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FREEING RELIGION:

EPISTEMOLOGY AND THE ROLE OF RELIGIOUS

BELIEFS IN DEMOCRATIC POLITICS

A DISSERTATION SUBMITTED TO

THE FACULTY OF THE DIVINITY SCHOOL

IN CANDIDACY FOR THE DEGREE OF

DOCTOR OF PHILOSOPHY

BY

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If human reason seems to discredit known religious forms, what ensues is not a sober rational appraisal of merely human factors accepted as such. What ensues is Lenin worship, party worship, state worship, self-worship, despair, sensuality, or some other vagary. The proper reaction to this apparent fact is not necessarily the advocacy of a "return to religion" meaning by that to a religion whose deficiencies were the very reason why men of the highest integrity and wisdom felt dissatisfied with it, and which is deeply entangled in vested interests. What we need is to make a renewed attempt to worship the objective God, not our forefathers' doctrines about him.

—Charles Hartshorne, The Divine Relativity

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Few experiences are as humbling as looking back on a "solitary" project and realizing what a collective effort it actually has been. Without the support of my family most of all, I would have lacked the desire and the determination to complete my doctoral studies. Without my friends, colleagues, and faculty at the University of Chicago, I would have lacked the essential intellectual resources necessary to pursue my project to its end. I am indebted to them all. And yet, I am indebted to some more than others. I am especially grateful to the Martin Marty Center at the University of Chicago Divinity School for financial support during the early stages of my writing and for providing the opportunity for me to share the company of the other junior and senior fellows during the 1999–2000 academic year. Their encouragement gave me hope that my project was worth pursuing. I am also thankful to Charles Mathewes for blazing the path and providing an incentive to complete the dissertation in a timely manner. Thanks from the bottom of my heart to my mother and father, Alys and Terry, for their love, encouragement, and support; in them, I am truly blessed. Thanks to Jill, whose patience has been unwavering and whose presence has been so enriching; as much as anyone, she has made the completion of this project possible. I owe a debt of gratitude to my committee as well for their willingness to serve as readers and for their insightful comments and suggestions from the proposal stage to the final product. Finally, I offer my most profound thanks and admiration to Chris Gamwell, my advisor, whose example as a teacher, scholar, and human being has been extraordinary. If there is merit in this work, it is due largely to his efforts on my behalf; the shortcomings and infelicities are my own.

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ABSTRACT

My dissertation addresses the relationship between religion and politics, specifically, the proper role of religious convictions within democratic political debate. My project seeks a theoretical alternative to the secularism of political liberalism that can preserve the neutrality of political discourse relative to an indeterminate plurality of comprehensive religious and philosophical perspectives. I engage the work of Nicholas Wolterstorff and his critique of the epistemological foundations of classical and contemporary political liberalism. While sympathetic to much of what he has to say on this topic, I suggest a turn to the work of Jürgen Habermas as a way of providing a more robust theoretical framework for describing and defending the norms of democratic discourse relative to an indeterminate plurality of religions in the body politic. In order, finally, to redeem the promise of the democratic response to religious pluralism in terms of a full and free debate, I offer a critique of Habermas's account of communicative rationality and defend the viability of comprehensive philosophical reflection, or metaphysics, within the context of fully critical forms of argumentation. The project combines elements of philosophy, ethics, and political theory in an effort to justify a broader understanding of the legitimate role of religious convictions within democratic politics.

CHAPTER 1

INTRODUCTION: EPISTEMOLOGY AND POLITICAL THEORY

Liberal Epistemology

The dominant approach to political theory in the modern West is prefaced on an error. This error is, at its heart, a matter of bad epistemology. While such philosophical errors are not always cause for concern, this one in particular has had a significant impact on the self-understanding of citizens of modern democracies. It has led many to the conclusion that democratic politics, especially as it has been given specificity in the U.S. Constitution, requires an explicit secularistic commitment on the part of citizens. The bold ideals of religious freedom and the promise of the disestablishment of religion have been reduced in this context to a model of religious belief as private concern, something best excluded from the exercise of public reason lest the latter be, in some manner, tainted by association.

Needless to say, there have been prophetic challenges to this self-understanding of modern society, voices in the wilderness that have decried the thinning of public discourse and challenged the exclusion of those commitments and beliefs that find their origins in the great religious and philosophical traditions of humanity and have often served as inspiration for "the better angels of our nature" (and, to be fair, for the demons as well). The dominant theoretical tradition of modern democracy, however, has remained steadfast in its commitment to a restricted conception of public reason, and while its various members have differed among themselves regarding the appropriate

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status of religious beliefs in public discourse, they have, for the most part, maintained a united front against the inclusion of religious commitments in the process of political decision and debate where matters of basic justice are concerned.

This position has been supported, more or less explicitly, by an epistemological model given original formulation by John Locke. In contemporary discussions of these matters, this model has been identified as "classical foundationalism," and while it has been subjected to criticism and modified by various detractors and supporters, it has, until fairly recently, been largely taken for granted in its significance for human knowledge and the exercise of public reason. Significant for this discussion are the implications of classical foundationalism and its analogues for democratic politics. Part of this dissertation includes an exploration of the ramifications of classical foundationalism as they have been understood and utilized by the dominant liberal political tradition. As part of my critical engagement with this tradition, I will turn to the work of Nicholas Wolterstorff, a contemporary philosopher of religion who, as part of a broader intellectual movement in the Reformed theological tradition, has helped to articulate a devastating critique of liberalism and its epistemological underpinnings.

Nicholas Wolterstorff and the Reformed Critique of Liberal Epistemology

Wolterstorff engages the liberal tradition at the very source of its perceived strength where matters of religion are concerned. He attacks the epistemological foundation that has provided prima facie justification for the secularism of liberal political theory. By striking at the root, he offers a challenge to those who would draw inspiration from Locke and his liberal progeny. If Wolterstorff's challenge enjoys a measure of success (and I am convinced that it does), then many of the fundamental anthropological, epistemological, and political concepts that serve as the theoretical heart of liberal theory will be found

wanting. One of the most striking conclusions reached by Wolterstorff, especially given the prominent place of epistemology in the liberal tradition, is that epistemology simply does not provide a valid means by which to circumscribe the content of legitimate political debate, at least not in the manner assumed by the liberal tradition. On the one hand, this realization is liberating; the horizon of political debate widens dramatically. On the other hand, there is a certain theoretical vertigo that ensues on the realization that the conceptual core of liberal political theory no longer serves to legitimate the more or less explicit self-understanding of modern democratic societies.

So what next? According to Wolterstorff, we must give up the Enlightenment ideal of achieving "a rational consensus in place of fractured tradition."[1] This, after all, was the goal in service to which Locke articulated his epistemological vision in the first place. Across all of its various permutations, the goal of liberalism has been to describe the public sphere such that those willing to engage one another according to common standards of public reason might achieve a rational consensus. In the liberal model, the pursuit of epistemological norms has been conflated with the search for norms of public reason. However, if epistemology cannot provide the kind of filtering of valid political ideas that has been attributed to it by the liberal tradition, then any attempt to delimit the content of legitimate political debate on epistemological grounds, at least as liberals have understood them, is suspect. With this in mind, however, the question arises: What, if anything, can serve as the basis for a normative theory of democracy? To what can we turn in a pluralist society in order to describe the norms of democratic politics that ought to be explicitly affirmed by all citizens? In the end, I am unsatisfied with Wolterstorff's apparent answer to this question. The critical and constructive sections of this dissertation are driven by my effort to outline an alternative to his position.

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[1]Nicholas Wolterstorff, John Locke and the Ethics of Belief (New York: Cambridge University Press, 1996), p. 246.

As I will attempt to show in the course of the discussion, Wolterstorff effectively leaves a theoretical void in the place where liberalism had previously stood as a legitimizing framework for the self-understanding of citizens in modern democratic societies. He acknowledges this void but feels no anxiety as a result:

> The liberal is not willing to live with a politics of multiple communities. He still wants communitarian politics. He is trying to discover, and to form, the relevant community. He thinks we need a shared political basis; his is trying to discover and nourish that basis.... I think that the attempt is hopeless and misguided. We must learn to live with a politics of multiple communities.[2]

The theoretical void of which I speak is this willingness on the part of Wolterstorff to reject the possibility of a shared political basis understood in terms of a common human reason. The failure of epistemology to provide the core for such a shared basis is taken by Wolterstorff to imply that no such basis can be formulated. Moreover, he is convinced that efforts to give formulation to such a basis are hopeless and misguided; in other words, I take it, such a project is, for him, both impossible and, finally, unnecessary to establish and sustain a flourishing democracy.

According to Wolterstorff, our inability to formulate in any valid or useful manner a shared political basis is not something that ought to cause great anxiety on the part of democratic citizens. The practice of democracy, thankfully, need not wait on adequate theoretical formulation of its character and norms. As in so many cases, practice outstrips theory; "know-how" takes precedent over "know that." I, however, am less sanguine about leaving the matter thus. I am generally convinced by Wolterstorff's critique of liberalism, especially by his challenge to its epistemological underpinnings; however, I continue to believe that the idea of a common human reason serves an

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[2]Nicholas Wolterstorff, "The Role of Religion in Decision and Discussion of Political Issues," in Religion in the Public Square: The Place of Religious Convictions in Political Debate, ed. Robert Audi and Nicholas Wolterstorff (Lanham, Md.: Rowman & Littlefield, 1997), p. 109.

important role in our efforts to engage one another in civil discourse aimed at achieving mutual understanding about the common good and valid principles of justice for governing our shared social space. Granted that the know-how that serves us in our communicative practices need not wait on adequate theoretical formulation in order to provide a relatively stable basis for civil society, it remains, I wish to argue, both possible and useful to pursue a valid theoretical understanding of the possibility and legitimacy of democratic politics.

Democratic societies are experiencing challenges both internal and external to their legitimacy, and the current intellectual context is largely inhospitable to a robust defense of the institutions, practices, and ideals of democratic politics in any universal sense. A coherent theoretical understanding of the norms of democratic politics can prove sustaining to our current political practice and help ensure the long-term health of democratic societies in the face of doubt and skepticism as to the legitimacy of the democratic response to moral and religious pluralism. In this context, it would not be inappropriate to draw on the idea of political philosophy as a kind of therapeutic and apologetic endeavor. It represents an effort both to bolster confidence in democratic citizens through a deeper understanding of role of democracy in sustaining a civil society and to respond to challenges from those who, for various reasons, deny the legitimacy of democratic politics as a response to the challenges of religious pluralism.

In addition, I think we can assume the necessity of some constitutional framework for describing broadly the character of the political community. Such a document provides a public statement of those principles the explicit affirmation of which is a central component of citizenship. These principles provide a normative framework for the political order, and it is reasonable that such principles themselves should be the proper subject matter of critical inquiry. An evaluation of their validity can be of two sorts. On the one hand, political theory can pursue an inquiry into the various forms of political

association following Aristotle in the _Politics_ or Hobbes in the _Leviathan._ We can explore the various constitutions, institutions, and practices of a variety of political forms and attempt to defend one or another in terms of various criteria and so conclude which is superior for governing human affairs. On the other hand, we can begin with a form of government and evaluate various theoretical accounts of its nature in the hope of coming, finally, to a more theoretically adequate picture of it. This, in turn, can be used to evaluate actual institutions and practices and so provides a point of departure for both apologetic and critical efforts where democracy is concerned.

This dissertation is an exercise in the latter form of political theorizing. As a result, I presuppose an interest in democratic institutions and practices on the part of citizens who are simultaneously adherents to an indeterminate plurality of religions, and I have not felt compelled to defend the normative superiority of democracy as such as a form of government. It should be noted, however, that the question of the coherence of democracy and its ability to fulfill its express purpose has a logical priority relative to any comparative enterprise that seeks to redeem the superiority of democracy relative to other forms of political association. In other words, one could not show the superiority of democracy if it did not have a coherent purpose or could not fulfill it. While a pursuit of the ultimate legitimacy of democracy as the norm of human political organization is certainly worthy and might, in other contexts, prove a more pressing concern, within the context of contemporary political theory in the modern West, it is not so much the legitimacy of democracy as such that is in question but instead its character and implications for our political life given our mutual commitment to this form of political association.

I am specifically interested in evaluating various proposals for understanding the demands that democratic citizenship makes on religious believers. As I have indicated above, the dominant political tradition of the West has come to the conclusion that the

consistent affirmation of democratic principles requires an explicit secularistic commitment on the part of citizens in order to preserve the neutrality of the public sphere relative to an indeterminate plurality of religions. We might say that this tradition makes a constitutional stipulation in favor of a secularistic understanding of public reason. Good reasons in political discourse are to have purely secular grounds for their affirmation in the course of political decision and debate, at least regarding matters of basic justice. Moreover, this requirement has been understood to be consistent with, indeed to follow from, the principle of religious freedom, a principle that is taken by many to express the essential heart of a democratic ethos.

Religious adherents who insist that it violates the principle from which it is thought to follow have challenged this secularistic requirement of democratic citizenship. Some have assumed that this represents a fundamental challenge to the legitimacy of democracy as a form of government. Others have drawn more circumspect conclusions about the limitations of constitutional democracies for addressing and resolving the conflicting values advocated by their members. My own position is that democracy as a form of political organization can be redeemed as a valid response to the problem of religious pluralism but not based on the presuppositions of liberal theory. Moreover, I believe that constitutional principles can be described in such a manner that their explicit affirmation on the part of citizens is consistent with the principle of religious freedom, that is, the legitimacy of an indeterminate plurality of religions.

Defending the Enlightenment: An Appropriation of Jürgen Habermas

To defend this position, I will appropriate elements of the work of Jürgen Habermas. His turn from the philosophy of consciousness to the philosophy of language supports a move beyond epistemology to critical discourse in the pursuit of valid political principles.

Habermas represents a continuation of the Enlightenment by other means. That is to say, his project seeks to defend the idea of universal moral principles while avoiding the pitfalls of Kant's transcendental idealism, which, some might say, represents a sublime formulation of the epistemological presuppositions of the liberal tradition. Habermas rejects the radical subjectivism of Kant and focuses instead on communicative action as the constitutive source of modern societies and individual subjectivity.

While I will argue that this turn to Habermas's theory of communicative action in order to describe valid norms of democratic politics can move us beyond the failings of liberal theory in a manner that is consistent with Wolterstorff's critique, it forces us to confront again the challenge that gave rise to modern political theory in the first place: the problem of religious pluralism. Wolterstorff's motivation in challenging the liberal tradition has been, in large measure, to force a reconsideration of the secularistic presumptions of modern democratic societies. "I see no reason," he writes, "to suppose that the ethic of the citizen in a liberal democracy includes a restraint on the use of religious reasons in deciding and discussing political issues. Let citizens use whatever reasons they find appropriate—including, then, religious reasons."[3] Contrary to the traditional interpretation of the religious clauses of the First Amendment, Wolterstorff insists that the principle of religious freedom finds its full expression only in the inclusion of religious convictions in democratic discourse.

The rise of constitutional democracies in the modern West was inspired, in large measure, by the dissolution of the relative unity of religious and political authority. While this authority was never so absolute or so united as to eliminate the presence of otherness within the body politic, a sufficient religious homogeneity was maintained in the premodern period to obviate the need for sustained intellectual focus on the problem of

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[3]Ibid., pp. 111–112.

pluralism. The Protestant Reformation and subsequent Enlightenment challenge to received tradition, however, provided the impetus for a more thorough consideration of the implications of moral and religious pluralism for establishing and sustaining just society. As Wolterstorff notes, "Locke intended his epistemology as a solution to the crisis of the fracturing of the moral and religious tradition of Europe at the beginnings of modernity."[4] The challenge to inherited tradition that marks the dawn of modernity generated what Franklin Gamwell has called the "modern political problematic," which, he writes, "may be expressed in the question: What, if anything, is the proper relation between politics and religion, given that the political community includes an indeterminate plurality of legitimate religions?"[5] Habermas's response to this fundamental question, while distinct from that of the liberal tradition, still serves to limit the role that religious beliefs can legitimately play in democratic politics.

In his own way, Habermas affirms the liberal emphasis on the priority of the right to the good and defends this presumption as a necessary implication of the postmetaphysical character of communicative rationality. On his account, claims about the distinctively human good, or final end of human activity as such, whether secular or religious, cannot be universally validated. Unlike the universal moral principle that Habermas seeks to distill from a reconstructive analysis of everyday communicative practices, ethical claims that rest on the thick, contextual resources of specific human communities cannot be rationally adjudicated in terms of their respective merits. That is to say, the failure of metaphysics as a legitimate form of rational inquiry precludes the establishment of universal standards of argumentation for validating claims about

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[4]Wolterstorff, John Locke and the Ethics of Belief, p. 227.

[5]Franklin I. Gamwell, The Meaning of Religious Freedom: Modern Politics and the Democratic Resolution (Albany, N.Y.: SUNY Press, 1995), p. 5.

authentic human activity in terms of a comprehensive purpose, or telos. Such commitments and the conflicting value claims that result, Habermas insists, can only be mediated, not resolved, through appropriate discursive procedures. In other words, we can hope for just compromise through our engagement of one another in civil discourse on the basis of fair political principles; however, any such a compromise will not indicate the validity of one comprehensive vision over another but will instead represent the just outcome of a procedure that all involved can recognize as fair.

As attractive as Habermas's model can appear, I am not convinced that it represents a valid response to the modern political problematic. Certainly Wolterstorff and those sympathetic to his desire to free religion from the strictures of liberalism will find little cause for celebration in the political model defended by Habermas. Habermas's rejection of metaphysics as a form of valid inquiry implies that beliefs about authentic human activity cannot be validated in a universal sense through critical discourse. This means, in the final analysis, that Habermas rejects the classic pursuit of a valid understanding of a comprehensive human purpose as the source of a criterion for the assessment of claims about justice. As far as I can tell, however, it is precisely this kind of claim that rests at the heart of the great philosophical and religious traditions of humankind, at least in the West. Justice, in other words, is a specification of what the good requires in a given social context. Moreover, it seems to follow from this account that the Habermasian model of democratic politics, like the liberal position, insists on a secularistic understanding of the political order, and it is not clear that religious believers can consistently affirm such an interpretation. Notwithstanding Habermas's efforts to distinguish his project from the liberal tradition, I will show that his failure to exploit fully the pragmatic implications of his account of communicative rationality opens his position to Wolterstorff's critique of liberalism. In other words, Habermas, too, rejects

the prima facie warrant of religious beliefs and so denies the propriety of acting on their basis in the context of political decision and debate about matters of basic justice.

If Wolterstorff succeeds in his challenge to such theories by showing the failure of the epistemological model on which they stand, he leaves us wanting for a more substantial account of the normative principles of democratic politics that ought to be explicitly affirmed by citizens, including the adherents of an indeterminate plurality of religions. Habermas provides a theoretical resource that can help to fill this lacuna in Wolterstorff's discussion of these matters; however, as I have indicated, there remains the significant question of whether Habermas's position adequately addresses the problem of religious pluralism in modern society. If my suspicions are correct, then the answer to this last question must be negative. At the most, then, a turn to Habermas provides inspiration for a solution while leaving us without an adequate model of democratic politics, that is, an alternative to liberalism that is epistemologically sound and provides a model of democratic politics that can be consistently affirmed by the adherents of an indeterminate plurality of religions.

Constructing a Middle Way: Postconventional, Not Postmetaphysical

My position is that a complete theory of democracy ought to provide two things. First, it ought to explain the constitutive principles of democracy that together represent a condition of the possibility of rational debate about substantive normative theories of political activity. As such, the validity of a constitutive account is evaluated in terms of its ability to establish the conditions of a full and free debate about substantive political norms. Second, a theory of democracy ought to present its own substantive norm of political activity and seek to redeem this claim through the debate as constituted by the constitutive principles of democratic discourse. Since it is democracy understood in terms

of its response to the problem of religious pluralism that concerns me in this dissertation, the adequacy of any theory rests, in large part, on its ability to explain the coherence of the democratic response to religious pluralism in terms of the requirements of a full and free debate. Since the problem introduced by religious pluralism is the absence of a substantive consensus regarding the comprehensive end of human activity as such, the question becomes whether a theory of democratic discourse can legitimate an indeterminate plurality of religions in spite of their incompatible claims about the good and what they specify for political activity. Provided that a constitutive account of democracy can fulfill this demand, it would remain, for a complete account, to articulate substantive norms of political activity that could be validated through the political process as constituted by such principles of democratic discourse.

My goal is a contribution to a normative theory of democracy at the constitutive level. My own commitment is to a theory that explains the democratic response to religious pluralism in terms of a full and free debate, or argument, inclusive of a critical evaluation of comprehensive claims about authentic human activity as such. Such an account understands the adherents of an indeterminate plurality of religions as participants in a practice of argumentation through which they seek to arrive at a valid understanding of authentic human activity and so denies that religious establishment is constitutive of the debate itself. The disestablishment of religion, in other words, follows from the fact that debate concerning a given question cannot proceed if the valid answer is stipulated in advance. At the very least, it would be hard to describe such a debate as full and free. The religious affirmation of a comprehensive purpose that specifies the norm of authentic human activity as such can be evaluated only within a form of critical discourse suitable to the claim itself, that is, a critical discourse that is comprehensive in scope. Since the model I endorse understands the democratic process, in the most general sense, to represent a full and free debate inclusive of claims about the comprehensive

purpose of human activity as such and its implications for political activity, it follows that the explicit affirmation of some or other response to this question as a condition of legitimate participation would be inconsistent with the process itself.

The model I am advancing can legitimate an indeterminate plurality of religions because no one is excluded from the discourse as a result of their particular answer to the comprehensive question. I understand this approach to provide an important alternative to the options generally available in the contemporary debate on the nature of democracy. It is neither secularistic, since it does not restrict religious beliefs as reasons in political decision and debate, nor does it violate the principle of disestablishment, since the political process is constituted by an open and ongoing debate regarding conflicting understandings of authentic human activity as such and so remains expressly neutral at the constitutive level regarding the validity of any particular understanding, including those that affirm a comprehensive purpose, or telos.

The discussion that is internal to the liberal tradition itself fails to do justice to the problem of religious pluralism insofar as it arbitrarily restricts the scope of public reason in its efforts to describe the conditions necessary for debate regarding valid principles of justice. That is to say, insofar as this tradition stipulates as a principle of public reason that principles of legitimate political activity must be redeemed independent of any understanding of a comprehensive human purpose, it sets an arbitrary limitation on the scope of legitimate political debate. Such stipulation inevitably requires "a constraint or limitation on the range of topics open to public discourse" that is imposed as a condition for debate rather than as a conclusion reached within the process itself.[6] Providing an account of this constraint as well as a successful argument for its validity that is free

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[6]Jürgen Habermas, Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy (Cambridge, Mass.: MIT Press, 1996), p. 313.

standing relative to the plurality of comprehensive perspectives in modern societies are central elements of liberal theory.

The general and explicit acceptance by citizens of this constraint on the content of public discourse based on publicly accessible reasons is essential, according to the liberal tradition, for establishing the very possibility of a flourishing democracy. Far from providing a foundation to the political order, however, these proposals represent controversial validity claims that are, properly the subject of the critical debate they mean to constitute. As I will argue in the following chapters, their exclusion of a comprehensive order of reflection as a proper moment within political discourse rests, in the end, on their denial of prima facie warrant, or entitlement, for such beliefs. However subtle their formulations of this point, they conclude that comprehensive moral and religious beliefs do not fulfill the requirements necessary for admission into political discourse, at least concerning matters of basic justice. They do not meet the threshold of public reason as conceived within the liberal tradition.

The liberal attempt to identify an independent source as the normative ground of democracy avoids or denies the depth of the pluralism it seeks to reconcile within a single political system. It circumvents the problem of pluralism by locating the origins of the problem in our comprehensive perspectives and then bracketing such convictions from the debate on epistemological grounds formulated in terms of criteria of public reason. This implies a substantive ground to the political order that is independent of all such convictions and on which all can be expected to agree once our comprehensive convictions are set aside. But it is not at all clear that this account can preserve religious freedom by legitimizing an indeterminate plurality of religions. Instead, I intend to argue that the constitutive foundation of democracy must be neutral relative to an indeterminate plurality of religions. Far from excluding our comprehensive convictions, democratic discourse must be constituted as a form of argumentation inclusive of the critical

evaluation of our comprehensive understandings, teleological or otherwise, on the basis of which we seek to validate substantive norms of political activity, that is, principles of justice.

The essential elements of the liberal position, including its various philosophical and anthropological commitments, are controversial validity claims that must themselves be subject to critical assessment within the context of a full and free debate if they are to redeem their normative claim on us as democratic citizens. The idea that we must already affirm these claims in order to be recognized as citizens in good standing is, as I have said, a denial of the full depth and significance of the pluralism of modern societies. No theory of this sort enjoys a present consensus, nor is it likely that any substantive political theory can achieve universal affirmation, even were we to suppose, counterfactually, that those engaged in assessing such claims were all motivated solely by the force of the better argument. It is difficult enough to conceive of constitutive principles for democratic politics in terms of a full and free debate without attempting to identify a single, common source from which all should be willing to reason regarding questions of basic justice.

As Wolterstorff trenchantly notes regarding the liberal pursuit of an independent source on which to base a normative theory of democracy,

> None of our contemporary defenders of the liberal position believes that any extant society actually has such a basis.... They see themselves not as describing the basis some society already has, but as offering proposals for obtaining such a basis. They think liberal democracies should have such a basis; often they speak of such societies as needing such a basis. Yet many of our contemporary societies manage to be ongoing constitutional democracies or a relatively liberal character. Apparently, such a basis is not necessary.[7]

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[7]Nicholas Wolterstorff, "The Role of Religion in Decision and Discussion of Political Issues," p. 114.

If the business of democratic politics were to wait on the formulation of a theory that could meet the liberal desiderata for a normative theory of democracy that can and ought to be explicitly affirmed by citizens, then it would never get off the ground.

The alternatives to liberalism that are offered generally fare no better insofar as they, too, tend to require consensus or near consensus on matters that are, by their nature, extremely controversial in order to provide a normative basis for the political order. Many of the contemporary proposals associated with communitarian or republican theories also presuppose commitment to substantive political principles on the part of citizens. These proposals generally take for granted the compatibility of a democratic ethos constituted by such principles with the plurality of moral and religious perspectives in modern societies. This taking for granted also avoids or denies the depth of the incommensurability of the comprehensive convictions affirmed by the citizens of modern societies. As with liberalism, these proposals represent controversial validity claims that, far from constituting the political process as a full and free debate, are, or ought to be, its proper subject matter. These accounts suffer from the same problem of liberal theories generally: politics would never get off the ground if we were to require consensus, or near consensus, on such matters as a condition of the possibility of democratic discourse. And yet, the legitimacy of any constitutional democracy rests, in large measure, on the belief of citizens that the constitutive political principles to which they give explicit assent are fair and consistent with their comprehensive moral and religious beliefs.

It is my contention that a turn to epistemology is extremely helpful for clarifying the weaknesses of various contemporary theoretical proposals, especially those that purport to continue within the liberal tradition. I say this not because I believe that getting our epistemology right will solve the problem of establishing a stable and enduring political order in a pluralist society; in this, I am in agreement with Wolterstorff. Epistemology simply does provide a solution to the modern political problematic.

Unfortunately, while epistemology may not provide the solution we seek, a flawed understanding of what public reason requires can be an impediment. I believe that unwarranted epistemological presuppositions have created a significant stumbling block to those who would like to advance beyond the limits of liberalism while persevering in their efforts to provide a coherent account of the democratic response to religious pluralism.

In spite of the great variety of proposals for explaining the legitimacy and efficacy of democracy as a response to pluralism of modern society, there remains a common bias against the inclusion of comprehensive moral and religious beliefs from the substantive discourse of democratic politics. If one pushes hard enough on these theoretical models, one inevitably finds epistemological assumptions about what we can and cannot reasonably claim in public debate about our comprehensive moral and religious beliefs. If the epistemological model that haunts the contemporary debate could be exploded, then this would clear the way for new work in political theory. Such work would no longer take for granted our inability to reflect critically on our comprehensive convictions within the process of democratic deliberation itself while relegating religious discourse to the private sphere or the academic fringes. The dissertation as a whole is a critique of this traditional understanding of the relationship of epistemology to political theory (i.e., epistemology as gatekeeper) and also an attempt to suggest an alternative approach that is simultaneously theoretically sophisticated and sensitive to the concerns of religious adherents.

The conclusion that I have drawn in reflecting on these matters is that it is misguided to pursue a theory of democracy that rests on an explicit and substantive agreement regarding either the nature of justice or the common good. Rather than attempt to clarify the character of an agreement that simply does not exist or stipulate a substantive theory of justice as a necessary condition of democratic politics, a theory of

democracy ought to address the way in which we cope with and mediate our disagreements on these matters in spite of our different comprehensive commitments. Democratic politics, therefore, is best understood as an effort to resolve our conflicts with one another based on our participation in institutions and practices that we recognize are fair to all. I concur with Habermas that the best way to explicate this fairness is through the philosophical reconstruction of an extant and constitutive social practice in modern societies: the practice of communicative action. Against Habermas, however, I intend to argue that democratic discourse is best understood as a form of argumentation in which contested points of view, including those that are comprehensive in scope, are presented and defended in the pursuit of a mutual understanding regarding the common good and its specifications for political activity and social organization. In making this argument, I will be contradicting Habermas's insistence that the exercise of communicative rationality in postconventional societies must be postmetaphysical. In other words, against Habermas, I am affirming the both the possibility and necessity of metaphysical reflection as one component of our critical discourse about justice.

If there is a mutual understanding that serves as the basis of our shared commitment to democracy, then it can be specified only by looking at what we actually do as democratic citizens, and more generally as social beings, in spite of the depth of our disagreements and the substantially different nature of our comprehensive perspectives. What we do is communicate with one another in an effort to achieve understanding; we express our positions and attempt to redeem their validity within the always already understood normative parameters of argumentation. Our participation in such debate implies, no matter how tenuous or temporary, our mutual recognition of one another as conversation partners and our rejection of coercion as a means of achieving a common understanding. The pragmatic reality of our participation in communication and argumentation provides an essential clue in the pursuit of a normative theory of

democracy in terms of a full and free debate among the adherents of an indeterminate plurality of religions.

Part of my aim is to make a contribution to the construction of such a normative theory that is sensitive to contemporary work in epistemology as represented by Wolterstorff. This is important, in part, because contemporary deliberative or procedural theories of democracy similar in nature to the one I affirm, including Habermas's, still tend to require that our comprehensive convictions—moral, philosophical, and religious—play a limited role in political debate. As in the case of the liberal tradition, this restriction on the role of religious convictions in political discourse often rests on implicit epistemological presuppositions about religious beliefs, and Wolterstorff's contribution to this debate represents an important challenge to this picture. I am inclined to agree with Wolterstorff that such limitations on the use of religious reasons in political discourse inevitably violate the principle of religious freedom and undermine the spirit of democracy as a full and free debate. In effect, such positions reject the possibility that religious adherents enjoy prima facie warrant for their beliefs and so are entitled to act on the basis of these beliefs in their political advocacy and decisions.

Religious Belief and Political Theory

It will be helpful to explain more clearly my use of the concept "religious belief" in the context of the following discussion. Within the academic study of religion, there are a variety of ways of identifying religion and religious belief. No one way is adequate for every inquiry. For the purposes of my investigation, I will not be thinking of religious beliefs in terms of beliefs or claims about ritual form, sacraments, myths, symbols, and so forth. No doubt these are important signs of what we would typically recognize as religious behavior and belief, but their presence or absence is not my focus in this discussion. In order to clarify the nature of the democratic response to religious

pluralism, I require something more tailored to a philosophical and theoretical treatment of religious beliefs and their role in practical reflection and democratic politics. For present purposes, I define a religious belief as assent to some or other explicit understanding of the terms or the ground for evaluating human activity comprehensively, that is, all human activity in all respects. I will also call such beliefs comprehensive beliefs or convictions or perspectives, and I will also say that they are about human authenticity as such.

When I speak of comprehensive beliefs, convictions, perspectives, and so forth, I am including beliefs that are more commonly recognized as religious (e.g., claims about the existence of God or a divine reality) as well as some beliefs that we might not typically consider religious in nature. What they have in common is that they represent our convictions about authentic human activity as such, in terms of which our more specific actions are justified. Thus, such phenomena as communism, utilitarianism, nationalism, and even egoism can be seen to include a religious element insofar as these are understood to provide the basis for a comprehensive evaluation of human activity as such. I have chosen this more inclusive definition in part because my principle interlocutors also define broadly the kind of belief to which religious freedom as a political principle refers. Further, a broad definition seems to be required by religious freedom itself. This freedom would seem to be arbitrarily limited unless it includes the right to reject all commonly recognized religions and thus to affirm instead any other conviction of the same order, that is, to affirm any other comprehensive conviction. On my terms, any comprehensive evaluation of human activity represents a religious belief, and the deployment of such beliefs as validity claims in the context of political discourse represents the use of religious reasons.

One might then say that this is precisely why democratic discourse, especially on the topic of basic justice, is often understood to preclude our use of comprehensive

claims as reasons in the debate. Thus, some have insisted on what we can call "constitutional secularism" as the proper understanding of the constitutive norms of democratic politics. This can be understood as the claim that the political sphere and the debates therein can and ought to proceed independent from a comprehensive order of reflection. This is the "separationist" position, which understands the disestablishment of religion as requiring the exclusion of religious beliefs from the political sphere in the name of fairness, understood as neutrality toward all religions. Neutrality toward religion is preserved, this position asserts, because all comprehensive beliefs are equally precluded from informing the political debate, at least regarding matters of basic justice.

On my terms, however, it is no longer clear that such an account is neutral, for it is now possible to reveal the comprehensive character of constitutional secularism and so challenge the presumption that separationism represents a fair resolution of the problem of religious pluralism for democratic politics. In other words, a secularistic affirmation on the part of the state can be understood as the claim that the political sphere and the debates therein can and ought to proceed independent from a comprehensive order of reflection. In order to be consistent with the disestablishment of religion, this affirmation must be compatible with religious belief as such. In other words, it ought to be the case that religious believers can consistently affirm a secularistic understanding of politics without simultaneously denying their religious convictions. Were the affirmation of constitutional secularism to imply the denial of some or other comprehensive understanding, then this political principle would serve as a religious test for citizenship. In other words, those incapable of consistently affirming constitutional secularism because of its incompatibility with their religious beliefs would find themselves excluded insofar as citizenship is determined by our explicit affirmation of those political principles that are constitutive of our common political association. For these individuals, it would be impossible to say that their religious beliefs are legitimate from the state's

point of view, and it would appear that any democratic body so constituted includes a religious test on membership. State neutrality toward religion is rendered meaningless in these terms. Far from affirming the legitimacy of an indeterminate plurality of religions, constitutional secularism makes consistent participation impossible for those unable to affirm this principle because of their religious beliefs.[8] .

My argument will be that this dilemma can be avoided if we formulate a normative theory of democracy in terms of the critical evaluation of comprehensive validity claims. If we accept for the moment that such an account can be given a systematic defense, then it becomes possible to provide a coherent expression of religious disestablishment as a normative principle of democratic politics. In other words, I take the constitutional disestablishment of religion to preclude the state from stipulating limits to the scope of our political debate regarding possible understandings of a comprehensive human purpose and its relationship to principles of justice. We can then say that the disestablishment of religion requires that the state be understood to legitimate an indeterminate plurality of such comprehensive understandings in the role of contested validity claims. If the state cannot command the affirmation of a particular comprehensive understanding as a condition of political participation, it follows that the state recognizes the legitimacy of an indeterminate plurality of religions. State neutrality is redeemed, on these terms, by its acknowledgment of the legitimacy of all comprehensive understandings as potential reasons in political decision and debate.

