonious debate.

There are other important if less obvious questions lurking in the neighborhood. In addition to asking whether Amendment 2 was a morally appropriate policy, we might ask how a responsible citizen may go about *determining* whether the amendment was a morally appropriate policy. That is, instead of asking, “Was it appropriate for citizens in Colorado to have voted for (or against) Amendment 2?” perhaps we should ask, “On what basis would it have been appropriate for citizens in Colorado to have voted for (or against) Amendment 2?” What sort of consideration, what sort of reason may a responsible citizen use in deciding to support (or oppose) Amendment 2? A complementary question would be, “What sort of consideration must a responsible citizen *not* allow to play a role in her decision to support or oppose Amendment 2?”<sup>4</sup>

Such questions are particularly appropriate given the widely recognized and very controversial role that appeal to *religious convictions* played in the furor over Amendment 2.<sup>5</sup> Three activists – David Noebel, Tony Marco, and Kevin Tebedo – were motivated to form Colorado for Family Values, the organization primarily responsible for placing Amendment 2 on the statewide ballot, by their belief that “America has deteriorated because it has turned away from literal interpretations of the Bible, and fundamentalist church teachings must play a bigger role in government.”<sup>6</sup> According to Tebedo, “Jesus Christ is the king of kings and lord of lords. That is politics, that is rule, that is authority. So whose authority is going to rule?”<sup>7</sup> A close associate of Colorado for Family Values, Bill McCartney, then head coach of the University of Colorado football team and subsequent founder of “Promise-Keepers,” asserted that homosexual lifestyles are an “abomination of almighty God” and urged his fellow Coloradans to support Amendment 2 on that basis.<sup>8</sup>

McCartney’s religiously grounded support for Amendment 2 raises the question: was it appropriate for McCartney to vote – not to mention urge others to vote – for Amendment 2 on the basis of his conviction that homosexuality is an abomination to God? As a citizen in a liberal democracy – a democracy pervaded by a diversity of lifestyles and worldviews – was it appropriate for McCartney to support Amendment 2 on the basis of a religious rationale he well knew many of his fellow citizens rejected? Of course, that question arises not just for McCartney but for any citizen: is it morally appropriate for any citizen in a liberal

democracy to support a proposed law on the basis of his religious convictions?

We should note immediately that McCartney's willingness to support Amendment 2 on the basis of his religious convictions enjoys long-standing precedent. The history of the United States is pervaded by the actions of citizens who were motivated by their religious convictions to support or oppose proposed laws, many of them extremely controversial. In the antebellum United States, for example, citizens provided explicitly religious reasons in support of proposed legislation that discouraged dueling,<sup>9</sup> in opposition to legislation that mandated agents of the federal government to deliver mail on the Sabbath,<sup>10</sup> and in (futile) opposition to Georgia's expropriation of land granted by treaty to the Cherokee nation.<sup>11</sup> Appeal to religious convictions in political debate over the "twin relics of barbarism – Polygamy and Slavery" was not uncommon.<sup>12</sup> Many abolitionists were moved by their religious convictions to advocate the immediate criminalization of slavery,<sup>13</sup> various pro-slavery "reformers" adduced theological considerations against laws that forbade slave owners to teach slaves to read and in support of laws that prohibited slave owners from separating slave families, and many slaveholders articulated an explicitly theological justification for the existing system of slavery.<sup>14</sup> Mormon polygamists appealed to their Latter-Day revelation as a basis both for supporting laws that legalized polygamy and for disobeying laws that criminalized it,<sup>15</sup> just as antipolygamists adduced theological grounds in support of laws that criminalized polygamy.<sup>16</sup>

