“A Truly Public Square”

Religion, Politics, and Secularism

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“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.”

—Religion Clauses, First Amendment of the U.S Constitution

“God who gave us life gave us liberty. And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the Gift of God?”

—Thomas Jefferson, “Notes on the State of Virginia,” Query XVIII
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Abstract

The following thesis, through the utilization of Asad’s *Formations of the Secular*, seeks to deconstruct the commonly-held understanding of secularism as simply the separation of church and state. By doing so, I intend to demonstrate the futility of making suggestions regarding the role of religion in political discourse by appealing to the Constitution alone.

Since the foundation of this nation, scholars have taken on the task of decrypting the Religion Clauses of the First Amendment to the United States Constitution with the intention of discovering the intended role of religion in American public life. Ironically, though they seek to understand the same text, two authors, Stephen L. Carter and Richard Rorty, produce two different interpretations that stand in opposition to each other. Another theorist, Amy Gutmann, offers a third interpretation which she terms “two-way protection”. Two-way protection seeks to consolidate the partial truths found within the interpretations of Carter and Rorty. Gutmann’s emphasis on discovering an understanding of the Religion Clauses that is useful for today’s pluralistic populace, amongst other things, distinguishes her proposal from those of Carter and Rorty.

However, Gutmann’s failure to address the secular ethos that pervades American society threatens the practicability of her proposal. Though she makes a valiant effort to generate a public forum that permits religious beliefs, Gutmann struggles to evade the exclusionary characteristics of secularism. In this thesis, I seek to offer new ways of conceptualizing secularism with the intention of imagining a form of American secularism that allows for religious beliefs to play a productive role in American politics. While many are understandably irritated, by the ill-advised statements of some religious devotees, the general outcry against religion in the public political discourse of a secular nation represents a misunderstanding of secularism itself. Through his anthropological inquiry of secularism, Asad demonstrates that the construction of secularism as the adversary of religion is only one of many formulations. Though it Gutmann’s proposal is imperfect, I argue that two-way protection is useful in helping us reimagine our public forum as a space that is truly neutral toward both religious and secular beliefs.
INTRODUCTION

The place—or the lack thereof—for religion in American public life has been a topic of interest since the founding of this nation. Though it has been studied and debated for such a long time, scholars have yet to adequately define the proper role of religion and religious belief in the United States’ public sphere. By public sphere I refer to what Garry Gutting defines as “what pertains to me as a member of a wider community (a city, state or nation) of individuals with diverse views on issues such as religion.”\(^1\) The role we assign to religion within our democracy has many implications for the many different sectors of American society, including the three branches of American government (judicial, legislative, and executive), the media, civic life, our public policies, and many other sectors of American public life. The answer to this inquiry regarding the place of religion in American democracy is supposedly encoded in the single sentence containing the Religion Clauses of the First Amendment. The struggle for many scholars has been finding the “correct” interpretation of these clauses. Scholars have striven with little success to propose an interpretation of the Religion Clauses that can be equally appreciated by religious and non-religious citizens.

In addition to discovering a productive interpretation of the Religion Clauses, scholars have also tried to determine what this interpretation would look like in practice. Though interpretations of the Religion Clauses have implications for a number of different sectors in our society, they have recently had major significance in political and legislative dialogue. The religiously-colored views of Senator Richard “Rick” Santorum along with the stance of the institutional Catholic Church on healthcare issues, in particular, have led many to once again question the role of religion in American politics and law. It is no secret that religiously-based

arguments often encounter a great deal of ridicule in political discourse. In fact, some scholars have gone as far as to suggest that religious beliefs should not be used as justification for arguments in public political discourse.²

In this thesis, I argue that while many are understandably frustrated, even infuriated, by the statements and reasoning of some religious believers, their outcry against religion in the public political discourse of a secular nation is misguided by a rigid conception of secularism itself. In this thesis, I intend to challenge the commonly held, simplistic conception of secularism as merely the separation of church and state. Readers should not expect to walk away with all the answers to questions regarding the role of religion in a secular society. In fact, I expect this thesis to produce more questions than answers primarily because I aim to offer new ways of thinking about secularism.

A better understanding of secularism will lend itself to new ways of conceiving of the relationship between it and religion.Unlike the theorists (Stephen Carter and Richard Rorty) I will engage, I do not believe the question of the proper role of religion in the American public forum is simply a matter of discovering a proper or productive method of interpreting the Constitution—although the process is important for the complex evolution of American democracy. Indeed, before we can discuss the “proper” role of religion in American public life, we must first ask what role religion can possibly have in public life given America’s commitment to secularism.³

An Introduction to Secularism

² By public political discourse I am referring to the discussions that take place amongst government officials and/or politicians regarding public policy.
³ This commitment to secularism is evident within the Lemon Test. The Lemon Test, formulated by Chief Justice Warren Burger, serves as the precedent in cases dealing with the Religion Clauses. It serves to determine when a law has the effect of establish a religion. The Lemon holds that laws must have a “legislative secular purpose.”
My understanding of secularism is informed by the works of many thinkers. However, I’ve been most influenced by Talal Asad’s interrogation in *Formations of the Secular*. In this thesis, I would like to consider secularism as a concept, or as Asad suggests, as something that is implemented as part of a larger project, namely, modernity. Asad argues that modernity is a large enterprise that is comprised of a series of interlinked projects. The proposition seeks to institutionalize a number of sometimes-conflicting and often-evolving principles. In this sense, the secular is not a natural category or an automatic process. Instead, secularism is a category that is malleable and can be reconstructed.

Fenella Cannell of the London School of Economics and Political Science claims that, in the nineteenth century, secularism was clearly institutionalized in ideologies and policies of nation-states. Secularism as it currently stands, is an ideal or ethos that pervades U.S government and, ultimately, American society. I am not suggesting that secularism is an enterprise that we—America—should abandon. Instead, I simply wish to scrutinize our conception of secularism with the intention of improving our construction of “secular space”—especially the public forum. Because the category of the secular was constructed in relation to religion, we cannot adequately talk about one without mentioning the other. Our conceptions of secularism have significant implications for the place of religion—or the lack thereof—in this country. The two categories affect each other. That being said, can the United States be both a secular and religious nation at once? Nearly eighty percent of Americans believe miracles occur; ninety-two percent believe in God or a universal spirit—this includes one in five of those who call themselves atheists. Can we, as a nation, maintain a commitment to secularism given the

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fact that an overwhelming majority of our citizenry considers themselves to be religious? If so, what does the political forum of such a nation look like?

**What Scholars Have Said: A Brief Overview**

The question of whether or not religious beliefs are allowed to take part in democratic political debate has significant implications for our democracy given the large number of citizens who have endeared religious beliefs. Democracy, ideally, assumes that the voices of all the people will be heard in some form and will have influence on the laws of the land. This democratic ideal will be threatened if we choose to neglect the issue of religious beliefs in the public forum considering much of our citizenry voice their stance and concerns using the language of their religious convictions.

At the same time, several scholars have made it known that the presence of religious beliefs in political discourse can also threaten our democratic ideals. According to scholars such as Richard Rorty, some of the founding fathers intended for religious beliefs to be excluded from political discourse. Instead of making way for religious beliefs in the public forum, Rorty says, “The claims of religion need, if anything, to be pushed back still further, and … religious believers have no business asking for more public respect than they now receive.” It is, therefore, apparent that both the banishment of religious beliefs and the excessive presence of religious convictions in political discourse threaten our democratic ideals.

In this thesis, I examine the methodology of several scholars who have attempted to address the issue of religious beliefs in political discourse. By problematizing the understanding of secularism as simply the separation of church and state, I seek to demonstrate the futility of suggestions regarding the role of religion in political discourse that appeal to the Constitution

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alone. The debate regarding religion and public life requires an encounter with—and possibly a
reconstruction of—secularism.

For my undertaking, Stephen L. Carter’s *The Culture of Disbelief* serves the purpose of
helping me present some of the problems and frustrations persons of religious faith experience
regarding the relationship between religion and American public life. Carter is particularly
suitable for this task because he writes from the viewpoint of one who has religious beliefs that
he holds dear. On the other hand, Richard Rorty’s essay “Religion as Conversation Stopper”
serves the purpose of voicing the opinions and frustrations of some who are overwhelmed with
the presence of religious beliefs in the public forum. As I will demonstrate, both Carter’s and
Rorty’s theses rest on rediscovering the intentions of the founding fathers in their quest to
address the apparent conflict between religion and government in their construction of the
Religion Clauses.

Essentially, Carter and Rorty attempt to justify their very different interpretations of the
Religion Clauses by appealing to what they believe the founding fathers were suggesting in their
formulation of the Constitution. However, I would like to abstain from arguing the intent of the
founding fathers. Instead, I would like to focus on discovering an interpretation of the religion
clauses that best suits democracy in America today. In other words, this is intended to be a
normative\(^7\) inquiry into the role religious beliefs play in American public life, as opposed to a
descriptive\(^8\) inquiry, as both Rorty’s and Carter’s are. Amy Gutmann’s essay, “Religious
Freedom and Civic Responsibility,”\(^9\) focuses on providing an interpretation of the Religion
Clauses that is useful for today’s pluralistic populace. This emphasis on a constructive

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\(^7\) A normative inquiry seeks discuss how things ought to be and how people ought to behave.
\(^8\) A descriptive inquiry seeks to describe how things are and what people already believe.
interpretation for our diverse citizenry, amongst other elements, makes her proposal useful for reimagining American secularism.

