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Introduction

Religion is one of the most potent political forces in the contemporary world. The recent emergence of religious fundamentalism in many parts of the globe and the rise of religious conservatism in America are developments the political significance of which can hardly be exaggerated. Religion's power to stir passions, nourish social ideals and sustain mass movements makes it of obvious interest to students of politics. My concern is with contemporary liberal democracies and with the many questions we can ask about what role religion may play in their citizens' political decision-making. These are moral questions. The task of answering them falls to political philosophy.

These questions get their purchase because a society's commitment to liberal democracy entails certain moral commitments, commitments which are in some way normative for its citizens. Among the most important of these are commitments to liberty and equality, religious toleration, self-government, majoritarianism, the rule of law, and some measure of church–state separation. The precise content and implications of these commitments are matters of disagreement. Still, I shall assume they are clear and familiar enough that we can see how moral questions about religion and democracy arise, and compelling enough that we do not dismiss the questions out of hand.

Questions about the proper role of religion in liberal democratic decision-making fall into two broad categories. Some seize on the effect religion may have on political *outcomes* and ask how those outcomes square with the commitments of liberal democracy. Thus we can ask quite general questions, like whether state support for a religion, or for all religions equally, or for religion as such, is consistent with liberal democracy. We can ask whether it is permissible for a liberal democratic government purposely to encourage religious belief or the conduct demanded by a particular religion, or whether it may permissibly enforce religious codes of conduct. We can also use questions about religion and

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political outcomes to illustrate puzzles about liberal democracy. Thus we can ask whether public school prayer should be permitted if the majority favors it. If so, then it seems that measures which threaten the liberty of the minority can be allowed in the name of a democratic commitment to majoritarianism. If not, then it seems that measures which the majority would like to enact can be frustrated by a liberal commitment to freedom of religion. Or we can ask whether some citizens should be allowed to make ritual use of drugs which are generally proscribed. If so, then it seems that the commitment to the equality of all before the law can, under some circumstances, give way to religious liberty. If not, then it seems that religious liberty can be restricted in the name of treating all as equals before a law which the state has an interest in enforcing.

Another set of questions seizes on religious political *inputs*. Liberal democratic commitments to religious toleration and church–state separation are sometimes thought to be incompatible with citizens’ taking their religiously based political views as the basis of important political decisions. Those who publicly attempt to persuade others of their political positions using religious arguments, who base their own votes and political activity on their religious convictions, and churches and religious organizations which try to form the political preferences of their participants, are all said to betray these commitments and to violate their moral obligations by doing so. And so we can ask: on what grounds should citizens cast their votes? What sorts of arguments and reasons *may* ordinary citizens offer one another on those occasions when they speak in the public forum? What sorts of reasons *must* they offer one another, or be prepared to offer one another, on those occasions? What, if any, relevant differences are there between the public forum and other fora in which citizens express their political views? May religious arguments for policy be offered in public by those who occupy influential social roles like opinion-maker or religious leader? May they be offered by those who seek or who have been chosen for special political roles, like judge, legislator or executive? If ordinary citizens may offer such arguments and public officials may not, what difference between them explains *this* difference?

These questions about religious political inputs are questions about the ethics of citizenship. They are questions about how those who occupy a certain social role – that of the citizen in a liberal democratic society – are to treat one another as they exercise political power to conduct their common business. They are the questions I take up in this book. These questions about the *ethics* of citizenship force us to confront deeper

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questions about the *nature* of citizenship. Indeed, as I shall explain shortly, one of the reasons they are so interesting and important, and one of the reasons I pursue them here, is that by forcing us to confront these deeper questions they shed light from a fresh angle on some of the most fundamental issues in political philosophy.

OVERVIEW OF THE ARGUMENT

The conclusions I defend are that citizens may offer exclusively religious arguments in public debate and that they may rely on religious reasons when they cast their votes. More specifically, I shall defend the following two claims, the “provided” clauses of which express *prima facie* obligations of liberal democratic citizenship:

- (5.1) Citizens of a liberal democracy may base their votes on reasons drawn from their comprehensive moral views, including their religious views, without having other reasons which are sufficient for their vote – provided they sincerely believe that their government would be justified in adopting the measures they vote for.
- (5.2) Citizens of a liberal democracy may offer arguments in public political debate which depend upon reasons drawn from their comprehensive moral views, including their religious views, without making them good by appeal to other arguments – provided they believe that their government would be justified in adopting the measures they favor and are prepared to indicate what they think would justify the adoption of the measures.