On these terms, religious freedom can be given specific meaning as a political principle. It identifies a basic right of citizens to affirm and defend their comprehensive beliefs in their relevance to the political process. Far from implying that religious beliefs

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[8]For a more robust and extended pursuit of this line of argument see Gamwell, The Meaning of Religious Freedom, esp. chap. 3.

do not fulfill the requirements of public reason, this account of religious freedom presupposes that the critical evaluation of such claims is constitutive of the political process. The objection might be made that this formulation presupposes that valid political principles in fact depend on a valid understanding of a comprehensive purpose and so presupposes a comprehensive telos as a condition of the possibility of describing valid principles of justice. To be clear, it is my position that there is such a telos in terms of which principles of justice can be redeemed. However, this claim represents a contestable validity claim for which arguments would need to be provided as part of a critical discourse. In other words, the onus is on the participants in such a discourse to defend their validity claims. Enlarging the scope of public reason to include comprehensive validity claims avoids a preemptive judgment one way or the other regarding the validity of comprehensive understandings while preserving the possibility that no comprehensive understanding will prove convincing to those involved.

This understanding of religious belief and the principle of disestablishment will have significant implications for understanding the coherence of the democratic response to religious pluralism. My formulation of these matters also makes it easier to follow Wolterstorff's critique of the traditional liberal understanding of the relationship of democracy and religion in terms of the role of religious beliefs as reasons in political discourse. In the following chapter outline, it should be clear how this account of religious belief and political theory provide a framework for the argument of the dissertation as a whole. In short, I am attempting to reconcile what I take to be an important epistemological insight (the fact of prima facie warrant for religious beliefs) with an understanding of democratic politics as a full and free debate. The argument of the dissertation will have succeeded if I can show how the prima facie warrant of religious belief justifies the inclusion of comprehensive claims within political debate

understood as a critical discourse, the norms of which can and ought to be affirmed by the adherents of an indeterminate plurality of religions as democratic citizens.

Chapter Outline

Chapter 2

In chapter 2, I will explore the historical origins of liberal epistemology in the thought of John Locke as presented by Wolterstorff. This material includes a substantial summary of Wolterstorff's exegesis of Locke in order to clarify the reasons for Locke's turn to epistemology and the nature of Locke's recommendation to those who would govern their beliefs in accord with reason. If Wolterstorff is correct, then something analogous to the Lockean understanding of epistemological warrant or entitlement has been more or less presupposed by liberal theorists to the present day. As will become clear in chapter 3, Wolterstorff's challenges this account and its presumption against the rationality of religious belief in order to defend the legitimate inclusion of such beliefs in political decision and debate at all levels, including debate on matters of basic justice.

Chapter 3

In chapter 3, I explore how Locke's turn to epistemology has influenced much of the contemporary debate. I briefly consider the work of John Rawls in order to give an example of how epistemological presuppositions in the liberal tradition have restricted the content of political debate. I explore Wolterstorff's critique of liberal epistemology and then provide a brief account of Wolterstorff's epistemological position, elaborating where necessary by considering the work of Alvin Plantinga. I confess admiration for Wolterstorff's critique of the epistemological presuppositions of liberalism and affirm his conclusion that liberal political theory fails to provide an adequate normative theory of

democracy that can or ought to be affirmed by the adherents of an indeterminate plurality of religions.

There are, however, significant problems that arise if Wolterstorff's externalist epistemology is expanded into an account of the normative presuppositions of critical discourse. There is an unresolved—and, I will argue, irresolvable—tension between Wolterstorff's account of warrant and his understanding of the goal of democratic discourse as agreement on the truth of the matter about the common good. The problem arises due to a lacuna between an externalist account of warrant and the need to constitute political discourse in terms of a full and free debate that seeks to validate norms of political activity, or principles of justice. Within the context of a critical debate, the prima facie warrant possessed by an individual or group regarding some belief is never a sufficient basis for a common understanding once this warrant has been contested. However, as Wolterstorff and I both seem to agree, such an understanding is what we seek through our political discourse.

If common understanding is to be achieved through discourse, then it is not clear how politics can be adequately conceived without reasons that command the assent of all. Thus, insofar as we aim at an understanding about norms of political activity, then we must seek intersubjectively valid grounds that go beyond the prima facie entitlement for belief provided by an externalist epistemology. Only by describing an internal relationship between the aim of achieving a common understanding and the process of intersubjectively validating our claims through a critical discourse can we explain how the norms of the latter provide insight into the legitimacy of democratic politics. In an effort to respond to this problem, I suggest a turn to the work of Habermas and his theory of communicative action.

Chapter 4

In chapter 4, I turn to Habermas and explore his theory of communicative action, which includes an account of the norms of communicative rationality. This chapter is largely exegetical, and much of it focuses on Habermas's formal pragmatics of speech acts. My goal is to provide a theoretical context for a conception of democratic politics that acknowledges the depth of the pluralism of modern society and so seeks to constitute the political process as a critical discourse, or argument, among the adherents of an indeterminate plurality of religions. As I indicated above, it is my position that a turn to the pragmatic presuppositions of communication and argumentation is essential for providing a constitutive theory of democracy. The strength of such an account, however, rests in large measure on defending the fundamental role that communicative action plays in modern society as well as our implied commitment as language users to the normative presuppositions of such action.

The goal, then, is to make a compelling argument for the role of communication and argumentation as constitutive elements of modern lifeworld reproduction. While we may not find consensus regarding the normative implications of these activities, we cannot consistently deny their reality or our implied commitment to them. In other words, our ability to express our disagreement on these matters to one another points to the fact of our participation in communicative and argumentative practices, even when our disagreements are about the presumed nature of these practices themselves. This, then, is an effort to identify the formal pragmatic presuppositions at the heart of modern lifeworld reproduction and use these as the basis for a normative theory of democracy, the basic principles of which are implicitly affirmed by all in light of their engagement in communicative action.

A constitutive theory that understands democracy as a form of argumentation must not presuppose a consensus on substantive principles of justice or the common good on which the political order can rest but must be satisfied with elaborating the principles of the debate itself. As Habermas notes,

> Once a normative theory ... strays into substantive issues, it becomes just one more contribution to practical discourse among many, even though it may be an especially competent one. It no longer helps to ground the moral point of view that characterizes practical discourses as such.[2]

The debate itself, then, is the key, and it must encompass those very issues about which we most strongly disagree, including our comprehensive understandings of authentic human activity, if it is to remain neutral relative to an indeterminate plurality of moral and religious perspectives.

Chapter 5

In chapter 5, I return to Wolterstorff and consider how Habermas's theoretical and conceptual efforts can provide support for Wolterstorff's desire to broaden the role of religious beliefs in political discourse. I revisit my critique of Wolterstorff regarding the problem of the neutrality of democratic practices and procedures and argue that Habermas provides a superior way of identifying the neutrality of democratic discourse. By exploring the formal pragmatic presuppositions of communicative action, it becomes possible to articulate a fallible and revisable account of the procedural neutrality of democratic discourse relative to a plurality of comprehensive perspectives whose advocates are participants in the debate. I also argue that Wolterstorff's position may be

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[9]Jürgen Habermas, "Moral Consciousness and Communicative Action," in his Moral Consciousness and Communicative Action (Cambridge, Mass.: MIT Press, 1990), p. 122.

more compatible with this line of argument than it might seem because of a pragmatic strand that runs through his work in the philosophy of religion.[10]

In his effort to offer a compelling defense of the claim that God speaks and, in so doing, acquires moral standing as a speaker, Wolterstorff pursues a line of argument that appeals to our common experience and understanding of speech acts. In other words, his development of the normative implications of speech acts does not make explicit reference to specifically Christian or theistic beliefs, and his analysis does not presuppose the truth of Christianity or theism as part of its account of the moral implications of communication. He appropriates and modifies the work of J. L. Austin and John Searle— sources from which Habermas, too, draws inspiration—on the normative presuppositions of language use. This pragmatic aspect of Wolterstorff's investigation of speech acts in the service of theological matters is never fully exploited in his work on political theory. The lacuna I suggest in Wolterstorff's political reflections between his critique of liberalism and the offering of a normative theory of democracy can be ameliorated if this linguistic turn and its normative implications are brought more fully into the conversation. The same normative implications that Wolterstorff describes in the case of speech-act theory can be expanded, via Habermas's formal pragmatics, into a normative theory of democracy that calls for our assent based on our being always already implicated as modern subjects in the norms of communicative action.

By the end of chapter 5, however, it will become clear that a whole-cloth appropriation of Habermas's political theory is incompatible with Wolterstorff's original aim, with which I am generally sympathetic: the full inclusion of religious beliefs in the process of political decision and debate. In chapter 6, I pursue a critique of Habermas's

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[10]See Nicholas Wolterstorff, Divine Discourse: Philosophical Reflections on the Claim that God Speaks (New York: Cambridge University Press, 1995).

postmetaphysical commitments in order to defend the legitimacy of comprehensive validity claims in postconventional social contexts. Habermas's denial that our comprehensive claims about the good can be validated as universal or comprehensive validity claims places strict limits on the role he can conceive for such convictions in political debate. At the heart of Habermas's project is a strict separation of what he calls moral and ethical claims, claims, that is, about the right and the good. This separation, I will argue, is ultimately incompatible with the self-understanding of religious adherents who insist that valid moral claims depend on a valid understanding of the comprehensive human purpose, which, in the context of political discourse, requires the validation of comprehensive validity claims through appropriate forms of argumentation.

Chapter 6

In chapter 6, I explore what Habermas means by describing his project as postmetaphysical, including his arguments against a valid metaphysical project within the context of modern philosophy. In the end, I do not think that his conclusions are supported by the narrative he constructs, and I go on to argue that the denial of comprehensive reflection as a source of criticizable and universal validity claims is ultimately counter to the pragmatic character of his own project. In other words, the denial that claims about the comprehensive human purpose can be validated in his account is not presented as a criticizable validity claim subject to argumentative verification but as a stipulation that is necessary, he believes, for the possibility of resolving our disputes procedurally in spite of our conflicting value commitments. Only if Habermas's pragmatic turn is radicalized to include critical reflection on comprehensive validity claims is it then possible to formulate the democratic response to religious pluralism in a manner that can be affirmed by the adherents of an indeterminate plurality of religions.

Habermas's rejection of a legitimate class of comprehensive validity claims, and all that this rejection entails about the possibility of critical reflection on claims about the comprehensive human purpose, is incompatible with Wolterstorff's aim of legitimizing religious beliefs as reasons in political decision and debate. In the end, an understanding of democratic politics that can be consistently affirmed by the adherents of an indeterminate plurality of religions must be open to the critical assessment of all validity claims, comprehensive and otherwise, that citizens deem relevant to the political debate. My concern will be with defending metaphysics as a general form of inquiry within the context of postconventional forms of argumentation, thereby showing that such reflection, contrary to Habermas's own intentions, is compatible with his understanding of the requirements of critical discourse.

It is my position that the inclusion of such an order of reflection within the context of democratic politics is necessary in order to preserve both the disestablishment and freedom of religion. As long as such claims are proffered as fallible validity claims about which the participants in the discourse are asked to take a stand based on nothing more than the better argument, then there would seem to be no reason to exclude such claims from the process of political decision and debate. Their exclusion in terms of the constitutive principles of the political order represents a secularistic affirmation on the part of the state that religious believers are right to reject. With the addition of comprehensive validity claims as a legitimate source of criticizable validity claims, I believe that Habermas's theory of communicative action provides the conceptual elements necessary to redeem the promise of democracy as a response to the moral and religious pluralism of modern societies.

Chapter 7

If my account enjoys some success, then the dissertation as a whole will have provided a defense for a Habermasian corrective to Wolterstorff's account of democratic politics that is still compatible with much of the Reformed epistemology tradition of which Wolterstorff is a representative. In the concluding chapter, I will provide a general outline of what the norms for democratic discourse as postconventional and metaphysical might include and how this account fulfills the desiderata I have stipulated as essential for a successful theory of democracy. This proposal provides a theoretical account of the neutrality of democratic discourse relative to an indeterminate plurality of religions and provides a defense of the priority of communicative versus strategic norms in formulating the normative principles of democratic politics. I believe that something like this account serves both to free religious beliefs for a more robust role in political decision and debate while preserving the fundamental democratic ideas of religious freedom and disestablishment. In doing so, it locates the democratic politics squarely in the modern project of emancipation and rationalization and helps to provide a counterpoint to challenges against the legitimacy of the democratic response to moral and religious pluralism in the modern world.

CHAPTER 2

THE EPISTEMOLOGICAL FOUNDATIONS
OF POLITICAL LIBERALISM

Introduction

Normative Political Theory: Some Basic Ideas

Much of what is to follow in this first section is being stipulated in order to create a context for the inquiry that follows. As with all such investigations, how one defines one's terms greatly affects the character of the discussion. Moreover, it is inevitable that such stipulations leave out what some take to be central and include what others view as trivial. All that a writer can do given these facts is provide as clear a presentation as possible and explain the reasons behind the choices made. To be sure, in making these stipulations, it is my hope that readers will find themselves convinced of the utility of these formulations for addressing the topic at hand. In my discussion of democratic politics, I am not attempting to provide an account of any actual government or its constitution. While I do make references to the U.S. Constitution and the so-called religion clauses of the First Amendment, I do not mean to imply that my discussion of the ideals of disestablishment and free exercise represents a historically accurate account of their role in American political history or in contemporary jurisprudence. I am more interested in an exploration of these ideals as part of a broader theoretical examination of democratic institutions and practices as a response to the problem of religious pluralism understood in the sense outlined in chapter 1.

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Normative political theory explains for a given system of government the legitimate character of political decisions by explaining the decision-making process that legitimates them. If we assume that democratic politics means government by the people, a theory of democracy must identify the proper constitution of this form of government. A mere description of what citizens do when resolving their political disputes is not itself a political theory; it is an exercise in social science. Looking at a democratic political system, we find two classes of laws by which citizens are governed. The first are those constitutional principles that are constitutive of the process by which a democratic people are self-governing. These constitutional essentials are often understood to instantiate a framework of basic justice in accord with which the resolution of other political matters must be consistent. The second class of laws includes the various legislative decisions that are arrived at through the decision-making process as outlined by the constitutive principles. These so-called statutory laws address everything from taxation, funding for public education, maintenance of basic social necessities, the preservation and use of public resources, national defense, and so forth.

As noted, the statutory laws are arrived at through the political decision-making process as identified by the constitutional principles. Citizens affirm the legitimacy of these statutes not because they always agree with their substance but because they recognize the legitimacy of the process by which they are established. Such laws are not beyond continued scrutiny and debate, but once a law has been made according to the procedures mentioned, ideal citizens allow themselves to be governed by it until such time as it is changed or repealed (setting aside, for the purposes of the following discussion, those cases in which something like civil disobedience may be a legitimate response by ideal citizens to laws perceived to be in violation of the constitutive principles of basic justice). The state is justified in its use of coercion to enforce these laws even when their enactment is contrary to the fundamental, or comprehensive, beliefs

of some members of the community. Democracy does not gain its legitimacy from an absence of coercion in the application of its laws but from the legitimacy of the political process that determines how and when coercion is to be applied.

It is important to note, however, that these legislative decisions are not justified solely in terms of the procedures by which they are reached. Were such the case, then democracy would simply be a form of tyranny by the majority. The substantive laws generated by the legislative branch of government are subject to systematic scrutiny, at least in the United States, by the judicial branch of government in terms of their consistency with our Constitution and the principles of justice instantiated therein. In other words, the substantive laws of the land are not legitimate solely in terms of their being the outcome of the procedures identified by the Constitution; they must also preserve those principles of justice that are constitutive of the process itself. By guaranteeing that this is so, we protect the constitutional rights and privileges of the minority as full participants in the political process against incursions on the part of the majority. The substantive laws arrived at by these procedures may conflict with the beliefs of some members of society without this fact implying that anyone's rights and privileges relative to the constitutive principles of the political process have been in any way violated. Such a distinction is essential for understanding the possibility of peace and justice as well as unity and diversity within a political body that contains a plurality of conflicting points of view regarding substantive political matters.

Modern democracies in the West have evolved, in large measure, as a response to the problems posed by religious pluralism within a single society. "Liberal democracy," notes Nicholas Wolterstorff, "is in good measure a mode of governance relevant to those societies in which different religions are represented—and not only different religions,

but different comprehensive perspectives on reality, the good life, and human destiny."[1]

In other words, democratic institutions and practices represent an effort to govern states in which it can no longer be assumed that the citizens share a comprehensive foundation on which to base their political association. Three essential principles of the democratic response to religious pluralism have evolved over time and provide insight into its character: (1) equal protection under the law for all citizens regardless of religious belief, (2) equal freedom for all citizens to affirm their religious convictions without thereby nullifying their status as legitimate participants in the political process, and (3) the neutrality of the state relative to an indeterminate plurality of religions. In a sense, these principles mirror one another. The first two can be understood as expressions of what is implied in the neutrality principle. Since the state does not rest on the explicit affirmation of some or other religious perspective as the source of its legitimacy, it makes sense to protect citizens from penalty in light of their actual religious beliefs and from restrictions on the scope of those beliefs that might be the object of citizens' convictions. However, if the equal-protection and equal-freedom principles are implications of the principle of

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[1]Nicholas Wolterstorff, "The Role of Religion in Decision and Discussion of Political Issues," in Religion in the Public Square: The Place of Religious Convictions in Political Debate, ed. Robert Audi and Nicholas Wolterstorff (Lanham, Md.: Rowman & Littlefield, 1997), pp. 69–70. I should note at the outset that there is the potential for confusion regarding the various uses of "liberal" in the following discussion. Due to the established use of the term "liberal" to identify both societies that "have a constitutional-legal structure of a certain specific sort" as well as a class of normative political theories for democratic politics, Wolterstorff has chosen, in some cases, to avoid any terminological innovation (see ibid., p. 73; quoted material from Nicholas Wolterstorff, untitled paper presented at a meeting of the Society of Christian Philosophers, Lincoln, Nebr., April 16, 1998, p. 2). In some of the material quoted from Wolterstorff's work, therefore, it is important to distinguish between when he is speaking about the "liberal position" or "liberalism" as a class of political theories and when he is speaking about "liberal democratic society" or "liberal democracy." It is his contention that the latter do not require the affirmation of the former—one can affirm the legitimacy of liberal democracy without assenting to the normative theory of liberalism. In the untitled paper cited above, Wolterstorff introduces the construction "free and democratic society" in place of "liberal democratic society" or "liberal democracy" as a way of overcoming this problem. In my own discussion of these matters, I will use "democracy" unmodified when speaking broadly of the practices and institutions of modern democracies, and I will use the terms "liberal" and "liberalism" when referring to political theories of a certain sort.

neutrality, then understanding the latter is all the more important for comprehending the nature of the democratic response to religious pluralism.

Both the equal-protection and equal-freedom requirements are fairly easy to understand. Equal protection is largely a matter of the uniform application of the laws to all citizens under similar circumstances, where exceptions to this general rule are themselves aimed at better realizing the aim of equal protection for all. Equal freedom represents the right to advocate for and pursue one's understandings of justice and the common good within the framework of laws equally applied to all as well as the freedom to seek changes in the law when the pursuit of one's values are hindered by existing legislation or, potentially, by the constitutive principles of the state themselves. Equal freedom, then, represents freedom of conscience, that is, the freedom to affirm one's religious beliefs and to advocate their validity without fear of persecution or exclusion from full participation in the institutions and procedures of the state as a citizen in good standing.

It is the third element of the democratic response to religious pluralism that has proven enigmatic for political theorists. And yet, arguably, it is the principle of neutrality, for example, as expressed in the disestablishment clause of the U.S. Constitution, that gives rise to the others. An adequate theory of democracy, therefore, requires an understanding of this principle, and the need for a coherent theoretical account of it cannot be overemphasized:

> Among the political changes that occurred in the West in the eighteenth century, no other was more profound than the revolution summarized in the terse formulation: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." The radical character of these clauses is measured by the fact that no other political prescription is more widely accepted as an expression of distinctively modern politics.... There is a virtual unanimity that a credible reading of modernity must make sense of the new relation between

politics and religion that is given classic statement in the First Amendment
to the United States Constitution.[2]

One might say that the coherence of the democratic response to religious
pluralism depends on an adequate theoretical account of the neutrality of democratic
principles relative to an indeterminate plurality of religions. Without such an account, it
may be that we can provide a historical and sociological account of how societies marked
by a plurality of religions have resolved their differences, including their use of more or
less democratic institutions and procedures, but we cannot claim to have elaborated a
normative theory of democracy that can be explicitly and consistently affirmed by
adherents of an indeterminate plurality of religions as democratic citizens. An account of
state neutrality, therefore, is essential for any successful theoretical account of the
legitimacy of democracy as a response to the problem of religious pluralism for enduring
and just democratic institutions and practices.

An account of the neutrality of democratic principles relative to an indeterminate
plurality of religions is part of a general defense of the legitimacy of democratic politics
as a response to religious pluralism. At the heart of our common affirmation of
democratic principles is our shared belief in their essential fairness, and our
understanding of the neutrality of its institutions and procedures is part of our broader
understanding of the fairness of democracy as a form of government. The idea of fairness
with which I am concerned has to do with allaying the fear that the exercise of majority
rule through democratic institutions and practices represents nothing more than the
imposition of the prepolitical will of the majority, in other words, that the outcome of our
political process represents nothing more than winner's justice. The coincidence of such
rule with true justice could only be that: a coincidence. Citizens involved with one

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[2]Franklin I. Gamwell, The Meaning of Religious Freedom: Modern Politics and the Democratic
Resolution (Albany, N.Y.: SUNY Press, 1995), p. 3.

another in the process of self-government through their participation in the full and free debate constitutive of democratic politics, however, understand themselves, more or less explicitly, to be engaged in a common pursuit: the identification of valid principles of justice. Absent this common pursuit and the norms associated with it, democratic discourse is reduced to power brokering and the norms of strategic action. Another way of stating this conclusion is that absent a common goal, democratic politics is reduced to the strategic negotiation of conflicting ends in an often zero-sum game in which citizens are reduced to winners and losers.

Our assumption of a mutual commitment to this common goal of justice sustains our faith in the legitimacy of the political process even when the outcome of the procedures is contested and we find ourselves subject to the coercive power of the state in the application of laws that we find morally suspect. In other words, our ability to identify and accept a distinction between the procedural legitimacy of a political principle and its moral validity is essential to our being able to affirm the fairness of democratic politics as such. Our assumption of a mutual commitment to the common pursuit of valid political principles mitigates our fear that the procedures are being strategically exploited in the service of private interests or that the outcome of the process simply reveals the prepolitical will of some element of the political body, even the majority. Absent this assumption that the participants are oriented toward a discursively formed majority consensus regarding the common good and valid principles of justice as the outcome of the debate, it is impossible to distinguish the norms of democratic discourse from the norms of strategic action, and there is no reason to suppose that our participation in democratic institutions and practices increases the chance that true justice will be realized.

The Present Purpose

Liberal theories of democracy have been the subject of increasing criticism, some of the more pointed of which has come from proponents of a less restricted theoretical understanding of the role of religious beliefs in political discourse. The presumption of neutrality enjoyed by democratic institutions and practices relative to a legitimate plurality of religions within the body politic has come under fire, and there is a growing sense that the traditional liberal account of the democratic response to religious pluralism may not be sufficient. One area of concentration has been on the epistemological presuppositions of liberalism, especially as those presuppositions serve as prima facie justification for restrictions on the use of religious beliefs in political decision and debate. In the pursuit of these epistemological matters, a number of related concerns have come to light as well, including a reevaluation of the essential character of democratic politics, such as the normative import of consensus for validating substantive norms of political activity and the character of public reason.

In this chapter, I will be primarily concerned with exploring the epistemological presuppositions of liberal political theory as they find initial expression in the thought of John Locke as interpreted by Nicholas Wolterstorff. Wolterstorff's critique of liberal political theory and its understanding of the proper relationship of religion and politics gains its significant force by going to the very root of matter and focusing on Locke's profound influence on the liberal tradition. The discussion in this chapter is primarily exegetical and traces Wolterstorff's engagement with Lockean epistemology as a precursor to challenging the modern consensus against the inclusion of religious beliefs in political decision and debate. In chapter 3, I will explore Wolterstorff's critique of the epistemological presuppositions of liberalism as well as his own constructive efforts to describe norms of democratic politics that provide a broader role for religious beliefs in

political discourse. I will conclude that chapter with a critique of his account and argue that it is insufficient as a normative theory of democratic politics.

Wolterstorff has pursued a many-layered critique of the liberal position in an effort to justify an unrestricted role for religious beliefs in political decision and debate. At the heart of this attack against liberalism is his critique of its epistemological presuppositions. By challenging this epistemological picture, Wolterstorff hopes to force a reconsideration of the propriety of religious beliefs in democratic politics. This is part of a larger project of defending the rationality of religious belief in the context of contemporary debates on this topic. Included in this critique of the liberal position is an assessment of its understanding of the character of political discourse. At issue are the restraints on reasons that liberalism imposes. To be more precise, liberal theory appears to require citizens to forgo reliance on their religious beliefs in political decision and debate:

> A common theme in the writing of those who have theorized about liberal democracy, going back into the late seventeenth century when liberal democracies were just beginning to emerge, is that a good citizen (and functionary) of a liberal democracy will impose certain epistemological restraints on the manner in which he decides and/or debates political issues; in his deciding and/or debating, he will refrain from letting reasons of a certain sort be determinative.[3]

According to the liberal position, it simply is not reasonable to expect others to affirm those arguments and reasons that presuppose a particular religious perspective; therefore, we should separate our religious beliefs and motivations from those that can serve as a source of agreement in political debate. Liberalism seeks to identify a source independent of the plurality of religions in the body politic that can serve as the basis for the political order, if not in the case of all political matters, then at least regarding

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[3]Ibid., p. 69.

questions of basic justice. We are to reason only from those sources that all can reasonably be expected to affirm despite our adherence to a diversity of incompatible comprehensive perspectives. As Robert Audi argues, "One has a prima facie obligation not to advocate or support any law or public policy that restricts human conduct, unless one has, and is willing to offer, adequate secular reason for this advocacy or support."[4] Religious beliefs, therefore, must be walled off from political debate, or at least severely restricted in the role they can legitimately play. Wolterstorff challenges this model and its assumptions about the proper character of political debate by arguing that such a position represents both confusion in matters of epistemology and an infringement on religious freedom.

Having clarified some of the context for the discussion to follow, I now want to consider the epistemological foundations of liberal political theory. In turning to Locke, I am following Wolterstorff's own line of attack against the epistemological presuppositions of liberalism that have long provided prima facie justification for excluding religious beliefs from political decision and debate. Challenging this source of justification is an important first step in overcoming the modern consensus against the propriety of religious beliefs in democratic politics.

The Origins of Liberal Epistemology: Historical and Conceptual Context

What, if anything, does epistemology have to do with political theory? To be specific, what, if any, problems regarding the constitution of the political order and public sphere can be clarified by turning to epistemology? Epistemological reflection addresses both

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[4]Robert Audi, "Liberal Democracy and the Place of Religion in Politics," in Audi and Wolterstorff, eds., p. 25.

the nature and scope of knowledge as well as the conditions under which various beliefs are justified, warranted, entitled, and so forth. When considering the public sphere and the various conversations that occur there, questions often arise regarding the proper scope of the discussion as well as the criteria of validity for the claims made. It has traditionally been assumed that at their core, these are epistemological questions; this is why many have regarded epistemology as "queen of the sciences":

> Philosophy as a discipline thus sees itself as the attempt to underwrite or debunk claims to knowledge made by science, morality, art, or religion. It purports to do this on the basis of its special understanding of the nature of knowledge and the mind. Philosophy can be foundational in respect to the rest of culture because culture is the assemblage of claims to knowledge, and philosophy adjudicates such claims. It can do so because it understands the foundations of knowledge.[5]

Reflection on epistemological matters often begins at the point of conflict or disagreement. When conversation partners make conflicting claims against one another that do not seem resolvable by turning to a shared stock of beliefs and arguments, they are prone to ask more general questions about the claims being made and their justification. It is precisely at the point of breakdown in our communicative interactions that epistemology often seems most relevant. It should come as no surprise, then, that in the history of Western philosophy, specifically epistemological concerns came to the fore just at that point in time when questions about tradition and authority were ripping at the fabric of Western society.

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[5]Richard Rorty, Philosophy and the Mirror of Nature (Princeton, N.J.: Princeton University Press, 1979), p. 3. To be certain, Rorty does not endorse this understanding of philosophy. In describing philosophy in this manner, Rorty is clarifying the understanding of it that he wants to challenge. For his extended treatment of this and related topics, see Richard Rorty, Contingency, Irony, and Solidarity (Cambridge: Cambridge University Press, 1989), Consequences of Pragmatism (Minneapolis: University of Minnesota Press, 1982), Objectivity, Relativism, and Truth, vol. 1, Philosophical Papers (Cambridge: Cambridge University Press, 1991), and Essays on Heidegger and Others, vol. 2, Philosophical Papers (Cambridge: Cambridge University Press, 1991).

As with all attempts to generalize about history, the use of "modernity" to capture the essence of a particular period is problematic. "Modernity" means different things in different contexts. In discussing modernity, I will be focusing on the transformations in the political and social climate that emerged during the sixteenth century, reverberated through the seventeenth and eighteenth centuries, and brought to the fore a unique set of problems for philosophy and political theory. The trope that will guide my discussion is one of disintegration—the collapse of a unified moral and religious tradition in Europe as well as a shared cultural framework for adjudicating conflicting claims, particularly those made about the natural and social orders.

Part of what makes modernity distinctive in terms of the philosophical issues it raises is the reality of a deep and pervasive pluralism within a single social body. "For centuries," Wolterstorff notes, "European humanity had resolved its moral and religious quandaries by appealing to its intellectual inheritance—its tradition."[6] This period of shared tradition, textual sources, and hermeneutic and philosophical methods is premodern in large measure because of its relative unity. By the seventeenth century, continues Wolterstorff, "this tradition had split into warring fragments."[7] This disintegration of a relatively unified tradition created a unique set of circumstances for philosophical reflection, including, among other things, a more explicit focus on epistemological matters. Given the reality of deep and enduring pluralism within a single social body, the question arises, "How should we form our beliefs on fundamental matters ... so as to live together in social harmony, when we can no longer appeal to a shared and unified tradition?"[8]

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[6]Nicholas Wolterstorff, John Locke and the Ethics of Belief (New York: Cambridge University Press, 1996), p. x.

[7]Ibid.

[8]Ibid.

The promise of epistemology has been to find a way of adjudicating among conflicting claims in a variety of contexts, philosophical and otherwise, that can overcome the inherent problems of different authoritative sources, different traditions, and different hermeneutic approaches. Internal to traditions, epistemological concerns are generally less pressing. Hermeneutic questions arise—regarding interpretive methods given an agreement on sources—as well as questions about orthodoxy, that is, regarding which sources are appropriate or authoritative. However, once a common intellectual and textual tradition can no longer be assumed—as was the case in Europe after the sixteenth century—then the tendency is to seek unity elsewhere, in some neutral source, in reason or common experience. Confronted with the social upheaval scarring his own country, Locke sought to provide a new basis for social unity grounded on a new program, or "doxastic practice," for governing belief in matters of "maximal concernment," that is, in matters of morality and religion. In other words, he sought an epistemological solution to the chaos that was undermining the social order as a result of moral and religious pluralism. Locke seemed to think that the pressing social and political questions of the time could be resolved in a reasonable manner if his countrymen would listen to reason and fulfill their epistemic duties regarding their moral and religious beliefs.

As noted, epistemological debates often arise when there is some dispute regarding some or other claim being made that cannot be resolved by reference to a more proximate and shared point of agreement. These debates play out in terms of challenges to and defenses of the various claims that are made from conflicting points of view. I assert and seek to defend, or justify, my beliefs while simultaneously challenging the legitimacy of your beliefs insofar as they conflict with my own. However, since we do not share a set of resources based on an inherited intellectual and textual tradition, we are forced to argue the issues at a more general level. We are pushed back to basic questions regarding the nature and foundations of knowledge, to questions about the nature of

human reason, and we offer various theories that explain the formation of belief and the ways in which those beliefs are true, justified, warranted, validated, and so forth.

In our everyday communication with our contemporaries, we take for granted a fairly thick background of shared beliefs, accepted forms of inquiry, and a common conceptual framework that allows us to make any number of uncontested claims about our immediate environment and even basic social norms. When we do disagree about some or other fact of the matter, we can often agree on the relevant method or authority that will resolve the dispute. But there are times when this background agreement is absent, and we are forced to reflect more generally on the claims being made and the reasons that might be offered in their defense. At such times, epistemological concerns have tended to come to the fore as a neutral resource for adjudicating disputes once we have exhausted our other resources for disputation.

In response to the moral and religious pluralism of his own time, Locke turned to epistemology in the hope of adjudicating among the conflicting claims being made in the public sphere. It is not hard to see how our own time reflects this modern problematic as well, that is, the question of how to unite a single political body constituted by a plurality of moral and religious traditions. It is arguable that our own context is far more pluralistic than anything that Locke confronted. Much of the conflict that defined his era had to do with disagreements internal to the Christian tradition, while our own pluralistic context includes a variety of religious and moral traditions that are themselves internally diversified. A significant difference, however, is that our own cultural situation is far more stable, at least when compared to the upheaval wracking Locke's England, and Europe more generally, in the sixteenth and seventeenth centuries. We are not at war with ourselves, or at least the hostilities in which we engage are subtler in their violence and do not appear threatening to the near-term stability of the political order. However provisional it may be, we have managed to create a stable social and political framework

that includes among its members all the diversity of the modern world. We are, it seems, the beneficiaries of a democratic resolution to the problem presented by moral and religious pluralism. We peacefully coexist (for the most part) in our differences under the pretext of equal justice for all as guaranteed by the democratic institutions and practices that order our common life together. But what is the basis of this democratic resolution, and can it be redeemed in explicit theoretical terms?

We are confronted with a plurality of comprehensive perspectives, each with distinctive understandings of the human good and the demands of justice. In other words, each of these traditions includes more or less explicit metaphysical and axiological claims as well as substantive anthropological and sociological presuppositions. Each makes claims about the social order and even about how to cope with the fact of pluralism itself. These traditions recognize different textual sources, and even when they share sources, they often disagree about hermeneutic principles. Further, most of these more general divisions are further subdivided by internal disagreements and variations in belief. Where these various worldviews agree on some substantive point, they often do so for different reasons. Moreover, this plurality of perspectives can be extended beyond the fact of a diversity of religious and philosophical traditions whose positions are more or less clearly expressed in textual sources and continuously rearticulated by representatives of their communities to include the particular comprehensive beliefs of individuals, which are often unarticulated, internally contradictory, and hopelessly vague. According to Alasdair MacIntyre,

> We thus inhabit a culture in which an inability to arrive at agreed rationally justifiable conclusions on the nature of justice and practical rationality coexists with appeals by contending social groups to sets of rival and conflicting convictions unsupported by rational justification.... Disputed questions concerning justice and practical rationality are thus treated in the public realm, not as matter for rational enquiry, but rather for

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> Disputed questions concerning justice and practical rationality are thus
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the assertion and counter assertion of alternative and incompatible sets of premises.[9]

Since Locke, those who have sought to ground the political order in something that transcends the variety of moral and religious traditions that comprise modern society have insisted on the need for consensus on certain basic matters as a way of escaping this chaotic diversity of opinion. More often than not, these discussions have focused on the scope and nature of justice. Locke himself sought to defend a certain version of natural right as a common basis for determining principles of justice. The framers of the U.S. Constitution spoke of the equality of persons as well as the right to life, liberty, and the pursuit of happiness as self-evident truths, that is, as truths recognizable as such without appeal to some or other moral or religious tradition or authority. The pluralism of modern society has historically been addressed through attempts to find an independent source that could serve as the foundation for political unity in spite of profound moral and religious difference within the body politic. In the last two hundred years, democracy broadly conceived has been defended as a coherent means of unifying a plurality of moral and religious traditions within a single political body.

Many contemporary thinkers have endeavored to justify our faith in democratic institutions and practices as a coherent resolution of this modern problematic. Various liberalisms have evolved in the pursuit of a normative theory of democracy. A fundamental distinction among these theories can be drawn between classical and contemporary forms of liberalism. The former is generally understood to be comprehensive in scope. In other words, classical liberalism offers an account of human nature, human reason, and the human good that competes with other positions of like scope on these matters. Moreover, classical liberalism did not evolve in the context of

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[9]Alasdair MacIntyre, Whose Justice? Which Rationality? (Notre Dame, Ind.: University of Notre Dame Press, 1988), p. 6.

democratic institutions and practices; it was not, initially, an effort to legitimize democracy as a response to religious pluralism. What classical liberalism did seek was a foundation for principles of justice based on the deliverance of our common human reason. The transition to democratic institutions and practices came later and can be understood as a fulfillment of the critical promise of modern political philosophy.