To summarize briefly, Carter has suggested that the Establishment and Free Exercise Clauses serve the single purpose of protecting religion from the state. On the other hand, Rorty argues that the founding fathers intended for religion to be barred altogether from public political discourse. The mutually-exclusive understandings of the Religion Clauses that Carter and Rorty hold inform their respective views on the role of religion and political discourse in America. A third theorist, Amy Gutmann, in “Religion and State in the United States: A Defense of Two-Way Protection,”\textsuperscript{10} calls the interpretations offered by Carter and Rorty into question. Gutmann holds that the separation of church and state, supported by the Establishment Clause, concurrently protects the free exercise of religion and protects the citizens from the united power of church and state. In other words, Gutmann holds that the Establishment and Free Exercise Clauses together provide a “two-way protection”: “they protect religion from the state and the state from religion.”\textsuperscript{11} In Gutmann’s view, the Religion Clauses protect religion and the state from each other while maintaining a permeable wall between religion and politics.

As for the implications of this interpretation for political discourse in the U.S., Gutmann holds that this permeable wall suggests that while a wall between church and state is justified, “it does not keep religiously based beliefs out of politics, nor does it delegitimize the use of religiously based beliefs in politics.”\textsuperscript{12} In my view, Gutmann offers the most useful interpretation of the Religion Clauses because she makes the best effort to address the concerns of both

\textsuperscript{11} Gutmann, Religious Freedom and Civic Responsibility, 127.
\textsuperscript{12} Ibid., 138.
religious and non-religious citizens. More importantly, the implications of her interpretation would appear to be the most useful for the American public today.

In this thesis, I will analyze the plausibility of Gutmann's two-way protection proposal within an American secularism. Given our rigid conception of secularism, we can only allow for a limited place for religion in public life. Unfortunately, Gutmann’s two-way protection, as both a constructive proposal and interpretive theory, exceeds this limit. I argue that although it is imperfect, Gutmann’s reconceptualization of public political discourse can be used as a foundation for reconstructing the category of secularism in a way that can be reasonably appreciated by both religious and non-religious citizens. Indeed, the practicability of Gutmann’s proposal rests on a redefinition of secularism.
CHAPTER ONE
Literary Review

Because Stephen Carter and I share a similar epistemic resource—that is, we have entered this debate with firmly-held religious beliefs—and we share some of the same frustrations with the treatment religion has received within American public life. In *The Culture of Disbelief*, Carter asks how we can preserve the separation of church and state without trivializing the religious convictions that tens of millions of us hold dear.\(^{13}\) While Carter strongly defends the separation of church and state, he insists that “it is possible to maintain that crucial separation while treating religious beliefs with respect, and treating religious believers as something other than irrational.”\(^{14}\) Unfortunately, our attempts to banish religion from our politics have led us astray, he says. “In our sensible zeal to keep religion from dominating our politics, we have created a political and legal culture that presses the religiously faithful to be other than themselves, to act publicly, and sometimes privately as well, as though their faith does not matter to them.”\(^{15}\)

To demonstrate this point, Carter asks readers to consider a number of contemporary events. In some of the public events surrounding Bill Clinton’s inauguration as the President of the United States, Hillary Clinton was seen wearing a cross around her neck. “Many observers,” writes Carter, “were aghast, and one television commentator asked whether it was appropriate for the First Lady to display so openly a religious symbol.”\(^{16}\) Considering the reactions to First Lady Clinton’s open display of her religious faith, it seems that many observers expected her to refrain from displaying her religious beliefs. In other words, the First Lady has the right to believe whatever she pleases but she should keep those beliefs to herself; her public display of


\(^{14}\) Ibid., 16.

\(^{15}\) Ibid., 3.

\(^{16}\) Ibid., 5.
her “comprehensive beliefs,” to use political philosopher John Rawls’s term, is regarded as taboo. Carter adds, “But if the First Lady can’t do it, then certainly the President can’t do it, which would bar from ever holding the office an Orthodox Jew under a religious compulsion to wear a yarmulke.”17

According to Carter, many have misunderstood the primary purpose of the religion clauses. In his view, the authors of the Constitution did not intend to regulate religion in the public sphere. Instead, they sought to maximize religious freedom. In accordance with Carter’s interpretation, the Establishment Clause is designed to protect religion from the state while the Free Exercise Clause is designed to secure religious liberty (i.e. it guarantees liberty of conscience).

As you may have anticipated, Carter’s views on this subject have received much scrutiny and many objections. As a self-declared atheist,18 Richard Rorty presents the frustration he has with the presence of religious beliefs in political discourse. Though I do not possess the same religious epistemic resources as Rorty, I too sympathize with some of his dissatisfactions. Like Rorty, I find it to be problematic and unproductive when citizens make shallow arguments using religious beliefs. By shallow, I mean that these arguments have not been sufficiently thought out and often lack substance. The following represents what I call a shallow religiously based argument. “I believe that abortion should be illegal because the Bible says so.” Such an argument demonstrates that the individual has not given much thought to why he/she actually believes that abortion ought to be illegal. I too find such arguments to be a hindrance to public political discourse. This idea will be revisited later.

17 Ibid.
Nonetheless, I disagree with the conclusions that Rorty’s frustrations have led him to make regarding the place of religion in political discourse. In “Religion as Conversation-Stopper”—a piece written in direct response to Carter’s Culture of Disbelief—Rorty presents us with a view located on the opposite end of the spectrum from Carter’s. For while Carter calls for the de-privatization of religion and the reappearance of religious belief in what he calls ‘the public square,’ Rorty suggests that “The claims of religion need, if anything, to be pushed back still further, and that religious believers have no business asking for more public respect than they now receive.”19 Rorty argues that Carter threatens to transgress the compromise that Enlightenment reached with religion.20 This “Jeffersonian compromise”, as he terms it, “consists in privatizing religion—keeping it out of what Carter calls “the public sphere,” making it seem bad taste to bring religion into discussion of public policy.”21 Rorty claims that the exclusion of religion from the public sphere is at the heart of the Jeffersonian compromise.22

According to Rorty, religion needs to be privatized primarily because—in political discourse with those outside the relevant religious community—it is a conversation-stopper.23 In Rorty’s view, the ensuing silence of an audience after someone justifies their particular political view by appealing to religion conceals “the group’s inclination to say: So what? We weren’t discussing your private life: we were discussing public policy. Don’t bother us with matters that are not our concern.”24 While Carter finds such a reaction (i.e. the silence of the audience) to be inappropriate, Rorty struggles to understand what Carter would take to be an appropriate reaction.

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19 Rorty, “Religion as Conversation-Stopper,” 2.  
20 Ibid.  
21 Ibid.  
22 Ibid., 3.  
23 Ibid.  
24 Ibid.
For Rorty, the “least common denominator” positions of Rawls and Jürgen Habermas—whom he considers to be the two most prominent social thinkers of his day—work to limit political discourse to premises held in common. According to this logic, religion should be excluded from the mix. In other words, a religious argument based on, say, the authority of a sacred text or religious leader would be inappropriate in a public political debate which involves persons of different faith backgrounds. This argument is common amongst opponents of the presence of religion in political discourse. However, I believe this view is founded on a misunderstanding of political discourse. The purpose of political discourse is to reach consensus about conclusions, but not necessarily consensus concerning the justifications for the conclusions, as Notre Dame’s Gary Gutting argues. He adds,

> We have, for example, come to a consensus about extending full civil rights to all adult citizens, regardless of race or gender. But some argued for this conclusion from the equality of all human beings as children of God, others from self-evident truths about human nature, and still others from the overall increase in happiness that would result from equal treatment. Not everyone accepted the premises of all of these arguments, but that did not prevent such arguments from having an essential role in our national debate about civil rights. They helped form what John Rawls called an “overlapping consensus,” in which different groups of citizens accepted the same conclusions from quite different arguments. So there is no objection in principle to religious arguments in political debates.

While Rorty deems it permissible for religious beliefs, or their absence, to influence political convictions, he does not find the presence of religiously-based arguments in political discourse advisable. He writes,

> It is one thing to say that religious beliefs, or the lack of them, will influence political convictions. Of course they will. It is another thing to say, as Carter says, that the public square should be open to “religious argument,” or that liberalism should “develop a politics that accepts whatever form of dialogue a member of the public offers.”

Rorty then goes on to suggest that a specifically religious form of dialogue is nothing more than “a dialogue in which members cite religious sources for their beliefs,” and that a specifically

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25 Ibid.
26 Gutting, “Should Religion Play a Role in Politics?”
28 Ibid.
religious argument is an argument the grounds of which are accepted by individuals because they believe that these premises express the will of God.\textsuperscript{29} At this point, Rorty’s logic seems to lose clarity primarily because he seems to vacillate between distinguishing religious argument from religious influence and arguing that there is no substantive difference between them. Nonetheless, I do acknowledge that there is a subtle difference between religious argument and religious influence. A religious argument—in the sense that Rorty uses the phrase—on the issue of abortion might hold that abortion should be illegal because the Ten Commandments states that one should not commit murder. On the other hand, a religiously-influenced argument translates religious beliefs into secular form. In other words, though the justification for one’s argument is founded on the Bible or any other sacred text, one cannot say so. Instead, arguments must be justified using what Rorty calls “secular reasons” in order to gain entry into political discourse. This religious argument regarding abortion can be translated into the following: Abortion should be illegal because the government has a responsibility to protect life.

At certain points in his argument Rorty seems to uphold this subtle difference between religious arguments and religious influence. Yet, his claim that religious dialogue is nothing more than a dialogue in which members cite religious sources for their beliefs works to downplay this distinction. Rorty states, “Surely the fact that one of us gets his premises in church and the other in the library is, and should be, of no interest to our audience in the public square. The arguments that take place there, political arguments, are best thought of as neither religious nor nonreligious.”\textsuperscript{30} This seems to imply that religious arguments and secular arguments should be accepted into political discourse on equal grounds. In effect, Rorty appears to trivialize the distinction he earlier sought to uphold.