The willingness of citizens to support (or oppose) controverted laws on the basis of their religious convictions is not, of course, just a thing of the distant past. Recent examples are easy to identify. Religious citizens played a central role in the civil rights movement: according to Hubert Humphrey, the Civil Rights Act of 1964 "could never have become law" without the support of prominent religious groups (the National Council of Churches, in particular).<sup>17</sup> And, of course, Martin Luther King, Jr., and other members of the Southern Christian Leadership Conference explicitly appealed to their religious convictions in agitating against laws that propped up the system of racial segregation.<sup>18</sup> Religious voices are highly critical of government policy on matters regarding the distribution of wealth. Polygamous marriage remains illegal (although rarely prosecuted) even though there are, in my estimation, no convincing nonreligious arguments in support of a ban

on “plural marriages.”<sup>19</sup> Citizens in Alabama recently voted to reject “Amendment 1,” a proposal to fund various educational initiatives by instituting a state lottery, a result plausibly attributed to the moral suasion and political clout exercised by a broad coalition of Christian churches, clergy, and denominational bodies.<sup>20</sup> Religious citizens and public officials regularly bandy about religious arguments regarding the most divisive issue on the current political docket: abortion. One of the most controversial political movements in recent United States politics, the Christian Right, overtly relies on religious claims to underwrite its political recommendations.<sup>21</sup> The list of examples goes on nearly indefinitely: the political power exercised by religious citizens and religious institutions is pervasive indeed, a situation that can hardly be surprising when a remarkable 63 percent of American citizens believe that religion can answer all or most of today’s problems.<sup>22</sup>

Citizens in the past have supported and citizens in the present do support controverted laws on the basis of their religious convictions, and there is every reason to believe that citizens in the future will support their favored laws on religious grounds. As we’ll see in detail in the next chapter, the widely held idea, codified in the theory of secularization, that modernizing societies will become progressively irreligious is vulnerable to powerful objections, as is the prediction, also associated with the theory of secularization, that modern citizens will engage in their religious practices “*pianissimo*,” in ever more privatized a fashion.<sup>23</sup> Religion – and specifically, *public* religion – seems here to stay.

The issue I’m interested in pursuing, however, is not a descriptive but a normative one: even though many citizens in the United States support their favored laws on religious grounds, is it *appropriate* for them to do so? When a citizen deliberates about the propriety of a proposed policy, is it *morally proper* for her to decide to support or oppose that policy by relating it to her convictions regarding God’s will, her reading of a divinely inspired text, or the dicta of a given religious authority?

It is important to be clear about the issue I broach in this book: I’m interested in determining whether any of the *moral obligations* reasonably associated with the *social role* of citizen in a liberal democracy forbid supporting laws on the basis of religious commitments.<sup>24</sup> A word about social roles and moral obligations will help to clarify this formulation of the issue. Part of the cultural material of any given society is a set of more or less determinate social roles: mother, teacher, soldier,

statesman, priest. Attached to each of those roles is a set of obligations, rights, and responsibilities: for example, a person who inhabits the role of “father” in our society thereby incurs a prima facie obligation to provide for his children and thereby enjoys the right to raise his children as he sees fit (within limits, of course). The rights and obligations associated with a given social role constitute an important basis for normative evaluation: that a person inhabits a given social role entitles us to evaluate his actions by reference to the normative standards associated with that role. So if, as is the case in the United States, the role of father is associated with the obligation to provide materially for children, then we regard a father who fails to discharge that obligation as culpable and perhaps as the appropriate object of social stigma. Of course, just as the normative standards associated with some social roles differ from society to society, so also do they change in the course of a given society’s development. Clearly, the normative standards associated with a given social role are open to negotiation, criticism, and improvement by those who enter into those social roles: *we* decide which normative standards are to be satisfied by those who enter into some social role.

The issue here has to do with the moral standards we should associate with a social role of central importance in a liberal democracy – that of *citizen*. As with the role of father, the role of citizen is associated with a set of rights, obligations, and responsibilities. For example, each citizen in a liberal democracy enjoys the right to exercise some degree of influence over the laws the state enforces with its coercive power: a citizen exercises that right when he votes for a candidate in a general election or for a particular policy in an initiative. I assume, moreover, that the way citizens may exercise that right is constrained by a set of obligations: in particular, I assume that associated with the social role of citizen is the entirely legitimate expectation that a citizen won’t knowingly support laws that further his interests to the detriment of “the common good.” Even though a citizen might have a moral *right* to support laws that he realizes are detrimental to the common good, a citizen who knowingly supports such a law violates the moral obligations associated with the role of citizen in a liberal democracy and is thereby open to moral *criticism*.<sup>25</sup>