Contemporary liberalism, most notably as represented by John Rawls, has labored to outline a normative account of democracy by locating principles of political justice in our common culture, in a <u>consensus populi</u>, and thus avoid all reference to our comprehensive moral and religious convictions, at least where matters of basic justice are at stake. Various formulations of contemporary liberalism take different positions on the role of religious beliefs in political decision and debate once the matter of basic justice has been settled. Some are more expansive in their allowances, while others are strict separationists that challenge references to religion where any public matter is at stake. More common, however, are formulations that recognize an appropriate role for religious convictions in public life once matters of basic justice have been resolved for a given community.

These various liberalisms, both classical and contemporary, all presuppose the need for substantive agreement among the participants in the political process on matters of basic justice prior to their pursuit, within the limits of the established political order, of various prepolitical ends. In other words, a minimal consensus is required on justice sufficient to unite us in a stable and enduring political order. Since our moral and religious traditions do not provide this consensus, we must find a source of substantive principles of justice that is independent of them. Whether in common human reason, human nature, or in the presuppositions of our common political culture, liberalism seeks to ground the political order on a shared foundation and to defend its legitimacy in those terms.

Recently, however, there have been a variety of challenges to these kinds of proposals. As attacks on liberalism have intensified, there have even been those who have begun to speak of our time as "postliberal." The presumption of neutrality that had been assumed regarding liberal constraints on the content of public debate has been challenged. Within the context of theological discussions internal to the Christian tradition, "postliberals have disparaged ... revisionary attempts to find putatively neutral norms for rational discourse common to Christianity and non-Christian worldviews."[10] No doubt similar rejections of the liberal proposal to bracket claims based on the various comprehensive moral and religious worldviews that constitute the body politic of modern democracies can be found in other traditions as well.

Such bracketing, according to Wolterstorff, has been definitive of liberalism from the very beginning. Within this political tradition,

> Citizens (and officials) are not to base their decisions and/or debates concerning political issues on their religious convictions. When it comes to such activities, they are to allow their religious convictions to idle. They are to base their political decisions and their political debate in the public space on the principles yielded by some source independent of any and all of the religious perspectives to be found in society.[11]

These recent challenges to liberalism, then, go to the foundations of our political associations as members of a pluralist society. They have reopened debate on fundamental questions concerning the public sphere and the nature of democratic politics.

There are a variety of ways in which this current debate could be assessed. What I propose to do, however, is to consider one of the more philosophically oriented attacks on liberalism and its focus on the epistemological presuppositions that inform the liberal

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[10]David G. Kamitsuka, "The Justification of Religious Belief in the Pluralistic Public Realm: Another Look at Postliberal Apologetics," Journal of Religion 76, no. 4 (1998): 589.

[11]Wolterstorff, "The Role of Religion in Decision and Discussion of Political Issues" (n. 1 above), p. 73.

position. While other challenges to the validity of the liberal position are interesting in their own right, it is my view that these attacks are largely ad hoc in nature and often point more toward needed revisions than to wholesale rejection of certain core liberal presuppositions. More to the point, their rejection of liberalism represents a disagreement with its substantive claims and does not constitute an argument against its coherence as an understanding of the democratic response to religious pluralism. The epistemological attack, however, is more fundamental and, if successful, goes to the foundations of the whole liberal proposal for understanding the norms of democratic politics and the role of religious beliefs therein. Rather than revision, then, the success of such a critique would require a new way of describing the public sphere and political debate within a democratic society.

It is my contention that the liberal tradition has relied on various epistemological constraints in order to limit the scope of public debate in our pursuit of acceptable principles of justice, and the failure to redeem this epistemological picture undermines the validity of the democratic response to moral and religious pluralism in liberal terms. Locke's attempt to deal with the challenge of establishing and maintaining a stable political order in the face of what he saw as religious extremism in his own time prompted him to address the question of justified, or entitled, belief in moral and religious matters. One might say that he inaugurates the modern inquiry into what has been called the "ethics of belief." His attempt to counter the pluralism of his own time by clarifying the nature of justified belief has had enormous influence on subsequent political theory—one might even go so far as to say that it has been definitive for liberalism as a political theory. Whether explicit or not, his model of justified belief has provided prima facie support for various liberal accounts of public reason and political debate, accounts that have long assumed (contra Locke himself) that all religious beliefs fall short of the standard required for legitimate inclusion in political discourse.

In the following discussion, I will outline Wolterstorff's interpretation of Locke's epistemology. The aim will be to show the origins in Locke of various epistemological presuppositions that continue to influence liberal theory on matters of public reason and the nature and content of political discourse. My intention will be to clarify Wolterstorff's understanding of the unique character of modern philosophy and the epistemological commitments associated with liberalism broadly conceived.[12] I will then explain Wolterstorff's critique of the epistemology of liberalism, which includes a critique of both classical foundationalism and evidentialism in epistemology.

Locke on Knowledge: Governing Belief in Accord with Reason

In order to understand Wolterstorff's narrative or the origins of modern philosophy as it pertains to our social and political associations, we need to get a clear picture of the problem to which this new philosophical project was meant to be an answer. Modernity arose out of the ashes of a preceding conflagration—the collapse of a single, unified moral and religious tradition, including its authoritative sources and institutions:

> At the very heart of medieval European intellectual life were the Christian Scriptures, along with the tradition of councils, popes, and church Fathers. It was the perception of that core of the tradition as contradictory that was principally responsible for the crisis in the minds and hearts of Europeans, this perception itself leading to further and obvious fracturing. In turn, it

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[12]Keeping in mind my own limited knowledge of this subject matter, I am inclined to believe that Wolterstorff enjoys a great deal of success, both in clarifying the nature of Locke's project and in locating that project within a larger narrative about the history of Western philosophy. One of the more striking moves that he makes is to shift our focus away from Descartes when identifying the origins of a distinctively modern philosophy. By drawing our attention away from the question of new methods in the pursuit of scientia and toward the concerns that come to the fore with the collapse of a unified moral and religious tradition in Europe, Wolterstorff locates the distinctiveness of modern philosophy in the concrete social and political issues that confronted thinkers in the sixteenth and seventeenth centuries. The ahistorical abstraction and focus on epistemological matters that mark modern philosophy are more easily understood once one grasps the practical issues with which Locke and others were struggling. Descartes may not have trusted tradition as a starting point for philosophical reflection, but he was not confronted with moral and religious pluralism and the accompanying concerns with how to preserve the social and political order once a shared tradition could no longer be taken for granted.

was especially Luther's rebellion against the magisterium that caused this new perception and fracturing. Luther succeeded in persuading a great many Europeans that the tradition of the councils, popes, and Fathers was filled with fault lines.[13]

Coupled with the various challenges to the internal consistency of the moral and religious tradition of medieval Europe were attacks against the Aristotelian natural philosophy and science that served as the foundation for the project of scientia that was so central to the Scholastic enterprise. Further, the intellectual heritage of antiquity that had been lost or obscured was being recovered by the humanists of the day. "The emergence of new methods and new science in the hands of—to mention only a few major figures—Galileo, Bacon, and Descartes" as well as "the recovery and publication, at the hands of the humanists, of many lost and forgotten texts from antiquity" had the consequence "that by the middle of the seventeenth century there was available to the European intellectual a wide variety of more or less internally coherent, but mutually incompatible, modes of thought."[14] The conceptual framework that had provided the shared context of inquiry and the possibility of adjudicating conflicting claims on the basis of common authoritative sources could no longer be taken for granted, not only concerning moral and religious questions but also regarding understandings of human nature and the natural world.

The fact of profound disagreement on such matters did not always lead to outright conflict. As Wolterstorff notes, "In some parts of Europe ... a social modus vivendi had emerged by the early part of the seventeenth century among parties adhering to different frameworks of conviction."[15] However, the fact of actual conflict as a result of the

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[13]Wolterstorff, John Locke and the Ethics of Belief, pp. 5-6.

[14]Ibid., p. 7.

[15]Ibid.

fracturing of a single authoritative tradition is not so much the issue. While the eruption of violence may have provided the strongest impetus for relieving the underlying causes, the philosophical question that arose was whether there was an alternative to a modus vivendi or war. When Wolterstorff argues in favor of understanding Locke as one of the first modern philosophers, it is in terms of Locke's attempt to provide the philosophical basis for a rationally motivated resolution of the conflicts plaguing seventeenth-century Europe, and Locke's response to the problem of intractable moral and religious pluralism was to turn to epistemology.

But why affirm this intractability? More precisely, why affirm the conclusion that any attempt to recommit oneself, in cases of moral and religious questions, to the authority, say, of the Catholic Church and its magisterium is doomed to failure? According to MacIntyre, such a return is not only proper but required in order to reclaim the coherent form of inquiry that is available only within the context of recognized authority and a shared theory of rationality. The Lockean response to such a claim is that "we must appeal to something outside all tradition."[16] In other words, once Pandora's box is opened, the appeal to authority itself comes into question: Whose tradition? Which authority? At stake is whether the textual tradition that had sustained a more or less unified European Christendom ever "contained a unified body of moral and religious thought."[17] Without this assumption, it is no longer clear where to look in order to find the criteria, or even the principles for establishing criteria, for determining the truth of the matter on any given subject. Thus, we find Locke calling for something outside all tradition as a means of adjudicating conflicting claims that arise within and among traditions. On Wolterstorff's reading of Locke, "that 'something' was not the Word of

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[16]Ibid. (n. 11 above), p. 8.

[17]Ibid., p. 7.

God, but Reason, coupled with insight in general–and the Bible when, but only when, Reason supports it; for Reason and insight take us to the things themselves."[18]

Cases of Maximal Concernment: Constructing an Optimal Doxastic Practice

Locke sought to clarify the way reason can adjudicate the inevitable conflicts that arise under conditions of pluralism, especially in those cases of maximal concernment— morality and religion—that were the source of so much disagreement and conflict in his own time. Reason, not tradition, could provide the solid foundation on which to build and maintain social harmony once tradition itself became suspect. Unlike any particular tradition, reason is something shared by all human beings, and, if properly understood, it can provide the means for discriminating among those beliefs to which we ought to assent most confidently and those that we ought to reject, or at least affirm with greater caution. According to Wolterstorff:

> Locke intended his epistemology as a solution to the crisis of the fracturing of the moral and religious tradition of Europe at the beginnings of modernity. That was not his only intent; but it was prominent.... He described a new doxastic practice; and he argued that we are all obligated to apply this practice in all cases of maximal concernment—in particular, to matters of religion and morality. On its negative side, the practice represents the radical rejection of unverified tradition. On its positive side, the practice resembles the method which Descartes and his high medieval forebears had recommended for the practice of scientia—with this important revision, that probabilistic inferences be allowed in addition to deductive.[19]

Locke attempted to clarify the limits of knowledge and the role of reason in governing belief if believers were to be rationally entitled to their beliefs. According to

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[18]Ibid., p. 8.

[19]Ibid., p. 227.

Wolterstorff, the idea that belief ought to be regulated in terms of a universal doxastic practice binding on all human beings qua rational is a defining characteristic of modern philosophy, a characteristic that achieves its most radical manifestation in the thinkers of the Enlightenment with their desire to achieve a rational consensus across intellectual disciplines based on the deliverances of a common human reason.

Given Locke's affirmation of reason and his insistence that it guide the conduct of human understanding in matters of opinion, what, then, does he actually prescribe in terms of practice? What, in other words, ought a right-thinking individual do in order to fulfill this epistemic duty and thus escape culpable error where there beliefs are concerned? In order to proceed, an important distinction highlighted by Wolterstorff needs to be identified. In his effort to specify the distinctive character of Locke's project relative to his medieval predecessors, Wolterstorff emphasizes the difference between the pursuit of scientia, on the one hand, and the governing of opinion, on the other. Whereas the medieval Scholastics focused more tightly on achieving certainty through the identification of first principles and the application of deductive arguments—the very model of scientia—Locke's concern was with the realm of human belief that lies beyond the scope of such certainty. According to Wolterstorff, Locke did not go so far as to reject the pursuit of scientia; however, regarding the scope of our knowledge, "Locke's conclusion was that, compared to 'the vast extent of things' (I, i, 5), our knowledge is, and must forever remain, 'very short and scanty' (IV, xiv, 1)."[20]

To recognize that knowledge is limited, however, is by no means to conclude that ignorance abounds. While there is every reason to desire knowledge and to place a

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[20]Ibid., p. 8. All citations of Locke, both internal to quotes by Wolterstorff and within my own comments, are from An Essay Concerning Human Understanding (1689), unless otherwise noted. My citations are from John Locke, An Essay Concerning Human Understanding, ed. Peter H. Nidditch (1975; reprint, New York: Clarendon, 1990). Quotes from Locke will be cited parenthetically in the text according to the standard style (i.e., book, chapter, section).

certain premium on that which is known with certainty, belief need not, in every case, wait on certainty. More important, given the scant nature of human knowledge, human understanding must avail itself of something other than certainty if it is to fulfill its role in ordering human life. As Locke notes, "Our Business here is not to know all things, but those which concern our Conduct" (I, i, 6), and, as Wolterstorff points out, Locke asserts that "where knowledge is absent, God has graciously made opinion (belief, assent, judgment) available."[21] Locke's novelty does not lie in his treatment of knowledge (as opposed to mere opinion) but in his identification of those "Measures, whereby a rational Creature put in that State, which Man is in, in this World, may, and ought to govern his Opinions, and Actions depending thereon" (I, i, 6).

As a result of the distinction between knowledge and opinion and the fact that Locke's unique contribution concerns the governing of the latter, Wolterstorff's critique of Locke focuses on this area of human belief. In other words, Wolterstorff addresses Locke's discussion of <u>scientia</u> primarily in order to clarify Locke's treatment of opinion and its governance. While Wolterstorff makes a significant effort to explore Locke's treatment of <u>scientia</u>, his primary aim is to evaluate Locke's discussion of beliefs that fall short of the status of certain knowledge as well as Locke's proposal for how such beliefs are to be governed. I will simply assume much of Wolterstorff's exegesis of Locke regarding the nature and limits of <u>scientia</u> and turn my attention to Wolterstorff's discussion of the governance of belief in cases of opinion.

I can now return to the question asked above and rephrase it a bit given the distinction in Locke between knowledge and opinion. In other words, "What ought one avoid in order to escape culpable error where opinion, rather than knowledge, is

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[21]Wolterstorff, <u>John Locke and the Ethics of Belief,</u> p. 9.

concerned?" In pursuing this question, it will be useful to have Wolterstorff's sketch of

Locke's basic position in front of us:

> God has endowed us with various faculties for the formation of beliefs. But in constructing us as God did, God had in mind not just that we have beliefs but that our beliefs be true.... However, our faculties of belief-formation do not operate deterministically; they can be governed. Furthermore, if allowed to operate ungoverned they produce a rather high proportion of false beliefs. So God, concerned as God was with our having true beliefs, intended that we would govern them. The principle of governance which holds most promise for our achieving the goal God requires of us is governing our assent "according as reason directs us." It was, in good measure, for the purpose of such governance that God endowed us with the light of Reason.[22]

Regarding our epistemic duty, Locke insists that belief

> cannot be afforded to any thing, but upon good Reason.... He that believes, without having any reason for believing, may be in love with his own Fancies; but neither seeks Truth as he ought, nor pays the Obedience due to his Maker, who would have him use those discerning Faculties he has given him, to keep him out of Mistake and Errour. (IV, xvii, 24)

For anyone who fails to let reason be their guide,

> This at least is certain, that he must be accountable for whatever Mistakes he runs into: whereas he that makes use of the Light and Faculties God has given him, and seeks sincerely to discover Truth, by those Helps and Abilities he has, may have this satisfaction in doing his Duty as a rational Creature, that though he should miss Truth, he will not miss the Reward of it. (Ibid.)

According to Wolterstorff:

> Locke was convinced that for the conduct of life, if not for "speculation," something more than knowledge is needed. We cannot live by knowledge alone. Man "would be at a great loss if he had nothing to direct him but what has the certainty of true knowledge" (IV, xiv, 1).[23]

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[22]Ibid., p. 11.

[23]Ibid., p. 60.

True knowledge does not require anything more for Locke than "direct awareness of some fact, specifically, of some relationship among ideas."[24] Where there is "the want of clear and certain knowledge," God has provided human beings with the faculty of judgment.[25] Unlike in the case of knowledge where the agreement or disagreement among ideas is perceived clearly and distinctly, judgment operates where perception is uncertain, when "the Agreement or Disagreement is not perceived, but presumed to be so" (IV, xiv, 4). It is with the proper exercise of judgment that the entire issue of duty or obligation relative to belief arises in Locke. When perception is not clear and distinct, we are forced back on other resources to govern our beliefs; in cases of certainty, our assent follows immediately and naturally and requires no further effort on our part.

In the case of opinion, according to Locke, we lack a clear perception of the relevant ideas and their relationships to one another but find ourselves forming beliefs nonetheless. At issue, then, is how to govern our believings, disbelievings, and withholdings of belief in such situations. On Wolterstorff's reading of Locke:

> Each of us is obligated, for certain propositions, to try to do our epistemic best—that is, to try our best to find out whether the proposition is true or false, and upon completion of the procedure required for that, to place a level of confidence in the proposition appropriate to a certain result of the procedure.[26]

And what does this procedure look like, according to Locke?

> The mind if it will proceed rationally, ought to examine all the grounds of Probability, and see how they make more or less, for or against any probable proposition, before it assents to or dissents from it, and upon a due ballancing the whole, reject, or receive it, with a more or less firm

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[24]Ibid., p. 59.

[25]Ibid.

[26]Ibid. (n. 11 above), pp. 62-63.

assent, proportionably to the preponderancy of the greater grounds of Probability on one side or the other. (IV, xv, 5)

Wolterstorff identifies three stages of this optimal practice:

> With some proposition in mind concerning the matter in question, one first collects evidence concerning the truth or falsehood of the proposition, this evidence to consist of a non-skewed and sufficiently ample set of beliefs that are certain for one because their propositional content corresponds directly to facts of which one is (or remembers having been) aware. Second, by the exercise of one's reason one determines the probability of the proposition on that evidence. And last, one adopts a level of confidence in the proposition corresponding to its probability on that evidence. To completely employ this practice, says Locke, is to do the human best.[27]

The use of this practice, then, is to replace unverified tradition as the source of justification when it comes to our opinions, at least in cases of maximal concernment. By employing this method, we fulfill our epistemic duties, and our failure to justify the relevant beliefs in terms of this optimal practice is a sign of culpability on our part. This becomes ever more pressing when we consider the political order and the public debate that occurs there.

Classical Foundationalism and the Evidentialist Challenge to Religious Belief

On Locke's account, to be entitled to the beliefs we have regarding moral and religious matters, we must fulfill the demands of the optimal practice. To be clear, "religious reasons as such," according to Wolterstorff's reading of Locke, "are not excluded from decision and discussion, only those that are ... 'uncertified.'"[28] Should some of the beliefs we have inherited from our traditions stand up to this epistemic screening, then we are entitled to use them as reasons in political discourse. As Wolterstorff notes, "The

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[27]Wolterstorff, "The Role of Religion in Decision and Discussion of Political Issues," p. 85.

[28]Ibid.

elegance of Locke's version of the liberal position is undeniable, and the explicitness of the underlying epistemology, admirable," and most, if not all, versions of the liberal position "make crucial use of epistemological assumptions in what they say about acceptable versus non-acceptable reasons," although they may lack Locke's explicitness in their formulation.[29] In fact, Wolterstorff's focus on Locke in his challenge to liberalism is due both to Locke's historical primacy as well as the fact that the epistemological arguments are prominent in a way that is sometimes lacking in other, more contemporary versions of liberal theory.

We should have a relatively clear picture of Locke's epistemological model. According to Wolterstorff, Locke's position is an example of classical foundationalism that includes what can has been called an "evidentialist challenge" to religious belief. It affirms a picture of knowledge that has its roots in Plato's famous divided line. The highest form of knowledge, _episteme_, is based on certainty—the immediate apprehension of a necessary relationship among ideas. There is also mediate knowledge that we obtain via deductive arguments from immediate apprehension. These together are the traditional source of _scientia_. Where Locke is somewhat unique is in his emphasis on the importance of opinion and its governance in human life:

> The Understanding Faculties being given to Man, not barely for Speculation, but also for the conduct of his Life, Man would be at a great loss, if he had nothing to direct him, but what has the Certainty of true Knowledge. For that being very short and scanty, ... he would be often utterly in the dark, and in most Actions of his Life, perfectly at a stand, had he nothing to guide him in the absence of clear and certain Knowledge. (IV, xiv, 1)

Where knowledge is lacking, and especially in cases of maximal concernment, we are to govern our beliefs in accord with reason, that is, we are to use Locke's optimal practice.

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[29]Ibid., p. 87.

Of what, then, do classical foundationalism and the evidentialist challenge consist? The former has to do with claims about the basic structure of knowledge. Think of a building: it is always possible to distinguish between the foundations of a structure and those elements that rest on the foundations. One does not proceed from the top down when building a skyscraper. The style of a pyramid is not simply a matter of aesthetics— the base must provide support for the top in order for the structure to stand at all. Foundationalism, classical and otherwise, claims that knowledge, like any sound structure, must rest on solid foundations. Where foundationalist accounts differ, in part, is regarding the proper character of the foundations of knowledge. Classical foundationalism identifies two kinds of propositions that are properly basic within our noetic structures: self-evident propositions (e.g., $1 + 1 = 2$) and what have come to be called "incorrigible" propositions that have to do with states of consciousness (e.g., "I am dizzy"). These and only these kinds of propositions make up the proper foundations of human knowledge. Other beliefs, in order for us to be entitled to them, must be grounded on these basic beliefs.

The picture, then, is clear. We have both basic and nonbasic beliefs. The former serve as foundations for the latter. To be entitled to our nonbasic beliefs, we need to be able to trace a path back to their foundations in our basic beliefs. These basic beliefs compose the set of propositions unique to us (though we presumably share a large percentage of our individual sets with others) that serves as the foundation for the wider web of nonbasic beliefs we hold. The special status of our basic beliefs has to do with their certainty for us. Regarding self-evident propositions, to understand them is to know them. I know they are true immediately and not based on any other propositions in my basic set. In other words, I do not come to know them deductively on the basis of other propositions that make up the foundations of my belief structure. Incorrigible beliefs, on the other hand, are not self-evident in this way, but their certainty comes from my

awareness of my immediate states of consciousness. I cannot be wrong about feeling dizzy. If I feel dizzy, then I am dizzy, and I know that I am dizzy. I cannot be mistaken. I cannot be confused about this immediate perception of my states of consciousness; to be aware of them is to know them. We might say that awareness of such facts is constitutive of their truth, and so our consciousness of them is sufficient for certainty. The bottom line is that we do not know these two kinds of propositions on the basis of still others in our basic set. They compose our basic set, the foundations of all our other beliefs.

Evidentialism and the evidentialist challenge to religious beliefs often go hand in hand with foundationalism in epistemology. According to Wolterstorff, "Almost always when you lift an evidentialist you find a foundationalist."[30] Evidentialism is basically the demand that our nonbasic beliefs be supported by evidence if we are to be entitled to them. As Alvin Plantinga puts it, evidentialism requires that "the strength of one's belief ought always to be proportional to the strength of the evidence for that belief."[31] Or, as Wolterstorff explains regarding Locke,

> When some matter of high "concernment" is before us, opinion is to be regulated by collecting satisfactory evidence for the proposition in question; and then believing it on the evidence and with a firmness proportioned to what Reason tells us is the probability of the proposition on that evidence.[32]

We already saw this in Locke's account of the optimal practice when he insisted that in the case of a nonbasic belief, we ought to "reject, or receive it, with a more or less firm assent, proportionably to the preponderancy of the greater grounds of Probability on one

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[30]Nicholas Wolterstorff, "Can Belief in God Be Rational If It Has No Foundations?" in Faith and Rationality: Reason and Belief in God, ed. Alvin Plantinga and Nicholas Wolterstorff (Notre Dame, Ind.: University of Notre Dame Press, 1983), p. 142.

[31]Alvin Plantinga, "Reason and Belief in God," in Plantinga and Wolterstorff, eds., p. 24.

[32]Wolterstorff, John Locke and the Ethics of Belief, p. 226.

side or the other" (IV, xv, 5). Classical foundationalism simply clarifies the character of the evidence that it is necessary to consider when determining, in Locke's words, the "greater grounds of probability on one side or the other." Nonbasic beliefs require support from our basic beliefs—they must be properly grounded on a sound foundation in order for us to be entitled to them.

So far, we have been engaged in an exegesis of Locke via Wolterstorff. The goal has been to clarify one of the earliest exemplars of modern philosophy and his efforts to resolve the problem of moral and religious pluralism by turning to epistemology. In the next chapter, I want to elaborate the implications that this understanding of human knowledge has had for political theory. As I have already noted, the rise of modern political theory had much to do with the collapse of the unified moral and religious tradition of Western Europe. The fact of enduring moral and religious pluralism within a single social body required a new way of thinking about the political order and the nature of justice. Locke's effort to provide a foundation for the political order by insisting that we govern our beliefs in matters of maximal concernment in accord with his doxastic practice has been decisive in many ways for modern theorists. Liberalism as the dominant theoretical understanding of the coherence of the democratic response to religious pluralism rests solidly on this Lockean foundation.

CHAPTER 3

LIBERALISM AND THE DEMOCRATIC RESPONSE
TO RELIGIOUS PLURALISM

In this chapter, I first want to clarify liberalism's appropriation of the Lockean tradition

of reflection on epistemology and its implications for understanding the role of religious

belief in political discourse. I will then turn to Nicholas Wolterstorff's critique of liberal

theory before considering some concerns I have about his own substantive response to

the problem of religious pluralism. I have already quoted Wolterstorff to the effect that

liberalism requires that "citizens (and officials) ... base their political decisions and their

political debate in the public space on the principles yielded by some source independent

of any and all of the religious perspectives to be found in society."[1] We now need to

consider why this is so. While it is clear that Locke intended his optimal practice to effect

a winnowing of the moral and religious beliefs appropriate for public discourse, his own

formulation of this independent source did not explicitly exclude religious beliefs as

such. As Wolterstorff notes, the only beliefs excluded by Locke are those that do not

meet the evidential demands of Locke's foundationalism, not religious beliefs as such.

However, this Lockean exception for some religious beliefs has been expunged from

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[1]Nicholas Wolterstorff, "The Role of Religion in Decision and Discussion of Political Issues," in
Religion in the Public Square: The Place of Religious Convictions in Political Debate, ed. Robert Audi and
Nicholas Wolterstorff (Lanham, Md.: Rowman & Littlefield, 1997), p. 73.

most contemporary versions of liberal theory, and I believe it is safe to conclude that present-day liberal theorists are steadfast in their secularistic understanding of the constitutional essentials of democratic politics. In other words, they are committed, in one way or another, to the claim that religious beliefs as such cannot meet the demands of public reason.

That Locke's epistemological turn has been hugely influential on contemporary political theory cannot be denied. In his own attempt to defend an account of justice as impartiality, Brian Barry pays particular attention to the matter of "epistemological restraint" in political discourse and argues for a skeptical epistemological stance where beliefs about the good are concerned. In order to exclude beliefs about the good from political debate on matters of basic justice, we must "deny that there is any conception of the good that nobody could reasonably reject." If this denial can be justified, Barry continues, "it follows that reasonable terms must be terms that do not presuppose the correctness of any conception of the good." He concludes that "scepticism supplies the premise that is needed to get from the desire for agreement on reasonable terms to the conclusion that no conception of the good should be built into the constitution or the principles of justice."[2]

Barry himself is drawing off of the work of Thomas Nagel, who introduced the term "epistemological restraint" in a 1987 article.[3] According to Barry's reading of Nagel, "the core idea is that it is perfectly consistent to be convinced of the truth of some

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[2]Brian Barry, Justice as Impartiality (New York: Clarendon, 1995), p. 169.

[3]See Thomas Nagel, "Moral Conflict and Political Legitimacy," Philosophy and Public Affairs 16 (1987): 215–40, esp. 227.

religious or other doctrine while acknowledging as a matter of principle that it would be wrong to make it the basis of public policy in a society some of whose members reject it."[4] Barry also cites Charles Larmore to the effect that "abstracting from a controversial belief does not imply that one believes it any the less, that one has had reason to become skeptical toward it. One can remain as convinced of its truth as before, but for the purposes of the conversation one sets it aside."[5] These examples give some evidence for the central role that epistemological reflection has had on the current debate in political theory, and it is arguable that this focus has its roots in Locke's own efforts to restrain political debate in terms of epistemological propriety. The end result of these various proposals is the same: the call for an independent source sufficient to resolve political disputes, particularly those having to do with matters of basic justice. With this context in mind, I will now turn to the work of John Rawls, whose own efforts in the defense of political liberalism have had the greatest influence on the current debate.

Classic Contemporary Liberalism

A recent, particularly influential example of this effort to ground a normative political theory on an independent source can be found in the work of Rawls. Wolterstorff identifies five principles advocated by Rawls that "together constitute a very distinct answer to the question of how a religiously pluralistic society ought to be structured politically if its members are to live together in justice and peace" (principle 4 is particularly relevant to the present inquiry):

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[4]Barry, p. 177.

[5]Charles E. Larmore, Patterns of Moral Complexity (Cambridge: Cambridge University Press, 1987), p. 53, quoted in Barry, p. 177.

1) "Every normal adult human being has an equal pre-legal right to her goals and convictions, and to acting on her goals and convictions as she sees fit just provided that, in so acting, she does not harm others. In other words, every normal adult human being has an equal pre-legal right to liberty of conscience and liberty of non-harming action."

2) "The most fundamental business of those who establish a free and democratic form of government, and then of that government itself, is to establish and implement a scheme of constitutional and legal rights and duties which secure that pre-legal right of every normal adult citizen to liberty of conscience and liberty of non-harming action."

3) "All normal adult citizens have an equal right to participate in the debates concerning this scheme of legal rights, and an equal right to voice in the making of the decisions."

4) "Debates in public concerning the scheme of constitutional and legal rights must be conducted, and decisions concerning that scheme must be made, on the basis of the deliverances of some source of relevant principles which is both independent of all the comprehensive perspectives to be found in society and a source to which all normal adult citizens (or prospective citizens, in case of constitutional debates) can fairly be asked to appeal for this purpose."

5) "Government, in its interaction with the religions of the populace, must not do anything which has as its purpose or primary effect to advance or inhibit some religion—nor anything which has as its purpose or primary effect to advance or inhibit some anti-religious group."[6]

Wolterstorff adds that it is his "impression that over the last fifty years or so, this particular normative understanding of a free and democratic society has come to be accepted by a large part of the American populace, and has become dominant in the decisions of our judiciary."[7]

As I have obliquely suggested throughout this discussion, the liberal position often draws a distinction within public debate between matters of basic justice and other

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[6]Nicholas Wolterstorff, untitled paper presented at a meeting of the Society of Christian Philosophers, Lincoln, Nebr., April 16, 1998, pp. 3–4.

[7]Ibid., p. 4.

political concerns. In Rawls's version of what Wolterstorff identifies as "classic contemporary liberalism," there are

> no restrictions on the reasons which citizens may bring into play when debating in public and deciding issues other than the basic scheme of legal rights. When discussing in public and deciding issues of basic justice, citizens may appeal to their religious and philosophical perspectives only if those function as dispensable add-ons; within the framework of legal rights, citizens are welcome to discuss the common good and, in doing so, to appeal to their comprehensive religious and philosophical perspectives as they wish.[8]

It is only constitutional essentials, or matters of basic justice, then, that require a source independent of the comprehensive perspectives in modern society if they are to be acceptable to all. As Wolterstorff notes, however, the restriction on comprehensive moral and religious beliefs from playing a role in considering matters of basic justice itself requires argumentative support.

Wolterstorff acknowledges that some of the arguments in favor of an independent-source thesis are pragmatic in character:

> It has been suggested, for example, that religion has not lost its potential for disrupting social peace, and that the danger posed by that potential will be significantly diminished if religious people conduct their discussions in public on issues of basic justice, if not on political issues generally, on the basis of the deliverances of the independent basis, and if they make their decisions about such issues on the basis of the deliverances of that source, rather than on the basis of their convictions.[9]

There is, however, a nonpragmatic argument against the use of religious reasons when considering matters of basic justice, and it is this argument that Wolterstorff understands as the primary justification for classic contemporary liberalism: "the argument from

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[8]Ibid., p. 8.

[9]Ibid., p. 12.

reasoned respect."[10] It will become clear from the following discussion that arguments of this sort are, at their heart, epistemological in nature. They claim to identify normative epistemological principles that constrain the content of political debate; specifically, they limit the role that religious convictions can play in deciding matters of basic justice because such beliefs cannot be the object of a rational consensus.

Wolterstorff sums up the argument from reasoned respect as claiming that everyone in a democratic society must respect their fellow citizens as "persons who are capable of both rational intentional action and of rational deliberation and decision concerning issues of basic justice."[11] What this respect seems to imply is that in arguing about matters of basic justice, I ought not appeal to any argument when "I believe that probably there are some citizens who, even after due rational deliberation, will not accept it."[12] The use of arguments that some citizens probably will not accept in such situations represents a form of disrespect relative to their capacity for rational deliberation and decision concerning issues of basic justice:

> In order to show respect for all one's fellow citizens, one has to appeal to the deliverances of a source independent of the diverse comprehensive perspectives ... whose deliverances one believes ... probably all normal adult citizens will accept ... upon due rational deliberation.[13]

According to Wolterstorff,

> Something like this is the principle argument of the classic contemporary liberal for his religion-exclusivist understanding of proper public debate in a free and democratic society concerning a scheme of legal rights securing

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[10]Ibid.

[11]Ibid., p. 13.

[12]Ibid.

[13]Ibid.

the pre-legal right of each to liberty of conscience and of non-harming action.[14]

A Reformed Perspective: The Epistemology Debate Revisited

As an alternative to the epistemological presuppositions of liberalism, Wolterstorff elaborates an account of belief entitlement that emphasizes the largely passive character of belief formation. As a result, he insists on the innocence of beliefs until proven guilty. Another way to state this claim is to say that our warrant for a belief does not generally come from our having reasons in support of it but instead from its being the product of proper cognitive function under appropriate circumstances. We form beliefs as a result of a complex reaction to our environment given our human nature, our personal history, and our cultural context, or, as Wolterstorff puts it, as a result of our "hard-wiring" and "programming":

> We as human beings are all dispositionally hard-wired in such a way that, upon such-and-such things happening to us, we become aware of such-and-such entities; and upon becoming aware of such-and-such entities, we believe thus-and-so. In addition, we are all dispositionally hard-wired in such a way that upon such-and-such things happening to us, we acquire new awareness-dispositions and new belief-dispositions.

> But in addition to being hard-wired in this way, each of us is also programmed in a certain way. And whereas the hard-wiring is remarkably similar from person to person, the way we are programmed differs wildly from person to person—and indeed, from time to time within a given person's life. Depending on how one is programmed, a given input will or will not yield a certain awareness, and a certain awareness will or will not yield a certain belief. Most of the time my programming is such that if I perceive a chair in good light, the belief will be formed in me, immediately and ineluctably, that I'm perceiving a chair and that there's a chair before me. But if, on a given occasion of perceiving a chair, my programming includes the firm belief that right then and there I am looking at a very skillfully painted trompe l'oeil stage design, then the belief will not be forthcoming in me that I am perceiving a chair and that

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[14]Ibid.

there's a chair before me. Nor would those beliefs be forthcoming in me, upon perceiving a chair, if I lacked the concept of a chair.[15]

According to this model, my forming a belief is largely spontaneous; it is not the result of an act of will, at least not directly. I do not decide to form a belief. I do not consider the proposition "There is a chair before me" and then evaluate the evidence for and against this fact. I have an experience of seeing a chair, and I respond by forming the belief that there is a chair before me. If the relevant cognitive module is functioning properly in an appropriate environment, then my belief is likely to be true.[16] This is not to say that I cannot be incorrect in my belief. Nor is this to say that I cannot, on reflection, come to reject this belief if I am provided with sufficient cause to do so. However, contrary to the dominant epistemological line of Western philosophy as Wolterstorff reads it, my forming a belief and my being warranted in holding that belief do not depend on my engaging in some process of justification for the belief in question. I do not have to prove the innocence of my beliefs in order to be entitled to them. My having the belief at all, in many cases, provides me with prima facie entitlement to the belief.