\textsuperscript{29} Ibid.
\textsuperscript{30} Ibid.
Although Rorty ideally wants to hold religious beliefs and nonreligious beliefs to the same standard, in practice, he fails to do so. He accepts that religion, or the lack thereof, will influence political convictions. Rorty even recommends that we view political arguments as neither religious nor nonreligious. However, the impartiality in regards to religious and nonreligious beliefs dwindles when it comes to the issue of which beliefs are allowed in political discourse. There appears to be an additional burden placed particularly on religious believers. While both religious devotees and nonreligious devotees can be influenced by their respective beliefs, only the beliefs of religious citizens are rejected in political discourse. Whether or not this reservation toward religious beliefs is warranted is to be determined.
CHAPTER TWO
Gutmann’s Proposal

In “Religious Freedom and Civic Responsibility,” Amy Gutmann recognizes that there is a relationship between religion and politics mandated by the Constitution. The question is how we should understand this relationship. In this essay, Gutmann seeks to point out the problems with the two most commonly held views regarding it. One view defends a highly impermeable wall of separation between religion and politics. Gutmann refers to this view as the “wall of separation” view. Rorty’s interpretation falls under this classification as it excludes religion from politics. This interpretation translates into an American political forum free of religious beliefs. Rorty, along with other contemporary liberal philosophers, believes that “we shall not be able to keep a democratic political community going unless the religious believers remain willing to trade privatization for a guarantee of religious liberty.”

A second view calls for religion to be protected from politics, while opposing the protection of politics from religion. Carter’s interpretation falls under this category. Carter claims that the purpose of the religion clauses is to “protect religion from the state, not the state from religion.” Gutmann calls this the “one-way protection” view. Both the wall of separation and one-way protection interpretations contain important partial truths, says Gutmann. However, each view fails to recognize the partial truth in the other, causing both to fail at offering a morally defensible interpretation of the religion clauses of the Constitution.

Gutmann presents a third viewpoint of her own, which is meant to combine the partial truths of the aforementioned proposals. Gutmann calls this third view “two-way protection”. Two-way protection makes a very important distinction between the separation of church and state and the separation of religion and politics. Gutmann emphasizes that the Establishment

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31 Ibid., 3.
32 Carter, Culture of Disbelief, 105.
Clause, while separating church and state, does not mandate a wall between religion and politics generally. “Why not,” she asks. Because,

Religiously based beliefs should not be separated from politics simply because they are religious any more (or less) than secularly based beliefs should be separated from politics, simply because they are not religious. Two-way protection, therefore, defends separating church and state, but not separating religiously based beliefs and politics.33

According to Gutmann, “two-way protection offers an interpretation that is closer to actual Supreme Court jurisprudence than either of the other two views.” In addition, two-way protection is supposedly more morally defensible in the context of American constitutional democracy.34 It asks that democratic politics respect religious views of citizens on the same terms as it respects secular views of citizens. However, the right of religious citizens to make political arguments using religiously based terms comes with a particular responsibility that also applies to secular citizens. That is, when secular or religious citizens argue in public for laws and policies that are mutually binding, we can't simply argue as if we are speaking exclusively to our co-religionist or co-party35 members. Gutmann holds that we have a moral responsibility to make arguments that seek reciprocity. She adds, “Mutually binding laws should be mutually justifiable.”36

According to Gutmann, the moral responsibility to make political arguments in terms that are mutually justifiable should not, and constitutionally cannot, be legally mandated because it would defy the freedom of speech provision of First Amendment. Because it cannot be legally mandated, it is all the more important that citizens accept this moral responsibility. Gutmann’s argument is that citizens who seek to justify mutually binding laws in the public forum ought to

33 Gutmann, Religious Freedom and Civic Responsibility, 908.
34 Ibid.
35 Democratic or Republican parties
36 Ibid.
accept the civic responsibility that accompanies this privilege. That is, they should speak in terms that are acceptable to both religious and non-religious citizens.

The strength of Gutmann’s two-way protection lies in the fact that it envisions an American public in which religiously based arguments are accepted on the same terms as non-religious arguments. That is to say, Gutmann’s two-way protection makes an authentic attempt to propose an interpretation of the constitution that can be reasonably appreciated by both religious and non-religious citizens. Such an interpretation is especially appropriate for our religiously diverse populace. Religion has been under persistent attack for its tendency to be a source of conflict in this country. In a debate entitled “Religion, Politics and the End of the World,” Chris Hedges and Sam Harris shared their views about the role of religion in our world today. Harris expressed his concern accordingly: “I’m just extremely worried about the role religion is playing in our world. I happen to think faith-based religion is the most divisive and dangerous ideology we have ever concocted.” Often this divisive nature of religion is manifested in our politics; political parties or groups are often divided based on their religious stances or beliefs. However, because, as Harris points out, “we live in a country where ninety percent of people believe in a biblical God,” we must find a method of creating mutual understanding between believers and nonbelievers. In other words, for the sake of the unity of our country, we must find a way of equally respecting the beliefs of believers (of all faith backgrounds) and the beliefs of nonbelievers, while creating laws that are reciprocal in nature. Part of the strength of Gutmann’s two-way protection is that it makes an attempt to accomplish both of these goals.

However, the weakness of her proposal lies in the fact that she fails to adequately address the subject of secularism. In this regard, her proposal is subject to the same shortcomings as


\[\text{38} \text{Ibid.}\]
Rorty’s and Carter’s. Gutmann, Rorty, and Carter all seem to perceive secularism as nothing more than the separation of religious institutions from government—the separation of church and state. Because of this superficial understanding of secularism, they only deal with interpretations of the Constitution, neglecting the ethos of secularism that encompasses our society. My criticism falls more heavily on Gutmann primarily because her proposal would have the most potential if the issue of religious beliefs in politics were simply a matter of discovering a correct method of interpreting the Constitution. Gutmann, like many others, has not given the concept of the secular the attention it merits. The two-way protection proposal seems to disregard the specific ways in which the concept of the secular was constructed and the practical task it was assigned. As I will later demonstrate, Talal Asad’s genealogy of secularism proves that our public forum, as secular space, is more than just a space for rational debate. It is also an exclusionary space in that it is highly selective in terms of the convictions it includes. Despite her efforts, Gutmann fails to bypass this exclusionary characteristic of secularism.

Gutmann claims that two-way protection entails “two-way responsibility on the part of both democratic governments and democratic citizens.” That is, democratic government has the responsibility of separating church and state while admitting religiously based arguments into politics on the same terms as it admits secularly based arguments. The responsibility of democratic citizens—both religious and non-religious—is to refrain from bringing “all their moral convictions to bear on laws, and on the other hand, to bring those moral convictions to bear on politics that can be mutually justified to their fellow citizens.”

It is important to note Gutmann’s distinction between law and politics. By law, she refers to public policy. On the other hand, politics refers to the dialogue that precedes the formation of

40 Ibid.
law. In other words, our laws emerge from the politics that take place in the public forum. Gutmann charges citizens to forego bringing all of their moral convictions to bear on law, while allowing moral convictions that can be mutually justified to influence their politics. In essence, Gutmann provides some suggestions regarding the role of religion in the formation of our public policies. The requirement for the entry of religious beliefs into public discourse is that these beliefs must be mutually justifiable. It is safe to say that more often than not, the beliefs that are considered mutually justifiable are those that are already accepted by the majority of the members in the public forum. In Rawlsian terms, the beliefs that are mutually justifiable are those that form the “overlapping consensus.” The pressing question is then how do the beliefs of religious citizens become a part of the overlapping consensus? These observations cause one to question whether Gutmann’s criteria for the entry of moral convictions into political discourse distribute equal responsibility to both religious and non-religious citizens.

At first glance, two-way protection seems to place equal responsibility on both religious and non-religious citizens. However, a closer analysis shows that the criterion for the entry of moral convictions into political discourse places more responsibility, or should I say, burden, on religious citizens. For if the requirement is that our moral convictions be mutually justifiable, secular citizens will have more success having their moral convictions accepted in political discourse because their moral convictions do not necessitate translation into religious terms. Furthermore, this requirement would risk the exclusion of the moral convictions of minority religions in political discourse. In essence, while it gives the impression of creating a public forum comprised of a buffet of moral convictions, two-way protection is susceptible to the same

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41 Overlapping consensus is a term coined by John Rawls in Political Liberalism. The term refers to how supporters of different comprehensive doctrines can agree on a specific form of political organization. These doctrines can include religion, political ideology or morals.
charges of exclusivity as those offered by Asad of secularism and by Robert Wolff\(^{42}\) of pluralist theories of liberal democracy. Wolff writes,

There is a very sharp distinction in the public domain between legitimate interests and those which are absolutely beyond the pale. If a group or interest is within the framework of acceptability, then it can be sure of winning some measure of what it seeks, for the process of national politics is distributive and compromising. On the other hand, if an interest falls outside the circle of the acceptable, it receives no attention whatsoever and its proponents are treated as crackpots, extremists, or foreign agents.\(^{43}\)

Here, Wolff is suggesting that our public domain (as a secular space) does compromise, but only with interests that fall within its framework of acceptability. Often time religious beliefs generally do not fall within this framework. Additionally, some religious convictions are more likely to be accepted than others. In the United States, our society is more acceptant of Christian beliefs than the beliefs of the minority religions.\(^{44}\) This is due to the strong Christian foundation of this nation.\(^{45}\) Consequently, the beliefs held by members of minority religious groups are more likely to fall outside of the framework of acceptability.

While Gutmann claims that all citizens are responsible for making political arguments that can be translated into mutually justifiable reasons for mutually binding policies,\(^{46}\) it appears, in actuality, that religious citizens are disproportionately burdened with this responsibility. Although Gutmann gives examples of religious arguments that are translated into secular terms,

\(^{42}\) Wolf was appointed as a member to the President’s Economic Recovery Advisory Board to provide the Obama administration with advice on counsel in fixing America's economic downturn.