Assume that the following prohibition is associated with the role of citizen in a liberal democracy: a citizen ought not support any law he conscientiously and sincerely regards as detrimental to the common

good. That prohibition, notice, provides no adequate basis for objecting to McCartney's willingness to support Amendment 2 on religious grounds: however we understand the notion of "the common good," we may assume that McCartney conscientiously believed, *on the basis of his religious convictions*, that Amendment 2 furthers the common good. So in voting for and advocating Amendment 2, McCartney can't reasonably be criticized for abusing his moral right to vote as he sees fit – at least, he can't reasonably be criticized on the grounds that he has flouted the prohibition against supporting a law considered detrimental to the common good.<sup>26</sup>

Of course, although McCartney's support for Amendment 2 doesn't violate *that* prohibition, there is still the matter of the overall moral propriety of his willingness to support Amendment 2 on religious grounds. There might, after all, be other normative constraints properly associated with the role of citizen that provide a basis for criticizing him. Are there any other such constraints?

To broach that normative issue in a reasonably sophisticated manner, we need to distinguish between two questions that pertain to the justificatory role that a citizen's religious convictions might play in his political practice. First, is it morally appropriate for a citizen such as McCartney to support his favored laws on the basis of his religious convictions? Second, is it morally appropriate for McCartney to support his favored laws on the basis of his religious convictions *alone*?<sup>27</sup> These two questions are importantly different. It is one thing for McCartney to support Amendment 2 on nonreligious grounds, thereby addressing his nonreligious compatriots, yet *also* to support Amendment 2 on *corroboratory* religious grounds. It is quite another matter – a much more troubling matter, given its sectarian overtones – for McCartney to support Amendment 2 for no reason other than a religious reason.

I believe that the United States' political culture is characterized by an *affirmative* answer to the first question. If a citizen supports or opposes a proposed law on the basis of his religious convictions, then that's just fine. And if he tries to convince other citizens to support or oppose a proposed law by appealing to their religious convictions, that's fine as well. In neither case need he violate any of the obligations attendant to his role as a citizen in a liberal democracy. Indeed, in neither case need he do *anything* that is in the least defective, out of order, less than ideal, or the like. Since there is, I take it, general consensus (though certainly not unanimity) that the first question merits an affirmative answer, and

because I believe that that consensus is correct, I'll assume throughout this book that the norms of responsible citizenship permit citizens to support (or oppose) laws on the basis of their religious convictions. For my purposes, the first question is settled.<sup>28</sup>

My sense is, however, that there is no consensus in the United States as to how we ought to answer the second question. Although many a citizen supports (or opposes) a favored policy on the basis of her religious convictions alone, that practice is certainly controversial. The furor over Amendment 2 – and debate over laws that discourage or criminalize homosexual behavior generally – exemplifies our pervasive and contentious disagreement over that practice. In addition to the obvious, I believe that laws discouraging homosexual relations are so controversial because there is no credible nonreligious reason to believe that homosexual behavior is immoral or otherwise aberrant. So anyone who supports a law that discourages homosexual behavior *must* – insofar as she has a clear and sober grasp of the arguments on both sides – be relying on some sort of religious rationale.<sup>29</sup> Because laws that discourage homosexual behavior inevitably depend for their justification on religious claims, the citizens whose behavior is discouraged by such laws naturally regard themselves as subject to religiously grounded impositions – a condition many regard as a repugnant state of affairs indeed.

Many on the other side of the issue reject such protestations out of hand. As they see the matter, a citizen such as McCartney is doing exactly what any other advocate involved in a contentious political dispute does: he supports a law that he conscientiously takes to be morally appropriate given his admittedly fallible and partial understanding of the merits of the issue.<sup>30</sup> The fact that he supports his favored position on the basis of normative commitments he accepts solely on religious grounds is not *relevantly* different from his opponents' supporting the contrary position based on a different but nevertheless partial and fallible normative understanding. Consequently, it is no more objectionable for McCartney to support Amendment 2 on the basis of his religiously grounded normative commitments than it is objectionable for his opponents to reject Amendment 2 on the basis of the parochial moral understanding they bring to the table.