To the best of my knowledge, Wolterstorff and Alvin Plantinga are in substantial agreement, and it will be helpful to consider briefly Plantinga's discussion of these matters. Plantinga calls his position a "proper function" model of warrant for beliefs and indicates that his position is a form of "naturalized" or "naturalistic" epistemology.[17] At

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[15]Nicholas Wolterstorff, "Suffering, Power, and Privileged Cognitive Access: The Revenge of the Particular," in Christianity and Culture in the Crossfire, ed. David A Hoekema and Bobby Fong (Grand Rapids, Mich.: Eerdmans, 1997), p. 87.

[16]This account is, obviously, elliptical. The judgment that beliefs formed by properly functioning cognitive modules in their proper context are likely to be true presupposes a number of things, including the fact that part of their proper function is the production of true beliefs. For a more extensive argument in favor of this model of warranted belief as well as its general implications, see Alvin Plantinga, Warrant and Proper Function (New York: Oxford University Press, 1993). This work is one volume in a three-volume opus on warrant (the other volumes are Warrant: The Current Debate [New York: Oxford University Press, 1993], and Warranted Christian Belief [New York: Oxford University Press, 2000]). I will briefly consider Plantinga's account in the discussion that follows.

[17]See Plantinga, Warrant and Proper Function, pp. 45 ff.

the heart of naturalistic epistemology is the rejection of a deontological account of epistemological normativity:

> The sort of normativity involved [for warrant] is not that of duty and obligation; it is normativity nonetheless, and there is an appropriate use of the term "ought" to go with it. This is the use in which we say, of a damaged knee, or a diseased pancreas, or a worn brake shoe, that it no longer functions as it ought to.[18]

As noted above, warrant in belief is in large measure a result of our cognitive modules functioning properly in an appropriate environment. In order to produce an account of proper function for something, we have to have some idea of its aim, or telos. In other words, we need to have some sense of its design plan: "A thing's design plan is the way the thing in question is 'supposed' to work, the way in which it works when it is functioning as it ought to, when there is nothing wrong with it, when it is not damaged or broken or nonfunctional."[19] With this in mind, here is Plantinga's basic account of warrant:

> A belief has warrant for me only it (1) it has been produced in me by cognitive faculties that are working properly (functioning as they ought to, subject to no cognitive dysfunction) in a cognitive environment that is appropriate for my kinds of cognitive faculties, (2) the segment of the design plan governing the production of that belief is aimed at the production of true beliefs, and (3) there is a high statistical probability that a belief produced under those conditions will be true. Under those conditions, furthermore, the degree of warrant is an increasing function of degree of belief.[20]

The difference between Locke's foundationalism and Plantinga and Wolterstorff's position should be clear. Whereas the former demands the fulfillment of various epistemic duties in order for one to be entitled to one's beliefs—at least in matters of

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[18]Ibid., p. 45.

[19]Ibid., p. 21.

[20]Ibid., pp. 46–47.

maximal concernment—Wolterstorff advocates an innocent-until-proven-guilty position that rests on a complex account of belief dispositions and proper function. The problems with classical foundationalism are many and complicated. A full treatment of these matters would require a more extended discussion of Plantinga's analysis of "Gettier problems" and their implications for internalism in epistemology as well as further development of Wolterstorff's own constructive account of normative epistemology.[21]

In brief, the limits proposed on the set of basic beliefs and the demand that our nonbasic beliefs be supported by evidence generated from that set results in our lacking entitlement for the vast majority of our everyday beliefs. As Plantinga notes:

> One crucial lesson to be learned from the development of modern philosophy—Descartes through Hume, roughly—is just this: relative to propositions that are self-evident and incorrigible, most of the beliefs that form the stock in trade of ordinary everyday life are not probable—at any rate there is no reason to think they are probable.[22]

Concerning our beliefs about something as simple as material objects, Wolterstorff insists,

> no philosopher ... has succeeded in showing that [their] existence ... is probable on evidence consisting exclusively of items of direct awareness which we can see to be satisfactory as evidence. The use of Locke's practice, if we require that we see that the evidence is satisfactory, will thus leave us with no beliefs about such objects.[23]

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[21]"Gettier problems" grow out of an article by Edmund Gettier ("Is Justified True Belief Knowledge?" Analysis 23 [1963]: 121-23). For a discussion of the significance of this article for modern epistemology, see Plantinga, Warrant: The Current Debate, esp. pp. 4, 6-7, and passim.

[22]Alvin Plantinga, "Reason and Belief in God," in Faith and Rationality: Reason and Belief in God, ed. Alvin Plantinga and Nicholas Wolterstorff (Notre Dame, Ind.: University of Notre Dame Press, 1983), p. 59.

[23]Nicholas Wolterstorff, John Locke and the Ethics of Belief (New York: Cambridge University Press, 1996), p. 178.

The Lockean picture, on this account, is profoundly confused in its demands. Far from providing a stable foundation on which to base our opinions, Locke's optimal practice—or any similar deontological account of justification for beliefs—renders us largely helpless when confronted with the matter of warrant for the vast majority of our beliefs. Reformed epistemology, however, appears more promising as an account of normative epistemology. It avoids the pitfalls of internalism in epistemology as well as the difficulties that follow from deontological models of warrant.

What are the implications of this new line of reasoning in epistemology for religious belief? Where Locke and others have sought to critique the rational grounds of religious beliefs in terms of their epistemological adequacy, the Reformed epistemology position is that the warrant, or lack thereof, for religious beliefs does not rest on our having sufficient evidence for them. As Wolterstorff indicates regarding belief in the existence of God,

> People come to the conviction that God exists in the most astonishing diversity of ways.... The evidentialist proposes slicing through all this diversity. One's belief that God exists is rational only if it is formed or sustained by good inference—by inferring it from others of one's beliefs which in fact provide adequate evidence for it....
>
> I see no reason whatsoever to suppose that ... the evidentialist challenge is tenable.... I see no reason to suppose that holding the belief that God exists as one of one's immediate beliefs always represents some failure on one's part to govern one's assent as well as one ought....
>
> Whether a given person is in fact rational in such belief cannot be answered in general and in the abstract, however. It can only be answered by scrutinizing the belief system of the individual believer, and the ways in which that believer has used his noetic capacities.[24]

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[24]Wolterstorff, "Can Believe in God Be Rational if It Has No Foundations?" in Faith and Rationality: Reason and Belief in God, ed. Alvin Plantinga and Nicholas Wolterstorff (Notre Dame, Ind.: University of Notre Dame Press, 1983), pp. 175–76.

If I understand Wolterstorff's position, the rationality of religious belief is not something that can be determined once and for all and in the same way for all persons. The effort by Locke and others to make a final pronouncement on religious beliefs based on the explication of various epistemological duties misses the essential fact that rationality in belief is largely indexed to individual subjects and does not depend, at least for prima facie warrant, on the fulfillment of such duties. What is reasonable or rational will vary from person to person and even for the same person over time. As a result, Wolterstorff and the Reformed epistemology position effect a kind of leveling in epistemology—religious beliefs cannot be reduced to second-class status in public debate due to their perceived epistemological inadequacies.

Classic Contemporary Liberalism: A Critique

Since Locke's time, the religious pluralism constituting the body politic of modern states has been addressed through efforts to restrain political debate in terms of common epistemological principles or by stipulating limits on its content, which usually amount to the same thing. I have argued that democracy is justified in terms of certain basic ideals, including equal protection under the law for all citizens, equal freedom for all, and state neutrality toward an indeterminate plurality of religions. The liberal conundrum has been how to unify these elements in a theory of democracy that can be consistently affirmed by the adherents of an indeterminate plurality of religions. Liberal theorists have attempted, therefore, to justify the use of epistemological principles to describe restraints on political discourse in terms that could be accepted by citizens regardless of their comprehensive points of view. These epistemological norms, the argument runs, are universal (at least to all citizens of a democracy) and, once made explicit, self-evident to all rational persons. Thus, their apparent requirements regarding public reason can serve

to circumscribe public discourse in a manner that excludes those controversial beliefs about which no consensus seems possible.

Recall that part of the goal of specifying epistemological duties for citizens has been to establish the possibility of consensus within the body politic, at least on matters of basic justice. This demand for consensus has remained a central aim of liberal politics. As Wolterstorff notes regarding contemporary proponents of the liberal position,

> They are still looking for a politics that is a politics of a community with shared perspective. They see that that perspective cannot, in our societies, be a comprehensive perspective; and that that community cannot be a community which is the social embodiment of a comprehensive perspective....
>
> The liberal is not willing to live with a politics of multiple communities. He still wants communitarian politics. He is trying to discover, and to form, the relevant community. He thinks we need a shared political basis; he is trying to discover and nourish that basis.[25]

This desire for a shared political basis leads to an attempt to formulate an independent source from which political debate can proceed, a source, in other words, that is independent of the plurality of comprehensive perspectives represented in the body politic.

The basic form of the argument runs something like this. A democratic political order requires a consensus (or at least the possibility of consensus) on matters of basic justice. With the fracturing of the more or less unified moral and religious tradition in Europe after the sixteenth century, it seems clear that religion can no longer serve as the basis of such a consensus. In fact, given the way in which people tend to hold their religious beliefs (that is, according to Locke, without entitlement), religion proves to be increasingly divisive for society. While Locke and later Enlightenment thinkers did not

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[25]Wolterstorff, "The Role of Religion in Decision and Discussion of Political Issues" (n. 1 above), p. 109.

intend to exclude all religion from the public sphere based on their affirmation of the demands of classical foundationalism or related epistemological principles, liberals, on the whole, have come to assume that religious beliefs cannot be held with the kind of entitlement the relevant epistemological principles define. Religious beliefs are simply not supported in this way and cannot serve as reasons in political decision and debate, at least regarding matters of basic justice.

On Wolterstorff's account, Locke introduced modern epistemology by the affirmation of classical foundationalism, which means, roughly, that a person has no entitlement to a belief—at least a belief of maximal concernment—unless it is self-evident or its probability is seen to follow from evidence that is certain. As noted, this is an internalist epistemology. Liberal political theories are, on Wolterstorff's account, committed to internalism in epistemology, at least in the sense that they affirm evidentialism with respect to beliefs that purport to be proper for political advocacy or the proper basis for political decision. In other words, liberals demand that such beliefs, insofar as they play a role in deciding principles of justice, must be defensible in terms of reasons on which everyone can agree. Wolterstorff offers reasons to reject classical foundationalism and evidentialism and develops instead an externalist epistemology, one consequence of which is that religious believers may well be prima facie entitled to their beliefs even if they cannot meet evidentialist demands.

In most cases, prima facie warrant does not depend on the fulfillment of epistemic duties prior to assenting to the belief in question. Locke's duties simply do not apply. Moreover, on Wolterstorff's account, even if religious beliefs are challenged, believers may continue to be entitled to some beliefs in the absence of evidence, or supporting reasons. In other words, beliefs are innocent until proven guilty, and entitlement to them is sustained not by validating them but, rather, simply by showing defensively that no reasons have been given that are sufficient to defeat them or require their rejection.

Indeed, a defense of this nature is all that can be offered for basic beliefs, and a plurality of basic beliefs warranted on these terms are on equal epistemic footing. Hence, the liberal price for entrance into public debate, namely, appeal to reasons on which everyone can agree, is not itself defensible except in terms of beliefs that themselves cannot meet the demand; that is, the founding, or basic, beliefs of any comprehensive perspective, including, by implication, the comprehensive perspective of liberalism, are not defensible in terms of evidence on which all can agree. In sum, liberalism is committed to the flawed evidentialism of modern epistemology, which insists that reasons that command public assent can be given for some basic beliefs, and thus these beliefs, but not others, are legitimated as a source in democratic decision and debate regarding principles of justice.

To be clear, I plan to argue that important beliefs that command public assent can be supported by reasons, and so I will be arguing for the addition of a demand for validation to Wolterstorff's account of public reason. As part of this challenge, I will also take issue with Wolterstorff's view that political claims, when contested, are properly treated as innocent until proven guilty. On this point, I am in agreement with the liberal model. Contested claims in political debate are subject to critical evaluation, and their validity must be determined on the basis of the better argument. On these terms, innocence in terms of not having been shown guilty is clearly not sufficient for validity, since we are no longer concerned with whether anyone might be warranted to acting in accord with such beliefs but whether we as political community engaged in a critical discourse can reach a common understanding.

In formulating the matter thus, it might seem that liberals have been acquitted on the charge of using evidentialism as a criterion for public reason, since I, too, am willing to affirm an evidentialist criterion for critical discourse. In other words, one could plausibly insist that the liberal rejection of religious beliefs is based on the claim that

these beliefs necessarily rely on authority for their justification and thus cannot meet the critical standards of discourse once challenged. In this sense, the appeal to authority in the context of contested validity claims is self-convicting, and liberals might insist that religious beliefs inevitably rest on such appeals in their utilization of sacred texts and traditional authority to defend their validity claims. However, the liberal distinction between what can meet the critical standards of discourse and what necessarily relies on authority itself denies what Wolterstorff shows, namely, that religious believers are prima facie entitled to their religious beliefs. This prima facie entitlement is not based on a claim to authority but on an account of warranted belief that can be defended through argument.

To be entitled to a belief means that one properly acts on it, and to act on a religious belief includes basing political advocacy and decision on it. As noted, this entitlement does not rest on authority (at least not in terms of prima facie entitlement) but on proper epistemic function. Hence, the preemptive rejection of such beliefs prior to the debate, that is, the affirmation of the principle of constitutional secularism, is, in effect, the denial that there can be entitlement for religious beliefs. In other words, the liberal distinction implies the view that no one is entitled, even prima facie, to religious beliefs, and this view could make sense only if no one could be entitled to a belief unless he or she fulfilled certain epistemic duties—that is, only if classical foundationalism were correct. Hence, liberalism's restrictions on the content of political discourse are illegitimate because they rest on problematic epistemological grounds.

The demand that reasons deployed in political debate need to be such that all could reasonably be expected to form an agreement based on them is nothing more than a revised attempt to exclude religious beliefs based on their putative epistemological shortcomings. In the context of Barry's and Nagel's discussion of these matters, epistemological concerns of this sort are explicit and definitive for their exclusion of

religious beliefs from debate on matters of basic justice. Liberal theorists appear to argue that there is some common understanding of what counts as good reasons for political claims and that this understanding specifies principles of public reason that can and ought to be affirmed by all reasonable persons. According to this position, these principles provide criteria for evaluating claims about basic justice and thus allow for debate and resolution on this topic. On my reading, however, the formal claim that there are common principles of public reason is distinct from the substantive claim that principles of justice must be determined independent from religious claims. The latter claim is a controversial validity claim about the nature of justice and presupposes an inability on the part of citizens to redeem their comprehensive claims through critical discourse. This presumption, however, opens liberal theory to indictment on Wolterstorff's charges; as indicated above, a presumption against religious beliefs as such prior to their deployment as reasons in a critical discourse makes sense only if classical foundationalism is true, that is, only if entitlement follows from our having internally weighed the evidence for our beliefs prior to acting on them, and it is this position that Wolterstorff's appears to have refuted.

Once we are no longer able to use epistemological principles to make substantive distinctions among legitimate beliefs for political debate in advance of the debate itself, then it becomes difficult to predetermine what kind of beliefs will appear reasonable to all, or even most, of the members of a given society. What seems reasonable may differ significantly from community to community, from person to person, and even for the same person over time. This is not to say that anything goes. We are speaking only of prima facie entitlement at this point. Beliefs are innocent until proven guilty, according to Wolterstorff, but this does not preclude their being challenged. Moreover, once challenged in the context of a critical discourse, the reiteration of their prima facie warrant is not a sufficient condition for a mutual understanding of their validity.

However, the winnowing that takes place regarding valid political principles must occur within the debate itself and not prior to it. In light of this, Wolterstorff concludes:

> The liberal position is hopeless. I see no reason to suppose that the ethic of the citizen in a liberal democracy includes a restraint on the use of religious reasons in deciding and discussing political issues. Let citizens use whatever reasons they find appropriate—including, then, religious reasons.[26]

What, then, are the implications for political discourse given this critique? Once the shortcomings of the epistemological presuppositions of liberalism are exposed, it is no longer tenable to exclude religious beliefs from political discourse on the assumption of epistemological inadequacy. Since entitlement varies from person to person even for the same propositions, it seems impossible to say in advance of an actual debate which beliefs or reasons, if any, ought to be excluded in principle from public discourse. Epistemological reflection, far from providing the basis for excluding religious beliefs from political discourse, appears to favor their inclusion as potentially legitimate reasons in political debate. If religious beliefs are to be excluded from political discourse, then it will have to be on some other basis than the traditional liberal arguments against them.

I am inclined to agree with Wolterstorff that religious beliefs enjoy the same prima facie entitlement that our beliefs enjoy generally. As a result, they should not be arbitrarily excluded from political debate. Liberal theory's dependence on a secularistic understanding of the democratic response to religious pluralism fails to resolve the problem under consideration. It cannot provide an account of state neutrality toward an indeterminate plurality of religions. I now want to turn from this critique of liberalism to Wolterstorff's theory of democracy. The primary matter before us will be his

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[26]Ibid., pp. 111–12.

understanding of state neutrality toward religion. Such an account, according to the criteria I have stipulated, is essential for a successful theory of democracy.

Wolterstorff on Democracy

I want to consider Wolterstorff's critique of the liberal position and his conclusions about the limits of political theory given the apparent failure of the liberal model. Wolterstorff has come to associate himself with what he identifies as the "republican, or deliberative, theory" of democracy.[27] Elsewhere he has referred to this as the "consocial position."[28] This position represents an attempt to provide an account of democratic practices that does not fall prey to the epistemological fallacies of liberalism and that preserves religious freedom in the face of an overweening secularism on the part of the liberal state. While I am inclined to believe that Wolterstorff's critique of liberalism as well as the substantive epistemological picture that he describes regarding the prima facie warrant of religious belief enjoy considerable success, I cannot say the same for his constructive efforts in political theory.

While his pragmatic affirmation of democratic discourse is compelling, it does not provide a theoretical understanding of how democracy resolves the problem of religious pluralism for modern politics. It does not amount to a normative account of democratic politics that could, in principle, be affirmed by the adherents of an indeterminate plurality of religions. However, it is my position that this is precisely what it means to say that democracy represents a legitimate response to the problem of religious pluralism. That it can provide a coherent formulation of the necessary conditions of democratic government that can be consistently affirmed by citizens who represent an indeterminate plurality of

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[27]Wolterstorff, untitled paper, p. 16 (emphasis deleted).

[28]Wolterstorff, "The Role of Religion in Decision and Discussion of Political Issues," pp. 114 ff.

religions identifies an important, maybe the most important, criterion of success for any democratic theory.

My argument will be that Wolterstorff cannot provide us with such a theoretical account because of a failure on two fronts. First, he cannot adequately explain the neutrality of democratic discourse relative to an indeterminate plurality of religions and so fails to explain the compatibility of democratic institutions and practices with religious belief as such; as a result, he cannot explain how democracy can legitimate an indeterminate plurality of religions and so resolve the problem of religious pluralism. It is my position that the absence of an adequate account of neutrality in Wolterstorff's discussion results from the lack of a distinction in his epistemology between the prima facie conditions of warrant and the normative presuppositions of critical discourse. Second, Wolterstorff stipulates, but does not argue for, the priority of reaching a mutual understanding about the common good over the pursuit of strategic objectives as the proper end of democratic politics. Absent such an argument, however, we are left with an incomplete theory of democratic discourse. As noted above, it is our common pursuit of justice that distinguishes democratic politics from strategic negotiations and explains our willingness to be governed by laws with which we sometimes disagree. Such willingness represents a moral choice when it is accompanied by our conviction that justice is ultimately served by our continued participation in democratic political institutions and procedures in spite of our piecemeal disagreement with more immediate outcomes. Acquiescence in the face of strategic failure, however, does not indicate our participation in a shared purpose based on a common commitment to a political process aimed at justice but rather a practical assessment on our part of the distribution of power relative to our prepolitical preferences; as such, it represents less a moral choice than a strategic evaluation of our present lack of sufficient power to achieve our ambitions.

Deliberative Democracy: Wolterstorff's Consocial Position

Given the apparent failure of liberalism as an adequate theory of democracy, Wolterstorff

offers an alternative: the consocial position. According to Wolterstorff, this option

> departs from the liberal position on two defining issues. First, it repudiates
> the quest for an independent source and imposes no moral restraint on the
> use of religious reasons. And second, it interprets the neutrality
> requirement, that the state be neutral with respect to the religious and other
> comprehensive perspectives present in society, as requiring impartiality
> rather than separation.[29]

Wolterstorff describes his vision of democratic politics as resting on the idea that "there

is something about each of us that merits respect by each treating each as free and

equal."[30] Given the affirmation on the part of citizens of various comprehensive

perspectives, "political decision and discussion" must be "ad hoc, full of compromise,

tolerant of losing the vote, focused on the specific, and on the here and now and the near

future. Something so jerry-built may not long endure. But the risk is worth taking, and

not only because the alternatives are all worse."[31]

According to Wolterstorff,

> We aim at agreement in our discussions with each other. But we do not for
> the most part aim at achieving agreement concerning a political basis;
> rather, we aim at agreement concerning the particular policy, law, or
> constitutional provision under consideration. Our agreement on some
> policy need not be based on some set of principles agreed on by all present
> and future citizens and rich enough to settle all important political issues.
> Sufficient if each citizen, for his or her own reasons, agrees on the policy
> today and tomorrow—not for all time. It need not even be the case that
> each and every citizen agrees to the policy. Sufficient if the agreement be
> the fairly gained and fairly executed agreement of the majority.[32]

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[29]Ibid., p. 115.

[30]Ibid., p. 114.

[31]Ibid.

[32]Ibid.

This, then, is an initial picture of Wolterstorff's consocial understanding of liberal democracy: it is foundationless, that is to say, it does not rest on some prior consensus about the nature of democracy; it respects the freedom and equality of all citizens; it is open to the use of religious reasons in political debate; and it is focused on settling our political disputes through determining the will of the majority.

Contrary to the liberal position, Wolterstorff's account rejects the notion of epistemological restraints on the political decisions and debates of citizens. Such a restraint, he argues, "appears, on the face of it, to violate the equal freedom component within the Idea of liberal democracy."[33] He does not deny that the idea of a free and democratic society "involves restraints on the legislation advocated" by citizens; however, this restraint has to do with the nature of democracy and not with the perceived epistemological inadequacies of some of the reasons from which citizens might argue. "What difference does it make," he asks, "what reasons citizens use in making their decisions and conducting their debates, if the positions they advocate do not violate the Idea of liberal democracy? And in practice, why should religious reasons ... be singled out for exclusion?"[34] As long as the idea of a free and democratic society is respected, then the liberty enjoyed by citizens ought to include the freedom to argue from whatever sources they find appropriate.

Having argued against epistemological restraints on the content of political discourse, Wolterstorff allows that legitimate democratic politics is restrained by the idea of a free and democratic society. What does he take this idea to imply? He identifies three major points:

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[33]Ibid., p. 77.

[34]Ibid.

1) "Restraints are needed on the manner of discussion and debate in the public square.... Our discussions ought to be conducted with civility. The virtues of civility belong to the ethic of the citizen";

2) "The debates, except for extreme circumstances, are to be conducted and resolved in accord with the rules provided by the laws of the land and the provisions of the Constitution. It is certainly not out of place to argue for changes in those laws and in those provisions, but, except for extreme circumstances, that argumentation is itself to be conducted in accord with the extant laws and provisions"; and

3) "There is a restraint on the overall goal of the debates and discussions. The goal is political justice, not the achievement of one's own interests."[35]

And yet, consistent with his claim that the political order is not grounded on a prior consensus on such matters, Wolterstorff denies that all citizens must share his understanding of the idea of a free and democratic society:

Even at this point of articulating the ethical component of the role of citizen, we cannot leap out of our perspectives. And even if we could, there is nothing firm that we could leap on to: no adequate independent source. The ethic of the citizen is itself up for debate in constitutional democracies of a by and large liberal character.[36]

In other words, the claim that legislation ought to be restricted by compatibility with the idea of a free and democratic society is formal; it simply describes a logical relationship that ought to obtain internal to the various proposals that might be advanced by citizens. What this idea includes and how it might act to restrict legislation need not, in fact, probably will not, be the subject of a consensus by citizens in such a society.

The Consocial Position: A Critique

My critique of Wolterstorff's account of democratic politics can be divided into three parts, the first two of which are related. First, I have a relatively minor problem with his

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[35]Ibid., pp. 112–13.

[36]Ibid. (n. 1 above), p. 113.

discussion of the issue of neutrality in terms of a very particular kind of problem, something like a problem of access or equal opportunity or equitable funding, in other words, cases where Wolterstorff argues in favor of impartiality versus separation as a guiding political principle. Wolterstorff shifts the focus of the debate on the neutrality of democratic institutions and practices to the problem of the neutrality of outcomes within the practice of democratic politics. My concern here is that the idea of neutrality is probably misplaced in this context, and if the issue of democratic neutrality is reduced to a matter of impartiality, then a more fundamental issue within democratic theory is missed altogether. The second aspect of my critique, if valid, is more significant and has to do with what is missing from Wolterstorff's account of democracy. In essence, I believe that taken as a whole, Wolterstorff's position fails to provide an account of the neutrality of democratic institutions and practices—to be more specific, the neutrality of democratic discourse—relative to a legitimate and indeterminate plurality of religions. The shift in focus within his discussion of neutrality, therefore, has the unfortunate result that the real problem of neutrality in democratic politics is never sufficiently addressed.

The third aspect of my critique has to do with what seems to be the absence of any argumentative support for discursive versus strategic norms in Wolterstorff's insistence on a "dialogical imperative" as the basis for our common affirmation of democratic institutions and practices.[37] Absent such support, and especially given Wolterstorff's ambivalence regarding any foundation to the political order, his substantive claims about the proper character and ends of democratic politics are far weaker than they need to be. My turn to the work of Jürgen Habermas in the following chapters is due, in large measure, to my sense that he is able to provide a much more

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[37]Nicholas Wolterstorff, "From Liberal to Plural," in Christian Philosophy at the Close of the Twentieth Century: Assessment and Perspective, ed. Sander Griffioen and Bert M. Balk (Kampen: Uitgeverij Kok, 1995), p. 213.

potent basis for defending discursive, or communicative, norms against the incursion of strategic rationality in the realm of human social and political organization. I will also attempt to show that the resources on which Habermas draws are not altogether alien to Wolterstorff's work and so represent a potential basis for a rapprochement between their respective positions. I will pursue this line of argument more thoroughly in chapters 5 and 6.

Neutrality and Public Policy

In an essay entitled "Why We Should Reject What Liberalism Tells Us about Speaking and Acting in Public for Religious Reasons," Wolterstorff discusses the problem of state funding for education given a plurality of religions.[38] His argument is against the separationist interpretation of state neutrality, which requires that the state "must not in any significant way aid any religion—nor any comprehensive non-religious perspective."[39] As an alternative, Wolterstorff proposes impartiality rather than separation as the proper criterion for determining state neutrality relative to a plurality of moral and religious perspectives.

Wolterstorff considers the following difficulty:

> Now suppose there are parents present in society for whom it is a matter of religious conviction that their children receive a religiously integrated education.... Were the state to fund an education program in accord with the religious convictions of those parents, it would, obviously, be aiding their religion, and thereby violating the separation principle. But if the state funds other schools but refuses to fund schools satisfactory to those

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[38]Nicholas Wolterstorff, "Why We Should Reject What Liberalism Tells Us about Speaking and Acting in Public for Religious Reasons," in Religion and Contemporary Liberalism, ed. Paul J. Weithman (Notre Dame, Ind.: University of Notre Dame Press, 1997), pp. 162–81, esp. p. 176. This discussion is mirrored in Wolterstorff, "The Role of Religion in Decision and Discussion of Political Issues," pp. 115–16.

[39]Wolterstorff, "Why We Should Reject What Liberalism Tells Us about Speaking and Acting in Public for Religious Reasons," p. 176.

parents, then those parents, in a perfectly obvious way, are discriminated against. If those parents were forbidden by law to establish schools which teach in accord with their convictions, then the discrimination is embodied in law. If they are not legally forbidden to establish such schools, then the discrimination is located in the economics of the matter. Were those parents to establish schools which teach in accord with their convictions, they would have to pay for those schools out of their own pockets while yet contributing to the general tax fund for schools. Obviously the free exercise of their religion is thereby infringed on—in a way in which that of others is not.[40]

To this significant problem, Wolterstorff responds: "The only escape from the dilemma is to give up the separation interpretation and adopt the impartiality interpretation: let the state fund equitably all schools that meet minimum education requirements."[41]

The problems I have with Wolterstorff's discussion of this matter, and I believe it is representative of his treatment of the problem of neutrality generally, is that there seems to be a shift from the question of neutrality in terms of the requirement that the state be neutral with respect to the religious and other comprehensive perspectives in society to a matter of the state's policies being neutral (impartial) to these various perspectives. Instead of providing us with an explanation of state neutrality, that is, the neutrality of the institutions and practices of democratic politics, Wolterstorff provides us with a substantive strategy for addressing a very specific problem (or, at best, a set of related problems) given the fact of religious pluralism. His call for impartiality as an alternative to separation does not serve as an explanation of the neutrality of the state itself in terms of its institutions and practices. Absent such an account of state neutrality, it remains to be explained how the adherents of an indeterminate plurality of religions can consistently affirm the legitimacy of democratic institutions and practices in spite of their different comprehensive convictions. More troubling still, I am not at all clear that one

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[40]Ibid.

[41]Wolterstorff, "The Role of Religion in Decision and Discussion of Political Issues," p. 116.

can give an account of neutrality relative to a set of possible policies that are defended in terms of a plurality of incompatible comprehensive convictions. Let me elaborate.

Given that disagreements on these matters often stem from the incompatibility of our comprehensive convictions, state neutrality toward religion, according to Wolterstorff, requires a policy of impartiality on the part of the state. While Wolterstorff addresses the problem of public funding for education, he implies that the idea of impartiality is applicable to a wider set of political matters where disagreement is the result of religious pluralism. Impartiality, after all, is being offered as an alternative to separation as the criterion for determining whether state policy fulfills the neutrality requirement of democratic politics. It is not at all clear, however, that Wolterstorff's use of impartiality can be generalized to other cases in which political disagreement is the result of incompatible comprehensive commitments. For example, how does impartiality provide us with criteria for resolving conflicts that cannot be reduced to a matter of equitable funding or equal access or the like, that is, by simply increasing the available options? Many of our disagreements are not such that the various sides can be appeased simply by allowing them the equal freedom and support to pursue their aims. Sometimes our disagreements are the result of contradictory assertions about what is good and right, and impartiality on the part of the state in these matters appears to some as an endorsement by the state of profound injustice. How does impartiality guide our decision making regarding matters of economic justice, the treatment of the natural environment, or the legality of abortion when various positions on these matters are held and defended in terms of comprehensive commitments?

It is unclear to me what an impartial response to the problem of abortion would look like or, for that matter, what an impartial solution to the problem of economic justice would require. It seems that every compromise on these matters is understood by someone to be a violation of their deepest moral convictions. The same problem holds

true for many, maybe even most, of the significant political issues of our time. No solution is acceptable to all; every solution risks contradicting the comprehensive beliefs and values affirmed by some members of society. What, then, do we gain by an affirmation of impartiality as a political principle?

At best, impartiality represents a substantive response on the part of the state for a given problem (or possibly a class of related problems). In the education example, the funding is impartial, but the decision to fund impartially is not; that would be impossible. Every substantive position is, by its very nature, partial, that is to say, exclusive of contrary alternatives. It seems to me, in other words, that talking about neutrality at the level of policy is somewhat misguided. Something like impartiality might make sense as a criterion of political policy in matters where equitable funding or equal access can resolve conflicting positions. It would be inaccurate, however, to describe such solutions as neutral relative to the religious pluralism of modern societies—as noted, the choice for impartiality in a given situation is itself partial and inevitably so. As Barry notes regarding a similar problem with Ronald Dworkin's account of neutrality, "Dworkin has never made any serious effort to show how public policy could be made in a way that is neutral between different conceptions of the good."[42] The same can be said, I believe, for Wolterstorff. It seems clear that any such effort is doomed to failure because substantive policy, by its very nature, is never neutral insofar as it represents one among a set of contrary alternatives.

Neutrality and Democratic Discourse

While I take the above criticism to be important, I believe that Wolterstorff can provide an initial response by clarifying the terms of the debate. At various points, Wolterstorff

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[42]Barry (n. 2 above), p. 143.

distinguishes between the outcome of political discourse and the process itself, implying that one could distinguish between them regarding what the neutrality requirement of democratic politics requires. In other words, it may be that neutrality, properly speaking, only applies to the discourse itself—that is, regarding its constitutive or formative principles—while the outcome of such a discourse is itself legitimate as the product of this procedure. We might then say that participants in such a discourse might affirm the principle of impartiality as a specification of what justice requires where the issue is school funding or something equivalent and from that go on to conclude that all schools that meet minimal educational requirements ought to be equally funded. But the identification of impartiality as an appropriate principle of justice and the conclusion to fund equally as a specification of that principle are not neutral or impartial choices. This outcome represents the choice of one possible solution to the problem and so excludes alternative claims about impartiality as the relevant principle of justice as well as what the principle implies in this case. With this in mind, however, we must still address the question of neutrality regarding democratic discourse itself.

Given the apparent failure of the liberal position, Wolterstorff is correct to call for a different understanding of the requirements of citizenship in a free and democratic society relative to the role of religious beliefs in political decision and debate. His own proposal is that we open up political debate to the various contending understandings of the common good, including the foundations for such understandings insofar as they rest on our comprehensive moral and religious perspectives. According to Wolterstorff,

> Debate about the common good gains its point from the fact that we human beings have different views about the common good. The goal of the debate, then, is to arrive at agreement concerning the truth of the matter of the common good—always, however, in the expectation that agreement will not be achieved and that a vote will eventually have to be taken. The goal of the debate, let me emphasize, is not just to bring one's fellow citizens around to one's own prior view on the common good. The

goal is to arrive, by means of debate and discussion, at agreement <u>on the truth of the matter</u> about the common good.[43]

My concern, however, is that the debate itself, as well as its normative implications, are nowhere elaborated in terms of their neutrality relative to an indeterminate plurality of religions. I agree with Wolterstorff that democracy is properly understood as a full and free debate that includes critical reflection on claims about the common good as well as our understandings of the comprehensive human purpose on which such claims rest. I also agree with him that the goal is to arrive at the truth of the matter rather than to bring others around to our prior view on the matter. However, rather than abandoning any attempt to provide a theoretical account that can explain how these priorities are grounded in the very idea of democracy and to show how they represent a legitimate response to the problem of religious pluralism, we need a theory of democratic discourse the normative character of which can be articulated in a manner consistent with the plurality of religions it seeks to legitimize, that is, that does not require the explicit affirmation of one comprehensive perspective as a condition for participating in the debate.