\(^{44}\) In my opinion, the difference in the religious traditions of Dr. King and Malcolm X, in part, accounted for King’s ability to appeal to more of the American general public than Malcolm X.

\(^{45}\) In reference to the American Revolution, historian John Patrick Diggins argues that American historians have concentrated on political ideas while underplaying “the religious convictions that often undergird them, especially the Calvinist convictions that Locke himself held: resistance to tyranny....” The religious influence of the American Revolution was so apparent and strong that King George called the revolution a Presbyterian rebellion. John Patrick Diggins, “The Lost Soul of American Politics: Virtue, Self-Interest, and the Foundations of Liberalism,” 1-7.

\(^{46}\) Gutmann, Religious Freedom and Civic Responsibility, 909.
she offers no examples of secular arguments that can, or need to, be translated into religious terms. Her failure to produce secular arguments that need to be translated into religious terms suggests that she assumes that all citizens, including religious ones, can understand secular arguments. In this sense, secularism is presented as the common language all participants in the public forum must understand and speak. What initially looked like an equal responsibility for both religious and non-religious citizens turns out to be an unequal responsibility placed on religious citizens alone. Furthermore, this criterion privileges the religions of the majority in this country, such as Christianity and Judaism, over minority religions such as Islam and Hinduism. For one would expect the moral convictions of citizens who are a part of majority religions to be more easily translated into “mutually justifiable” terms.
CHAPTER THREE
Secularism and the Secular

History of Secularism

In *Secularism and Its Opponents from Augustine to Solzhenitsyn*, Emmet Kennedy says that religion has been entangled with government throughout most of human history, separation of church and state being a modern exception. In the Greco-Roman world the priest, as a public official, had the responsibility of gaining the favor of the gods. This was crucial because only they could assure the survival of the city.\(^47\) Liberty, in this context, was regarded as the right to participate in politics—“a freedom of the agora [the public square] and the forum, not of thought or religion.” According to Kennedy, the coming of the Christ dramatically altered this ancient relationship between religion and state. Christ’s proclamation “My Kingdom is not of this world,” and “Render unto Caesar what is Caesar’s and to God what is God’s,” suggested that his disciples were to follow him into another world.\(^48\) His followers were initially persecuted by the Romans, who viewed Christ as one pretending to be the Messiah and his followers as rebellious because they worshipped a king other than Caesar. Like the Jews, Christians were persecuted because of their refusal of Roman idols. The fall of Rome in A.D 410 was attributed by many Romans to the Christians’ neglect of the gods who were responsible for protecting the city. Roman orator and North African Bishop Augustine of Hippo attempted to defend Christianity against these charges; however, he inadvertently convicted Christianity as well, says Kennedy. “He insisted that Christians bear their share of the civic burden of the empire. But he identified the latter as ‘a terrestrial city,’ which was distinct from and more transitory than the city of God, peopled by true followers of Christ.”\(^49\) The words secularism and secular come from Augustine’s


\(^{48}\) Ibid.

\(^{49}\) Ibid.
tendency to identify the *saeculum* (the Latin word for world, century, or age) and *saeculare* (the adjective derived from it) with the terrestrial city.\(^{50}\)

Today, the term secularism is often understood to “connote the absence of religious feeling, a worldly rather than an otherworldly approach to life.”\(^ {51}\) In the nineteenth century, secularism referred to the exclusion or reduction of the role of religion in public life, politics, in education, and all areas of learning. “It is the cultural counterpart of the separation of church and state,” says Kennedy.\(^ {52}\) In addition, it seems to suggest a disbelief or skepticism in the supernatural, which is regarded as fictional or too biased to warrant recognition. These considerations, says Kennedy, have influenced the United States and France directly in their determination to separate religion from public life.

Though it is a historical account of secularism, Kennedy’s work ultimately seeks to show “why secularism is something of a problem, rather than a solution.”\(^ {53}\) Like Tala Asad, he also holds that secularism is more than just the constitutional interpretation that produces the notion of the separation of church and state. Kennedy writes, “The separation of church and state is certainly an issue. But I am more concerned with the ideas and culture of secularism than with constitutional arrangements.”\(^ {54}\) My concerns in this thesis follow those of Kennedy.

From Kennedy’s account, we can begin to see how the category of the secular is created in relation to religion or the sacred. It may appear that secularism or the secular is a particular fixed category; however, it is not. My primary purpose in presenting Kennedy’s work here is to give a sense of where the words secular and secularism have originated from and the context from which they were birthed. Kennedy demonstrates how the word secularism has come to have

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\(^{50}\) Ibid.

\(^{51}\) Ibid.

\(^{52}\) Ibid., 2.

\(^{53}\) Ibid.

\(^{54}\) Ibid.
certain connotations. Unfortunately, many have yet to understand that aforementioned is a continually changing category.

The concept of secularism became gradually pertinent in U.S society as discussions concerning the compatibility of religion and modernity became more pressing. It was previously thought that religion and modernity represented opposite ends of a spectrum. Advancing towards one meant a withdrawal from the other. Robert W. Hefner of Boston University writes, “…In the aftermath of the Second World War, it was a truism of social and political theory that the more a society becomes modern, the more its religious traditions decline or are, at the very least, privatized.”55 This truism served as the crux of many secularization theories. In Public Religions in the Modern World, José Casanova identifies the three elements of the secularization theory: (1) increasing structural differentiation of social spaces resulting in the separation of religion from politics, economy, science and other aspects of public life; (2) the privatization of religion; and (3) the decline in the significance of religion in the lives of individuals and institutions.56 However, the outpouring of religious movements in modern nations around the world and the attention they have gained from scholars and journalists has made it clear that religion is not dissipating in the modern world. Thus, a number of scholars have come to question the notion that secularism and religion are antithetical. Jürgen Habermas and Charles Taylor are two major accredited thinkers who have challenged traditional secularization theories. Both Habermas and Taylor have provided new ways of conceiving secularism in the modern world.

At one point, Jürgen Habermas was unaccompanied in his study of secularism. However, after some time his work gained the attention of scholars such as Charles Taylor and Talal Asad. These later scholars then continued on their own unique journey through the concept of

secularism. Both Habermas and Taylor challenge the superiority that secularism has been given over religion. They also suggest new ways of imagining the relationship between religion and secularism. Habermas and Taylor both suggest that religion and secularism have something to offer each other. According to these two thinkers, neither religion nor secularism can reign alone. It is my hope that by the end of this study of secularism we will, in fact, discover what secularism and religion can offer each other.

Asad on Secularism

Asad’s work is distinguished from that of his colleagues in that his inquiry of secularism is primarily anthropological as opposed to historical. Asad’s *Formations of the Secular* seeks to discover the connection between “the secular” as an epistemic category and “secularism” as a political doctrine. At the heart of the book—as its title suggests—are Asad’s epistemic reflections on the genealogy of the secular and secularism. Asad seeks to debunk commonly held assumptions regarding them. His goal is to show that the way in which our notions of the secular have been constructed represents only one of many possibilities. Many have understood secularism to be simply the separation of the religious from public government institutions. However, “that is not all it is,” says Asad.57 “What is distinctive about ‘secularism’ is that it presupposes new concepts of ‘religion,’ ‘ethics,’ and ‘politics,’ and new imperatives associated with them.”

Asad is partly concerned with “attempts to construct categories of the secular and the religious in terms of which living is required to take place, and non-modern people are invited to assess their adequacy.”58 Central to the book is Asad’s critique of modernity as a political goal of Western hegemony. “Modernity is a project—or rather, a series of interlinked projects—that

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57 Asad, *Formations of the Secular*, 1.
58 Ibid., 14.
certain people in power seek to achieve.”59 According to Asad, secularism is centrally located in this project of modernity. “The project aims at institutionalizing a number of (sometimes conflicting, often evolving) principles: constitutionalism, moral autonomy, democracy, human rights, civil equality, industry, consumerism, freedom of the market—and secularism.”60 He spends a considerable amount of time demonstrating the West’s domination of the globalization of new ways of thought. Though it is a composition of various essays, the book’s eight chapters are held together by Asad’s concern with Western epistemic hegemonies.

Secularism, as part of the modernity project, appears to be an extremely selective space. Habermas made many aware of the central importance of the public sphere for modern liberal society.61 Ever since, says Asad, critics of the public sphere have claimed that it systematically excludes various kinds of people, women, subjects without property, and members of religious minorities,” and types of claims, from serious consideration.62

Given that our current interpretation of the Constitution is fueled by a secular ethos, simply offering a different interpretation of the Constitution would only scratch the surface of the issue. Before we can discuss the “proper” role of religion in American public life we must first ask what roles religion can possibly have in public life given America’s commitment to secularism. As secularism, as a selective space, limits the role of religion in public life, we must ask whether or not secularism is justified in doing so. For now, we need to examine the secular ethos that permeates the various sectors of our society. At minimum, we should evaluate the

59 Ibid., 13.
60 Ibid.
62 Asad, Formations of the Secular, 183.
category of the secular. Indeed, let us start by trying to understand the purpose that secularism seeks to fulfill in American public life.

For some time now, religion has been viewed as a major source of division, discrimination, and violence. For some, secularism fulfills the search for a means by which people of different religious backgrounds can co-exist. “The emergence of secularism is closely connected to the rise of the modern nation-state,” writes Asad. According to him, secularism was meant to legitimize the modern nation-state. It was initially part of the attempt to find the lowest common denominator among the doctrines of conflicting religious sects. The goal of secularism later became “to define a political ethic independent of religious convictions altogether. It is the latter model that is applicable today, but only after we have adapted to it the Rawlsian idea of an overlapping consensus…”63 In what follows, I would like to challenge the notion that secularism is neutral towards issues of religion. In addition, I would like to problematize the idea that secularism fulfills the goal of defining a political ethic independent of religious convictions.