It seems clear that we are divided as to the propriety of a citizen's supporting or opposing a proposed law on the basis of religious convictions alone. Social mores on that issue are unclear, contradictory, and

contested. The lack of a settled understanding as to what is required by responsible citizenship regarding the proper role of religious convictions in politics renders that issue a fit topic for investigation. My intention in this book is to contribute to the ongoing discussion of that question and, I hope, to aid in its resolution.

### 1.1 CENTRAL THESIS

I'll defend the claim that a citizen is morally permitted to support (or oppose) a coercive law even if he has only a religious rationale for that law.<sup>31</sup> So I will defend the claim that a citizen such as McCartney is under no obligation to refrain from supporting Amendment 2 even if he lacks a credible nonreligious rationale in support of that proposal, even if he can't articulate a rationale for Amendment 2 that has a realistic prospect of convincing his compatriots; indeed, even if he realizes that his compatriots are entirely within their epistemic rights in rejecting his religious rationale for Amendment 2. (The same applies, *mutatis mutandis*, to any citizens who *reject* Amendment 2 solely on religious grounds.) The unvarnished truth is that responsible citizenship doesn't require a citizen to restrain his natural and understandable inclination to support a coercive law for which he has a religious rationale, even if he supports that law on the basis of his religious rationale *alone*.<sup>32</sup>

I want to make clear at the outset, however, that I do *not* endorse the position that responsible citizens may support (or oppose) a coercive law without *concern* for whether they can articulate a plausible secular rationale for that law, without even *attempting* to articulate a widely convincing rationale.<sup>33</sup> After all, the claim that a citizen is in no respect morally criticizable for supporting a coercive law solely on religious grounds is entirely consistent with the claim that she has an obligation to do what she can to avoid putting herself in such a condition. And I'll argue that each citizen has just that obligation: each citizen ought sincerely and conscientiously to attempt to articulate a plausible, secular rationale for any coercive law she supports. So, to put my central thesis in summary fashion: *a citizen has an obligation sincerely and conscientiously to pursue a widely convincing secular rationale for her favored coercive laws, but she doesn't have an obligation to withhold support from a coercive law for which she lacks a widely convincing secular rationale.*

## 1.2 JUSTIFICATORY LIBERALISM

I have no illusions regarding the popularity of this thesis. My defense of the claim that a citizen is in no wise morally criticizable for supporting (or opposing) a coercive law solely on the basis of religious convictions puts me at loggerheads with a number of prominent theorists, including John Rawls, Charles Larmore, Bruce Ackerman, Robert Audi, Amy Gutmann, Thomas Nagel, Lawrence Solum, and Gerald Gaus. Although each of these thinkers differs from the others in significant respects, each adheres to his or her own blend of what I shall call *justificatory liberalism*.<sup>34</sup> And it is because of their adherence to justificatory liberalism that Rawls, Larmore, and others are committed to rejecting my thesis. As a consequence, I'll attempt to establish my thesis by articulating and evaluating the central arguments put forward in support of justificatory liberalism.

What is justificatory liberalism? Although I'll explain that position in more detail in succeeding chapters, a brief characterization here will help to identify the question at issue in this book. Justificatory liberals are committed to liberal principles and practices. For example, they believe that the power of the state over citizens should be severely constrained; that each citizen should enjoy certain familiar rights: freedom of religion, freedom of conscience, freedom of association, the right to own private property, and so on; that laws should be publicly promulgated prior to the state's enforcing those laws; that citizens should be tried in independent courts and accorded due process when defending themselves; that each citizen may participate in selecting his political representatives and thus have some modicum of influence over the laws to which he is subject; and so on. Adherence to such substantive claims is a necessary condition of adherence to justificatory liberalism.<sup>35</sup> (Hence, justificatory *liberalism*.)