These are principles of what I shall refer to as “responsible citizenship.” I shall argue that liberal democratic citizens are sometimes under a role-specific duty to vote and advocate responsibly. These principles say what they are permitted to do consistent with that duty. The guiding idea in the argument for them is that how citizens discharge their duty to behave responsibly depends upon the circumstances of their society. This is because voting and advocacy are collective enterprises. What constitutes responsible participation in collective undertakings depends, in part, upon how it is reasonable for participants in it to regard themselves and upon what they may reasonably expect from one another. Citizens of contemporary liberal democracies like the United States are deeply divided on the nature and demands of citizenship, hence deeply divided on how to regard their own citizenship and on what they can expect of each other. Some of their disagreements concern the sort of reasons that can justify political outcomes. Some of *these* disagreements result from the political activity of churches and religious organizations. In some societies

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the political activities of churches and religious organizations are very valuable. They are valuable because, to take a phrase from contemporary political science, they are part of what makes liberal democracy “work.” In societies in which this is so, the disagreements that result can, I maintain, be reasonable disagreements. Where such disagreements are reasonable, principles of responsible citizenship should allow citizens latitude in the reasons on which they may rely in voting and in public political advocacy. This is done by (5.1) and (5.2).

Clearly a crucial step in this line of thought is the claim that in some societies churches make valuable contributions to liberal democracy. The arguments I offer for the value of churches’ political activities rely upon claims about what in chapter 1 I shall call “participation” and “full participation” in a liberal democratic society. One argument for the value of churches’ contributions to liberal democracy begins from the value of being able to and knowing that one is able to participate in one important sphere of a liberal democratic society: its political life. In some societies, churches provide the means by which many people gain access to realistically available opportunities to participate in politics and develop a sense of themselves as citizens. A second argument begins from the value of debating the conditions of participation, including full participation, in other spheres of one’s society. Many political debates – including those about abortion and the rights of women, affirmative action, homosexual marriage and domestic partnership benefits, welfare rights, the right to employment, how to treat prisoners, immigrants and the disabled – can, I shall argue, be seen as debates about who should be a full participant and about what goods various levels of participation should confer. There is a great deal at stake in these contests, for their outcomes determine who is accorded full participation, what rights, duties and privileges that status carries with it and what is conferred on those who are participants but not full participants. Vigorous, open and informed contests help to insure that no one is excluded from full participation who deserves to be accorded it and that those who are not full participants are treated with dignity. Churches and their representatives have defended the rights of slaves, immigrants, the poor and the marginalized. In doing so, they have often drawn on interpretations of participation which otherwise would not be articulated. These arguments can, therefore, be valuable contributions to public debate.

Showing how people gain access to opportunities for full participation and develop a sense of themselves as citizens, and showing how churches contribute to debates about participation, requires the presentation and

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analysis of empirical material about churches, religious organizations and their role in politics. My arguments for the principles therefore requires a departure from methods which are standard in philosophical inquiry. Philosophy typically proceeds by conceptual argument, by testing definitions, premises and inferences against our intuitions. Argumentation of this kind can take us quite far toward the solution of some philosophical problems. Much of the best work in political philosophy, including work on questions about religion and political decision-making, relies exclusively upon it. But I do not believe that exclusive reliance on conceptual argumentation is the best way to appreciate the role religion may permissibly play in democratic politics. I shall have more to say about my use of empirical data in chapter 2. For now, note that while empirical data cannot solve normative questions, they can suggest that some solutions to those questions are less reasonable than others because of the costs they would exact. They can be used to query presumptions about standard conditions which are implicit in some seemingly plausible solutions. They can also convey information needed to assess the reasonability of deep disagreement.