Neutrality is often thought to be one of the major attributes of secularism. In fact, many find secularism attractive because of this supposed attribute. It is evident that secularity is thought to be the only way to guard against preferences and favoritism among competing religious groups and to guarantee that there is no discrimination on religious matters. This sentiment is apparent in the 1988 Allegheny County v. Greater Pittsburgh ACLU Supreme Court case. The Court was presented with a case that involved the display of religious symbols on state grounds. Allegheny County allowed the Holy Name Society, a Catholic organization, to erect a crèche on the staircase of the county courthouse.64 The crèche stood as the only holiday decoration at the courthouse. Another display, consisting of a forty-five-foot Christmas tree, an

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63 Ibid., 2.
eighteen foot menorah, and a sign saluting liberty during the holiday season, was erected outside a building jointly owned by the county and the city of Pittsburgh.\textsuperscript{65} The Greater Pittsburgh ACLU (American Civil Liberties Union) claimed that both the crèche and the menorah violated the first amendment establishment clause. The Federal District Court decided that neither display violated the first amendment; however, the Third Circuit Court of Appeals disagreed. The Supreme Court, with a majority that consisted of six justices, decided that the crèche was in violation of the first amendment while the menorah was not.

In this case, I am not particularly concerned outcome. Instead, my concern lies in the pattern of reasoning displayed by the court. The writings of their majority and dissenting opinions appears to hold secularism in high esteem as the sole guarantor of government neutrality towards religion. Ronald Thiemann, commenting on this particular case, claims that the justices, “seeking to preserve governmental neutrality within a pluralistic democracy, characterize the state as essentially secular and mandate that its actions must always have a secular purpose.”\textsuperscript{66} Writing for the majority, Justice Harry Blackmun appeals to the Lemon test, originally formulated by Chief Justice Warren Burger in his majority opinion in \textit{Lemon v. Kurtzman} (1971). Blackmun writes, “Under the Lemon analysis, a statute or practice which touches upon religion, if it is to be permissible under the Establishment Clause, must have a secular purpose; it must neither advance nor inhibit religion in its principal or primary effect; and it must not foster an excessive entanglement with religion.”\textsuperscript{67}

Thiemann problematizes these criteria. In the first place, the Lemon test requires the courts to serve as both theological and social critics in order to determine if a governmental action serves a secular purpose. They are further forced to serve as theological critics in order to

\textsuperscript{65} Ibid., 46.
\textsuperscript{66} Ibid., 49.
determine the meaning of religious symbols within a given religion’s doctrines and practices. The courts are also forced to serve as social critics in order to determine if these symbols have been sufficiently stripped of their religious meaning as to be employed in a manner that does not discriminate against persons in the public sphere. However, such governmental practice would risk making the “civil magistrate” the “judge of religious truth,” a position—Thiemann claims—[James] Madison reckoned to be “an arrogant pretension.”

Blackmun adds that the crèche display cannot simply be regarded as a “cultural phenomenon” because it pronounces a specifically Christian message, and it does not contain any secular symbols to provide a broader cultural context. He claims that “Government may celebrate Christmas in some manner and form, but not in a way that endorses Christian doctrine.” This last statement made by Blackmun demonstrates one problematic characteristic of secularism. As Asad holds, secularism, as “a modern doctrine of the world in the world,” presupposes new concepts of religion. “For representations of ‘the secular’ and ‘the religious’ in the modern and modernizing states mediate people’s identities, help shape their sensibilities, and guarantee their experience.” Secularism has the propensity to redefine the meaning of religious traditions, holidays, and symbols. In order to celebrate Christmas in a way that does not “endorse Christian doctrine” as Blackmun suggests, the Christian message of Christmas would have to be discarded. If the specifically Christian message of Christmas is not discarded, government would be guilty of endorsing Christian doctrine. However, if the government continues to call its created version of the holiday “Christmas”—after it having discarded the Christian message—it implicitly says

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68 Thiemann, Religion in Public Life, 49-50.
70 Thiemann, Religion in Public Life, 47.
71 Asad, Formations of the Secular, 15.
72 Ibid., 14.
that the Christian message itself is not important to both the meaning and celebration of the holiday.

Critics of secularism have suggested that neutrality is impossible. In recent editorial, Jillian Baggini lays out some of the common criticisms of secularism. Opponents of secularism argue that “Public institutions work according to a set of values whether they acknowledge them or not. So when they claim to be neutral with regards to religious or other beliefs, that is a myth at best and a lie at worst.” Here is where Carter’s concern regarding the trivialization of religion in American public life has some validity. In many ways, secularism suggests to us what we should take seriously. It recommends to us what is essential to our identity.

Consider the following case in which the Supreme Court ruled that the religious beliefs of six defendants were irrelevant to their faith inspired actions. On July 1, 1986, the U.S District Court of Arizona, in *U.S v. Maria del Socorro Pardo Viuda de Aguilar*, upheld the conviction of six defendants—which included a priest, nuns, and lay workers—who were sentenced to prison for conspiring to smuggle illegal aliens from Central America into the United States. In an overwhelmingly significant ruling made earlier in the case, the presiding judge of the Court held that the defendants’ religious beliefs were irrelevant to the case and were not permitted to be used as evidence. The defense was therefore unable to present the primary moral and legal rationale for their activity, namely, the long-standing religious and legal tradition that permitted religious communities to offer safe haven to those fleeing persecution.

According to the court briefing in this case, John Fife, pastor of Southside Presbyterian Church of Tuscon, and his congregation had been involved in “ongoing efforts to smuggle aliens from Central American countries into the United States for the purpose of providing

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After some time, Fife decided that he could “no longer cooperate with or defy the law covertly as (he) had done.” From then on, he repeatedly publicized his ongoing efforts to smuggle aliens from Central America. In response to these reports, the government instituted an undercover investigation of the defendants’ smuggling activities. This investigation eventually led to the arrest and conviction of Fife and five other defendants. Fife presented the rationale for his actions in a letter written shortly after his church members had voted to harbor illegal aliens. He wrote, “We believe that justice and mercy require that people of conscience actively assert our God-given right to aid anyone fleeing from persecution and murder.” The presiding judge refused to consider the relevance of these moral convictions as justification for the acts committed.

Again, in this case, I am not particularly concerned with the decision the District Court made in convicting the six defendants. Instead, I am concerned with the logic and reasoning of the justices that led to their decision. In their opinion, upholding the U.S. District Court’s ruling, the Ninth Circuit of Appeals stated that “So long as defendants intended to directly or substantially further the illegal presence of aliens, it was irrelevant that they did so with a religious motive.” In addition, the Court stated “It seems clear that a religious exemption for these particular appellants would seriously limit the government’s ability to control immigration…The government’s interest in controlling immigration outweighs appellants’ purported religious interest, and an exemption would not be feasible.” This statement, in effect, denied the appellants’ claim that the conviction violated their right to freely exercise their religious beliefs.

75 Ibid.
76 Thiemann, Religion in Public Life, 6.
77 Ibid.
In light of the explanation given by the court in this case, it appears that Stephen Carter accurately identifies “a trend in our legal and political cultures toward treating religious beliefs as arbitrary and unimportant…”\(^{78}\) In their refusal to acknowledge the religious motivation behind the acts of the defendants as relevant, the Courts, essentially, held that religious beliefs of citizens are secondary to law. While this may appear reasonable in a secular society, this reasoning 1) appears to be in tension with the inalienable rights of the citizen; and 2) presents a great danger to public morale. James Madison, a major figure in the drafting of the U.S Constitution and author of the Bill of Rights, writes,

\begin{quote}
The Religion then of every man must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate. This right is in its nature an unalienable right. It is unalienable, because the opinions of men, depending only on the evidence contemplated by their own minds cannot follow the dictates of other men: It is unalienable also, because what is here a right towards men, is a duty towards the Creator. It is the duty of every man to render to the Creator such homage and such only as he believes to be acceptable to him. This duty is precedent, both in order of time and in degree of obligation, to the claims of Civil Society.\(^{79}\)
\end{quote}

Madison first identifies the right to the free exercise of the religion of one’s choice as an inalienable right. In other words, this right is non-negotiable. More importantly, he acknowledges that one’s allegiance to “the Creator,” or God, precedes one’s allegiance to civil society. This precedent established by Madison seems to be in direct opposition to the reasoning of the courts in the case presented above. By claiming that government interest outweighs the appellants’ religious beliefs, the courts suggest that the citizen’s allegiance to the state precedes his/her allegiance to his/her Creator. Madison adds, “We maintain therefore that in matters of Religion, no man's right is abridged by the institution of Civil Society…” If we were to take Madison at his word, the religious beliefs of the defendants were most definitely relevant in this case.

\(^{79}\) James Madison, “Memorial in Remonstrance”.
In my opinion, religion’s role as a free critic of secular society is one of its major benefits in American public life. However, the claim that the law is always above religious beliefs threatens this role. It cannot be denied that religion has helped to overcome many of the great injustices of our society. Consider the role of religious beliefs in the abolitionists’ arguments against slavery. William Ellery Channing wrote:

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\text{I come now to what is to my own mind the great argument against seizing and using a man as property. He cannot be property in the sight of God and justice, because he is a Rational, Moral, Immortal Being; because created in God's image, and therefore in the highest sense his child; because created to unfold godlike faculties, and to govern himself by a Divine Law written on his heart, and republished in God's Word…Did God create such a being to be owned as a tree of a brute?}^{80}
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If law is always above religion, such an argument has no effect on challenging the law of slavery. Consider laws prohibiting the harboring of runaway slaves. Although my religious convictions call me to aid the slave, the law prohibits me from doing so. Furthermore, if the law is above my religious convictions I cannot even use my religious convictions to challenge the law. In a way, proposing that the law is always above one’s religious convictions suggests that one’s religious beliefs are mere interest. However, going to jail for one’s convictions definitely proves otherwise. However, for one who believes doing the will of God is one’s purpose in life, religious beliefs are much more than mere interest.