But a commitment to liberal practices and principles isn't sufficient for commitment to justificatory liberalism; adherence to such substantive liberal commitments as mentioned earlier doesn't distinguish justificatory liberalism from other species of liberalism. What does? Fundamentally, commitment to the following claim: because each citizen ought to *respect* her compatriots, each citizen ought to pursue *public justification* for her favored coercive laws. According to the justificatory liberal, since each of her compatriots deserves to be treated with respect, a citizen should support only those laws which she sincerely and

rationally takes herself to enjoy an appropriate rationale – a rationale in virtue of which her favored laws are *justifiable* to each member of the *public*. The claim that respect requires public justification provides a basis for the central component of the justificatory liberal's ethic of citizenship: *the norm of respect imposes on each citizen an obligation to discipline herself in such a way that she resolutely refrains from supporting any coercive law for which she cannot provide the requisite public justification.* (Hence, *justificatory liberalism.*)

As a consequence of his defining commitments, the justificatory liberal must provide guidance as to the sorts of grounds citizens can appropriately employ as a basis for their favored laws. To provide that guidance, the justificatory liberal must articulate a defensible *conception* of public justification: such a conception should specify both the reasons citizens may use and those they may *not* use in political decision making and advocacy. As should be expected, the common goal of articulating a defensible conception of public justification does not translate into consensus on any particular conception. We will have ample occasion to sample the diverse conceptions now on offer. But the diversity of proposals doesn't obviate the similarity of intent: to articulate concrete, clear guidance as to the sorts of grounds citizens may and may not employ as a basis for supporting (or rejecting) their favored laws.

Just as justificatory liberals disagree over the proper conception of public justification, they also disagree about the sorts of grounds a citizen may and may not employ to support or reject a given coercive law. Nevertheless, the latter disagreement doesn't extend to grounds of every sort. Indeed, justificatory liberals *unanimously* agree that a responsible citizen in a liberal democracy ought not support (or reject) a coercive law on the basis of religious convictions alone.<sup>36</sup> In addition to unanimous agreement on that point, justificatory liberals typically regard a citizen who supports a favored coercive law for which she lacks a nonreligious rationale as exemplifying in a *paradigmatic* way the sort of behavior they intend to discourage. Thus, the justificatory liberal will regard Bill McCartney's support for Amendment 2 as paradigmatically inappropriate and therefore as inconsistent with the requirements of responsible citizenship.<sup>37</sup> (One justificatory liberal, Gerald Gaus, characterizes as "browbeaters" those citizens who support laws that discriminate against homosexual people just on the basis of their religious convictions; according to Gaus, a citizen such as

McCartney browbeats and thereby disrespects his compatriots, not in virtue of the *content* of McCartney's position, but in virtue of his *reasons* for that position – his willingness to support laws regarding homosexuality on the basis of his religious convictions alone.<sup>38</sup>) Of course, because the justificatory liberal is committed to religious freedom, she is committed to allowing McCartney to adhere to his religiously grounded conviction that homosexual behavior is morally wrong as well as to act in accord with that conviction in his private life. The justificatory liberal objects, however, to any attempt by McCartney to impose that conviction on his fellow citizens by supporting (or rejecting) a coercive law for which that conviction is his only basis.

The justificatory liberal, then, assents to the claim that a citizen ought not support (or reject) a coercive law on the basis of religious convictions alone. That claim is a nonnegotiable, constitutive feature of justificatory liberalism – of the commitment to public justification. On the contrary, I believe that a citizen may support (or reject) a coercive law on the basis of his religious convictions alone. That is the crux of the issue between us. My analysis and criticism of the justificatory liberal's position on the role of religious convictions in politics will occupy us for the rest of this book.

### 1.3 IMPORTANCE OF THE ISSUE

Having identified both the issue that constitutes the primary subject matter of this book and the theorists with whom I will be in dialogue on that issue, the question remains: why is that issue important? There are a number of reasons. The first two are fairly straightforward. First, whether it's appropriate for a citizen to support a coercive law solely on religious grounds is a matter of considerable controversy both within and outside the academy. At least some of the acrimony that characterizes the current political situation in the United States seems to be generated by the willingness of a least a significant minority to support (and reject) coercive laws on the basis of their religious convictions alone. By showing that such religious citizens don't violate any reasonable expectations on the part of their compatriots, we can ameliorate to some degree the resentment that issues from the false impression that such citizens fail to discharge their duties as citizens.