Having shown that liberalism's restrictions on the content of political discourse are illegitimate because they rest on problematic epistemological grounds, Wolterstorff has not provided a positive argument to the effect that any restriction on the content of political debate is contrary to the idea of democracy. Only by showing that understandings of democracy are invalid that limit in any way the range of answers to the comprehensive question can we then claim that the discourse itself legitimates an indeterminate plurality of religions. If the affirmation of the norms of such a discourse is not compatible with the articulation and defense of all possible answers to the

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[43]Wolterstorff, untitled paper (n. 6 above), p. 17.

comprehensive question, then some answers are excluded from the debate; they are illegitimate because adherents who hold such beliefs cannot consistently affirm those principles that are constitutive of citizenship in a democratic state. But then democracy cannot fulfill its own desideratum as a response to the problem of religious pluralism, that is, the legitimation of an indeterminate plurality of religions. In other words, I am arguing that democratic politics presupposes constitutive principles that are compatible with an indeterminate plurality of religions, and a theory of democracy must attempt to specify these principles in a manner consistent with this presupposition.

As I have indicated, Wolterstorff claims that restraints are needed on the manner of discussion and debate in the public square. The question remains, however, whether the legitimacy of these restraints rests on a particular answer to the comprehensive question. Wolterstorff claims that even at the point of articulating the ethical component of the role of citizen, we cannot leap out of our perspectives. This claim, however, implies that we can validate the ethical component of the role of democratic citizen only in terms of our particular comprehensive perspectives. If the constitutive principles of democratic discourse are codified in a manner that explicitly affirms some or other answer to the comprehensive question, then we have an establishment of religion; if they are not codified at all, then there is no publicly accessible point of reference for those essential norms of practice that make democratic politics possible. If we agree that the absence of such a resource is incompatible with an enduring and stable political order, then we are forced to conclude that, from Wolterstorff's point of view, the establishment of religion is inevitable.

I will argue in the following chapters that the only way to provide an account of the neutrality of democratic discourse relative to an indeterminate plurality of religions is to describe the normative presuppositions of argumentation as such and show how these provide the basis for a theory of democracy the norms of which can be consistently

affirmed by the adherents of an indeterminate plurality of religions. Absent such an account, any effort to constitute the political order in terms of a full and free debate merely assumes, or stipulates, that such an order adequately solves the problem of religious pluralism without explaining how the trick is done. I suspect that the absence of an account of the neutrality of democratic discourse within Wolterstorff's discussion is indicative of inherent limits of his account of belief entitlement, or warrant. While his proposal provides an important corrective to much of modern epistemology regarding the nature of prima facie warrant for belief, they are insufficient for describing argumentation as such, that is, the critical process by which contested beliefs, or claims, are intersubjectively validated through discourse. I believe that addressing the latter concern is essential for redeeming Wolterstorff's ultimate goal of defending a greater role for religious belief in political decision and debate. As a result, either a modification of, or an addition to, Wolterstorff's epistemology is required. Regardless of its utility in showing the significant errors of liberal theory, it does not explain the neutrality of democratic discourse relative to an indeterminate plurality of religions. Moreover, this is not its only weakness.

Democratic Discourse: Communicative versus Strategic Norms

I want to argue that democracy requires a normative foundation that can distinguish between discursive, or communicative, norms, on the one hand, and strategic norms, on the other. Otherwise, our political debate is reduced to a strategic interaction, regardless of how much it might resemble a civil discourse. Without a normative foundation that all can affirm and that makes communicative norms constitutive for the political process, we are left with a modus vivendi in which the veneer of political dialogue hides the reality of strategic power brokering among competing parties in the pursuit of prepolitical ends. Without our explicit acknowledgment of communicative norms at the constitutive level

of democratic government, we cannot say that our affirmation of democratic procedures commits us to the pursuit of a mutual understanding about the common good through our political discourse. On my reading, it is not clear that Wolterstorff's epistemological account can provide the basis of an account of constitutive principles of democracy that could justify the priority of communicative versus strategic norms as essential to the practice of democratic politics understood as a discourse aimed at a true understanding of the common good.

In the absence of such a distinction, Wolterstorff's identification of a dialogical imperative as a response to the problem of pluralism is insufficient. He cannot systematically distinguish between communicative and strategic imperatives when describing the constitutive norms of political discourse because to do so would implicate him in the kind of political theorizing he rejects, that is, the identification of political principles that all ought to affirm explicitly as participants in democratic politics. As a result, it is arguable that the only reasonable interpretation of his dialogical imperative is in strategic terms. We are limited to pursuing our purposes through dialogue (as he says, the alternative are all worse), but we are not committed, as citizens and participants in the political process, to the end he prescribes (i.e., achieving a valid, mutual understanding about the common good) or to the norms that such an aim presupposes (i.e., communicative). Without such an account, a normative theory of democracy dissolves into a description of a situation in which citizens with a diversity of comprehensive convictions strategically engage one another in accord with their own understanding of the rules and aims of the political process. It is my position that the only norms generally applicable under such circumstances would be strategic, even if some among the participants were sincerely engaged in the process of critically assessing claims about the common good.

It may be that citizens with a variety of different comprehensive commitments will decide to engage in civil debate with one another and seek thereby to resolve their differences through something like a popular vote. But their decision to do so will be based on reasons internal to their respective positions and not because they can recognize and consistently affirm the normative requirements of democratic discourse as such. Furthermore, their continued participation and respect for the normative rules of democratic politics, however understood, will likely last only so long as they do not perceive an alternative that better serves their prepolitical purposes. Wolterstorff's claim notwithstanding, the assessment that war or violence does not represent a viable alternative to discourse is a subjective evaluation, and it is my guess that there are plenty who would be willing to take such paths in pursuit of their beliefs under conditions favorable to their ultimate victory. Absent a shared recognition of the validity of the constitutive principles governing their political association, there is only ad hoc participation based on an ongoing, pragmatic assessment of the situation as conducive to one's ends. This may be descriptively accurate regarding much of what passes itself off as legitimate democratic politics; however, it is a poor basis on which to elaborate a normative theory of democracy.

Conclusion

Having provided a critique of the epistemology underlying traditional liberal restrictions on the role of religious beliefs in political decision and debate, Wolterstorff has argued for an understanding of democratic politics as an inclusive debate about the common good from which religious beliefs ought not to be excluded. Regarding the matter of the neutrality of democratic politics toward religion, Wolterstorff's primary concern seems to be with the impartiality of political decisions where religious beliefs conflict. He takes the separation understanding of the relationship between religion and politics to result in

a violation of religious freedom, both in terms of the political debate (i.e., the arbitrary exclusion of religious reasons) and in terms of the policy decisions of the state (e.g., school funding practices that penalize religious adherents). His discussion of state neutrality focuses on the latter problem, and he argues that impartiality rather than separation ought to provide the norm for evaluating public policy where matters of religious freedom are at issue. However, the more general question of the neutrality of democratic institutions and practices relative to an indeterminate plurality of religions is, I have argued, insufficiently addressed.

Within the context of a theory of democracy, the question of neutrality ought to be concerned with the political process and not with outcomes. Political decisions can be the result of legitimate practices that all can affirm as fair, but they cannot be neutral relative to contrary alternatives. This response to the problem of religious pluralism is justified in terms of the principle of disestablishment, which implies that the state itself is not constituted by explicit reference to a particular religion, or answer to the comprehensive question. The legitimacy of democracy rests on its ability to unite an indeterminate plurality of religions on terms that all can consistently affirm because, in doing so, they do not also affirm the truth, or validity, of any particular religion. While some have argued that this can be achieved only by excluding religion from political discourse, I want to suggest that religious freedom requires the inclusion of a comprehensive order of reflection as one element of the debate. That the constitutive principles of democracy can be consistently affirmed by the adherents of an indeterminate plurality of religions implies that these principles are neutral as to the validity of contested answers to the comprehensive question (i.e., do not prejudge their validity), not some or other answer to this question must be excluded. Quite the contrary, the neutrality of these principles allows such claims to be the object of a critical discourse through which we seek the truth of the matter about the common good. Like the rules of a

game, these principles do not decide the outcome but describe the conditions for determining a victor, that is, for establishing the validity of the claims in question.

There is a counterclaim that this conception of neutrality is vapid. In other words, no form of government can be neutral in the manner I have suggested. But then it seems to me that ideas of disestablishment and religious freedom are also vapid. These ideas require that the state recognize the legitimacy of an indeterminate plurality of religions, and the intelligibility of this requirement depends on our ability to explain the neutrality of democratic institutions and practices relative to an indeterminate plurality of religions. Any partiality on the part of the state implies an evaluation of religious beliefs in which some are legitimated and others excluded. Such partiality is either arbitrary or it is based on criteria that purport to describe legitimate answers to the comprehensive question. The former seems inherently unjust (i.e., the arbitrary exclusion of some religious beliefs seems inconsistent with the idea of religious freedom), and the latter is nothing more than de facto religious establishment (i.e., the specification of legitimate answers to the comprehensive question as an element of the constitutive principles to be explicitly affirmed by citizens makes citizenship dependent on the affirmation of the state's account of legitimate religious belief). Thus, the preservation of religious freedom and disestablishment depends on a coherent account of the neutrality of democratic politics relative to an indeterminate plurality of religions. An inability to provide such an account, or the denial that such an account is possible, implies the failure of democracy to resolve the problem of religious pluralism in a manner that can be given coherent theoretical expression.

I believe that Wolterstorff's position in this debate is ambiguous. On the one hand, he seems to affirm the idea that religious freedom is preserved through the process of a full and free debate about the common good. On the other hand, his epistemology is insufficient for providing a theoretical account of the constitutive norms of democratic

discourse that could be affirmed by all citizens regardless of their comprehensive convictions. It remains to be seen whether his epistemological commitments are compatible with or preclude an account of the neutrality of democratic discourse relative to an indeterminate plurality of religions. I have simply pointed out that Wolterstorff does not pursue such an account of neutrality, and, as a result, his contribution is incomplete as a theory of democracy that seeks to explain the coherence of the democratic response to religious pluralism. It is my suspicion that Wolterstorff's epistemological commitments prevent him from providing a sufficient account of the neutrality of democratic discourse. In the next two chapters, I will argue that Wolterstorff is unable to explain how the norms of democratic discourse are compatible with an indeterminate plurality of religions because he does not provide a "universal," or "formal," pragmatic account of argumentation as such, although such an account may be compatible with much of what he has to say about epistemology.

CHAPTER 4

A PRELIMINARY CONSIDERATION OF JÜRGEN HABERMAS'S THEORY OF COMMUNICATIVE ACTION

Introduction: Some Basic Ideas

In the preceding chapter, I considered Nicholas Wolterstorff's proposal for how to understand the relationship of religion and politics within a democratic system of government that is committed to religious freedom and disestablishment. I explored the roots of his proposal and their origins in a critique of the epistemological presuppositions of liberalism. Moving from a thorough and sophisticated evaluation of these epistemological presuppositions to a number of substantive claims of his own about the proper relationship of religion and politics, Wolterstorff offers a strong indictment of the traditional liberal restraints on the use of religious reasons in political decision and debate. In the end, however, I suggested some difficulties with the alternative to liberalism that Wolterstorff defends as a result of his critique. I explained my reservations by describing what I took to be the necessary elements of a successful theory of democracy that would be compatible with a legitimate and indeterminate plurality of religions in the body politic and argued that Wolterstorff's position fails to justify itself in these terms. In this chapter, I want to turn to the work of Jürgen Habermas. My aim is to pursue a critical and modest appropriation of Habermas's theory of communicative action in order to articulate an alternative to both the liberal tradition and to Wolterstorff's consocial theory of democracy, one that can successfully redeem the promise of the democratic response to religious pluralism.

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If Wolterstorff's critical arguments against the liberal tradition are successful—and I believe they are—then it is essential that political theory move beyond models of political discourse that presuppose a flawed epistemological perspective and the arbitrary exclusion or limitation of the use of religious reasons in political decision and debate. A critical appropriation of Habermas's theory of communicative action, I will argue, can provide the theoretical and conceptual tools for such an alternative understanding of democratic discourse, even if, in the end, some of Habermas's conclusions will have to be jettisoned.

Habermas's focus on the pragmatic character of speech acts serves as a point of departure for articulating a normative theory of democracy that, in principle, could be affirmed by all citizens regardless of their particular comprehensive convictions. This is possible because Habermas identifies the normative implications of communicative action, that is, action oriented toward understanding, that are presupposed by all language users. According to Maeve Cooke, "The theory of communicative action relies in particular—although by no means exclusively—on a reconstructive theory that seeks to identify the universal presuppositions of everyday communication."[1] Based on this theory, I will argue that it is possible to formulate norms of argumentation that can, in turn, provide an alternative account of the constitutive principles of democratic politics. I contend that normative principles of democratic politics so conceived can fulfill the demands of neutrality relative to a legitimate and indeterminate plurality of religions and thereby redeem the promise of democracy as a response to this pluralism.

The first section of this chapter will clarify the nature of Habermas's project, with an emphasis on the practical implications of his development of the ideas of

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[1] Maeve Cooke, Language and Reason: A Study of Habermas's Pragmatics (Cambridge, Mass.: MIT Press, 1994), p. 3.

communicative action and communicative rationality for modern society. While Habermas's own intent is to construct a critical social theory of modern society, his development of a "universal," or "formal," pragmatics of communication provides the basis for a nonfoundationalist theory of rationality that provides essential insights into the proper nature of democratic discourse. After describing Habermas's position as well as its implications for specifying a normative theory of democracy, I will proceed to a juxtaposition of Habermas's and Wolterstorff's positions. I will show that Wolterstorff's critique of the epistemological foundations of liberalism does not pose the same difficulties for Habermas as it does, say, for thinkers like John Locke, John Rawls, Brian Barry, and Robert Audi, among other defenders of various liberal alternatives.[2] In the final section of this chapter, I will argue that a critical and modest appropriation of Habermas's insights regarding the normative content of a formal pragmatics of communication creates the possibility of providing a theoretical account of democracy consistent with a legitimate and indeterminate plurality of religions. In pursuing this task, I will be drawing extensively from Cooke's interpretation of, and critical engagement with, Habermas's formal pragmatics.[3]

In the end, however, there are legitimate concerns regarding the compatibility of the postmetaphysical character of Habermas's project and an expanded role for religious beliefs understood as comprehensive validity claims in political discourse. I will attempt to address these concerns in chapters 6 and 7, where I will argue for the compatibility of metaphysics properly understood within a Habermasian-informed theory of democratic

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[2]See John Rawls, A Theory of Justice (Cambridge, Mass.: Harvard University Press, 1971), Political Liberalism (New York: Columbia University Press, 1993); Brian Barry, Justice as Impartiality (New York: Clarendon, 1995); and Robert Audi, "Liberal Democracy and the Place of Religion in Politics," in Robert Audi and Nicholas Wolterstorff, Religion in the Public Square: The Place of Religious Convictions in Political Debate (Lanham, Md.: Rowman & Littlefield, 1997).

[3]See Cooke, Language and Reason, esp. chaps. 2 and 5.

institutions and practices. The aim will be to suggest the possibility of a legitimate form of critical reflection capable of assessing our comprehensive validity claims and their implications for norms of political activity. In this way, I will seek to defend Wolterstorff's insistence on the inclusion of religious convictions in political discourse while clarifying the normative implications of communicative rationality for all participants in democratic debate in a manner consistent with a legitimate and indeterminate plurality of religions.

Critical Social Theory versus Formal Pragmatics

According to Thomas McCarthy, Habermas identifies "three interrelated concerns" to which his two-volume opus, The Theory of Communicative Action, is addressed:

> (1) to develop a concept of rationality that is no longer tied to and limited by, the subjectivistic and individualistic premises of modern philosophy and social theory; (2) to construct a two-level concept of society that integrates the lifeworld and system paradigms; and, finally, (3) to sketch out, against this background, a critical theory of modernity which analyzes and accounts for its pathologies in a way that suggests a redirection rather than an abandonment of the project of enlightenment.[4]

Steven K. White supports this account, noting that

> The Theory of Communicative Action is best known ... for the striking perspective it provides on how we should understand modernity. An underlying goal of the book is to elaborate how the communicative approach to reason and action helps us both to critique certain aspects of modernity and yet to clarify the value of other aspects in such a way as to give us some grounds for "self assurance."[5]

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[4]Thomas McCarthy, translator's introduction to Jürgen Habermas, The Theory of Communicative Action (Boston: Beacon, 1984), 1:viii.

[5]Steven K. White, "Reason, Modernity, and Democracy," in The Cambridge Companion to Habermas, ed. Steven K. White (New York: Cambridge University Press, 1995), p. 8.

At the heart of Habermas's critical social theory of modernity is an effort to explain the distinctive character of modernity through its historical unfolding via specific processes of rationalization and to critique the pathologies of modern life while simultaneously defending the potential for emancipation.

Habermas's effort to overcome the subjectivistic and individualistic character of modern philosophy and social theory manifests itself in his emphasis on the role of communicative action for social integration. The monological and solipsistic rationality of Descartes and Kant is dislodged from the heart of modern philosophy and is replaced by a model of rationality that is intersubjective.[6] Instead of the foundationalist project of grounding the conformity of the individual mind to its objects, rationality is recast in terms of the ability to make and defend intersubjective validity claims within appropriate forms of argumentation.

Rather than an overriding concern with the individual subject's immediate grasp of reality, Habermas turns our attention to the dialogical character of communicative action:

> Communicative action, in its simplest terms, is a form of interaction in which the success of the interaction depends on a hearer's responding "Yes" or "No" to the validity claim raised with a given utterance. With

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[6]As McCarthy notes, prior to Hegelian and Marxist challenges, modern philosophy was dominated by a kind of "methodological solipsism" that was emphatically ahistorical and abstract: "The Cartesian paradigm of the solitary thinker—sola ipse—as the proper, even unavoidable, framework for radical reflection on knowledge and morality dominated philosophical thought in the early modern period. The methodological solipsism it entailed marked the approach of Kant at the end of the eighteenth century no less than that of his empiricist and rationalist predecessors in the two preceding centuries. This monological approach preordained certain ways of posing the basic problems of thought and action: subject versus object, reason versus sense, reason versus desire, mind versus body, self versus other, and so on. In the course of the nineteenth century this Cartesian paradigm and the subjectivistic orientation associated with it were radically challenged. Early in the century Hegel demonstrated the intrinsically historical and social character of the structure of consciousness. Marx went even further, insisting that mind is not the ground of nature but nature that of mind; he stressed that human consciousness is essentially embodied and practical and argued that forms of consciousness are an encoded representation of forms of social reproduction" (p. ix–x).

every speech act, the speaker takes on an obligation to support the claim raised with reasons, if she is challenged by the hearer, while the hearer takes on a similar obligation to provide reasons for his "Yes" or "No." This means that communicative action is conceptually tied to processes of argumentation.[7]

By focusing on the exchange between speaker and hearer in the act of communication, it becomes possible to articulate an account of rationality that is located outside of the conceptual space of individual human consciousness and the traditional epistemological concerns that have driven much of modern philosophy. As Cooke notes, "The term 'communicative rationality' refers to the rational potential of action oriented toward understanding, the structural characteristics of which Habermas identifies by means of his formal pragmatic investigations into everyday language."[8] With the development of his idea of communicative rationality, Habermas turns emphatically toward the practical and intersubjective character of communicative action as points of departure for reflection on norms of communicative rationality. As a result of his effort to explicate the critical potential embedded in communicative action, Habermas contends that "rationality has less do with the possession of knowledge than with how speaking and acting subjects acquire and use knowledge."[9]

In some of his earliest explorations of the nature of communicative action and communicative rationality, Habermas described his project as an inquiry into universal pragmatics. Over time, however, he has dropped the adjective "universal" and now formulates his interests in terms of a formal pragmatics of speech acts:

Habermas's formal pragmatics fulfills two main functions. First, it serves as the theoretical underpinning for his theory of communicative action,

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[7]Cooke, Language and Reason, p. 29.

[8]Ibid.

[9]Jürgen Habermas, The Theory of Communicative Action, vol. 1, trans. Thomas McCarthy (Boston: Beacon, 1984), p. 8.

which is a crucial element in his theory of society. Second, it contributes to ongoing philosophical discussion of problems concerning truth, rationality, action, and meaning.[10]

For the most part, the following discussion will not concern itself with Habermas's critical social theory. Part of the reason for using Cooke as an interpreter of Habermas is that her focus is explicitly on "the philosophical conception of rationality that emerges from Habermas's analyses" even while she acknowledges that "the development of such a conception is not the primary intention of the theory of communicative action."[11]

A Two-Tiered Model of Societal Rationalization

The distinctive character of modernity, according to Habermas, is best explained by exploring the processes of societal rationalization that have been constitutive of modern societies. "At the heart of Habermas's theory of communicative action is a categorical distinction between two modes of societal rationalization, corresponding to two categorically distinct modes of societal integration."[12] This is Habermas's distinction between "lifeworld" and "system" as the two aspects of social integration that are subject to processes of rationalization:

> Habermas distinguishes between "system" and "lifeworld" as two aspects of societal integration that must be kept analytically distinct. In the lifeworld, coordination of action takes place primarily by way of communicative action and depends on the action orientations of individuals in society. System coordination, in contrast, operates by way of the functional interconnection of action consequences and bypasses the action orientations of individual agents. The basis for Habermas's distinction between social (lifeworld) and functional (system) integration (and thus between "system" and "lifeworld") is whether coordination of

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[10]Maeve Cooke, Introduction to Jürgen Habermas, On the Pragmatics of Communication, ed. Maeve Cooke (Cambridge, Mass.: MIT Press, 1998), p. 1.

[11]Cooke, Language and Reason (n. 1 above), pp. 4–5.

[12]Ibid., p. 5.

action depends on or bypasses the consciousness of the individual in her capacity as an agent.[13]

In the modern lifeworld, rationalization occurs within the spheres of

> cultural reproduction, social integration, and socialization and takes the general form of an increasing independence of procedures of justification from traditional normative contexts of validity and an increasing reliance on action oriented toward understanding.[14]

Rationalization within the system, however, "refers to increasing complexity and increasing capacity to take on steering functions (including functions of material reproduction) in society."[15]

Within Habermas's critical social theory, the relationship between these processes of rationalization has become increasingly problematic. Instead of proceeding in a balanced manner, system rationalization has come to dominate, or "colonize," the lifeworld:

> In modern societies the communicatively structured spheres of the lifeworld have become increasingly subject to the imperatives of functional (system) coordination. Rationalization of the system takes place increasingly at the cost of the lifeworld. This uneven or selective development of societal rationalization processes gives rise to deformations within the various domains of the lifeworld, and these deformations manifest themselves in social pathologies such as loss of meaning, anomie, and psychological disorders. Habermas's critical theory attempts to explain such social pathologies as the effects of the colonization of the lifeworld, which effects are claimed to result from the unbalanced (selective) progress of rationalization in modern societies.[16]

For the purposes of this chapter, however, I want to forego any further exegesis of Habermas's critical social theory and move instead to his understanding of

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[13]Ibid.

[14]Ibid., pp. 5–6.

[15]Ibid., p. 6.

[16]Ibid., p. 6.

communicative action and his identification of it as the primary mode of social integration in the lifeworld.

Action Coordination: Consensus versus Coercion

Habermas's critical social theory rests on an examination of the rationalization processes within modern societies. As noted, the critical aspect of this project emerges from an analysis of "the one-sided or selective (and therefore pathological) development" of these processes.[17] The normative thrust of Habermas's theory can be understood as an effort to suggest strategies for overcoming the selective character of rationalization in modern societies by revealing communicative action as "the primary mode of action coordination within the lifeworld."[18] In the present section, I want simply to clarify the essential character of communicative action as a mode of action coordination in the lifeworld. In the section entitled "Communicative Action and Lifeworld Reproduction," I will explore Habermas's arguments in support of the priority of communicative action in lifeworld reproduction and some possible criticisms.

According to Cooke:

Habermas identifies two mechanisms for coordinating social actions: consensus (Einverständnis) and influence (Einflußnahme). He argues, however, that these are mutually exclusive—at least from the perspective of the agent. A participant in everyday processes of communication cannot simultaneously intend to reach understanding (consensus) with another participant and to influence (have a causal effect on) that participant.[19]

In a simplistic sense, Habermas's theory of communicative action can be understood as developing from two fundamental observations: (1) communicative action has a

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[17]Ibid., p. 8.

[18]Ibid., p. 9.

[19]Ibid., p. 9.

pragmatic priority over strategic action as a form of social reproduction and integration in the lifeworld, and (2) there is a critical potential inherent in communicative action that can be expressed as a theory of communicative rationality. The first, if valid, explains how the normative presuppositions of communicative action are internally related, or constitutive, of modern societies in a way that the imperatives of strategic rationality are not. The second claim, if valid, identifies the form of rationality operative in social integration in the lifeworld such that it is distinct from the functionalist rationality of system integration and critical of the latter's encroachment within the sphere of application of the former.

Both the normative implications of communicative action as well as its being the primary mode of social integration in the lifeworld are important to Habermas's project. How, then, does Habermas describe communicative action? In the most basic sense, communicative action is a type of social action in which the participants adopt an "attitude oriented toward reaching understanding." "Reaching understanding (Verständigung)," according to Habermas, "is considered to be a process of achieving unity (Einigung) among speaking and acting subjects." Further, the unity in question is not affective—that is, it is not simply a diffuse feeling of unity among individuals but is directed toward specific propositional content: "A communicatively achieved agreement, or one that is mutually presupposed in communicative action, is propositionally differentiated." Moreover, "Owing to its linguistic structure, it cannot merely be induced through outside influence; it has to be accepted (or presupposed) as valid by the participants." Finally, "Processes of reaching understanding aim at an agreement that meets the conditions of rationally motivated assent (Zustimmung) to the content of an utterance." Under these conditions, "agreement rests on common convictions."[20]

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[20]Habermas, On the Pragmatics of Communication (n. 10 above), p. 119–20.

In the most basic example, communicative action aims at achieving an understanding between two participants regarding the propositional content of a speech act; that is, the goal of communicative action is to achieve consensus regarding the validity of a claim made by a speaker in conversation. According to Cooke:

> Communicative action is a form of social interaction in which the plans of action of various agents are coordinated through an exchange of communicative acts—that is, though a use of language (or corresponding extra-verbal expressions) oriented toward understanding (Verständigung). Habermas also refers to such a use of language as the use of language oriented toward consensus (Einverständnis).[21]

Modern forms of communicative action are characterized, in part, in terms of what Habermas calls a "decentered" understanding of the world, that is, an ability to adopt different attitudes toward what Cooke identifies as "validity dimensions":

> With the decentering of consciousness in the modern age, participants in communication have developed an ability to distinguish various validity dimensions—to recognize, for instance, that the validation of an empirical truth claim ("It is raining outside") requires different methods and procedures than the validation of a claim to subjective truthfulness ("I have a headache"), and that the validation of either of these is distinct from a claim to normative validity ("Abortion is morally wrong"). What Habermas seems to be saying is that the modern—decentered—understanding of the world has opened up different dimensions of validity; to the extent that each dimension of validity has its own standards of truth and falsity and its own modes of justification for determining these, one may say that what has been opened up are dimensions of rationality.[22]

A decentered understanding of the world, according to Habermas, makes possible a reflective attitude toward the three types of validity claims that correspond to the three validity dimensions:

> Only to the extent that the formal reference system of three worlds is differentiated can we form a reflective concept of "world" and open up

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[21]Cook, Language and Reason, p. 9.

[22]Ibid., p. 11.

access to the world through the medium of common interpretive efforts, in the sense of a cooperative negotiation of situation definitions.[23]

The result of such a reflective relation to the world is that the validity claims raised as a result of communicative exchanges can be reciprocally accepted or denied:

> In raising a validity claim, the speaker relativizes her utterance against the possibility that it will be contested by other agents. The possibility of rejecting, on the basis of reasons, the validity of a given claim is the defining characteristic of this mode of communication.[24]

Built into the nature of validity claims is the recognition of fallibility, the awareness "that other participants may have reasons for challenging the utterance's validity."[25]

Conventional and Postconventional Contexts of Communicative Action

It is obvious that every communicative exchange does not result in a challenge to the validity of the claims being made, and so every communicative exchange does not require a turn to argument in order to achieve consensus, or mutual understanding. In fact, in most instances, understanding is achieved based on the presupposition of the validity of the claims in question within a particular communicative context. The lifeworld in which a given communicative exchange occurs contains "the stock of implicit assumptions, intuitive knowledge, and socially established practices that functions as a background to all understanding."[26] However, the possibility of a legitimate challenge to the validity claims made in every speech act implies that all participants in communicative action take on certain responsibilities:

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[23]Habermas, The Theory of Communicative Action (n. 4 above), 1:69.

[24]Cooke, Language and Reason, pp. 11–12.

[25]Ibid., p. 12.

[26]Ibid., p. 14.

> With every speech act, by virtue of the validity claim it raises, the speaker enters into an interpersonal relationship of mutual obligation with the hearer: The speaker is obliged to support her claim with reasons, if challenged, and the hearer is obliged to accept a claim unless he has good reasons not to do so.[27]

More important for my own purposes is that this interpersonal relationship of mutual obligation between speaker and hearer regarding a willingness to provide reasons for claims made and for their rejection within the context of communicative action "points to an internal connection between such action and processes of argumentation."[28]

This internal connection between communicative action and processes of argumentation is implied by the aim of trying to achieve consensus understood as rationally motivated assent, that is, assent based on shared convictions rather than coercion. However, the way in which this internal relationship manifests itself within actual processes of argumentation is culturally and historically varied. These processes can be more or less rudimentary. "What counts as a good reason may be fixed and given by the traditions of a particular society, for instance, and the validity of these reasons may be regarded as beyond dispute." Recognition of this variation in how processes of argumentation operate in different cultural contexts "suggests that it is useful to distinguish between conventional and postconventional modes of communicative action."[29]

In both conventional and postconventional modes of communicative action, speakers and hearers enter into a relationship of mutual obligation; however, the scope of this obligation is significantly different within a postconventional context. The obligation under consideration is first and foremost a rational obligation—it demands of participants

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[27]Ibid., pp. 12–13.

[28]Ibid.

[29]Ibid.

that they be willing and able to provide reasons for their respective claims and rejections in the process of reaching understanding. What the actual participants in such exchanges will recognize as a good reason will vary according to the context in which a given communicative exchange occurs. Within the context of conventional modes of communicative action, the recourse to tradition and recognized authorities will often be sufficient for resolving disputes regarding validity claims. Postconventional modes of communicative action, however, "are connected with forms of argumentation that are open-ended and critical."[30]

It will be important to keep in mind that while there is an internal relationship between everyday communicative action and processes of argumentation, these processes vary substantially between conventional and postconventional contexts. In other words, fulfillment of the rational obligation on the part of either speaker or hearer to provide reasons in support of their claims or rejections does not imply in every case the ability or willingness to take part in forms of argumentation that are open-ended and critical. As I noted, the rational obligation that has been identified is indexed to the context in which a communicative exchange occurs. It is helpful here to recognize that communicative action in general is constitutive of human society, while "the concept of communicative action does not itself presuppose that processes of open and critical debate exist in a given society." In other words, "the concept of communicative action has only a critical potential," whereas "the idea of communicative rationality expresses that potential."[31] Furthermore, the full normative force of communicative rationality is manifest only in the context of postconventional modes of communicative action, that is, in modern societies

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[30]Ibid.

[31]Ibid., p. 14.

in which communication and lifeworld integration have become dependent on processes of argumentation that are open-ended and critical.

The Theory of Communicative Action

Communicative Action and the Lifeworld

As already noted, the lifeworld is the stock of implicit assumptions, intuitive knowledge, and socially established practices that functions as a background to all understanding. The very concept of communicative action, according to Cooke, "must be understood against the background of the lifeworld."[32] Habermas identifies two primary functions of the lifeworld that make communicative action possible: (1) "a context-forming function" and (2) a "resource" function.[33] In Habermas's words:

> Subjects acting communicatively always come to an understanding in the horizon of a lifeworld. Their lifeworld is formed from more or less diffuse, always unproblematic, background convictions. This lifeworld background serves as a source of situation definitions that are presupposed by participants as unproblematic. In their interpretive accomplishments the members of a communication community demarcate the one objective world and their intersubjectively shared social world from the subjective worlds of individuals and (other) collectives. The world-concepts and the corresponding validity claims provide the formal scaffolding with which those acting communicatively order problematic contexts of situations, that is, those requiring agreement, in their lifeworld, which is presupposed as unproblematic.

> The lifeworld also stores the interpretive work of previous generations. It is the conservative counterweight to the risk of disagreement that arises with every actual process of reaching understanding.[34]

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[32]Ibid.

[33]Ibid., pp. 14–15.

[34]Habermas, Theory of Communicative Action (n. 4 above), 1:70.

The contingent and context-dependent character of the lifeworld helps to explain the significance of conventional versus postconventional contexts of communicative action. There is, in other words, always a concrete horizon within which actual communicative exchanges occur:

> The idea of a horizon indicates that the lifeworld limits the action situation, and that it itself is not accessible to interpretation.... Participants in communicative action find themselves in situations, and the elements of situations can be thematized readily, but a situation is never more than a segment of the lifeworld that is delimited momentarily with respect to a topic or a problem.... The lifeworld as a whole can never be thematized.[35]

As a result, the rational obligations that obtain for those engaged in communicative action are fulfilled according to the realities and potentialities of the lifeworld in which these exchanges occur. It should be clear, however, that while what it means to successfully fulfill these obligations will vary according to the lifeworld context, there is a critical potential implicit in communicative action that transcends local forms of argumentation and consensus. In other words, the validity claimed by local participants transcends the context and contingent factors that often determine its actual acceptance or rejection.

According to Cooke, Habermas's account results in a dialectical relationship between the lifeworld and communicative action:

> Habermas claims that the lifeworld, as an enabling condition of communicative action, is itself reproduced by the integrative mechanisms of communicative action. In coming to an understanding with one another, participants stand in a cultural tradition which they simultaneously use and renew; furthermore, as members of social groups they reinforce existing bonds of solidarity while at the same time creating new bonds; finally, they internalize the value orientations of the social group while acquiring competencies that are essential to the development of their personal identities. The three domains of the lifeworld identified by Habermas are thus the domains of cultural reproduction, social integration, and socialization, which correspond to the three functional aspects of

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[35]Cooke, Language and Reason (n. 1 above), pp. 14–15.

communicative action: reaching consensus, coordinating action, and socialization (the formation of personal identities).[36]

This dialectical relationship between communicative action and the lifeworld is at the heart of Habermas's claim that communicative action has a pragmatic priority relative to strategic action in sustaining the lifeworld. This provides the basis for asserting the priority of communicative versus strategic rationality when seeking appropriate norms for evaluating the institutions, traditions, and practices of any lifeworld.

An increasingly reflective awareness of this dialectic between the lifeworld and communicative action promotes the processes of rationalization that are distinctively modern:

> The more the worldview that furnishes the cultural stock of knowledge is decentered, the less the need for understanding is covered in advance by an interpreted lifeworld immune from critique, and the more this need has to be met by the interpretive accomplishments of the participants themselves.[37]

In contrast, in those contexts in which conventional modes of argumentation are still dominant, there are significant limits on the content and character of debate:

> The more cultural traditions predecide which validity claims, when, where, for what, from whom, and to whom must be accepted, the less the participants themselves have the possibility of making explicit and examining the potential grounds on which their yes/no positions are based.[38]

It is in the context of modern lifeworlds that the critical potential of communicative action is brought to fruition through the evolution of postconventional modes of argumentation. In such societies, "communicative action is linked to an idea of argumentation that denies that any claim to validity is, in principle, exempt from critical

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[36]Ibid., p. 15.

[37]Habermas, Theory of Communicative Action, 1:70.

[38]Ibid., pp. 70–71.

examination."[39] The limits imposed within conventional contexts are lifted, and authoritative sources that were previously exempt from critical scrutiny are themselves subject to challenge should their validity be questioned. Furthermore, once movement toward a decentered view of the world has begun, there is a kind of "gravitational" pull in the direction of postconventional forms of argumentation:

> The gap between communicative action and the lifeworld widens to the extent that conventional modes of communicative action are increasingly replaced by postconventional modes—that is, to the extent that action oriented toward understanding increasingly relies on "Yes" or "No" responses to validity claims that cannot be traced back to a prevailing normative consensus but are the reflective result of critical and open processes of interpretation. This, in turn, leads to the pluralization of (overlapping) forms of life: Participants in highly reflective (in the sense of critical and open) modes of communicative action achieve understanding against the background of a plurality of overlapping lifeworlds.[40]

If Habermas is correct, then understanding the dialectical relationship between communicative action and the lifeworld is essential for the construction of a critical social theory of modernity. By keeping distinct the rationalization processes of lifeworld and system as well as the priority of communicative versus strategic action as a means of reproduction and integration within the lifeworld, Habermas purports to generate the critical tension required to challenge the distortions in modern society that are the result of the colonization of the lifeworld. Further, as I will discuss later in more detail, the theory of communicative rationality that is advanced within the context of his project has significant implications for elaborating an account of the neutrality of political discourse relative to an indeterminate plurality of religions.