Considering the \textit{U.S v. Maria del Socorro Pardo Viuda de Aguilar} case, religious accommodations, such as those for conscientious objectors, can be viewed in two ways. First, they can be viewed as giving religious citizens a right to disobey the laws of the state, which we know that most people would find unacceptable. On the other hand, we can view religious accommodations as a means of granting citizens the right to practice the religion of their choice.

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freely and the freedom to act according to the convictions of his/her conscience. I submit that we should view religious accommodations in the latter fashion.

In *U.S v. Maria del Socorro Pardo Viuda de Aguilar*, the courts failed to acknowledge the fact that the appellants were not in direct opposition to the law. In fact, Fife and his supporters may have agreed with the purpose of the law; they weren’t necessarily opposed to the government’s efforts to control immigration. However, they believed that they had a God-given responsibility to help aliens fleeing from persecution and murder. By viewing religious accommodations as a means of granting citizens the freedom to act according to the convictions of their conscience, we leave room for discretion in cases regarding religion. This view will allow us to at least consider the religious beliefs of citizens as justification for their actions. Just as the courts claim that the law is not created in direct opposition to religion, government must consider whether or not certain acts are not committed in direct opposition to the law.

*The Co-existence of Religion and Secularism*

The claim that religion should be prohibited in “secular” space often represents a misunderstanding of what secular space is. Contrary to popular belief, secularism is not inherently the opposite of religion and it is certainly not analogous to atheism. Secularism in the United States has a religious dimension of its own. This explains why a secular institution like the U.S government is able to intermingle with religious symbols and holidays. The idea that the U.S government is permitted to borrow religious symbols and use them for what it calls “secular purposes” indicates that religion and secularism are not as antithetical as some might think. As we will see later, the category of the secular is not constructed independently of religion.

Although secularism is not necessarily opposed to religion, people should not consider secularism to be the middle ground between religious believers and non-believers. Considering secularism as the middle ground presupposes that we know what constitutes a reasonable
compromise for both religionists and non-religionists. Again, it would require government (or government officials) to serve as both theological and social critics. The temptation to view secularism as the middle ground lies in the fact that it includes some ideas that religionists would agree with and non-religionists would oppose and vice versa.

It is often difficult for religionists and non-religionists to see the validity in each other’s complaints because each side is focused on its own dissatisfaction with secularism. For example, Carter is unsatisfied with the current state of our public sphere because he believes it fails to take the religious beliefs of many citizens seriously, while Rorty cannot appreciate Carter’s argument because he believes that the public sphere is right in prohibiting religious beliefs. In fact, he believes that religious beliefs ought to be pushed back still further.\textsuperscript{81} Inversely, Rorty, as an atheist, is displeased with the fact that “only religious conscientious objectors to military service go unpunished.”\textsuperscript{82} In the end, what the public sphere offers in its current condition satisfies neither religionist nor non-religionist.

As I have stated before, secularism is not opposed to religion per se. On the contrary, it has a religious dimension within itself. In my view, the religious dimension of secularism contains strands of Robert Bellah’s civil religion. For some time, secularism was thought of as antithetical to religion. Lately, the religious dimension of secularism has become more apparent to scholars. Mohammad Mozumder, in his 2011 Master’s thesis at the University of Pittsburgh, writes,

The historical origin of a secular democratic state does not discard religion completely; instead, religion has been translated into a generally accessible and neutral source over the years. Often this translated religion appears as a secular discourse. Secularization is,

\textsuperscript{81} Rorty, “Religion as Conversation-Stopper”, 2.
\textsuperscript{82} Ibid.
in a sense, the translation of religious discourse that enables religious vocabulary to take
religion-neutral form.\textsuperscript{83} This follows Asad’s claim that particular religious beliefs have supplied substantive norms that
are then elaborated, self-interestedly, as universal.

One must wonder why the barefaced presence of religion in politics and in other secular
spaces has not resulted in a great outcry from American citizens. Why is there so little protest
concerning the presence of religion in our secular public forum? For example, in a country that is
so adamant about upholding the separation between church and state, how can a government
official, especially the president, justify the use of the word “God” in public events such as the
Presidential inauguration?

Robert Bellah says that the separation of church and state does not deny the political
realm a religious dimension.\textsuperscript{84} While personal religious convictions are deemed a private matter,
there are religious sentiments and features that are common amongst citizens. Bellah writes,

\begin{quote}
Although matter of personal religious belief, worship, and association are considered to be strictly
private affairs, there are, at the same time, certain common elements of religious orientation that
the great majority of Americans share. These have played a crucial role in the development of
American institutions and still provide religious dimension for the whole fabric of American life,
including the political sphere.\textsuperscript{85}
\end{quote}

According to Bellah, “civil religion” is a religious public dimension that is expressed in a set of
beliefs, symbols, and rituals.\textsuperscript{86} These beliefs, symbols and rituals are most easily observed
quadrennially on January 20\textsuperscript{th}, Presidential Inauguration Day. Bellah holds that the inauguration
of the president is an event in which the religious legitimation of the highest political authority is

\textsuperscript{83} Mohammad Golam Nabi Mozumder, “Interrogating Post-Secularism: Jürgen Habermas, Charles Taylor, and Talal
\textsuperscript{84} Robert N. Bellah, “Civil Religion in America,” Journal of the American Academy of Arts and Sciences 96, no. 1
\textsuperscript{85} Ibid., 3.
\textsuperscript{86} Ibid.
Kenneth D. Wald, author of *Religion and Politics in the United States*, describes civil religion as “the idea that a nation tries to understand its historical experience and national purpose in religious terms.” Wald further explains that “civil religion reflects an attempt by citizens to imbue their nation with a transcendent value. The nation is recognized as a secular institution, yet one that is somehow touched by the hand of God.” In regards to presidential inaugural addresses and State of the Union addresses, David Domke and Kevin Coe claim that, “God-talk in these addresses is important because in these ritualized occasions any religious language becomes fused with American identity.”

Given the religious nature of the inauguration ceremony, it is no surprise that every American president has made some reference to God in his inaugural address. In their mention of God, they imply that their obligation is not only to the country but to God as well. This dual allegiance is especially evident in John F. Kennedy’s inaugural address. Kennedy stated, “I have sworn before you and Almighty God the same solemn oath our forbears prescribed nearly a century and three quarters ago.” Some may be under the impression that while such religious rhetoric was permissible in Kennedy’s day, it is not accepted in our modern era. However, we have examples of political figures making more blatant expressions of allegiance to God. Four months after the 2003 U.S.-led invasion of Iraq, President Bush met with a Palestinian delegation during the Israeli-Palestinian summit. Nabil Shaath, Palestinian foreign minister at the time, said, “President Bush said to all of us: ‘I am driven with a mission from God. God would tell me, ‘George go and fight these terrorists in Afghanistan.’ And I did. And then God would tell me

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87 Ibid.
89 Ibid.
91 Bellah, “Civil Religion in America,” 3.
‘George, go and end the tyranny in Iraq.’ And I did.”92 Later Bush added, “And now, again, I feel God's words coming to me, ‘Go get the Palestinians their state and get the Israelis their security, and get peace in the Middle East’. And, by God, I'm gonna do it.”93

The truth of the matter is that religion is important to the vast majority of the American populace. Quite frankly, the majority of American citizens desire, or expect, the president to profess a religious identity. This is implicit in the fact that every one of the American presidents were at least officially affiliated with a religious tradition. Additionally, religion was instrumental in constructing the foundation of this nation and it helps construct the identity of this nation today. That being said, while Americans wish to maintain the separation of religious institutions and government for the sake of plurality, in reality, we don’t want our public space to be free of religion. In addition, our commitment to secularism does not have to be abandoned per se.

Instead, our desire to uphold secularism while allowing for the presence of religious belief in the public forum calls for a reimaging or reconstruction of secularism. It seems to me that the more relevant question is not whether or not we should include religious beliefs in political discourse. For it is obvious that religion is engrained in the fabric of this nation and is important to the majority of the populace. Rather, the pressing question is what does the presence of religious belief in public political discourse look like in practice. How do we regulate the use of religious beliefs in political discourse in a way that would allow for these beliefs to be fruitful and beneficial to the public forum, rather than destructive?

93 Ibid.
Conclusion
Reimagining Secularism

There is a great dilemma in this country. For some time now we have been on a quest to answer the question of whether or not religion should have a place in American public life. How do we maintain the separation of church and state considering our religious history and the fact that the majority of our populace professes to believe in a God of some sort? Considering our significantly religious populace, how do we maintain a productive secular democracy? These pressing questions have been left unanswered since the founding of the nation. Many scholars have turned to the First Amendment for answers to these questions. However, I have demonstrated that these matters are not simply a question of constitutional interpretation.

Carter and Rorty have attempted to offer answers to these questions by offering interpretations to the Constitution that stand in direct opposition to each other. Carter holds that the First Amendment was intended to maximize religious freedom, yet government has a tendency to trivialize the religious beliefs of citizens, thus requiring citizens to privatize their religious convictions. On the other hand, Rorty holds that the Jeffersonian compromise requires citizens to privatize their religious convictions in exchange for the freedom to believe whatever they want. If anything, says Rorty, religion in American public life should be repressed even more. Gutmann introduces an interpretation that seems to serve as a middle ground between Carter and Rorty. Her interpretation includes a permeable wall between religion and politics that allows for the presence of religious beliefs in the public forum with the requirement that these beliefs be mutually justifiable.