Second, many religious traditions provide their adherents with rich moral resources they can productively employ to evaluate particular

laws. In some cases, the moral resources of a given religious tradition can diverge from the commonly held moral wisdom of a hegemonic culture and yet provide a better grasp of the moral truth than is available to those immersed in that culture. And it might very well be that a citizen who adheres to a religious tradition that is thus discrepant from the hegemonic culture can't discern a widely convincing nonreligious rationale for (or against) a given coercive law. It might be quite unfortunate – perhaps catastrophic – for him to refrain from employing the resources of his tradition as a basis for supporting (or opposing) that law. But the strictures on religious convictions to which the justificatory liberal is committed discourage religious citizens from doing so. Hence, it is important to subject those strictures to criticism.<sup>39</sup>

The third reason is a bit more abstruse – although no less important – and so merits explication. *Epistemically* loaded concepts pervade the literature with which I am concerned. One can hardly read an essay about the proper role of religious convictions in liberal politics that doesn't include a healthy dose of references to “rationality,” “ideal rationality,” “self-critical rationality,” “communicative rationality,” “reason,” “reasonableness,” “public reason,” “shared reason,” “common human reason,” “reasonable rejectability,” “accessibility,” “public accessibility,” “in principle public accessibility,” “justification,” “rational justification,” “public justification,” “open justification,” “closed justification,” “mutual acceptability,” “criticizability,” “intelligibility,” “provability,” “fallibility,” “checkability,” “replicability,” and so on. To what use does the justificatory liberal put such concepts? She employs them to fashion her favored conception of public justification. The justificatory liberal's appeal to such epistemically loaded concepts as “public accessibility,” “criticizability,” and “common human reason” putatively provides her with a principled basis for separating the public wheat from the private chaff: citizens may support a given coercive law on grounds that enjoy the epistemic desideratum the justificatory liberal builds into her favored conception of public justification, but they may not support any coercive law solely on grounds that lack that epistemic desideratum.

The justificatory liberal is unavoidably committed to the claim that a citizen in a liberal democracy ought not support (or reject) any coercive law for which she enjoys only a religious justification. As a consequence, one of her central tasks will be to construct and defend a conception of public justification according to which a religious rationale does not constitute a public justification. That task in its turn commits the

justificatory liberal to identifying some epistemic desideratum that religious convictions lack: religious convictions must lack some epistemic property in virtue of which they fail to constitute a public justification.<sup>40</sup> As a consequence, the justificatory liberal can't avoid making at least some sort of epistemic evaluation of religious convictions. In many cases, justificatory liberals articulate a conception of public justification that has straightforwardly skeptical implications. In others, they are committed to consigning religious convictions to a decidedly second-class epistemic status – and that is reason enough to scrutinize closely the arguments they present for their position.<sup>41</sup>

But there is a further reason that I, as a citizen committed to the Christian tradition, am concerned with justificatory liberalism. “Reason” is one of the most potent symbols in modern culture. Modernity is characterized, if not defined, by a widely held commitment to the proposition that ordinary people should govern their affairs in accord with the canons of rationality. As a consequence of the widely held cultural norm that actions, norms, worldviews, and institutions should pass rational muster, any of these that is convicted of irrationality carries a debilitating stigma. Religious citizens aren't exempt from the culturally held expectation to govern their affairs rationally. So, given the high regard in which we moderns typically hold rationality, if religion is to thrive, or even survive, in the modern world, its adherents must make good on the claim that their commitment to religion is rational.