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[39]Cooke, Language and Reason, p. 16.

[40]Ibid.

Communicative Action and Lifeworld Reproduction

The critical thrust of Habermas's theory grows out of his investigation of the role of communicative action in lifeworld reproduction. According to Cooke:

> We have seen that Habermas gives an account of communicative action as action oriented toward understanding and that this has three functional aspects—reaching understanding, coordinating action, and the socialization of individuals—which contribute to the reproduction of the lifeworld. This indicates that the reproductive processes of the lifeworld are based on—and may even be dependent on—communicative action. Habermas's critical theory of modern society, with its thesis of the colonization of the lifeworld by mechanisms of functional integration, requires him to show a dependency; his colonization thesis makes sense only to the extent that it can be shown that the integrative mechanisms of communicative action are essential to the reproductive processes of the lifeworld.[41]

The alternative, according to Habermas, is an account of lifeworld reproduction that depends essentially on strategic action as a means of action coordination and a normative social theory based on the imperatives of strategic rationality.

Habermas pursues a "language-theoretic strategy" as a means of defending the priority of communicative action in lifeworld reproduction.[42] In the social world, an individual can seek to coordinate actions either by attempting to reach an understanding with others or by trying to influence them by other means, that is, one can influence others communicatively or strategically. It is not the fact of strategic influence that is problematic for Habermas but the failure to recognize the priority of communicative action in lifeworld reproduction. There are contexts in which the coordination of social action by strategic means is perfectly acceptable. When this is the case, however, must be determined through a decision-making process governed by norms of communicative

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[41]Ibid., p. 19.

[42]Ibid.

action, thus ensuring the limited scope of strategic rationality as a force in lifeworld reproduction and integration.

It is Habermas's intent to show that strategic action as a form of social integration is parasitic on communicative action and so subordinate to the normative imperatives of communicative rationality. His aim, then, is to show that "communicative action is the primary mode of action coordination within the lifeworld." What is at stake here is no small matter. Cooke points out that this claim about the role of communicative action in social integration "has been seen as the most fundamental claim of the entire corpus that constitutes the work of the later Habermas."[43]

Habermas defends his identification of communicative action as the primary mode of action coordination in the lifeworld by turning to an analysis of J. L. Austin's distinction between "locutionary," "illocutionary," and "perlocutionary" acts as essential elements of general language use. According to Habermas:

> The use of language oriented toward reaching understanding is the original mode of language use upon which indirectly reaching understanding, giving to understand something or letting something be understood—in general, the instrumental use of language—is parasitic.[44]

On this model, locutionary acts are the means by which "the speaker expresses states of affairs; she says something."[45] An illocutionary act is one in which a speaker performs an action by saying something; that is, the illocutionary aspect of a sentence identifies its mode. We can identify statements, commands, avowals, and so forth as distinct from the propositional content that is expressed by these various kinds of speech acts:

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[43]Ibid.

[44]Jürgen Habermas, On the Pragmatics of Communication (n. 10 above), p. 122.

[45]Ibid.

> Under standard conditions, the mode is expressed by means of a performative verb in the first person present; the action meaning can be seen particularly in the fact that "hereby" can be added to the illocutionary component of the speech act: "I hereby promise you (command you, confess to you) that p."[46]

Finally, perlocutionary acts produce an effect on the hearer: "By carrying out a speech act [the speaker] brings about something in the world."[47]

Habermas focuses on Austin's distinction between illocutions and perlocutions as the key to understanding the orientation toward reaching understanding as the original mode of language use and explains the significance of this distinction in terms of their asymmetrical relationship to one another:

> Austin makes his conceptual incisions in such a way that the speech act (Mp), composed of an illocutionary and a propositional component, is presented as a self-sufficient act that the speaker always performs with a communicative intent, that is, with the aim that a hearer may understand and accept his utterance. The self-sufficiency of the speech act is to be understood in the sense that the communicative intent of the speaker and the illocutionary aim he is pursuing follow from the manifest meaning of what is said.[48]

With teleological actions, however,

> we identify their meaning only in connection with the intentions their author is pursuing and the ends he wants to realize. Just as the meaning of what is said is constitutive for illocutionary acts, the intention of the actor is constitutive for teleological actions.[49]

According to Habermas, "What Austin calls perlocutionary effects arise from the fact that illocutionary acts take on a role in a teleological context of action." Nontrivial perlocutionary effects (i.e., those that are intended by the actor) "ensue whenever a

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[46]Ibid.

[47]Ibid.

[48]Ibid.

[49]Ibid., pp. 122–23.

speaker acts with an orientation toward success and, in doing so, simultaneously connects speech acts with intentions and instrumentalizes them for purposes that are only contingently related to the meaning of what is said."[50] In other words, perlocutionary acts presuppose the success of illocutionary acts, while the latter can be understood without recourse to anything beyond what is said; as noted, the meaning of what is said is constitutive for illocutionary acts.

There is a further difference between illocutionary and perlocutionary acts in terms their function. Unlike a perlocutionary act,

> the illocutionary aim a speaker pursues with an utterance follows from the meaning—constitutive for speech acts—of what is said itself; speech acts are, in this sense, self-identifying.... Her communicative intent does not go beyond wanting the hearer to understand the manifest content of the speech act.[51]

When considering perlocutionary acts, however, "the perlocutionary aim of the speaker, like the ends pursued with goal-directed actions generally, does not follow from the manifest content of the speech act; this aim can be inferred only by way of the actor's intention."[52]

More important, according to Habermas, is the inversion that occurs in the strategic use of illocutionary acts:

> A speaker, if she wants to be successful, may not let her perlocutionary aims be known, whereas illocutionary aims can be achieved only through being expressed. Illocutions are expressed openly; perlocutions may not be "admitted" as such.... Perlocutionary acts constitute that subclass of teleological actions that can be carried out with the help of speech acts on condition that the agent does not declare or admit to her aims as such....

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[50]Ibid., p. 123.

[51]Ibid.

[52]Ibid., pp. 123–24.

Perlocutionary acts are an indication of the integration of speech acts into contexts of strategic interaction. They are part of the intended sequel of action or of the results of a teleological action that an actor undertakes with the intention of influencing a hearer in a certain way with the help of successful illocutionary acts. To be sure, speech acts can serve this nonillocutionary aim of influencing hearers only if they are suited to achieving illocutionary aims. If the hearer failed to understand what the speaker was saying, a teleologically acting, success-oriented speaker would not be able to bring the hearer, by means of communicative acts, to behave in the desired way. To this extent ... "the use of language with an orientation toward consequences" is not an original use of language but the subsumption of speech acts that serve illocutionary aims under conditions of action oriented toward success. [53]

Habermas insists that we should "conceive perlocutions as a special class of strategic interactions in which illocutions are employed as a means in teleological contexts of action." The success of perlocutionary acts, in other words, depends on the prior success of illocutionary acts. "A teleologically acting speaker has to achieve his illocutionary aim—that the hearer understand what is said and enter into the obligations connected with the acceptance of the offer contained in the speech act—without betraying his perlocutionary aim." [54] Further, the success of a perlocutionary act requires the subversion of the aim implicit in every illocutionary act—the aim of achieving understanding. The social coordination achieved through perlocutionary effects is understood in terms of means and ends in which dialogue partners are manipulated strategically for one's own purposes.

The fact that the success of a perlocutionary act depends on concealing the intention of the speaker leads to a pragmatic asymmetry between illocutionary and

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[53] Ibid., pp. 125–26. If this conclusion is not obvious on the face of it, Habermas offers this explanation: "This difference [between illocutionary and perlocutionary acts] can also be seen in the fact that the predicates with which perlocutionary acts are described (to give fright to, to cause unease, to plunge into doubt, to put someone in a bad mood, to mislead, to offend, to infuriate, to humiliate, and so forth) cannot appear among those predicates used to carry out the illocutionary acts with the help of which corresponding perlocutionary effects can be achieved" (p. 126).

[54] Ibid., p. 127.

perlocutionary acts that is distinct from the mere dependence of perlocutions on successful illocutions. The success of an illocutionary act depends on a speaker and a hearer consciously sharing an aim: that of coming to an understanding about something that is said. The coordination of action that arises from this situation is one that is based on agreement and mutual understanding. The success of a perlocutionary act, however, requires that "at least one of the participants is acting strategically, while he deceives other participants regarding the fact that he is not satisfying the presuppositions under which illocutionary aims normally can be achieved."[55]

From this analysis, Habermas draws an important conclusion regarding the significance of linguistic analysis for identifying the primary method of action coordination: "This type of interaction [strategic] is not suitable as the model for an analysis that is supposed to explain the linguistic mechanism of coordinating action with the help of the illocutionary binding and bonding effects of speech acts." By not beginning his analysis by focusing on how language operates within a context of strategic action, Habermas hopes to avoid "the asymmetries and provisos of perlocutions"; instead, he draws our attention to communicative action, that is, action "in which all participants harmonize their individual plans of action with one another and thus unreservedly pursue their illocutionary aims."[56]

Habermas's account of the priority of communicative action in processes of social integration and lifeworld reproduction in the modern world can now be linked with the earlier discussion of validity claims in the context of a decentered understanding of the world. Recall that a decentered understanding of the world opens up three validity dimensions about which various claims can be made. In coming to a reflective awareness

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[55]Ibid., pp. 127–28.

[56]Ibid., p. 128.

of the diversity of validity claims (i.e., claims about truth, truthfulness, and normative rightness), the process of reaching understanding through communicative action becomes increasingly complex: "Participants in communicative action adopt a 'performative attitude' whereby they take up one of three possible attitudes toward the elements of one of three formally conceived worlds." "The strategic agent," however, "confronts the world, rather than worlds, as though only one agent-world relation were possible":

> The three possible attitudes toward three corresponding worlds are reduced to just one attitude and one world—the objectivating attitude of the objective world. The agent relates to the social world of normatively regulated interactions and the subjective world of inner experience in an objectivating way as though they were the objective world of facts and states of affairs. Translating this into the language of validity dimensions, one might say that agents who act strategically recognize only one dimension of validity: that of propositional truth and efficacy. They deal with other persons and with their own inner nature as though these were states of affairs, or entities in the physical world, for which criteria of propositional truth and efficacy are appropriate. They recognize no other modes of validity and, hence, no other modes of rationality than the cognitive-instrumental mode.[57]

It is interesting to note the shift in Habermas's account from an epistemological concern with how subjects acquire knowledge to a discursive focus on how subjects in social contexts coordinate their actions through the pursuit of intersubjective validity:

> Participants in communicative action adopt a reflective relation to the world. This means that they do not relate directly to something in one of the three worlds; rather, they relativize their utterances against the possibility that their validity will be contested by others. Their relation to the world is mediated by the need for intersubjective recognition of the criticizable validity claims that they raise; to this extent, participants in communicative action can achieve their aims only cooperatively.[58]

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[57]Cooke, Language and Reason (n. 1 above), pp. 21.

[58]Ibid.

The aim is not to provide an account of how the mind links up with an external world. Such a project is not excluded, but there is a difference between such epistemological concerns and those associated with the making and contesting of validity claims in social contexts. This distinction will become more important when I return to Wolterstorff's epistemology. If I am correct in my evaluation of Wolterstorff's position, then he cannot provide an account of the neutrality of democratic discourse within the conceptual framework of an externalist epistemology that is primarily focused on the conditions of the possibility of knowledge of an objective world and not on how such knowledge is used and contested in processes of social integration. By utilizing the normative presuppositions of communicative rationality, however, I believe it is possible to provide such an account in a manner that preserves our prima facie entitlement for religious beliefs, among others. Before turning to a more thorough engagement with Wolterstorff on these matters, however, I want to proceed with my discussion of Habermas's appropriation of Austin's linguistic concepts.

Cooke poses the following problem for Habermas's argument in order to forestall a possible line of objection to his theory:

> Even if his thesis that the use of language oriented toward understanding is the primary mode of language use is successful, the most Habermas can show is its <u>conceptual</u> priority. He cannot use this to assert the <u>functional</u> primacy of communicative action over strategic action in the integrative and reproductive processes of the lifeworld. Since the primacy for which he argues in the case of communicative action is a <u>functional</u> one, he would have to show that the communicative use of language is not just <u>conceptually</u> prior to the strategic use but that is also has a <u>functional</u> primacy. The functional primacy of a certain mode of language use does not follow from its conceptual priority.[59]

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[59]Ibid., p. 25.

Cooke's point in raising this concern is not to suggest that Habermas's thesis lacks argumentative support; however, she does want to express her "reservations as to whether Habermas can use language-based arguments to show the primacy of communicative over strategic action as a mechanism of social integration."[60] In other words, she is uncertain that an analysis of language use is sufficient to justify Habermas's claims about the normative significance of communicative lifeworld maintenance. However, there are, she insists, alternative ways of defending Habermas's central thesis, including a line of argument that Habermas has already deployed elsewhere.

The alternative argument that Cooke thinks is more conducive for justifying Habermas's insistence on the priority of communicative action in social reproduction and integration in the modern lifeworld rests on the claim that "all modern socio-cultural forms of life depend for their reproduction on processes of communicative action":

> The symbolic structures of modern lifeworlds—cultural traditions, social integration in groups, and the development of personal identities—can be reproduced only through communicative action. The forms of argumentation connected with these processes of communicative action may be very rudimentary. In certain communities or societies, what counts as a good reason may be determined by tradition and exempt from critical scrutiny.... Nonetheless, although practices of argumentation may be underdeveloped in many communities or societies, members of every modern community or society participate in action that can be described as communicative, and this is the medium through which cultural traditions are reproduced and through which social integration (membership of groups) and individual socialization are effected.[61]

Instead of trying to ground the functional priority of communicative versus strategic uses of language through language-based arguments that cannot justify the leap from a conceptual priority to a functional priority, Habermas's strongest argument for this thesis

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[60]Ibid., pp. 25–26.

[61]Ibid., p. 26.

can be found, according to Cooke, in his historical and sociological analysis of the evolution and development of modern societies.

The force of Habermas's thesis regarding the priority of communicative action is not diminished by this turn from language-based arguments to an analysis of the particular nature of modern societies. While the priority of communicative action in the social reproduction and integration in such societies depends on an empirical analysis of their evolution, this does not diminish his claim that such action is constitutive of modern society. In other words, modern societies are constituted by the priority of communicative action as the primary mode of social reproduction and integration. Furthermore, this non-language-based argument for the priority of communicative over strategic action in no way undermines Habermas's formal pragmatic analysis of speech acts or the scope of the conclusions he wishes to draw from it. The critical potential of communicative action that is expressed in the idea of communicative rationality is still demonstrable through a formal pragmatic analysis of the presuppositions of everyday speech. As a result, there is still a universal thrust to this account of rationality that itself grows out of an analysis of such speech. It should be kept in mind, however, that this potential is more fully realized in modern societies where the imperatives of communicative rationality are increasingly instantiated in actual social practices and institutions.

Later, when I attempt to clarify how norms of democratic discourse can be identified as a result of Habermas's formal pragmatic analysis of speech acts and the role of communicative action in constituting modern lifeworlds, the importance of the difference between communicative and strategic action will become clearer. If we fail to distinguish between, on the one hand, communicative action as those linguistically mediated interactions in which all participants pursue illocutionary aims, and only illocutionary aims, with their speech acts, and, on the other, linguistically mediated strategic action as those interactions in which at least one of the participants wants to

produce perlocutionary effects on his opposite number with his speech acts, then it becomes impossible to provide a theoretical account of the neutrality of democratic discourse relative to a legitimate and indeterminate plurality of religions.

Communicative Action and Argumentation

The priority of communicative versus strategic action in terms of processes of social reproduction and integration is important for two reasons. First, insofar as a concept of rationality serves as a critical device within social theory, its contribution to establishing and defending various norms will vary depending on whether one is drawing from a functionalist model of reason or a communicative one. By establishing the priority of communicative action in processes of social reproduction and integration in the lifeworld of modern societies, the groundwork is laid for Habermas's critical evaluation of actual institutions and practices in such societies. This is the trajectory of his critical social theory. In this framework, the colonization of the lifeworld in terms of the imperatives of functional integration can be criticized as an imbalance in modern society. More important for my own purposes, however, is a second implication of the priority of communicative action in social reproduction and integration in modern societies. The secondary role of strategic action as a mode of lifeworld reproduction and integration implies a priority of the imperatives of communicative rationality in identifying and defending political norms in the modern lifeworld.

In the following section, I want to explore the imperatives of communicative rationality as they grow out of an analysis of communicative action. This analysis, in turn, will reveal the essential relationship between communicative action and processes of argumentation. I earlier quoted Cooke to the effect that communicative action is "a form of interaction in which the success of the interaction depends on a hearer's responding 'Yes' or 'No' to the validity claim raised with a given utterance." Cooke

moves from this claim to the recognition that "communicative action is conceptually tied to processes of argumentation."[62] This connection between communicative action and processes of argumentation is fundamental for understanding how the notion of communicative rationality captures the critical potential of communicative action.

In pursuing a more focused discussion of the relationship between communicative action and processes of argumentation, it will be helpful to recall the distinction made above between conventional and postconventional forms of communicative action. As noted above, in cases of the former, "what counts as a good reason may be determined in advance, and inflexibly, by the traditions and the normative consensus prevailing in a given society or community." In cases of the latter, however, "argumentative processes are critical and open-ended; in such processes of argumentation, no validity claim is exempt in principle from critical examination." While this difference is important and helps to contextualize the imperatives of communicative rationality, it is equally important to recognize that "all forms of argumentation, no matter how rudimentary, are based on a number of 'idealizing suppositions.'" In other words, "Even the most rudimentary forms of validity-oriented discussion point implicitly to ideal forms of argumentation."[63]

These idealizing suppositions come to light through Habermas's formal pragmatic analysis of communicative action. He pursues an "analysis of the universal presuppositions that must be fulfilled if participants in communication are to be able to come to an understanding with each other about something in the world" through their engagement in appropriate forms of argumentation, or critical discourse. Among these "pragmatic presuppositions of consensus formation," according to Habermas, are a

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[62]Ibid., p. 29.

[63]Ibid., pp. 29–30.

number of "strong idealizations," which include the following: (1) "the supposition that all participants in dialogue use the same linguistic expressions with identical meanings" and (2) "what the speaker, here and now in a given context, asserts as valid transcends, according to the sense of his claim, all context-dependent, merely local standards of validity."[64] Cooke identifies still other presuppositions, including "that no relevant argument is suppressed or excluded by the participants," "that no force except that of the better argument is exerted," and "that all the participants are motivated only by concern for the better argument."[65]

According to Habermas:

> These and similar idealizing yet unavoidable presuppositions for actual communicative practices possess a normative content that carries the tension between the intelligible and the empirical into the sphere of appearances itself. Counterfactual presuppositions become social facts. This critical thorn sticks in the flesh of any social reality that has to reproduce itself via action oriented toward reaching understanding.[66]

In other words, these unavoidable normative presuppositions of communicative action provide a significant critical vantage for evaluating modern societies and the discursive practices by which the modern lifeworld is integrated and reproduced. Habermas uses the term "discourse" to identify those "forms of argumentation that come sufficiently close to satisfying these strong idealizations."[67] His systematic elaboration of the normative

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[64] Jürgen Habermas, "Themes in Postmetaphysical Thinking," in Postmetaphysical Thinking: Philosophical Essays, trans. William Mark Hohengarten (Cambridge, Mass.: MIT Press, 1992), pp. 46–47.

[65] Cooke, Language and Reason, pp. 30–31.

[66] Habermas, "Themes in Postmetaphysical Thinking," p. 47.

[67] Cooke, Language and Reason (n. 1 above), p. 31. Cooke provides a number of useful distinctions within her discussion of conventional and postconventional modes of communicative action as well as within the context of conventional and postconventional modes of argumentation. While her more subtle analysis is invaluable for gaining purchase on the details of Habermas's position, I do not think my own project will be harmed by not pursuing these matters in depth. Suffice to say that Cooke identifies a diversity within postconventional forms of communicative action and argumentation regarding which pragmatic presuppositions are actually implied: "All forms of postconventional argumentation refer to the

presuppositions of such discourses, then, provides the basis of his "discourse ethics."[68]

As Cooke notes, the full critical impact of communicative rationality is, in a sense, limited to social contexts in which postconventional forms of argumentation are operative: "Communicative rationality is the mode of dealing with validity claims that is practiced by participants (primarily) in postconventional forms of communicative action." As a result:

> Habermas's notion of communicative rationality gains its critical thrust only in certain contexts—specifically, in the context of post-traditional lifeworlds. It is situated firmly within those theoretical, moral, legal, political, ethical, and aesthetic practices of modern lifeworlds in which all ultimate sources of validity external to human argumentation have been called into question.[69]

This contextualization of the normative imperatives of communicative rationality, as I noted earlier, does not in any way weaken their critical force. Recall that communicative action is conceptually tied to processes of argumentation and that Habermas has argued that all forms of argumentation rely on idealizing suppositions. These suppositions are the basis of the critical potential implicit in communicative action. That this potential is not fully realized in a given society through appropriate forms of argumentation does not undermine the scope of this critical potential, and as postconventional forms of argumentation develop, there is no escaping their normative

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idea that no validity claim is exempt in principle from critical evaluation in argumentation, only some of these refer to the idea that everyone would agree to the universal validity of the outcome and others again (or possibly even all) refer to what [Seyla] Benhabib calls 'universal moral respect' and 'egalitarian reciprocity'" (p. 34). This analysis is important for one aspect of Cooke's project, which seeks to clarify the limits of many of Habermas's claims as a result of his formal pragmatic analysis of speech acts.

[68]See Jürgen Habermas, Moral Consciousness and Communicative Action, trans. Christian Lenhardt and Shierry Weber Nicholsen (Cambridge, Mass.: MIT Press, 1993), and Justification and Application: Remarks on Discourse Ethics, trans. Ciaran P. Cronin (Cambridge, Mass.: MIT Press, 1993), among others.

[69]Cooke, Language and Reason, p. 34.

implications in practice. When I turn to my own constructive proposal, I will be presupposing that our own social context is dependent on postconventional forms of communicative action and so is subject to the normative demands of postconventional forms of argumentation. The manifestation of religious pluralism is itself a strong indicator that a society is modern in the relevant sense; furthermore, it is my contention that the problem of religious pluralism in such contexts cannot be resolved democratically without recourse to postconventional forms of argumentation. The democratic response to religious pluralism as a full and free debate, in other words, requires elaboration in terms of the norms of postconventional forms of argumentation. I am inclined to believe that democracy in the modern sense is intelligible only under these conditions.

This is not to say that Habermas's understanding of democratic politics can be uncritically affirmed, especially in light of Wolterstorff's insistence that restrictions on the use of religious reasons in political decision and debate constitute a violation of religious freedom. As the discussion in chapter 5 will hopefully reveal, however, Habermas can provide essential theoretical and conceptual support for the otherwise undefended assertion of a dialogical imperative on the part of Wolterstorff. In the end, I will argue that Habermas's postmetaphysical understanding of communicative rationality is incompatible with understanding religious beliefs as comprehensive validity claims subject to validation through appropriate forms of argumentation. I will address this matter in chapter 6.

CHAPTER 5

WOLTERSTORFF REVISITED: PURSUING WOLTERSTORFFIAN ENDS BY HABERMASIAN MEANS

Turning to Habermas in order to bolster Wolterstorff's aim of a more inclusive understanding of the role of religious beliefs in political discourse may seem an odd choice. It is well known that Habermas's moral theory "makes razor-sharp cuts between evaluative statements and strictly normative ones, between the good and the just."[1] The practical implication of such cuts is that claims about the good are not capable of rational assessment in the same way as moral claims (i.e., claims about justice, or what is right). As a result, claims about justice must be redeemed independent from any conception of the good, or comprehensive human purpose. It should be clear from the discussion of Wolterstorff, however, that religious believers often make precisely the opposite claim, that is, that valid principles of justice are dependent on a comprehensive purpose. A strict Habermasian model of public discourse, however, sets limits on what can be achieved regarding contested ethical claims, or claims about the good, which are understood as having meaning only within historically and culturally specific forms of life.

Habermas insists that claims about the good in postconventional contexts of communicative action must be understood as claims about the authenticity of various forms of life, and their authenticity can be debated only within the context, or horizon, of some or other lifeworld. As a result, there is no claim about the comprehensive good that

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[1]Jürgen Habermas, Moral Consciousness and Communicative Action, trans. Christian Lenhardt and Shierry Weber Nicholsen (Cambridge, Mass.: MIT Press, 1993), p. 104.

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is universally valid, and so no such claim can play a role in determining the constitutive principles of democratic politics, since these principles must be universal. As a result of this understanding of claims about the good, any appropriation of Habermas that seeks to recast democratic discourse in terms of a full and free debate up to and including religious, or comprehensive, claims must be critical and cautious.

In this chapter, I simply want to argue that Habermas's account of communicative action and communicative rationality provides a useful theoretical and conceptual framework for thinking about the nature of democratic politics beyond the limits of traditional liberal interpretations that Wolterstorff has deftly criticized. Where Wolterstorff implies that the failure of liberalism reveals the limits of claims to a normative foundation for democratic politics that is neutral relative to citizens' various comprehensive convictions, Habermas reaffirms the modern ideal of a political order grounded on our common practical reason, that is, the understanding we always already possess regarding the normative presuppositions of communicative action. For Habermas, the conceptual inadequacy of liberalism need not result in a theoretical vacuum where democracy is concerned. By reflecting on the nature of everyday speech and the way in which communicative action serves as the means of social integration and reproduction in the modern lifeworld, it is possible, according to Habermas, to formulate rational norms of political discourse that are neutral relative to an indeterminate plurality of religions.

If I understand Wolterstorff correctly, his position implies that there can be no common normative foundation on which to base our political associations. Any attempt to formulate such norms would require reference to some particular moral and religious tradition, and grounding the political order on the explicit affirmation of such an account would result in an establishment of religion. All we can claim in the face of religious pluralism is a dialogical imperative; however, absent some common understanding of

what such an imperative implies and an explanation of its compatibility with an indeterminate plurality of religions, we are left with a modus vivendi. Modern democracy, in other words, represents an ad hoc association that can endure only so long as the strategic actors involved can find no sufficient advantage in rejecting the limitations their participation places on their ability to realize their prepolitical ends. Wolterstorff's insistence on a dialogical imperative as a constraint on the violence and coercion that has often served as a means of constraining the pluralism of modern society is certainly noble; however, as long as the validity of this imperative requires reference to some or other comprehensive perspective, then it cannot provide an answer to the problem of religious pluralism at the constitutive level of democratic government. Wolterstorff and those with similar values and beliefs might accept the implications of such an imperative and modify their behavior accordingly. Others might reach very different conclusions when assessing our moral obligation to engage in a civil discourse in the face of religious pluralism. In other words, Wolterstorff's claim that "there is no viable alternative" implies a pragmatic assessment, the conclusion of which must be reached on an individual basis.[2]

Of course, having a sound theoretical defense of how the moral and rational norms of discourse are binding on all parties is not itself a solution to the political problems presented by moral and religious pluralism. There are, however, at least two primary benefits of the success of such a project. First, insofar as persons of good will desire to live together in accord with principles of association that all can recognize as fair, then the ability to provide a theoretical account of such principles is important to the integrity of the political order. Conversely, the denial that such a formulation can be

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[2]Nicholas Wolterstorff, John Locke and the Ethics of Belief (New York: Cambridge University Press, 1996), p. 246.

given is corrosive to our faith in the fairness of democratic politics. It is my contention that our mutual recognition of such principles as fair requires, given the fact of religious pluralism, an account of their neutrality relative to an indeterminate plurality of religions. In the absence of such an account or, more precisely, in the absence of the belief that such an account is possible in principle, we have no reason to believe that democratic discourse represents a fair method of resolving our political disputes. If we have no reason to believe that such debate is, in principle, fair to all and that the outcome of this rather than some other practice might better approximate true justice, then discourse, whether political or otherwise, is bound to unravel under the corrosive pressures of competing strategic interests.

Second, if such a project enjoys some measure of success, then it lays the groundwork for ongoing, critical, and systematic reflection on the shortcomings and inadequacies of our present democratic institutions and practices. It need not be the only source for such critical reflection, but it is an important one nonetheless. Wolterstorff recognizes the need to preserve the possibility of revisions within a democratic system, even to the level of constitutional modifications when such changes are deemed necessary. However, without presuming a common basis for our commitment to democratic institutions and practices to which we can refer, it becomes difficult to defend such changes in terms of the common good. An inability to justify either the status quo or fundamental change such that the legitimacy of an indeterminate plurality of religions is preserved undermines our confidence that our system of government is fair to all. According to a Habermasian vision, the measure of democratic politics must be the inclusiveness and fairness of the various discourses that together constitute a democratic society. Such an ideal does not require a shared commitment to a substantive conception of the good; however, its success as a measure of authentic democratic politics rests on its being compatible with a legitimate and indeterminate plurality of religions in the body

politic. With this issue in mind, we must turn to the matter of the neutrality of democratic discourse relative to the pluralism of modern societies.

The Neutrality of Democratic Discourse

My critique of Wolterstorff's consocial position focused, in part, on its lack of an account of the neutrality of democratic discourse relative to an indeterminate plurality of religions. As I discussed in chapter 3, the principle of neutrality can be rendered systematically ambiguous within a discussion of democracy. On the one hand, it can describe a substantive policy decision on the part of the state relative to some problem or set of problems. The case of school funding that Wolterstorff addresses is an example of how one might apply the principle of neutrality to substantive policy matters.[3] In such cases, the principle of neutrality is applied to the outcomes of political debate in order to determine whether they are neutral relative to the various comprehensive perspectives affected. The goal is to achieve a result that is neutral in effect relative to the competing parties, in this case, competing perspectives on appropriate funding for education. Whether such a neutral outcome is ever possible need not concern us for the moment (and I have suggested some conceptual problems with pursuing such an outcome). The other conception of neutrality has to do with the relationship of the institutions and practices of democratic government relative to the citizens, actual and potential, who together constitute the body politic. In this context, neutrality is concerned with the relationship between democracy and an indeterminate plurality of religions.

As indicated in chapter 3, Wolterstorff focuses on the first conception of neutrality and argues that its traditional liberal interpretation regarding matters of religion—separationism—needs to be replaced by a policy of impartiality. According to

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[3]See chap. 2 for a consideration of Wolterstorff's discussion of neutrality in this context.

Wolterstorff's interpretation, current understandings of what the separation of church and state requires are generally blind to the secularistic partiality of many current policy positions and the negative implications of this fact for a consistent realization of the ideal of religious freedom. As I have argued, however, this account is insufficient for addressing the other aspect of neutrality, that is, the matter of the neutrality of democratic institutions and practices relative to an indeterminate plurality of religions.

In turning to Habermas, my hope has been to lay the foundations for a theoretical account of the neutrality of democratic discourse that is conspicuously lacking in Wolterstorff's discussion. It is also my desire to present an account that is largely compatible with much of what Wolterstorff has to say on the topic of religion and politics in the context of a normative theory of democracy. It remains to be seen, however, what kind of synthesis can be achieved. In my favor is the fact that Wolterstorff draws on John Searle's theory of language. Searle, in turn, was much influenced by the work of J. L. Austin, the linguist to whom Habermas turned in order to outline his own formal pragmatics of speech acts (see chap. 4). While Wolterstorff's and Habermas's appropriations of these thinkers are toward different ends, I will argue that Wolterstorff's utilization of Searle's pragmatic analysis of speech acts in one context may offer support for extending Wolterstorff's account of democracy with Habermasian insights based on the similarities in the theories and methods of Austin and Searle.

Wolterstorff on the Moral Implications of Speech

In his book <u>Divine Discourse: Philosophical Reflections on the Claim that God Speaks,</u> Wolterstorff pursues the intelligibility of the claim, essential to the Jewish and Christian traditions, that God speaks.[4] Part of this discussion includes a consideration of the nature

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[4]Nicholas Wolterstorff, <u>Divine Discourse: Philosophical Reflections on the Claim that God Speaks</u> (New York: Cambridge University Press, 1995).

of speaking, including the rights and duties that accompany the act of speech. As a result of his analysis, Wolterstorff concludes:

> It follows that to understand the ways in which we human beings interact with each other, one cannot adopt as one's sole model that of exerting causal influence over someone. Speech presents us with another, profoundly different, phenomenon: that of acquiring rights and responsibilities and of doing so in accord with, or in violation of, obligations. Any attempt by sociologists, philosophers, psychologists, or whomever, to understand what transpires in human society will have to move beyond attempts at causal explanations to take account of these normative phenomena.[5]

The similarities between Wolterstorff's claim about the normative phenomena of speech and Habermas's position should be clear. An important difference, however, is that Habermas's theory of communicative action goes beyond an elaboration of the normative implications of speech acts to the claim that such action is essential for the reproduction and integration of the modern lifeworld.

Wolterstorff advances the idea that speech acts create normative contexts in which rights and duties accrue to speaker and hearer alike. These are moral obligations that come into being as a result of our communicative practices. "Speaking introduces the potential for a whole new range of moral culpabilities—and accomplishments."[6] As far as I can tell, Wolterstorff simply identifies causal and communicative models of influence in human interaction without prioritizing one or the other in a manner similar to Habermas. It may be Wolterstorff's position that exerting causal influence over another human being may also create a normative context in which rights and duties apply and that neither moral dynamic has conceptual or functional priority for characterizing the norms of lifeworld reproduction and integration. In either case, once our actions bring about such

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[5]Ibid., p. 93.

[6]Ibid., p. 94.

normative contexts, we acquire various inescapable moral duties and obligations about which we may be more or less explicitly aware.

It seems significant to me that Wolterstorff's arguments in favor of the normative implications of speech acts are not grounded, in any obvious way, on his more particular Christian or theistic commitments. He does not advance these ideas in terms of the convictions of his particular community but as following from a more general analysis the pragmatic implications of speech acts. As a result, there appears to be the basis for a normative framework that is binding on all language users independent of any other commitments they might have, comprehensive or otherwise. Whether atheist or Christian, Muslim or Jew, as language users who communicate with one another, we enter into binding normative relationships. This becomes important when we recall Wolterstorff's reticence to pursue an independent "ethic of the citizen in a liberal democracy":

> In some measure, at least, it is my own moral and religious perspective
> that leads me to articulate the ethic of the citizen in a liberal democracy as
> I do. Even at this point of articulating the ethical component of the role of
> citizen, we cannot leap out of our perspectives. And even if we could,
> there is nothing firm that we could leap on to: no adequate independent
> source. The ethic of the citizen is itself up for debate in constitutional
> democracies of a by and large liberal character.[7]

At this point, however, it seems that we need to introduce some important distinctions that may or may not be compatible with Wolterstorff's intent. It will be helpful to distinguish between the ideas of epistemic warrant and communicative validity. In the above citation, I think that Wolterstorff is describing a central aspect of his warrant for his understanding of the ethic of the democratic citizen ("my own moral and religious perspective") and identifying his claim as a fallible validity claim subject to critical

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[7]Nicholas Wolterstorff, "The Role of Religion in Decision and Discussion of Political Issues," in Religion in the Public Square: The Place of Religious Convictions in Political Debate, ed. Robert Audi and Nicholas Wolterstorff (Lanham, Md.: Rowman & Littlefield, 1997), p. 113.

evaluation ("the ethic of the citizen is itself up for debate in constitutional democracies of a by and large liberal character"). I take these two claims to be compatible with one another and, so far, unobjectionable. Warrant and validity are two different matters, though they have implications for one another. At issue, however, is what Wolterstorff seems to conclude from the fact that "we cannot leap out of our perspectives" when considering the ethic of the democratic citizen.