It appears to me that Carter, Rorty and, Gutmann along with many others, have not given secularism the attention it necessitates. The category of the secular has, too often, been reduced to one that stands in opposition to the category of religion. This conception of secularism as the
adversary of religion is only one of many possible conceptions. In the United States, we have constructed a version of secularism that—though we profess it to be neutral in regards to religion—often opposes religion. While Rorty and others may challenge the idea that religion is ever opposed in our society, the frustrations of a religious citizen such as Carter suggest otherwise. My recommendation is that we construct a form of secularism that truly reflects neutrality towards all comprehensive beliefs. This conception of secularism is ideal and attractive in theory. However, the difficulty lies in determining what this conception looks like in practice. I will be the first to admit that this is, in no way, an easy task. In fact, I myself wonder if we can ever reach complete neutrality. Nonetheless, we should strive for this neutrality.

Because I am suggesting that we seek to achieve the seemingly unachievable, some may consider my proposal to be political idealism. However, I believe there is some value in idealism. Commenting on the seemingly unattainable goal of building “A Society for Everybody,”94 Brynjulf Stige writes, “It is such a natural claim but seems to be rather impossible to attain. In other words, it may be the most valuable aim.”95 Striving for what seems unattainable assures that we are always striving for something better, for once we are convinced we have achieved the ends we sought to achieve, progress ceases. On the other hand, by striving for this seemingly unattainable goal we assure that we are always working to improve and that we are consistently moving forward.

In my view, the conversation regarding religion and American public life has been dominated by what I call theocrats (who are primarily Christian in the U.S.) and secularists. Here, I refer to those as Christian theocrats whose desire it is to establish a Christian America. They primarily express this desire by fighting for legislation that will force American citizens to

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94 "A Society for Everybody" is the motto of the Norwegian Association for Mentally Challenged People.  
follow Judeo-Christian religious laws. I consider Jerry Falwell to be an archetypal Christian theocrat. Falwell once stated, “The idea that religion and politics don't mix was invented by the Devil to keep Christians from running their own country.”\textsuperscript{96} One hindrance to our ability to create a productive relationship between religion and politics in America is our tendency to think of someone like Falwell when we imagine the presence of religion in American public discourse. The religious populace in this country is comprised of a variety of individuals with various beliefs. In reality, public figures who hold views as strong and divisive as those of Falwell are not in the majority in terms of the composition of the religious populace in this country. It may come as a surprise to some that most religious Americans are not dogmatic about their religious beliefs. Seventy percent of Americans with religious affiliations say that many religions can lead to eternal life.\textsuperscript{97} Sixty-eight percent agree with the statement “There is more than one true way to interpret the teachings of my religion.”\textsuperscript{98} Gregory Smith, a research fellow at the Pew Forum on Religion & Public Life states, “Even though Americans tend to take religion quite seriously and are a highly religious people, there is a certain degree of openness and a lack of dogmatism in their approach to faith and the teachings of their faith.”\textsuperscript{99}

We encourage and empower the divisive views of theocrats by allowing them to dominate the discussion of religion and politics in our media. While these views are highly entertaining, they are not productive. Such views work to divide, instead of unite, the nation. Yet, our media seems to favor these divisive views over the more productive ones. My intention is not to create tension between the religious right and left. However, I do believe our discussion of


\textsuperscript{98} Ibid.

religion and politics would benefit from the inclusion of more moderate views. Not all religious devotees are theocrats. There are a number of political figures who are guided by their religious beliefs but do not seek to divide the nation. Instead, they appreciate the diversity of the American populace. Rev. Jesse Jackson, civil-rights activist and former candidate for the Democratic Presidential nomination once stated,

> My religion obligates me to be political, to seek to do God’s will and allow the spiritual word to become concrete justice and dwell among us. Religion should use you politically to do public service. Politics should not misuse religion. When the Word becomes flesh and dwells among us, that’s called good religion.\textsuperscript{100}

Jackson, while acknowledging that his religious beliefs require him to take public action, also acknowledges and respects the diversity of the American populace. He states, “The white, the Hispanic, the black, the Arab, the Jew, the woman, the Native American, the small farmer, the businessperson, the environmentalist, the peace activist, the young, the old, the lesbian, the gay and the disabled make up the American quilt.”\textsuperscript{101}

While many opponents of religion in political discourse imagine Falwell when they think of the presence of religion in the public forum, theocrats and other religious devotees have the tendency to think of atheists like Sam Harris when they think of secularism. They must realize that the religion-free secularism Harris desires is only one of many possibilities. Theocrats and other religious devotees should note that secularism is not necessarily synonymous with atheism, although some like Harris would like for it to be. Secularists (referred to here as people who desire a religion-free American public forum) often mirror theocrats in that they will remain unhappy until everyone adopts their worldview. Secularists are sometimes just as unbending or dogmatic as theocrats in their views. The results of their fundamentalism are just as divisive and


destructive as religious fundamentalism. In 2007 Christopher Hitchens, author of *God is Not Great*, took on Rev. Al Sharpton in a debate the topics of which included God, religion, and atheism. The following is a brief excerpt of the debate. In response to Hitchens’s argument that chaplains should not be funded by the government, Rev. Sharpton stated,

“It amazes me that it doesn't bother you that we spend two trillion dollars in a war we should've never been in, you just worry about paying the chaplains to pray over it?”

**Hitchens:** “Yeah well, you see, I don't love our enemies and I don't love people who do love them. I hate our enemies and think they should be killed…”

Following a moment of applause from the audience Hitchens added,

“And I think we can do it with half the budget or maybe twice but I'm absolutely sure that there should be no country that has a budget that can threaten ours and I'm not sentimental about the point.”

**Rev. Sharpton:** “So people that preach God and love should shut up and remain private but killers ought to just go and just kill people that they call their enemies. That's very ethical and…”

**Hitchens:** “The people who preach "Allahu akbar" [God is Great] had better find out that there's a stronger force than them and one that also has unalterable convictions and principles and that can also be offended and that they offend it at their peril. That's what I think.”

It troubles me that such violent views received approval in the form of applause by the audience. It seems that such extreme views aren’t as alarming when they come from American secularists. Yet when they are proclaimed by those whom U.S media refer to as “Muslim fundamentalists” they are received with great disdain and anxiety. Hitchens and Harris always regard religion as an irrational force that threatens much of the world’s population. However, the views of “secular fundamentalists” appear to be just as threatening. In *The End of Faith: Religion, Terror, and the Future of Reason*, Harris writes about the threat of Islam in a nuclear age. I find the suggestions offered within this book to be quite alarming. Yet, Harris has claimed critics, namely Christopher Hedges, have misrepresented his work. In order to avoid such allegations, I
will quote Harris at length. Therefore the reader will be left to judge whether or not Harris’s
tests merit alarm and scorn. Harris writes,

> What will we do if an Islamist regime, which grows dewy-eyed at the mere mention of
paradise, ever acquires long-range nuclear weaponry? If history is any guide, we will not
be sure about where the offending warheads are or what their state of readiness is, and
so we will be unable to rely on targeted, conventional weapons to destroy them. In such a
situation, the only thing likely to ensure our survival may be a nuclear first strike of our
own. Needless to say, this would be an unthinkable crime—as it would kill tens of
millions of innocent civilians in a single day—but it may be the only course of action
available to us, given what Islamists believe. How would such an unconscionable act of
self-defense be perceived by the rest of the Muslim world? It would likely be seen as the
first incursion of a genocidal crusade. The horrible irony here is that seeing could make it
so: this very perception could plunge us into a state of hot war with any Muslim state
that had the capacity to pose a nuclear threat of its own. All of this is perfectly insane, of
course: I have just described a plausible scenario in which much of the world’s
population could be annihilated on account of religious ideas that belong on the same
shelf with Batman, the philosopher’s stone, and unicorns. That it would be a horrible
absurdity for so many of us to die for the sake of myth does not mean, however, that it
could not happen. Indeed, given the immunity to all reasonable intrusions that faith
enjoys in our discourse, a catastrophe of this sort seems increasingly likely. We must
come to terms with the possibility that men who are every bit as zealous to die as the
nineteen hijackers may one day get their hands on long-range nuclear weaponry. The
Muslim world in particular must anticipate this possibility and find some way to prevent
it. Given the steady proliferation of technology, it is safe to say that time is not on our
side.\(^{102}\)

Harris suggests that the only way for the U.S to save itself from the Muslim world may be “a
nuclear first attack of our own.” Harris’s reasoning here seems to me to be no better than the
“irrationality” of theocrats. Essentially, Harris suggests that we consider attacking Islamist
regimes with nuclear weapons simply because he thinks their religious beliefs would make them
likely to attack us. He is willing to consider this plan even if it means killing tens of millions of
innocent civilians. One must wonder what makes our lives more valuable than the lives of these

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\(^{102}\) Sam Harris, *The End of Faith: Religion, Terror, and the Future of Reason* (New York: W.W. Norton and
Company, 2004), 128-129.
innocent civilians. Furthermore, it seems that the only difference between the innocent civilians and the Muslims Harris seeks to annihilate is the religious beliefs these Muslims profess. If the hope of world is founded on the reasoning of people like Harris, we have no hope at all.

My purpose here is not to say that religious persons are any better than non-religious persons. Instead, my intention is to demonstrate that secular views are open to the same critiques as religious views. The views of Hitchens and Harris are just as dogmatic as those of someone like Falwell. While many secularists, including Harris and Hitchens, argue that religion divides and creates violence by painting non-believers as infidels or enemies, it seems that secularism has the same potential. Although secularists claim that religion is especially problematic because of its unbending nature, it is clear that secularists like Harris and Hitchens are just as despotic.