My defense of (5.1) and (5.2) points to the importance of distinguishing those who violate the obligations of citizenship from those whose politics we dislike. There may be many people who use religious arguments to support positions with which we vehemently disagree and candidates whom we hope will lose. It does not follow from this that they violate some obligation of citizenship. This point, though obvious, is worth bearing in mind. Though the philosophical arguments used to defend restrictions on religious political argument and activity are very powerful, the intuitive appeal of these restrictions depends, I believe, upon unspoken assumptions about the policies that religious citizens advocate and vote for, and upon opposition to those policies. In the second chapter I will try to undermine these assumptions by showing that churches and religious citizens of the United States defend a much wider range of positions than popular portrayals would have us believe. Still, there is no doubt that some citizens use religious arguments to defend political positions that others, including myself, consider illiberal or unjust. The fact that they do so shows, not that obligations of citizenship are frequently violated, but that modern societies are characterized by deep disagreements about the primacy of justice, about what justice requires and about what sorts of reasons are good ones for enacting public policy. An account of the reasons on which citizens may rely must take proper account of these disagreements.

THE STANDARD APPROACH

There is an approach to questions about religious political inputs that has become standard. That approach begins with a fundamental claim about the nature of citizenship: citizens of a liberal democracy are free equals. They can enjoy their freedom and equality, it is said, only if government justifies political arrangements, or basic political arrangements, or coercive arrangements, by reasons which are accessible to everyone. For if the reasons provided for these arrangements are accessible to some but not others, those to whom the reasons are not accessible will not be treated as the equals of those to whom they are (because they are not treated as persons to whom accessible reasons are due). Nor will they realize their freedom (because they will perceive basic arrangements as brutally coercive in the absence of a justification accessible to them). Having argued that citizens' freedom and equality require the provision of accessible reasons, those who follow this approach then isolate a class of reasons which, they claim, are accessible to everyone. These are reasons which informed and rational persons recognize or would recognize as good ones for settling questions of the relevant kind. Because these are the reasons government must use to justify political arrangements to citizens, we can call reasons in this class "justifying reasons."

Proponents of this approach go on to argue that whatever other reasons citizens offer each other when they deliberate and whatever other reasons they rely on when they vote, they must also have and be prepared to offer one another justifying reasons. This is because it is incumbent on citizens to participate in politics responsibly. By participating responsibly, they do their part to bring it about that their relations with one another are marked by civility, trust and mutual respect. Participation can be responsible and the quality of citizens' relations maintained, it is said, only if citizens rely and know that everyone else relies on accessible reasons, on reasons that they all recognize or would recognize as good reasons for deciding fundamental questions. Since religious reasons are not accessible to everyone in a pluralistic society, they conclude that appeals to them must be made good by appeal to reasons which are.

The standard approach is a very attractive one, for it is premised on a number of convictions which exercise a powerful grip on modern political thought. Indeed their grip is so powerful, and various elaborations of them so compelling, that the conclusion of the standard approach can seem inescapable. The claim that reasons for political arrangements *can*

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be made commonly accessible responds to the conviction that human beings share a common rational capacity. The claim that they *must* be, that the provision of accessible reasons is at the heart of equal treatment, responds to the conviction that that common capacity is what gives us our dignity.¹ The claim that the availability of such reasons is also at the heart of political freedom responds to the conviction that true freedom is realized when we act for reasons we can grasp using the common power of reason. The claim that policy must be supported by accessible reasons responds to another conviction. Exercises of political power are legitimate only if they are transparent to reason's inspection; they are not to be shrouded in mystery, obscured by "reasons of state" or hidden in the manner of government house utilitarianism.² The claim that citizens must be ready to offer one another reasons of the sort the government must offer them – that citizens should conduct themselves as if they were government officials – responds to still another: in a liberal democracy, citizens are really the governors and public officials act on their behalf. Finally, this approach answers to our desire for community amid pluralism. If a liberal society cannot be unified by a shared conception of the good life or by commonly acknowledged ties of blood, it can be held together by citizens' respect for one another's reason. It can be a society in which citizens respect one another as reasonable and show that respect by offering one another reasons they can share.³