It is not altogether clear to me what kinds of arguments are precluded by this perspectivalism. A strong interpretation of Wolterstorff's claim would seem to exclude the kind of arguments that he offers in <u>Divine Discourse</u> in support of moral obligations accruing from our engagement in speech acts. If our perspectivalism limits our reflection on moral questions to the conceptual framework of our particular moral and religious traditions, then the argument for moral rights and duties as a result of an analysis of speech acts seems precarious. By Wolterstorff's own logic, these particular rights and duties would seem to require reference to particular moral and religious commitments in order to be convincing and recognizable as valid.

As I have indicated, however, Wolterstorff's discussion of these moral obligations proceeds from a pragmatic analysis of speech acts and assumes that the arguments, if valid, ought to be convincing to competent language users as such and not because of their particular moral and religious commitments. If this effort on Wolterstorff's part to justify the moral obligations of speech acts can proceed without reference to the particular moral and religious commitments of his intended audience, then why suppose that a similar argument could not be advanced in defense of an ethic of the democratic citizen, especially if advanced in a similar manner and based on a similar method? A great deal hinges on what Wolterstorff means when he says that there is no independent source from which to reason regarding the ethic of the democratic citizen.

It seems to me that we cannot stipulate an independent source at the beginning of the political debate in reference to which we all must justify our various claims about justice or the common good. Moreover, our being prima facie warranted in our particular beliefs is not a matter of our having justified them in terms of common standards of rationality. However, there must be a way to constitute the debate in a manner acceptable to all, such that, through this discourse, we seek to establish the validity of our competing claims. Our claims about justice and the common good originate within particular, concrete contexts and are marked by their origins; however, our objective as communication partners is to pull one another into a shared horizon based on a common understanding. In achieving such understanding, the goal is not to achieve a position independent of all particular perspectives but to arrive at a common ground of understanding, pursued, if necessary, through appropriate forms of argumentation.

It seems to me that this account is more or less consistent with the argument that Wolterstorff pursues in his discussion of the normative implications of speech acts. His motivation for pursuing this line of argument may proceed from his Christian and theistic commitments, which have a prima facie warrant for him; however, the arguments he offers in defense of his understanding of speech acts are meant to be considered and evaluated through a process of critical reflection that is accessible to those who do not share his comprehensive commitments. Critical reflection of this kind seeks to redeem validity claims through appropriate forms of argumentation, and the process itself does not presuppose the validity of any one position on the matter. Instead, the competing interpretations are presented and assessed based on the reasons that can be provided for them, and, under ideal circumstances, our affirmation or rejection of the conclusions is motivated by the strength of the better argument.

In pursuing a defense of the normative implications of speech acts, Wolterstorff both participates in a form of argumentation the validity of which does not presuppose a

shared comprehensive perspective and, through this process, seeks to defend the reality of moral norms that are binding on all language users as such, regardless of their explicit comprehensive commitments. There is, it seems, initial support here for claiming a certain compatibility between Wolterstorff's and Habermas's positions. It may be the case that Wolterstorff simply has not considered the implications of his own investigation into the normative presuppositions of speech acts and so has not realized their potential for constructing a normative theory of democracy. However, I suspect that the pursuit of these implications would force him to reevaluate his claim that religious beliefs are always innocent until proven guilty.

Habermas on Procedural Neutrality and Democratic Discourse

In this section, I want to explore Habermas's understanding of the procedural neutrality of democratic discourse in order to contrast it with Wolterstorff's. In the course of this discussion, it will become clear that Habermas's account presents some significant difficulties relative to expanding the role of religious beliefs in political debate. Exploring these problems, however, is not the primary goal of this section. Instead, I want to focus on the potential of Habermas's theory of communicative action as a point of departure in constructing a theory of democracy that is neutral relative to an indeterminate plurality of religions. I will pursue a critical engagement with Habermas regarding his insistence on the priority of the right to the good in chapter 6. It will be necessary to challenge his rejection of a valid metaphysical project within the context of postconventional processes of argumentation in order to justify the inclusion of religious beliefs understood as comprehensive validity claims in political debate.

In his most recent effort to contribute to a discourse theory of law and democracy, Habermas includes a section entitled "Excursus on the Neutrality of Procedures." In this section, he explores a variety of attempts to formulate the neutrality of "procedurally

regulated deliberation."[8] He considers efforts to provide theoretical accounts of such neutrality by Bruce Ackerman and Charles Larmore, including communitarian and liberal objections to Larmore's conclusions.[9] By considering his discussion of these matters, Habermas's position on the issue of the neutrality of procedures becomes clearer.

According the Habermas, Ackerman "elucidates democratic procedure by spelling out the conditions for a legitimation discourse in which a power holder must justify her more important decisions to opponents":

> This discourse obeys rules that should make an impartial and consistent judgment of practical questions possible. In particular—and this is the bone of contention—the power holder must remain neutral with respect to competing and mutually incompatible conceptions of the good life: "No reason is a good reason if it requires the power holder to assert: (a) that his conception of the good life is better than that asserted by any of his fellow citizens, or (b) that, regardless of his conception of the good, he is intrinsically superior to one or more of his fellow citizens." Neutrality means, to begin with, the priority of justice over the good, and hence the fact that questions of the good life recede behind questions of justice.[10]

While Habermas separates claims about justice from claims about the good and argues that only the former are capable of being universally validated through discourse, he does not want to exclude the latter from influencing the content of political discourse:

> If neutrality were ... to require that ethical questions [claims about the good] be bracketed out of political discourse in general, then such discourse would forfeit its power to rationally change prepolitical attitudes, need interpretations, and value orientations.[11]

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[8]Jürgen Habermas, "Excursus on the Neutrality of Procedures," in his Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy (Cambridge, Mass.: MIT Press, 1996), p. 308.

[9]See Bruce Ackerman, Social Justice and the Liberal State (New Haven, Conn.: Yale University Press, 1980), "What Is Neutral about Neutrality?" Ethics 93 (1983): 372–90, "Why Dialogue?" Journal of Philosophy 86 (1989): 5–22; and Charles Larmore, Patterns of Moral Complexity (New York: Cambridge University Press, 1987), "Political Liberalism," Political Theory 18 (1990): 339–60.

[10]Habermas, "Excursus on the Neutrality of Procedures," p. 308–9; the material in quotes is from Ackerman, Social Justice and the Liberal State, p. 11.

[11]Habermas, "Excursus on the Neutrality of Procedures," p. 309.

Such a bracketing could only be achieved by "rules of avoidance"; further, such rules themselves would "depend on received distinctions between private and public spheres, delimitations that for their part are excluded from discussion." Habermas concludes by insisting that "if we do not even present our different ethical views for discussion, then we cannot sound out the possibilities for reaching consensus through discourse."[12]

Habermas turns to Larmore, who offers a more "tolerant version of the neutrality thesis":

> In particular, the ideal of political neutrality does not deny that such discussion should encompass not only determining what are the probable consequences of alternative decisions and whether certain decisions can be neutrally justified, but also clarifying one's notions of the good life and trying to convince others of the superiority of various aspects of one's view of human flourishing. This ideal demands only that so long as some view about the good life remains disputed, no decision of the state can be justified on the basis of its supposed intrinsic superiority or inferiority.[13]

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[12]Ibid.

[13]Larmore, Patterns of Moral Complexity, p. 47, quoted in Habermas, "Excursus on the Neutrality of Procedures," p. 309. Beyond the concerns that Habermas identifies relative to Larmore's position, my own problem with his account is the idea that a decision of the state could ever be legitimated on the basis of the supposed superiority of some view about the good life. In order to avoid an establishment of religion, the state must articulate the legitimacy of its decisions not in terms of some or other claim about the good but in terms of these decisions being the outcome of procedures recognized as fair to all citizens. The idea of fairness, in this case, rests on a defense of the neutrality of these deliberative procedures relative to a legitimate and indeterminate plurality of religions. Any attempt on the part of the state to legitimate its decisions in terms of some view of the good—even if that view enjoys a consensus—results in an establishment of religion. In other words, the validity of the state's position depends on the affirmation of one among many possible understandings of the comprehensive human good. A dissenting view of the good would be illegitimate from the point of view of the state. Larmore attempts to avoid this problem by insisting on an actual consensus (the state cannot justify its decisions on the basis of disputed visions of the good life); however, this introduces a criterion into the debate that is lacking for other grounds of justification in political discourse, that is, the requirement that claims about the good, in order to inform decisions on the part of the state, must be undisputed. Generally, the procedurally regulated deliberation in modern democracies includes provisions for a termination of debate through a process of voting. The majority decision that results from this process serves to legitimate the majority decision provisionally, though this provisional legitimacy can be challenged and contested through further procedures that are themselves part of the deliberative process broadly conceived. In other words, the legitimation of state decisions does not rest on consensus; the use of consensus as a criterion in cases of claims about the good places them under a burden of proof that is practically insuperable. In either case, Larmore's proposal is problematic; it either creates the possibility of an establishment of religion, or it places unreasonable demands on claims about the good within the context of political discourse.

Habermas identifies criticism of Larmore's position in terms of both communitarian and liberal challenges to this "nonrestrictive reading of the neutrality thesis."[14]

First, there is what Habermas identifies as the communitarian concern, which contends that "standards for an impartial judgment of practical questions in general cannot be separated from the context of specific worldviews and life projects." This objection is closest to Wolterstorff's and so is particularly important for my discussion. "On this view," Habermas notes, "no presumptively neutral principle can ever be neutral in fact." Such an objection can be met, according to Habermas, only "if one can show that the neutrality principle is a necessary component of a practice that is without alternatives or substitutes, and in this sense <u>unavoidable.</u>"[15]

In cases of conflict regarding disputed claims, final resolution is possible in one of two ways: coercion or mutual understanding. If we wish to avoid the former, "then we <u>must</u> engage in a practice of reaching understanding, whose procedures and communicative presuppositions are not at our disposal."[16] Larmore attempts to preempt the communitarian challenge by grounding his "neutrality principle" on a "universal rule of argumentation" that is unavoidable for us so long as we seek an alternative to coercion as a means of resolving conflict, that is, insofar as we aim at understanding. According to Larmore, "The neutral justification of political neutrality is based upon ... a universal norm of rational dialogue."[17]

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[14]Habermas, "Excursus on the Neutrality of Procedures," p. 312.

[15]Ibid., p. 310.

[16]Ibid.

[17]Larmore, <u>Patterns of Moral Complexity,</u> p. 53, quote in Habermas, "Excursus on the Neutrality of Procedures," p. 310.

As Habermas points out, however, the communitarian objection can be radicalized at this point:

> Even if the neutrality principle could be traced back to a universal rule of argumentation, it is objected, the reconstruction of such rules must rely on the intuitive knowledge of individual participants in rational discourse, normally our own knowledge. The reason is that the conditions for the discursive vindication of a validity claim, which are always already implicitly known, can be reflexively grasped only from the participant perspective. But this method for the rational reconstruction of intuitive knowledge can have the consequence "that when individuals' conceptions of the good life conflict, they often will also have somewhat different notions of the ideal conditions under which they believe they could justify their conceptions to others."[18]

Larmore appears to acquiesce in the face of this more radical challenge, since he "suspects that even universal grammatical knowledge is to a certain extent interwoven with a particular linguistic ontology or with the individual's self-understanding and worldview."[19]

Habermas's response to this concession is instructive. Even if we grant that universal grammatical knowledge is interwoven in the manner suggested, he argues,

> the worse one should expect is that the _explication_ of our antecedently acquired practical knowledge will exhibit perspectival distortions. One need not expect that this knowledge _itself_, which is always already intuitively employed, will take as many diverse forms as there are perspectives. The ever fallible and possibly even false _reconstruction_ does not touch the always already _functioning_ knowledge. For this reason, we may assume that the know-how informing argumentative practices represents a point of convergence where participants, however diverse their backgrounds, can at least intuitively meet in their efforts to reach an understanding. In all languages and in every language community, such concepts as truth, rationality, justification, and consensus, even if interpreted differently and applied according to different criteria, play _the_

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[18]Habermas, "Excursus on the Neutrality of Procedures" (n. 8 above), p. 311; the material in quotes is from Larmore, Patterns of Moral Complexity, p. 58.

[19]Habermas, "Excursus on the Neutrality of Procedures," p. 311.

same grammatical role. At any rate, this is true for modern societies that, with positive law, secularized politics, and a principled morality, have made the shift to a postconventional level of justification and expect members to take a reflexive attitude toward their own respective cultural traditions.[20]

Habermas insists that the fallible character of any attempt to reconstruct the intuitive knowledge of language users relative to the universal norms of argumentation does not undermine the reality of this practical knowledge or its potential as a point of convergence in the face of divergent points of departure or worldviews. Further, the recognition of the fallibility of such reconstructions is itself essential for understanding the openness of constitutional democracies to critical scrutiny even at the level of their constitutive principles:

> Of course, as soon as practical knowledge is transformed into explicit knowledge about rules and presuppositions of rational discourse, and as soon as this explicit knowledge is in turn translated into institutionalized procedures of deliberation and decision making, differences of interpretation can come into play in the course of this explicative process. These also appear in the differences between historical constitutions that interpret and elaborate the system of rights in different ways.[21]

It should be clear from this, however, that modifications at the level of constitutional principles must proceed from critical debate concerning the explicit formulation of rules and presuppositions of argumentation as such. Only rules based on our always already functioning knowledge regarding norms of discourse can serve as the legitimate foundation for political institutions and practices that provide the context for a full and free debate in democratic societies.

In addition to these communitarian concerns, there are also liberal objections to the nonrestrictive neutrality thesis advocated by Larmore:

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[20]Ibid., pp. 311–12.

[21]Ibid., p. 312.

> The liberal objections are directed against the opening of political discourse to whatever questions and arguments any party wants to bring forward. They dispute the thesis ... that <u>any</u> topic that at least one participant considers publicly relevant must also be a valid item for public discussion.[22]

The liberal concern is that "<u>removing the topical or thematic limits on political discussion</u> will undermine the legal protection of the private sphere and endanger the personal integrity of the individual." The concern with this liberal defense of a strict public/private distinction—raised, according to Habermas, primarily by feminist authors—is that "the liberal version of the neutrality principle makes it possible to keep from the agenda precisely those concerns hitherto designated as 'private' according to rather conventional standards."[23]

In this dispute, Habermas defends a strong reading of the nonrestrictive neutrality thesis by distinguishing between "<u>procedural</u> constraints on public discourse" versus "a constraint or limitation on the <u>range of topics</u> open to public discourse."[24] The latter is desired by liberal theorists, both to protect the private sphere from political intervention as well as to limit public debate to claims about which all reasonable citizens could be expected to agree. Only the former (i.e., procedural constraints) can be defended by recourse to our shared intuitive understanding of the rules and presuppositions of rational discourse. Any restraint on the range of topics open to public discourse must itself be subject to critical scrutiny and must always be open to reassessment; in other words, any restraint can only be justified as the outcome of an <u>unrestrained</u> public discourse:

> A sphere for a privately autonomous pursuit of individual interests and life plans cannot be delimited <u>once and for all</u> from the public sphere oriented

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[22]Ibid.

[23]Ibid.

[24]Ibid., p. 313.

to "the common weal," any more than the "intimate sphere" can be delimited like a core inside the wider public sphere. This sort of boundary drawing ... must be a legitimate object of political debate. But the thematization of these "boundary questions" does not by itself imply any encroachment on existing powers and responsibilities. This becomes especially clear if one keeps in mind that deliberative politics proceeds along two tracks that are at different levels of opinion- and will-formation, the one constitutional, the other informal.[25]

According to Habermas, informal opinion- and will-formation occur within the "general public sphere." The general public sphere is "'unconstrained' in the sense that its channels of communication are not regulated by procedures." As a result, the public sphere "is better suited for the 'struggle over needs' and their interpretation." While ethical claims are not subject to the same kind of critical validation appropriate to truth claims or moral claims, they can still be considered within the context of the particular lifeworlds in which they find their home. These discussions regarding prepolitical attitudes, need interpretations, and value orientations provide the substance of critical normative discourse, including political debate:

Only after a public 'struggle for recognition' can the contested interest positions be taken up by the responsible political authorities, put on the parliamentary agenda, discussed, and, if need be, worked into legislative proposals and binding decisions.[26]

It should be clear, then, that Habermas, in a manner similar to Larmore, affirms a nonrestrictive neutrality thesis as the basis of the procedurally regulated deliberation and decision making that is at the heart of democratic institutions and practices in modern societies. Against Ackerman, Habermas insists that the neutrality required for such deliberation and decision making cannot arbitrarily bracket ethical questions from political discourse. While ethical claims are not subject to the same form of critical

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[25]Ibid., p. 314.

[26]Ibid.

validation as legitimate moral claims, these prepolitical attitudes, needs, and value orientations provide the substantive content that moral norms seek to regulate in a manner that is fair to all. As a result, they must be allowed to play a role in public debate even if they cannot be validated universally in the same was as claims to truth and claims about justice.

Habermas also goes beyond Larmore's version of this nonrestrictive neutrality thesis by pursuing a more rigorous defense of it against the radical communitarian claim that no presumptively neutral principle can ever be neutral in fact, including one that rests on a universal rule of argumentation. Instead of assuming that pluralism leads to an inescapable perspectivalism, Habermas insists that disagreement regarding the nature of our common, antecedently acquired practical knowledge concerning the norms of rational discourse requires only the recognition that our explications and reconstructions of such knowledge is fallible, vulnerable to perspectival distortions, and subject to ongoing scrutiny and revision. Since I believe that Wolterstorff's rejection of a common basis for our political association is rooted in a position similar to that of the radical communitarian critique of Larmore, it is my contention that Habermas provides a sufficient rebuttal, and it seems reasonable to pursue a theory of communicative rationality as a means for describing principles of democratic discourse that are neutral relative to an indeterminate plurality of religions.

Conclusion

In pursuing the discussion so far, I have attempted to show that Habermas's arguments provide a counterpoint to Wolterstorff's discussion of democratic politics. Moreover, I have indicated that there is reason to claim a point of convergence for their positions based on their common recognition that the pragmatic character of speech acts has normative implications for language users as such. Their development of these

implications are not identical, however, and Habermas pursues a much more ambitious project based on his analysis of communicative action as a source of lifeworld reproduction and integration. Still, Wolterstorff's recognition of the normative potential implicit in speech acts opens the door to a broader development of these ideas in the context of his discussion of democratic politics. One of my primary contentions in chapter 3 was that Wolterstorff's theory of democracy is incomplete without an account of the neutrality of democratic discourse relative to an indeterminate plurality of religions. His attempt to broaden the role of religious beliefs in democratic politics does not go far enough toward explaining how the adherents of an indeterminate plurality of religions are able consistently to affirm the legitimacy of democratic principles. In turning to Habermas, my goal has been to elaborate a conceptual framework for reconsidering these matters in a way that is largely compatible with Wolterstorff's primary goal—the legitimate inclusion of religious beliefs in democratic discourse.

In exploring Habermas's position, it should be clear that his account of democratic politics differs significantly from the various liberal proposals rejected by Wolterstorff. Habermas and Wolterstorff share a desire to broaden the scope of political debate beyond what they understand to be arbitrary limits on its content—Wolterstorff by expanding the role of religious beliefs and Habermas by challenging certain topical restrictions and conversational restraints that liberalism has imposed on political discourse. Both Habermas and Wolterstorff can agree on the claim that liberalism in its various manifestations has set unacceptable limitations on the content and character of democratic discourse. By turning to Habermas, my goal has been to provide an alternative theoretical framework in which to consider Wolterstorff's call for an expanded role of religious beliefs in democratic politics based on the norms of communicative rationality.

As should be clear from the discussion of Habermas's position, however, his understanding of the legitimate role of religious beliefs in political debate differs significantly from Wolterstorff's. Wolterstorff wants nothing less than the recognition of religious beliefs as legitimate reasons in deciding and debating political issues, including a role for these beliefs in resolving questions about basic justice. Framing the matter within contemporary debates in epistemology, Wolterstorff argues that religious beliefs are no less warranted for many people than are the vast majority of our beliefs about the world around us. As a result, their merit relative to political questions, like any other claim, cannot be predetermined but must await the judgment of citizens in the course of the debate itself. Habermas, however, draws a fundamental distinction between claims that are context transcendent in their implied claim to validity and those that are limited in their scope to particular horizons and perspectives. Since claims about the good, which are inclusive of claims about a comprehensive telos of human activity, cannot be universally validated through appropriate forms of argumentation, they cannot provide the basis for principles of justice in a pluralist society committed to postconventional forms of argumentation.

Thomas McCarthy's comments are particularly helpful in capturing Habermas's understanding of the nature of such comprehensive validity claims:

> To suppose that all of the questions of the good life dealt with under the rubric of classical ethics—questions of happiness and virtue, character and ethos, community and tradition—could be answered once and for all, and by philosophers, is no longer plausible. Matters of individual or group self-understanding and self-realization, rooted as they are in particular life histories and traditions, do not admit of general theory; and prudential deliberation on the good life, moving as it does within the horizons of particular lifeworlds and forms of life, does not yield universal prescriptions.[27]

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[27]Thomas McCarthy, Introduction to Habermas, Moral Consciousness and Communicative Action (n. 1 above), pp. vii–viii.

Wolterstorff, however, argues in favor of an unrestricted role for religious beliefs in political discourse. In response, I have argued that his critique of the epistemological presuppositions of liberalism is not sufficient as a theoretical account of such a role for religious beliefs since he does not provide an adequate account of the neutrality of democratic discourse relative to an indeterminate plurality of religions, that is, how an account of the inclusion of religious beliefs can be provided that does not violate the principles of disestablishment and religious freedom. Turning to Habermas, I have sought a theoretical framework that includes an account of democratic neutrality in terms of procedurally regulated deliberation. This model of democratic politics finds common ground within the pluralism of modern societies by focusing on the universal intuitive know-how informing the argumentative practices that are conceptually tied to communicative action. We appear to have reached an impasse.

Habermas insists that the decentered nature of the modern worldview precludes the validation of metaphysical claims, or claims about the comprehensive human purpose. As a result, religious beliefs, understood as comprehensive validity claims about the meaning of ultimate reality for us, are not subject to validation through postconventional modes of argumentation. While religious beliefs, as part of our individual value orientations and understandings of the good life, are part of the lifeworld in which political debate occurs, Habermas insists that the process of political deliberation cannot include a critical evaluation of the validity of our respective comprehensive commitments. As a result, our understandings of the comprehensive human purpose cannot be included in the debate about the legitimacy of substantial norms of political activity.

I have suggested that a modest and critical appropriation of Habermas's theory of communicative action might serve as the basis of a theoretical account of the neutrality of democratic discourse relative to a legitimate and indeterminate plurality of religions.

Such an account is necessary, I have claimed, for a normative theory of democratic politics that can be affirmed by the adherents of an indeterminate plurality of religions. Again, the aim of engaging Habermas has been to provide theoretical support for a broader role for religious beliefs in political debate and decision making in light of shortcomings in Wolterstorff's own account. However, any appropriation of Habermas's theory in support of the use of religious beliefs along the lines that Wolterstorff proposes will require an alternative to the limits Habermas places on postconventional forms of argumentation relative to the critical validation of comprehensive claims. This problem, then, will need to be resolved before the promise of a normative theory of democracy compatible with the legitimate inclusion of religious beliefs in political discourse can be redeemed.

But there is a further problem with trying to synthesize Wolterstorff's and Habermas's positions. The externalist character of Wolterstorff's epistemology, if extended into a theory of argumentation, appears to be incompatible with the normative presuppositions of argumentation that Habermas develops. Communicative rationality implies internalist criteria for evaluating beliefs as validity claims within a critical discourse. Within the context of argumentation, there are rational duties that must be respected if one is to meet one's obligations as prescribed by the nature of critical discourse. Recall, however, what Wolterstorff has said about our warrant in cases of belief, including our religious beliefs: one need not—in fact, one often does not—have reasons for one's beliefs. Our being warranted, or entitled, to our beliefs does not follow from their being held on the basis of reasons, at least not always or even most of the time.

In a particularly striking passage in his discussion of entitled belief in the existence of God, Wolterstorff goes so far as to say that some individuals may in fact have a duty to believe in God even when it is irrational to do so:

From the fact that it is not rational for some person to believe that God exists it does not follow that he ought to give up that belief. Rationality is only _prima facie_ justification; lack of rationality, only _prima facie_ impermissibility. Perhaps, in spite of its irrationality for him, the person ought to continue believing that God exists. Perhaps it is our duty to believe more firmly that God exists than any proposition which conflicts with this, and/or more firmly than we believe that a certain proposition _does_ conflict with it.[28]

It is not at all clear to me how this picture of warrant, or entitlement, is compatible with Wolterstorff's claim that the goal of political debate is to arrive, by means of argument, at agreement on the truth of the matter about the common good, especially once we allow for the inclusion of religious beliefs as part of the process. How would debate and discussion proceed among participants who are committed to their beliefs to the point of irrationality, that is, regardless of any evidence or argument to the contrary?

I can make the point another way by returning to Wolterstorff's general claim about warrant: beliefs are innocent until proven guilty. In his discussion of how Christian apologetics has changed in response to particularly modern concerns, Wolterstorff notes:

Until the modern age, Christian apologetics consisted mainly, not in giving or defending arguments _for_ Christianity, but rather in answering objections _to_ Christianity. It is when the challenge to Christianity is the evidentialist challenge, and when one attempts to cope with the challenge by meeting it or showing that it has already been met, that the offering of "evidence" becomes relevant to the apologist's traditional endeavor. When Tertullian, in his famous and eloquent _Apology_, undertook to answer the objection (among others) that Christians were responsible for the decline in the economy of the Roman Empire, he did not undertake to offer arguments for the truth of Christianity, let alone for the truth of theism.[29]

Wolterstorff's own epistemological project is concerned, in part, with validating this traditional form of Christian and theistic apologetics and repudiating the demand for

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[28]Wolterstorff, "Can Belief in God Be Rational if It Has No Foundations?" in _Faith and Rationality_, Alvin Plantinga and Nicholas Wolterstorff, eds. (Notre Dame, Ind.: University of Notre Dame Press, 1983), p. 177.

[29]Ibid., p. 137.

arguments for Christian or theistic belief when such beliefs are challenged. In other words, a belief is innocent until proven guilty—one may have a duty to respond to and refute claims of its guilt but one need not have positive arguments that might be convincing to others in order to be warranted in holding a certain belief.

As Franklin Gamwell notes, Wolterstorff argues that "a believer's proper address to contestation or doubt of her of his belief is to ask whether there are reasons that defeat the belief or require the believer to give it up." Gamwell continues:

> On this theory, ... the absence of such reasons is always warrant for continued belief. Minor qualifications aside, ... "a person is rationally justified in believing a certain proposition which he does believe unless he has adequate reason to cease from believing it. Our beliefs are rational unless we have reason for refraining; they are not nonrational unless we have reason for believing."[30]

But how can a critical discourse proceed if Wolterstorff's account is understood as a theory of argumentation as such? In other words, if our duty in the context of argumentation, including political discourse, does not include having and defending reasons for our beliefs, then how are we to assess one another's claims to validity in the pursuit of a common understanding? How does a discourse that seeks understanding in terms of a rationally motivated assent proceed in the absence of positive arguments for the validity of the claims being made?

My own understanding is that critical discourse proceeds through an evaluation of competing claims and that agreement is motivated simply by the force of the better argument. Moreover, as Wolterstorff himself admits, the aim is not to bring someone else around to our point of view (a strategic imperative) but to arrive at a mutual understanding of the truth of the matter (a communicative imperative); in other words, we

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[30]Franklin I. Gamwell, Democracy on Purpose: Justice and the Reality of God (Washington, D.C.: Georgetown University Press, 2000), p. 167, n. 5. The quoted material is from Wolterstorff, "Can Belief in God Be Rational if It Has No Foundations?" p. 163.

seek a mutual understanding regarding the validity of our claims as the result of our critical exchange of ideas and arguments. The possibility of achieving understanding depends on participants coming to acknowledge the validity of the claims offered based solely on the force of the better argument; such communicative exchanges, in other words, seek a shared horizon based on a common understanding grounded on our critical assessment of the relevant evidence and arguments. This is possible only when all participants present their reasons and arguments for their positions in an effort to validate their claims within the context of a rational discourse. Agreement cannot be achieved simply by fulfilling the externalist criteria for warrant, that is, through the defense of the innocence of one's beliefs relative to externalist norms of proper function. Warrant alone cannot constitute the basis for a mutual understanding of the truth of the matter as a result of a full and free debate.

My contention, then, is that the neutrality of democratic discourse cannot be specified in epistemological terms based on an externalist account of warrant. Something more is required. The epistemological presuppositions of liberalism have been found wanting, and the arbitrary exclusion of religious beliefs from political discourse based on them is no longer philosophically tenable. The liberal position has sought or presupposed epistemological principles sufficient to overcome the source of fundamental disagreement regarding matters of justice in our incompatible comprehensive perspectives. The goal has been to insure the possibility of consensus in terms of a source independent of our prepolitical, nonrational (from this perspective) value orientations. But the effort to describe such principles as well as related epistemic duties has proven unsuccessful. It now appears, however, that Wolterstorff's own epistemological commitments are equally incompatible with (or at least insufficient for) providing a theoretical account of democracy that fulfills its promise as a response to religious pluralism. Insofar as the neutrality of democratic discourse relative to an indeterminate

plurality of religions waits on a theory of argumentation as such, then we must look beyond Wolterstorff's externalist epistemological commitments. A theory of democracy waits on an account of argumentation as such that goes beyond the postmetaphysical commitments of Habermas, on the one hand, and the externalist epistemology of Wolterstorff, on the other.

In chapter 6, I intend to challenge Habermas regarding the relationship of modernity and metaphysics as an important step in the direction of an alternative account of democratic discourse that fulfills the requirements indicated above. The corrective that Reformed epistemology represents is contrary to the tendency in modern philosophy to understand rational belief or entitlement in terms of the fulfillment of various epistemic duties. In response to this account, Wolterstorff has argued that rationality in belief, at least in terms of prima facie entitlement, is independent of our being able to fulfill such duties as they have traditionally been understood. More important, within the context of argument, he appears to advance a model of disputation in the vein of traditional Christian apologetics. In other words, rational discourse consists not in giving or defending arguments for a position but rather in answering objections to a position. This account, however, simply will not serve as a theory of argumentation as such given the aim of achieving a mutual understanding through discourse. But this is the constitutive aim of democratic politics, a goal that Wolterstorff appears to affirm explicitly: to achieve a mutual understanding through a full and free debate about the common good. It remains, then, to provide a theory of argumentation that can redeem the promise of the democratic response to religious pluralism and that is sound from an epistemological point of view.

CHAPTER 6

DEMOCRATIC DISCOURSE AND THE PROBLEM
OF COMPREHENSIVE VALIDITY CLAIMS

The Postmetaphysical Presumption of Modernity

I began this dissertation by describing the contemporary debate in political theory relative to recent discussions in epistemology. I have been concerned with the construction of a normative theory of democracy especially as this relates to the proper role of religious beliefs in political discourse. I have contended that conversation on this topic has been dominated by more or less explicit epistemological concerns going all the way back to John Locke and the dawn of modernity. Furthermore, I have been arguing that the focus on epistemology has been somewhat misguided insofar as the effort has been aimed at describing epistemological principles capable of setting limits on the content and character of legitimate political discourse. As the discussion of Nicholas Wolterstorff has hopefully shown, epistemology simply does not provide a means of constraining the content of political debate in the manner that has been assumed by the liberal political tradition. Moreover, Wolterstorff has argued that contemporary work in epistemology actually justifies a much broader understanding of the content of political discourse than has been allowed by liberal theorists.

Whereas political theorists of a generally liberal character have sought to justify the exclusion of some or all religious beliefs from political decision and debate based on the perception of their epistemological inadequacies, Wolterstorff has offered significant counterarguments to their normative models of democratic discourse. There is simply no

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reason to construct one's political theory on the presumption that religious beliefs are epistemologically deficient and, therefore, subject to special sanction. Granting that epistemological evaluations are generally indexed to individual subjects, religious beliefs can enjoy the same prima facie entitlement, or warrant, that adheres to our less controversial beliefs. As a result, any attempt to preclude religious beliefs from political discourse on epistemological grounds appears to be an arbitrary restriction that threatens to undermine religious freedom, one of the primary ideals on which the legitimacy of democratic politics rests.

Given the apparent failure of the dominant political tradition of the West to formulate a normative account of democracy that is consistent with religious freedom, Wolterstorff has concluded that the pursuit of a normative political theory acceptable to all and on which we can be expected to base our common affirmation of democratic institutions and practices is unlikely to succeed and is ultimately unnecessary. Our extant practices simply do not require some further ground for their justification. On my reading of his position, the best we can do when providing a general justification for democracy is to defend the practical benefits of a nonviolent modus vivendi. Granted that we might, as individuals or groups, have our specific reasons for affirming democracy as the proper model of political association, there is no way to construct a general theory the normative implications of which can and ought to be explicitly affirmed by citizens as a condition of their participation. Our affirmation of the legitimacy of our democratic institutions and practices, according to my understanding of Wolterstorff's position, is not based on a mutual understanding of them as valid based on shared reasons; the pluralism of modern society essentially precludes this possibility.

Wolterstorff appears to view democracy as an ad hoc project loosely held together by our hard-earned recognition that there are no viable alternatives given the fact of enduring pluralism in modern society. If our extant democratic institutions and practices

are in some manner coercive relative to some points of view within society (those, in other words, that reject democracy in principle or that reject at least the normative model of democracy being imposed by the majority), the violence involved is still preferable to other forms of oppression. As a result of this understanding, Wolterstorff concludes that it is wrong to seek to limit the content of the public debate based on norms of political discourse that are not common to all participants, and it seems clear that there is no consensus against the inclusion of religious reasons in political discourse. Moreover, such norms that are generally accepted by those involved must be open to continued scrutiny within the context of the debate itself; they are not final even when they serve as a kind of weak, or de facto, foundation for our contemporary political discourse.

The problem with the liberal tradition is that is has effectively imposed its own more substantive standards on the broader political community not as the result of engaging in democratic discourse but by insisting on a secularistic understanding of the political order and justifying this account as being fair to all concerned because neutral relative to competing conceptions of the good, actual and potential, within the political body. Thus, liberal theories of democracy brand as illegitimate those positions that do not affirm the priority of the right to the good in political discourse and seek to preempt certain claims and arguments as inappropriate contributions to our public debate regarding matters of basic justice. This is problematic precisely because such theories also purport to be consistent with the principle of religious freedom, the exercise of which often manifests itself in a claim of the necessary priority of the good in evaluating claims about justice. In other words, the modern liberal understanding of the political order has evolved into a form of constitutional secularism, and I have argued in support of Wolterstorff's critique of this tradition.

If I am correct in my reading of Wolterstorff, then any normative theory that comes to be identified with, say, the U.S. Constitution, becomes, de facto, an

establishment of religion, regardless of whether the language and symbolism in which it is articulated are secularistic, expressly theistic, or otherwise comprehensive in character. But then, Wolterstorff's perspective seems to imply that we are always dealing with religious establishment in that we are forced to affirm some or other set of constitutional principles as constitutive of our political community. If constitutional neutrality is impossible (and this seems to be a necessary implication of Wolterstorff's position), then the whole democratic project is in jeopardy—if not, for the time being, in practice, then at least at its theoretical foundations—in terms of its response to the problem of religious pluralism. It is my position that we should not be so cavalier regarding this potential inconsistency or the threat of incoherence regarding our more or less explicit understanding of the norms that guide our political association as democratic citizens.

Insofar as we affirm the impossibility of providing a coherent theoretical account of the neutrality of democratic norms relative to an indeterminate plurality of religions in the body politic, we forego the attempt to validate the legitimacy of the democratic response to religious pluralism. Absent a common understanding of the fairness of democratic politics in spite of our incompatible comprehensive convictions, we are reduced to a Hobbesian state—not a state of nature but a political state in which order is preserved by a combination of fear and the tenuous recognition that our self-interest, at least for the present moment, requires docility rather than rebellion given the present balance of power. The aim of our common association in such a context is, I would argue, not justice but power.