That apparently clear directive becomes murkier when we recognize two facts about the concept of rationality. First, there are any number of competing conceptions of rationality.<sup>42</sup> Second, according to some of those conceptions, religious commitment is plausibly regarded as rational; according to others, it is irrational; according to still others, the jury is out. Thus, for example, if we adopt some version of classical foundationalism – for example, the claim that a rational (justified, warranted, entitled) belief is either self-evident or can be inductively or deductively derived from self-evident propositions – it is unlikely that a citizen will be rationally justified in believing, say, that homosexuality is an abomination to God. In fact, given a classically foundationalist construal of rationality, citizens will be rationally justified in assenting to few if any religious propositions.<sup>43</sup> But matters look very different if we adopt a nonclassically foundationalist conception of rationality. For example, if we regard William Alston's doxastic practice approach to epistemology as a credible account of the epistemic criteria we should

employ to evaluate a citizen's religious commitments, then we will be much more likely to conclude that fully rational citizens can adhere to religious commitments.<sup>44</sup> Judged with respect to Alston's approach to epistemology, it will be much more plausible for us to regard a citizen such as McCartney as rationally justified in assenting to the claim that homosexual relations are morally abominable. (Of course, I'm not even remotely suggesting that according to Alston's approach, McCartney actually was rationally justified in assenting to the claim that homosexual relations are morally wrong.)

A great deal hinges on the conception of rationality we employ to determine whether a citizen is rationally justified in adhering to some religious commitment. As one factor influencing the ability of religion to thrive in modernity is its perceived rationality (or irrationality), the conception of rationality that enjoys common cultural currency is an important concern for the religiously committed.<sup>45</sup> And given the availability of alternative conceptions of rationality, we should expect that the question of which conception(s) of rationality should enjoy cultural predominance will engender considerable controversy.

Willingly or unwillingly, justificatory liberals often participate in that controversy. After all, the justificatory liberal's express intention is to encode his conception of public justification into the political culture: he articulates a conception of public justification that he builds into an ideal of responsible citizenship and he hopes that most citizens will adhere to that ideal. If the citizens who do so accept his conception of public justification – and why should we doubt that they will? – the success of the justificatory liberal's project will unavoidably affect the culturally predominant understanding of rationality. And if I'm correct that justificatory liberals often build into their conceptions of public justification epistemic claims that consign religious convictions to second-class epistemic status, concern for the ability of religion to thrive in modernity requires that we identify exactly what those epistemic claims are and then determine whether they are defensible. So the attempt to identify and evaluate the epistemic claims the justificatory liberal needs to vindicate will be a central concern of this book.

This last reason for undertaking my inquiry raises two further points. First, my interest in the role of religious convictions in politics, and in justificatory liberalism in particular, has at least as much to do with the effects of politics on religion as it has to do with the effects of religion on politics. Undoubtedly religion and politics exert a mutual

influence on one another; also, our understanding of how we ought to conduct ourselves in the political sphere unavoidably affects our understanding of how we ought to conduct ourselves religiously. Although some sort of mutual influence is unavoidable, the *kind* of influence is contingent and contestable. And my intention is to contest a particular understanding of the proper relation between religion and politics, one that I believe has potentially deleterious effects for religion in liberal democracies.

Second, my interest in the role of religious convictions in politics has little to do with resolving disputes over specific laws and more to do with a proper understanding of the place of religion in modernity. I doubt that religious citizens, even the most devout, often support coercive laws on the basis of their religious convictions alone. I surmise that most of the citizens who employ their religious convictions to determine which laws they ought to support have both religious and nonreligious reasons for their favored laws.<sup>46</sup> If that is correct, then the question I raise in this essay doesn't arise for most citizens; at least, it doesn't arise very often. But the frequency with which citizens face the issue I address in this book indicates nothing significant about the importance of that issue: sometimes a problem we rarely face requires us to ask questions of far-reaching importance, and the resolution of these questions requires us significantly to alter our self-understanding – even of how we act in the more familiar cases in which that problem doesn't arise. That is how I regard the issue I broach in this book: what we believe a citizen is morally permitted to do by way of supporting a coercive law for which she enjoys only a religious rationale has far-reaching implications for our understanding of religion, modernity, liberal democracy, and the place of religion in both modernity and liberal democracy.

#### 1.4 COMING ATTRACTIONS

Although I've done my best to focus in this book on the very narrow question of whether a citizen may support his favored coercive laws on religious grounds alone, the ensuing discussion touches on a wide range of issues. As a consequence, it will be helpful to lay out the structure of that discussion.

The next two chapters set the groundwork for the rest of the book. In Chapter 2, I address an objection to one fundamental assumption of my project. It's plausible to suppose that there is an internal relation