The first step in reconstructing a productive category of the secular in American society is to prevent secularists and theocrats from dominating the conversation regarding religion, secularism, and American public life. If we involve more of the moderate views from the respective sides of the debate we will notice that secular citizens agree more with moderate religious views than with the fundamentalist views of their own group. Conversely, the moderate views of religious devotees comply more with the moderate views of secularists than with the views of religious fundamentalists.

Secularism is not free from religion, as some may believe, nor does it have to be. Our normative conception of secularism does not align with our descriptive presentation of it. Justice Blackmun’s claim that “a statute or practice which touches upon religion, must have a secular purpose; it must neither advance nor inhibit religion in its principal or primary effect; and it must not foster an excessive entanglement with religion” does not correspond to the reality of

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103 The phrase secular citizen is used here to refer to individuals who are areligious (without religion or dogma). I imagine these citizens hold more moderate views than secularist.
American government and politics. Our current conception of secularism holds that the state cannot be intermingled with religion except in a traditional or symbolic manner but not in a dogmatic sense. Hence the reason we find it permissible for presidents to be sworn in using the Bible and why witnesses in court take their oaths using the Bible. However, if government is to be truly neutral towards religion, much more is required.

Charles Taylor says that the pluralism of our society requires that some sort of neutrality exist. Further, secularism demands a complex requirement given that there is more than one good sought in its employment.104 Barrowing the three categories of the “French Revolutionary trinity: liberty, equality, fraternity, Taylor makes known three goals of secularism. The commitment of liberty holds the state responsible for assuring religious freedom. Every citizen should have the freedom to practice the religion of his/her choosing. This also includes the freedom not to ascribe to any religion. The guarantee of equality establishes equality between people of different faiths. This suggests that the state cannot establish a national religion. In Taylor’s words, “No religious outlook or (religious or a-religious) Weltanschauung105 can enjoy a privileged status, let alone be adapted as the official view of the state.”106 Finally, fraternity holds that every “spiritual family”107 or faith group must be heard and included in the “ongoing process of determining what the society is about (its political identity)…” 108 I believe the three commitments of secularism offered by Charles Taylor are helpful in reconceiving a secularism that seeks neutrality towards all comprehensive beliefs.

105 A comprehensive conception or apprehension of the world especially from a specific standpoint.
106 Ibid., xii.
107 Ibid.
108 Ibid.
A true “overlapping consensus” is attained only when the principles that form the basis on which we coexist are agreed upon. Each spiritual family may justify these principles in their own unique manner, but what counts is that the principles are agreed upon. For example, the agreed upon principle can be that we should respect human life. Yet, one group may say we ought to respect human life because of the nature of humans as rational beings. Another group might justify this same principle by stating that we should respect human life because we were all created in the image of God. The principles that comprise the basis on which we live in this society should not be predetermined. Everyone should have a say about what is right. After everyone has had the opportunity to voice their concerns we can negotiate on the ruling regime.

A conception of secularism that fulfills the requirements of liberty, equality, and fraternity would allow for religious beliefs to take part in political discourse. However, to assure that the presence of religious beliefs does not hinder discourse, with the help of Gutmann, I shall offer suggestions as to how religiously based arguments ought to be made in the public forum. Two of Gutmann’s recommendations concerning how responsible democratic citizens should argue in political discourse are particularly useful for our conception of a form of American secularism in which religious and secular beliefs constitute the public political discourse. That is, arguments made for mutually binding policies should seek reciprocity and be mutually justifiable.

In light of Gutmann’s notion that mutually binding laws must be mutually justifiable, religious based arguments in American public political discourse are often seen as problematic to scholars like Richard Rorty. The reason being, the grounds on which such arguments are founded are often not accepted by everyone in our pluralistic populace. Following the example I presented above, an argument against abortion based on what one believes God says in a holy text is problematic in public political discourse because everyone in the American populace does
not believe or adhere to God or a particular sacred text. In addition, those who do adhere to the particular religious text may hold a different understanding or interpretation.

Initially, it is difficult to make out what Gutmann means by “mutually justifiable” arguments. For this reason, this phrase warrants further analysis. The word justifiable connotes that something can be shown to be right, warranted, or just. Applying this understanding to Gutmann’s condition for mutually binding laws seems to be problematic. Whether or not an argument is justified is subjective. For example, Democrats may deem an argument for raising taxes for the wealthy on the grounds that we should look to better the lives of the poor or those whom Rawls calls the “least-off” justifiable. However, Republicans may not agree. Likewise, an atheist may find an argument in favor of requiring employers (including religious ones) to supply contraception for their female employees justified on the grounds that we ought to promote women’s health. On the other hand, a Christian may not consider such an argument to be justified on these grounds. As Richard Rorty states, “in the public square of a pluralistic democracy, justification is always up for grabs.”\(^{109}\) That being said, it seems that laws can never be completely mutually justifiable. This suggests that we can never satisfy Gutmann’s condition for mutually binding laws. This implies that Gutmann’s use of the term “justifiable” takes on a different meaning.

Gutmann holds that William Channing’s appeal to end slavery is an exemplary mutually justifiable argument. For Gutmann, the fact that “secularists do not now, and did not then, need to share Channing’s religious faith to understand the moral and civic force of his argument,”\(^{110}\) makes Channing’s argument mutually justifiable. Later, commenting on Channing’s argument, Gutmann writes,
A law that treats “Rational Moral, Immortal Being[s], created in God’s image” as property or an animal to be tamed—“a tree or a brute”—cannot be mutually justified. Black Americans surely are not trees or brutes, and slavery just as surely cannot be justified to them. Black Americans are equal to white Americans, and treatment as a slave cannot be justified to equal persons.\textsuperscript{111}

Gutmann is right in saying that the law of slavery cannot be justified to Black Americans. As a result, a law establishing slavery cannot be mutually justified. However, there were many people including economists, historians, sociologists, and even ministers who argued in favor of slavery. Amongst these anti-abolitionists stood Nellie Norton who used the Bible to argue in favor of slavery and Dr. James Hunt who argued in favor of slavery from an anthropological viewpoint. Obviously, for these people, the law abolishing slavery is not justified. Hence, we find ourselves at a standoff. For neither the law for slavery nor the law against slavery is “mutually justifiable”.

In order to avoid such standoffs during the law-making process, I suggest that we modify Gutmann’s phrasing of the criteria for political arguments. Instead of requiring citizens to make arguments that are mutually justifiable, we should require that citizens make arguments that are mutually understandable. In this sense, citizens are not given the burden of making arguments that will satisfy or win the support of everyone. On the other hand, the requirement for any belief, religious or secular, to be considered in public political discourse should be that the argument ought to be comprehensible to everyone in the populace. Gutmann implies that by “mutually justifiable” she means mutually understandable or comprehensible as she later adopts this new wording. She writes,

My primary point is that we do not need to make our arguments concerning law and public policies in the same terms to be mutually comprehensible and reasonable to one another and therefore to be morally responsible democratic citizens. If we support any kind of democracy, we must appreciate the role of arguments in democratic politics with which we do not agree.\textsuperscript{112}

\textsuperscript{111} Ibid.
\textsuperscript{112} Ibid., 912.
Gutmann’s emphasis on the mutual understanding of arguments rather than the mutual agreement with them seems to address the common issue raised regarding religious beliefs in political discourse. That is, the fact that everyone does not accept the grounds on which religious citizens base their arguments. Gutmann holds that we don’t have to always agree with the grounds on which an argument is founded. Instead, what is important is that we understand each other’s argument. Once we comprehend the arguments of others, we can judge whether or not we agree.

_Suggestions for the Religious Devotee_

Religious citizens can help their cause by seeking to better understand their own beliefs. While U.S. citizens rank higher than other industrialized nations in almost all measureable measures of religious beliefs and practice, Phyllis A. Tickle informs us that we are the also the developed world’s most theologically illiterate nation.\(^{113}\) A better understanding of ones beliefs will allow for one to offer a more comprehensible explanation of ones beliefs. In order to gain a better understanding of our religious beliefs religious citizens must be willing to have those beliefs challenged. Religious devotees must be willing to engage in what I call “questioning.” This questioning should not be equated with doubting. Instead, the questioning I am suggesting is simply recognition that one does not know all there is to know about one’s faith. In addition, one remains open to new knowledge and revelation. Once the convictions of religious devotees have gone through the furnace of contention, they will emerge purer and stronger than before. I recommend that citizens live a life in which they continually examine their convictions. For as Socrates, the ancient Greek philosopher stated, “The unexamined life is not worth living.”\(^{114}\)

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In these concluding thoughts, I would like to consider whether or not society’s reservation towards religious beliefs in discussions of public policy is warranted. One common explanation for reservations towards giving religious beliefs serious consideration in political discourse is that the arguments produced by these beliefs sometimes work to subjugate non-believers. Some religiously based arguments operatively force non-religious citizens to abide by the convictions of religious citizens. I recommend that religious citizens refrain from making such arguments in the public forum. Part of Madison’s “Remonstrance against Religious Assessments” protects the freedom of religion through a defense of the freedom of conscience.115 Every individual ought to have the freedom to act according the dictates of their conscience. Religious citizens should forego fighting for laws that coerce others to live according to their convictions. For in calling for such laws, religious citizens deny their fellow citizens the freedom which they, themselves, enjoy.116 It is one thing to fight for one’s right not to support the use of contraception. It is another thing to argue that no one should have access to contraception. Such a law fails to uphold Gutmann’s criterion of reciprocity.

115 Madison writes, “The Religion then of every man [or the lack thereof] must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate.”
116 Such arguments are characteristic of theocrats.
Bibliography