These convictions and their implications for political argument seem so compelling because of the view of citizenship that underlies them: the view that citizens are cosovereigns who govern their society collectively using their common powers of reason. When citizens adopt this view of themselves, they develop certain expectations of one another. Thus when they think of themselves as governing their society collectively by their rational powers, it is natural for them to expect that others will offer them arguments which are rationally accessible, to feel disrespected when they are not offered such arguments and to react by withholding trust and civic friendship. Because these expectations are said to be reasonable, others should strive to satisfy them. Hence the standard approach's

¹ See Jeremy Waldron, "Theoretical Foundations of Liberalism," in his *Liberal Rights: Collected Papers 1981–1991* (Cambridge: Cambridge University Press, 1993), pp. 35–62.

² The phrase "government house utilitarianism" is Bernard Williams's; see his *Ethics and the Limits of Philosophy* (Cambridge, MA: Harvard University Press, 1985), p. 108.

³ The phrase "reasons they can share" is adapted from the title of Christine Korsgaard's article "The Reasons We Can Share," *Social Philosophy and Policy* 10 (1993): 24–51. Korsgaard uses the phrase in another connection. My adaptation of the phrase here does not imply that she endorses what I am calling the "standard approach."

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conclusion that citizens are obligated to offer one another accessible reasons.

The standard approach is a familiar one to questions about religion's place in political decision-making. Indeed I assume it is so familiar as to be immediately recognizable from the rough profile I have sketched. In one form or another it is amplified, laid out and defended by a number of thinkers in philosophy, law and political theory. John Rawls,⁴ Cass Sunstein,⁵ Joshua Cohen,⁶ Bruce Ackerman, Amy Gutmann and Dennis Thompson,⁷ Charles Larmore,⁸ and Stephen Macedo⁹ all argue that citizens should rely on accessible reasons or connect the use of reasons they regard as appropriate for political argument and action with the legitimacy or justifiability of political outcomes, the maintenance of good relations among citizens, or both. Not all these thinkers address questions about religious arguments and public political debate. But by offering compelling visions of how democratic deliberation should proceed in a pluralistic society, their work forces us to ask whether religious considerations should be accorded any reason-giving force in democratic politics. Reflection on their work, therefore, shows just how high the philosophical stakes are once the status of religious arguments *is* in question.

Despite its many attractions when sketched in broad outline and the many convictions to which it responds, I believe this approach is prey to serious and ultimately telling objections. It attaches far too much importance to maintaining what I have elsewhere called citizens' "reasoned respect" for one another,¹⁰ sometimes using arguments of dubious psychological merit. It attaches very great value to a form of autonomy that is available only when government action is not premised on *any* thick conception of the good life. It does so while ignoring both the fact that some conceptions are more controversial than others and the possibility that *this* form of autonomy, though important, may be less valuable

⁴ John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), pp. 212–54; also his "The Idea of Public Reason Revisited" in John Rawls, *The Law of Peoples* (Cambridge, MA: Harvard University Press, 1999), pp. 129–80.

⁵ Cass Sunstein, "Beyond the Republican Revival," *Yale Law Journal* 97 (1988): 1539–1590; also his "Naked Preferences and the Constitution," *Columbia Law Review* 84 (1984): 1689–1732.

⁶ Joshua Cohen, "Deliberation and Democratic Legitimacy," in Alan Hamlin and Philip Pettit (eds.), *The Good Polity* (Oxford: Basil Blackwell, 1989), pp. 17–34, at p. 21.

⁷ Amy Gutmann and Dennis Thompson, *Democracy and Disagreement* (Cambridge, MA: Harvard University Press, 1996), p. 57.

⁸ Charles Larmore, "Public Reason," in Samuel Freeman (ed.), *Cambridge Companion to Rawls* (Cambridge: Cambridge University Press, forthcoming).

⁹ Stephen Macedo, *Liberal Virtue* (Oxford: Oxford University Press, 1985), chapter 2.

¹⁰ See the introduction to Paul J. Weithman (ed.), *Religion and Contemporary Liberalism* (Notre Dame, IN: University of Notre Dame Press, 1997), pp. 1–37.

than forms of political freedom which are available only when it is not. Finally, the crucial notion of accessibility is hardly self-explanatory. The most promising attempts to explain it and to isolate accessible reasons are, I argue, ill-specified or highly controversial.

That there are problems with citizens' purported obligation to rely on accessible reasons can be brought out by counterexamples. These counterexamples show that our intuitions about the propriety of using religious arguments in politics are sensitive to contextual features of which the standard approach is unable to take account. Thus our judgment about someone's use of a religious political argument can vary depending upon his religious background, the outcome for which he argues, the use to which similar arguments have previously been put and even upon whether we think his argument is likely to prevail. I have developed these counterexamples elsewhere and do not want to rehearse them here.¹¹ But while the bulk of this book is devoted to developing arguments for my own view, it will be important to confront the standard approach in its most sophisticated forms. I do this in chapters 6 and 7. There I argue that the accessibility requirement on reasons cannot plausibly be spelled out.

THE PHILOSOPHICAL AND POLITICAL SIGNIFICANCE OF THE PROBLEM

One of the reasons for my interest in the standard approach and its shortcomings is that proponents of the standard approach offer powerful and systematic defenses of their restrictions. The second reason is related to the first. The standard approach is the one that can be most systematically defended because, as I said when I introduced it, it is the approach which follows most directly from views at the heart of much contemporary liberal political philosophy. The connection between the standard approach and the core commitments of liberal political thought therefore make it the most philosophically interesting rival to the view I want to defend. Because this approach is tied to accounts of political legitimacy and civic friendship, modifying the account of what public deliberation can look like may lead us to rethink our views about what democratic legitimacy and civility require.

Questions about religion's role in political decision-making are important for another reason as well, one that is more social and political than

¹¹ Paul Weithman, "Citizenship and Public Reason," in Robert P. George and Christopher Wolfe (eds.), *Liberal Public Reason, Natural Law and Morality* (Washington: Georgetown University Press, 2000), pp. 125–70.

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philosophical. This is a reason which can be illustrated by episodes in American history. In the course of that history, doubts have been raised about the good citizenship of many minority groups: Jews, Quakers, Baptists, Catholics, immigrant groups, to name just some. Often, as this list suggests, these groups have been religious ones whose convictions were thought to stand in the way of their members' good citizenship. In the middle decades of the twentieth century, for example, the question of whether Roman Catholics could be good American citizens, committed to church–state separation, was elevated to national prominence by the rise of Franco in Spain and his commitment to a Catholic state, by the attempt to secure federal support for Catholic schools during the 1940s, and by the presidential candidacies of Catholics Al Smith and John Kennedy. The debate that followed turned, in part, on the empirical questions of whether Catholic Americans could demonstrate their loyalty and could participate in the common culture thought necessary for sustaining democratic institutions. But it also turned on deep philosophical questions about the nature of intellectual freedom, the moral and intellectual foundations of democracy, and the core commitments of a liberal state.¹² The course of that debate suggests two things that might be meant by asking whether participants of some group can be good citizens. Both ultimately raise just the questions about religious political argument with which I am concerned.

One thing someone might have in mind when asking whether members of a religious group can be good citizens is whether they can enter into the sort of relations that he thinks ought to hold among fellow citizens. Someone might wonder whether participants of that group can enter into a relationship of mutual respect, trust or civic friendship with other citizens, or whether they will always be alien and their loyalty in doubt. This question presupposes the availability of some criterion by which the relationship among citizens is to be assessed. As we saw in the discussion of what I called the “standard approach,” good relations are sometimes thought to depend upon the generalized willingness to use reasons of the right kind in debating political questions. Clearly, then, the question of who can be a good citizen in this first sense turns on the question of what those reasons are.

Alternatively, in asking whether participants of a given group can be good citizens of a liberal democracy, someone might be asking whether they share the values, goals and norms that unite citizens of a country

¹² John McGreevy, “Thinking on One’s Own: Catholicism in the American Intellectual Imagination, 1928–1960,” *Journal of American History* 84 (1997): 97–131.