Against this conclusion regarding the limits of political theory, I have insisted that a normative theory of democratic discourse that is compatible with religious freedom and disestablishment can be given consistent formulation. In order to defend this claim, I have turned to the work of Jürgen Habermas in an effort to describe an alternative point of departure for reflection on these matters. Habermas's work on a formal pragmatics of

speech acts points to a procedural understanding of democratic politics the norms of which rest on our common and always already functioning knowledge of the normative presuppositions of communicative action. In his own work on the problem of legitimizing democratic politics, he has explicitly confronted the problem of the neutrality of democratic norms given the fact of philosophical and moral pluralism in modern societies. By focusing on the pragmatically inescapable conditions of the possibility of modern society—including the formal pragmatic conditions of our subjectivity as modern individuals—Habermas has sought to give expression to those norms of communication that we all already presuppose and affirm as communicative agents. According to Habermas, such norms can still lay claim to the Enlightenment ideal of a common practical reason the character of which can unite modern communities and sustain political institutions and practices that all can recognize as fair regardless of a lack of consensus regarding our comprehensive understandings of the good.

Wolterstorff has challenged the liberal consensus in favor of the exclusion—or significant restriction—of religious beliefs from political debate in order to defend a more inclusive vision of democratic discourse. The legitimacy enjoyed by democratic politics rests on its ability to incorporate the ever-increasing number of voices in modern society, not on its ability to stifle this range of perspectives in the pursuit of conformity with some secularistic ideal. Habermas, too, has argued for a more inclusive understanding of the legitimate content of democratic discourse, challenging both communitarian and liberal attempts to limit artificially the scope of public debate. As I have suggested, however, I believe that there are significant difficulties with both of their positions.

Given his own theistic convictions, I would argue that the possibility of vindicating Wolterstorff's understanding of the common good through a full and free debate depends on his being able to validate his theistic beliefs in the context of a critical discourse. As a result, the pursuit of a shared understanding of the truth of the matter

concerning the common good within the context of a full and free public debate must include the possibility of validating some understanding of the comprehensive human purpose. I have argued, however, that the implications of this account of democratic discourse are incompatible with Wolterstorff's epistemological convictions insofar as those are understood to provide a sufficient specification of the norms of critical discourse, or argumentation as such. The inability to provide positive reasons in support of one's convictions, theistic or otherwise, undermines the likelihood of their being affirmed as valid through a critical discourse in which the claims in question are contested; in effect, without supporting reasons, their validity remains unproven and unprovable through a procedure aimed at critically assessing evidence and arguments for and against them. Something more is needed in order to explain the possibility of a discourse aimed at validating an understanding of the common good in terms of the comprehensive human purpose.

Moreover, I have suggested another significant failure on the part of Wolterstorff due to his apparent inability to provide a means of distinguishing between communicative and strategic imperatives in framing norms of democratic discourse. More precisely, Wolterstorff does not seem to recognize the need for describing the theoretical basis of such a systematic distinction in his discussion of a dialogical imperative that prescribes our participation in democratic practices. Without a systematic distinction between the use of dialogue for communicative versus strategic ends, it becomes reasonable to ask how democratic politics distinguishes itself from other power-based (i.e., Hobbesian) political theories. That democracy represents an alternative to power-based forms of political association is one of its fundamental claims to moral legitimacy; that is to say, this is the basis of its claim to organize a stable and enduring social order based on something other than coercion.

Wolterstorff insists that what we seek in democratic politics is a mutual understanding of the common good; however, either this goal is constitutive of the process such that the pursuit of other ends, insofar as they conflict with the pursuit of a mutual understanding of the common good, are illegitimate, or it merely identifies one among many such ends that can be legitimately pursued, so that a strategic manipulation of political discourse is not understood to be fundamentally incompatible with democracy. Theories of the first sort, that is, those for which the pursuit of a common understanding is constitutive of the political process, are able to claim a unique status for democratic politics relative to strategic, power-based models for establishing and sustaining the political order. Theories of democracy of the latter variety, which fail to distinguish systematically between communicative and strategic imperatives in democratic discourse, undermine our confidence in the fairness of the political process; in the end, such theories are reduced to describing democratic politics merely as a more benevolent imposition of political power through the strategic manipulation of the public debate. Certainly strategic manipulation occurs in every democratically organized community, and, under certain circumstances, such manipulation might even be accepted as an appropriate element of legitimate democratic politics; however, this fact simply underscores the need to articulate democratic norms that challenge rather than affirm and institutionalize the abuse of strategic action in the political process.

The pursuit of a mutual understanding of the common good and the validation of substantive principles of political activity distinguish themselves from power-based politics by identifying a power-independent source of validity: the discursively formed common will of citizens. As Wolterstorff insists, "The goal of the debate ... is not just to bring one's fellow citizens around to one's own prior view on the common good. The goal is to arrive, by means of debate and discussion, at agreement on the truth of the

<u>matter</u> about the common good."[1] Success is measured in terms of how close we are able to come to such agreement.[2] In the strategic use of dialogue, however, success is evaluated not in terms of having reached a common understanding of the truth of the matter but rather in having strategically realized one's prepolitical objectives through the effective manipulation of the political process. To claim that there is no significant difference here is to assume naively that the use of speech is never coercive or at least to assume that such coercion is not incompatible with the norms of communicative action and democratic politics properly understood.

Habermas on Practical Discourse

Turning to Habermas, I have argued that his formal pragmatic analysis of speech acts provides important clues in the service of a normative theory of democracy that fulfills the neutrality test and systematically distinguishes between the communicative and strategic uses of communication. The procedure of practical discourse—the norms of which are being appropriated in order to describe the constitutive principles of democratic politics—is used to resolve "real conflicts in a concrete situation in which the actors consider it incumbent upon them to reach a consensual means of regulating some

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[1] Nicholas Wolterstorff, untitled paper presented at a meeting of the Society of Christian Philosophers, Lincoln, Nebr., April 16, 1998, p. 17 (original emphasis).

[2] This explains, in part, the moral significance of the idea of consensus in many theories of democracy and helps to explain why it has come to play such an important role in debates about the appropriate content of political debate. The legitimate ideal of pursuing a discursively formed consensus has been inappropriately used to exclude from the debate those controversial beliefs and claims that seem, for various reasons, unlikely to become the object of consensus. This, too, is an example of the deployment of epistemological criteria to exclude comprehensive beliefs from political debate. In this case, insofar as comprehensive philosophical, moral, and religious beliefs are not likely to be the object of a discursively formed consensus, then they should, as far as possible, be excluded from our pursuit of consensus through the political process. But though we seek consensus as a legitimate ideal of democratic discourse, there is no reason to think that our warrant for comprehensive beliefs is limited because of a lack of consensus regarding these beliefs. If we can be warranted in holding such beliefs, then it is not clear why we should affirm the idea that democratic politics is served by their exclusion from the debate.

controversial social matter."[3] The procedure itself is formal, according to Habermas, because "it provides no substantive guidelines.... Practical discourse is not a procedure for generating justified norms but a procedure for testing the validity of norms that are being proposed."[4] As part of this procedure, however, "this content is subjected to a process in which particular values are ultimately discarded as being not susceptible to consensus."[5] This discarding of particular values is essential to Habermas's understanding of the possibility of attaining a rationally motivated consensus as the outcome of practical discourse:

> If we define practical issues as issues of the good life, which invariably deal with the totality of a particular form of life or the totality of an individual life history, then ethical formalism is incisive in the literal sense: the universalization principle acts like a knife that makes razor-sharp cuts between the good and the just. While cultural values may imply a claim to intersubjective acceptance, they are so inextricably intertwined with the totality of a particular form of life that they cannot be said to claim normative validity in the strict sense. By their very nature, cultural values are at best <u>candidates</u> for embodiment in norms that are designed to express a general interest.[6]

Principled practical discourse requires participants to recognize the context-dependent character of their various understandings of the good; such understandings are not subject to universal validation but instead represent sources of conflicting value claims that require fair adjudication based on the identification of regulating norms that the participants can affirm as equally in the interest of all. According to this position, democratic citizens pursue fair compromises regarding their conflicting understandings

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[3]Jürgen Habermas, <u>Moral Consciousness and Communicative Action</u>, trans. Christian Lenhardt and Shierry Weber Nicholsen (Cambridge, Mass.: MIT Press, 1993), p. 103.

[4]Ibid.

[5]Ibid.

[6]Ibid., p. 104.

of the good life in conformity with the norms of argumentation that they always already presuppose as a result of being constituted as communicative agents. This understanding of moral/political discourse, however, essentially retains the liberal presumption against the use of religious beliefs—now understood as claims about the good life grounded in particular communities—in political decision and debate. At the very least, it begins with a presumption against such beliefs as potential objects of a rationally motivated consensus.

We do not, from this perspective, seek to redeem our particular versions of the common good through a full and free debate in which our own understandings may be transformed in the crucible of critical discourse. Instead, we seek a fair compromise regarding the identification of norms that are designed to express a general interest. The priority of the right to the good that informs liberal theory plays no less of a role in Habermas's account of democratic politics; in the end, his position is no less secularistic in its presumptions and presents similar problems relative to the matter of religious pluralism in modern society. Thus, any attempt to provide theoretical support for Wolterstorff's call for a broader role for religious beliefs in democratic politics via an appropriation of Habermas's model quickly runs aground.

Does "Postconventional" Imply "Postmetaphysical"? A Critique

Insofar as the democratic response to religious pluralism is understood to require the secularization of political discourse, it is incompatible with religious freedom as I have described this political ideal. The question with which we are confronted, then, is whether Habermas's procedure of practical discourse can be divorced from this presumption against the inclusion of religious beliefs, or claims about the comprehensive human good, in the process of political decision and debate. In other words, can the norms of postconventional forms of communicative action be divorced from the postmetaphysical

presumptions of Habermas's theory of modernity? This is necessary if we are to use the norms of argumentation that govern practical discourse as described by Habermas as a basis for elaborating a theory of democratic politics that can be consistently affirmed by the adherents of an indeterminate plurality of religions. I believe that such a separation can be defended but only if we conceive of religious beliefs (at least in their relevance to our political association and decision-making procedures) as comprehensive validity claims that seek universal validation through discourse. Such a proposal raises the question of the viability of metaphysics within the context of postconventional forms of argumentation because the rational evaluation of comprehensive validity claims must be understood as the rational evaluation of claims about the nature of reality as such and their implications for norms of human activity, including norms of political action and association.

Habermas's theory of modernity includes a rejection of metaphysics as incompatible with the presuppositions of postconventional forms of argumentation. As Franklin Gamwell indicates,

> This means that full rationalization of moral norms depends on a postmetaphysical worldview or, as [Habermas] also puts it, a transition to modernity. In contrast to the "religious and metaphysical" worldviews characteristic of medieval civilization, ... the modern worldview separates assertions about what exists from moral ones and, thereby, releases both for unrestrained discourse. Within practical discourse, then, moral norms are separated from evaluative ones, and, validity as it characterizes conceptions of the comprehensive good or existential self-understandings must be in all respects historically specific.[7]

Reconceiving the possibility of metaphysics within the context of postconventional forms of argumentation requires challenging what I will call the "immunization thesis" as well

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[7]Franklin I. Gamwell, Democracy on Purpose: Justice and the Reality of God (Washington, D.C.: Georgetown University Press, 2000) p. 254.

as the claim that the pragmatic distinction between normative and assertoric claims to validity is absolute (i.e., that an internal relationship between claims about reality and claims about what is good and right must be categorically denied in the context of a decentered worldview).

The immunization thesis appears in Habermas's work at various points, primarily as part of his narrative about the transition from premodern to modern forms of social organization and from conventional to postconventional forms of communicative action. According to Habermas, the religious and metaphysical worldviews of premodern (conventional) lifeworlds were "systematically restricted" from the kind of critical scrutiny demanded by postconventional forms of argumentation:

> Owing to the fusion of ontic, normative, and expressive aspects of validity, and to the cultically rooted fixation of a corresponding belief attitude, the basic concepts that carried, as it were, the legitimation load of ideologically effective worldviews were immunized against objections.... Within the domain of the sacred, communication remained systematically restricted due to the lack of differentiation between spheres of validity.[8]

As we progress into postconventional contexts, various kinds of validity claims as well as their relationship to one another are systematically subjected to critical scrutiny. The recognition of enduring ethical and religious pluralism in a single social body weakens the authoritative force of the contested tradition and beliefs of one group as a basis for a stable and enduring political order. The validity of our moral claims cannot rest comfortably on de facto recognition in their respective cultural settings, especially once the broader social and political context comes to comprise a plurality of such settings. As these cultural norms are scrutinized, the question of their validity is raised explicitly, and the necessity of a procedure for addressing this problem becomes ever more pressing.

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[8]Jürgen Habermas, Lifeworld and System: A Critique of Functionalist Reason, vol. 2 of The Theory of Communicative Action, trans. Thomas McCarthy (Boston: Beacon, 1987), p. 189.

According to Habermas, this pursuit of rational justification for cultural norms has led to an increasing awareness that our claims about the good cannot be universally validated:

> Only up to the threshold of modernity are a culture's accomplishments in the interpretive systems that preserve a structure homologous to the lifeworld's entire structure of horizons. Until that point, the unity, unavoidably supposed, of a lifeworld constructed concentrically around "me" and "us," here and now, had been reflected in the totalizing unity of mythological narratives, religious doctrines, and metaphysical explanations. With modernity, however, a devaluing shift befell those forms of explanation that had allowed these very theories to retain a remnant of the unifying force possessed by myths of origin. The basic concepts of religion and metaphysics had relied upon a syndrome of validity that dissolved with the emergence of expert cultures in science, morality, and law on the one hand, and with the autonomization of art on the other.[9]

It seems to me, however, that Habermas moves too quickly from the rise of postconventional forms of critical inquiry and their potential for overcoming the immunity previously enjoyed by the ideological foundations of traditional religious and metaphysical positions to a rejection of metaphysics as such as a valid from of rational inquiry. In other words, the emergence of expert cultures in science, morality, and law as a cultural fact that provides prima facie empirical evidence in support of Habermas's pragmatic differentiation among the validity claims made in everyday speech cannot bear the philosophical burden it seems to carry in his discussion of metaphysics as a failed intellectual project.

The essential premise (often implicit) in Habermas's argument is that once the critical immunity of conventional contexts of communicative action is lifted from religious and metaphysical explanations, the propositional assertions of which such

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[9]Jürgen Habermas, Postmetaphysical Thinking: Philosophical Essays (Cambridge, Mass.: MIT Press, 1992), p. 17.

explanations are composed collapse under the weight of rational scrutiny. This conceptual failure, however, is primarily defended in terms of a historical narrative about the self-understanding of modern subjects and not in terms of philosophical refutation of particular metaphysical systems or claims. More to the point, it is not clear what kind of claim Habermas thinks he is making in insisting on the postmetaphysical nature of postconventional forms of communicative action (assertoric? normative?) or what kind of counterevidence Habermas might accept in a critical discourse aimed at validating or refuting the assertion that universal existential propositions are inappropriate or fundamentally flawed as validity claims.

Habermas narrates the transformation of philosophy in the West, from the ontological focus of Plato and Aristotle, to the rise of Kantian epistemology, and finally to the linguistic focus that has dominated the attention of contemporary philosophers.[10] This narrative is meant to describe the progressive constricting of philosophy from a form of inquiry with its own special subject matter and methods to "the role of an interpreter mediating between expert cultures of science, technology, law, and morality on the one hand, and everyday communicative practices on the other hand."[11] There has been, Habermas insists, a shattering of "the cognitive privilege of philosophy."[12] There is no denying the power of this narrative, coupled, as it is, with a sweeping engagement with the Western philosophical tradition. However, on closer examination, its persuasiveness as a philosophical argument against the possibility of metaphysics is significantly diminished.

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[10]See Jürgen Habermas, "Metaphysics after Kant," in Postmetaphysical Thinking, pp. 2–27.

[11]Jürgen Habermas, Postmetaphysical Thinking, p. 39.

[12]Ibid., p. 33 (emphasis deleted).

The transition from conventional to postconventional forms of communicative action and the increasing institutionalization of the norms of communicative rationality do indeed undermine the immunity of explanatory models grounded on traditional authority, local custom, and classical metaphysics, and it is also true that examples of the latter have often collapsed important conceptual distinctions in their efforts to realize the ideal of a first philosophy that provides the foundation for a deductive validation of all knowledge from self-evident principles; however, this opening up to critical scrutiny of the traditional claims to certainty and completeness, whether articulated in religious or philosophical terms, is simply that: an opening up to critical scrutiny. The outcome of such scrutiny is not predetermined by this fact, or at least it should not be presumed to be so. To claim otherwise is to assert the impossibility of valid metaphysical claims, and such an assertion would, as a validity claim, require argumentative support. Such support, I think, could not be empirical—certainly an account of what moderns do or do not recognize as potentially valid propositional claims would not be sufficient[13]—and the denial of the possibility of a metaphysical foundation to morality would have to come in the form of a philosophical refutation of the possibility of describing any necessary relationship between assertoric and normative understandings. It would, in other words, have to show that all claims about the good are historical or culturally relative and so not capable of universal validation through appropriate forms of critical inquiry. Only in this way could one redeem the following claim:

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[13]Habermas notes that "reason has split into three moments—modern science, positive law and posttraditional ethics, and autonomous art and institutionalized art criticism—but philosophy had precious little to do with this disjunction. Ignorant of the sophisticated critiques of reason, the sons and daughters of modernity have progressively learned to differentiate their cultural tradition in terms of these three aspects of rationality such that they deal with issues of truth, justice, and taste discretely rather than simultaneously" (Habermas, Moral Consciousness and Communicative Action [n. 3 above], p. 17). This apparently empirical claim about the practices and tastes of modern subjects, however, does not provide an argument one way or the other for the validity of the "sophisticated critiques of reason" that Habermas affirms.

> Evaluative questions present themselves at the most general level as issues of the good life (or of self-realization); they are accessible to rationally discussion only within the unproblematic horizon of a concrete historical form of life or the conduct of an individual life.[14]

The whole idea of providing such a philosophical refutation of putative comprehensive validity claims is, I think, incompatible with Habermas's understanding of the proper role and limits of philosophy because it would require evaluating claims about the good through an appropriate form of critical discourse. Such an inquiry would reintroduce metaphysical reflection into the repertoire of critical discourse because the assertion that all claims about the good life are in every sense historically or culturally specific would require for its validation the argumentative redemption of a universal claim about the good as such, or at least a universal claim about our potential knowledge about it. But this very possibility is precluded by Habermas's insistence that postconventional forms of critical discussion are postmetaphysical. In other words, his account of critical rationality precludes the redemption of its own exclusion of comprehensive validity claims. This is exactly the point that Gamwell makes in his discussion of this problem with Habermas's rejection of metaphysics:

> [Habermas's] distinction between the universal validity of moral norms and the thoroughly contextual validity of evaluative statements itself defines a universal difference. The assertion that validity as it characterizes conceptions of the comprehensive good is in all respects historically specific cannot be an assertion whose validity is itself in all respects historically specific.... But then the assertion that validity as it characterizes conceptions of the comprehensive good is in all respects specific to historical conditions itself requires validation in universalist terms.[15]

Habermas does not pursue an explicit philosophical refutation of metaphysics as part of his project; such an endeavor, I believe, would be impossible without implicating

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[14]Ibid., p. 108.

[15] Gamwell, Democracy on Purpose, p. 253.

him in the kind of philosophizing that his own narrative rejects as untenable in the context of modern self-understandings. The problem of how one would defend the move from a descriptive account of the division of intellectual labor among various forms of inquiry and their corresponding validity claims to the conclusion that the critical assessment of assertoric and normative validity claims presupposes their independence from one another does not concern Habermas; such a defense, he insists, is unnecessary in the modern context: "These eminent trends toward compartmentalization, constituting as they do the hallmark of modernity, can do very well without philosophical justification."[16] For Habermas, the problem is not how to justify philosophically this cultural fact of modernity; he instead focuses on the problems of describing the unity of reason on the level of culture and on mediating expert cultures with processes of everyday communication. This is why Habermas wants philosophy to redirect itself from the classical role of cultural arbiter and instead focus on "playing the part of a mediating interpreter."[17]

This emphasis on explicating modernity rather than providing a philosophical foundation for it is consistent with the sociological focus of Habermas's work. "Modernity," insists Habermas, "is characterized by a rejection of the substantive rationality typical of religious and metaphysical worldviews and by a belief in procedural rationality and its ability to give credence to our views."[18] Habermas's aim is to provide some mediation between the philosophical trends that have made the adoption of a modern self-understanding intellectually tenable and to provide theoretical support for the claim that "what counts as rational is solving problems successfully through procedurally

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[16]Habermas, Moral Consciousness and Communicative Action, p. 108.

[17]Ibid., p. 19.

[18]Ibid., pp. 3–4.

suitable dealings with reality."[19] However, once this rejection of substantive rationality on the part of citizens becomes normative for describing the conditions of the possibility of a stable and enduring political order, Habermas crosses over from an interpretive and mediating exercise to making substantive moral/practical claims of his own, and the former can ground the latter only by committing the naturalistic fallacy. In this case, the "is" of modern society and modern self-understandings becomes the foundation of the claim that all participants in the democratic institutions and practices of modern societies ought to so understand their comprehensive religious and philosophical convictions as to be willing to set them aside or make significant compromises in pursuit of a rationally motivated and discursively achieved consensus on principles of justice.

The problem of constructing a normative theory of democracy that can consistently be affirmed by the adherents of an indeterminate plurality of religions cannot simply take up these presumptions of modernity as an uncontroversial point of departure. One might go so far as to say that this has been the problem of liberal political theory from the beginning. It has been too-tightly and uncritically wedded to a particular theory of modernity that secularizes moral and political discourse; liberal theorists have not been conscious enough of the origins of democratic politics as a revolutionary response to the problem of religious pluralism that ensures religious freedom in the context of a full and free public debate about the common good. They have focused, rather, on democracy as one element of a trend toward secularistic self-understandings on the part of modern citizens. While Habermas might be critical of liberal theories of justice, he is no less married to a normative conflation of modernity and secularization; for him, our engagement in postconventional forms of communicative action presupposes our transition into a postmetaphysical self-understanding of theoretical and practical reason.

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[19]Habermas, Postmetaphysical Thinking (n. 9 above), p. 35.

All philosophical matters aside, Habermas's narrative of the rise of modernity distracts us from the original problem: how to describe a normative theory of democracy that can be consistently affirmed by the adherents of an indeterminate plurality of religions.

By pulling us into his metanarrative of the historical and sociological transition from premodern to modern forms of life, Habermas creates the illusion that religious beliefs have become a kind of cultural remnant. There is a subtle deceit when Habermas moves from the philosophical debates internal to the Western philosophical tradition to an account of how the sons and daughters of modernity understand both themselves and the claims they make and defend before one another. To say that there has been a trend away from metaphysics in modern philosophy is certainly accurate; however, even this trend must allow for exceptions within the philosophical community broadly construed. Moreover, it would be easier to defend a link between these philosophical trends and the practice of jurisprudence in the courts of democracies of the modern West than to show their penetration into the self-understandings of the majority of citizens of these states.

In challenging Habermas on the possibility of metaphysics, I am also challenging an important distinction that he draws in his discussion of the validity of factual and normative claims (truth and moral claims, respectively). This challenge is important because it has implications for harmonizing my own position with the epistemological model of Wolterstorff. Recall that while I have been critical of certain theoretical deficiencies in Wolterstorff's theory of argumentation as such and its implications for political theory, I have, for the most part, indicated my support for his understanding of epistemological warrant, at least in a prima facie sense. In identifying a criterion of validity for moral claims, however, Habermas introduces an epistemologically significant problem when he attributes "epistemic authority to the community of those who

cooperate and speak with one another."[20] This makes the (counterfactual) consensus of a fallible community of individuals a criterion of truth for a class of claims, that is, claims about valid moral principles.

"The difference between truth claims and moral claims," points out Maeve Cooke in her discussion of Habermas's position,

> has to do with their respective connection with the idea of a universal agreement (in a double sense of "universal"). Whereas moral validity claims ... are internally connected with the idea of discursively achieved universal agreement, truth claims are internally connected only with the idea of universal agreement. In contrast to moral claims, the link between truth claims and agreement reached in argumentation is not a constitutive one. Whereas the validity of moral claims is conceptually bound to actual processes of argumentation, the validity of claims to prepositional truth is not.[21]

My sense is that this claim of an internal link between moral claims and "discursively achieved universal agreement" cannot be maintained once the validity of moral claims is reconceived and couched in terms of the validity of claims about the comprehensive human purpose. The claim that "norms are dependent upon the continual reestablishment of legitimately ordered interpersonal relationships" may be true in a pragmatic sense.[22] It is also true that "while there is an unequivocal relation between existing states of affairs and true propositions about them, the 'existence' of social currency of norms says nothing about whether the norms are valid."[23] However, we no longer ought to insist that universal agreement reached through argumentation (as an ideal) is constitutive of the

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[20]Habermas, Moral Consciousness and Communicative Action, p. 19.

[21]Maeve Cooke, Language and Reason: A Study of Habermas's Pragmatics (Cambridge, Mass.: MIT Press, 1994), p. 155.

[22]Habermas, Moral Consciousness and Communicative Action (n. 3 above), p. 61.

[23]Ibid.

validity of moral norms, and thus it cannot be true that "the justification of norms and commands requires that a real discourse be carried out and thus cannot occur in a strictly monological form."[24] This demand for a real discourse may be appropriate for establishing the legitimacy of the outcomes of democratic politics, but it ought not be said to hold for moral norms as such. Legitimacy and validity, it should be noted, are not equivalent, and this is what allows us to recognize the legitimacy of procedural outcomes (i.e., the fairness of the procedures) while still rejecting the validity of the conclusions reached.

At issue here are competing visions of what is required for the rational validation of moral norms. For Habermas, the rejection of metaphysics (and therefore the possibility of rationally validating assertoric claims about the good) forces us to reconceive moral claims as expressions of a general interest that can be the object of a consensus among participants in an actual discourse. Recall that value claims, that is, claims about the good, "are ultimately discarded as being not susceptible to consensus."[25] This condition creates an objective criterion (the principle of universalization) and a rational procedure in which we seek to convince one another through the force of the better argument alone and thereby simultaneously justify and realize the double universality of our moral validity claims. The problem, however, is that the ideal of a discursively achieved consensus takes the place of a valid conception of the comprehensive human purpose as the basis for critically assessing competing moral norms and so denies a source of moral knowledge that rests on something other than the consensus of finite, fallible creatures (even a consensus that is idealized to include an infinite communication community). This position places a premium on being justified in one's moral beliefs (or on assenting

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[24]Ibid., p. 68.

[25]Habermas, Moral Consciousness and Communicative Action, p. 103.

to legitimate political principles) rather than having true beliefs because—in distinction from truth claims—the process of justification has been made constitutive for valid moral norms.

For Habermas, the problem is how we can continue to be good moderns (as he has defined this ideal) and not how we can engage one another in a civil process of making and defending competing claims about the common good based on our comprehensive understandings. While his concern is fundamental for those who explicitly affirm a secularistic self-understanding, it is not clear that everyone interested in valid political principles can or ought to accept this modern presumption against the universal validity of their comprehensive claims. Addressing the concerns of this latter group, rather than worrying about the anxieties of secularists, who, it might be added, are but a part of the plurality represented in modern society, better brings into focus the issue of religious pluralism and forces us back to the concern at hand: the problem of constructing a normative theory of democracy that can be consistently affirmed by the adherents of an indeterminate plurality of religions as constitutive of their citizenship.

CHAPTER 7

FREEING RELIGION: DEMOCRATIC DISCOURSE AS POSTCONVENTIONAL AND METAPHYSICAL

Summary

As should be clear from the previous chapter, my concern is not with postconventional norms of communicative rationality or their use as the basis for a normative theory of democracy. In fact, I am convinced that the elaboration of such norms provides the best hope for describing principles of democratic politics that are neutral relative to an indeterminate plurality of religions and that also prescribe communicative versus strategic ends as the legitimate focus of democratic discourse. My concern is with the conflation of postconventional forms of communicative rationality with a postmetaphysical understanding of moral and political discourse. It is this latter presumption that effectively secularizes the political debate within a discourse theory of democracy and so stands as a threat to the full realization of religious freedom under that model.

Given previous arguments, however, it seems clear that the postmetaphysical bias of Habermas requires something more than historical narrative and sociological theory in order to justify its emphasis within his elaboration of the norms of communicative rationality. Even the pragmatic distinction among types of validity claims is, it seems to me, largely heuristic and does not represent a final critical judgment against the potential validity of universal existential claims (i.e., valid metaphysical claims). Such claims are significant in the present inquiry because their legitimacy within the context of

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democratic discourse presupposes the possibility of rationally evaluating competing claims about the good; therefore, contrary to Habermas's position, their use presupposes the possibility of validating a universal account of the comprehensive human purpose within a critical discourse. For Habermas, procedural rationality is incapable of deciding the validity of such claims in any universal sense. "They are," he says, "accessible to rational discussion only <u>within</u> the unproblematic horizon of a concrete historical form of life or the conduct of an individual life."[1]

As I have indicated, however, without a more robust philosophical argument in support of this claim, the postmetaphysical presumption of Habermas becomes a mere assertion that has its place within the debate and not as a constitutive principle of it. As such, a postmetaphysical account cannot provide the necessary normative compulsion that would be needed to overcome the prima facie warrant that Wolterstorff has argued accompanies our religious beliefs, now understood as comprehensive validity claims. If the exclusion of such beliefs from political decision and debate is contrary to the political ideal of religious freedom, then it explicitly violates a fundamental value of democratic politics, and if such exclusion is arbitrary, then it would appear to be unfair if imposed on those who disagree and yet otherwise wish to participate in democratic discourse; either way, it seems clear that a postmetaphysical interpretation of the norms of democratic politics cannot be consistently affirmed by the adherents of an indeterminate plurality of religions insofar as they proclaim the validity and political relevance of their respective comprehensive beliefs, and any theory that relies on such an interpretation, whether implicitly or explicitly, fails to explain how democratic politics legitimates an

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[1] Jürgen Habermas, <u>Moral Consciousness and Communicative Action</u>, trans. Christian Lenhardt and Shierry Weber Nicholsen (Cambridge, Mass.: MIT Press, 1993), p. 108.

indeterminate plurality of religions. I now want to turn briefly to a description of the alternative that I would like to propose.

It seems to me that there is a fundamental presupposition underlying the democratic resolution of the problem of religious pluralism as I have been pursuing it: fallibalism and antiauthoritarianism. I believe that these ideas give meaning to our mutual commitment to the ideal of a free and full debate as constitutive of our political association as democratic citizens. This helps to explain the central role of religious freedom and disestablishment in creating and preserving the context for our ongoing conversation about justice in terms of our various comprehensive understandings. Any restriction on the content of this discourse or the implication that, in principle, our comprehensive understandings cannot be validated gives the lie to democracy as a fair and just solution to the problem of moral and religious pluralism in modern societies. That is, it gives the lie to the claim that such institutions and practices legitimate the adherents of an indeterminate plurality of religions and so undermines our confidence in their fairness as neutral vehicles for adjudicating our conflicting value claims in pursuit of valid principles of justice.

The discursively formed common will of democratic citizens stands in opposition to any heteronomous ground to its legitimacy, be that an individual, a tradition, or a sacred text. As partners in pursuit of the truth through a full and free debate, we seek common reasons in support of principles by which to order our lives together, that is, principles that can be sustained in the context of open-ended and critical forms of argument. Our commitment to this political ideal ensures the autonomy of the political order in terms of "government for the people, by the people, and of the people." This is part of a more general, modern commitment to rationalization in science, morality, law, and, ultimately, theology. It is high time that we recognize that the antimetaphysical,

secularistic emphasis of much of what calls itself modern philosophy is accidental to the liberating ideals of modernity as a process of rationalization and emancipation.

There are, moreover, profound theological proposals that are consistent with the essence of modernity so understood; there are theologians who consistently reject the secularistic presumptions of liberal political theory and the denial that our understandings of the comprehensive human purpose are subject to rational validation while championing the ideals of open and critical discourse as the appropriate means of adjudicating competing validity claims, including the specific theological claims made by various religious traditions and communities. I find myself in agreement with the sentiments of David Tracy, who, while recognizing ambiguities of modern life, arrives at the following conclusion:

> Modernity ... remains the great unfinished project of emancipation and demystification in Western and, increasingly, global culture. To that emancipatory project we should all continue to devote our energies.... Even those ... who agree with the heart of the post-modern critiques ... should still insist that there is no honest way around modernity.[2]

What may be needed by theologians, he continues, is "a clear and consistent set of modern intellectual exercises to aid any attentive reader to understand and appropriate the great strengths of the unfinished, emancipatory side of the project of modernity."[3] I believe that Schubert Ogden's theological method provides an exemplary model for those uncertain about the possibility of pursuing a genuine theological project that fulfills the demands of postconventional norms of critical discourse:

> The Christian witness historically has represented a definite understanding of the nature of ultimate reality—of God, the world, and ourselves—with

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[2]David Tracy, Blessed Rage for Order (1975; reprint, with a new preface, Chicago: University of Chicago Press, 1996), p. xv.

[3]Ibid.

which certain other understandings are obviously incompatible. This is particularly evident to us today, when the conflict of Christian beliefs with secularistic claims made by many in our secular culture is undeniable. But even in our situation, the task of systematic theology remains in principle the same: to achieve an understanding of the Christian witness that, however different it may be from all previous witnesses and their theological interpretations, appropriately grasps their essential meaning; and that, with whatever differences from current philosophical and scientific opinions, is credible by the same criteria of truth to which they, too, are subject.[4]

A similar point could be made about public education to the effect that educators, too, require a set of appropriate intellectual and instructional aids in order to produce citizens capable of participating in this emancipatory project of modernity as democratic citizens in a pluralist society engaged in a full and free debate about the common good. The somewhat controversial question of whether public schools can or ought to teach some set of moral precepts can be mitigated to a degree by changing the focus from inculcating substantive understandings of the good to providing the intellectual virtues necessary for participation in critical discourse regardless of the source and content of the beliefs one seeks to validate through this procedure. Schools need not reinforce the liberal presumption against the public significance of religious commitments, nor must they fall into the trap of teaching some or other substantive conception of the comprehensive human purpose (and thereby violate the principle of disestablishment). Instead, schools can participate in the inculcation of essential critical and intellectual skills necessary for providing clear, explicit accounts of beliefs and the worldviews that provide, in part, their warrant, and they can teach norms of civility and practice that, at any given time, are generally accepted as proper for the engagement in postconventional forms of argumentation.

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[4]Schubert Ogden, On Theology (San Francisco: Harper & Row, 1986), pp. 11–12.

An understanding of citizens and potential citizens in terms of conversation partners engaged in a full and free debate about the common good has implications for a wide array of hermeneutic questions regarding our Constitution and for evaluating public policy decisions regarding everything from education to taxation. The priority of communicative norms places the onus on citizens to promote the conditions of a full and free debate among all citizens, and so the justification of legislation and policy must include an explanation of its compatibility with the preservation and enhancement of those conditions, especially for those most at risk.

I am arguing that a normative theory of democracy must articulate the principles that all citizens ought to affirm explicitly as participants in a full and free debate about the common good. These principles, if they are to be the object of consistent affirmation by the adherents of an indeterminate plurality of religions, must not presuppose the exclusion of religious beliefs, or comprehensive validity claims, as reasons within the process of political decision and debate. Such a presupposition violates the idea of free exercise insofar as religious believers contend that their understandings of the comprehensive human purpose are relevant to deciding matters of justice and public policy. At the same time, the constitutive principles to be affirmed cannot be understood to endorse explicitly one among the many comprehensive understandings advanced by the various members of modern societies. This would represent a violation of the principle of disestablishment.

In the end, our political association cannot, at least at the theoretical level, be based on recourse to some substantive agreement that we have in common, even were such an agreement to exist in fact. While a common narrative of national origins and the description of what amount to common values latent in the culture may prove effective in providing ordering principles in the short run, such claims are bound to weaken over time as our common myths recede and the society changes and grows. Moreover, norms

prefaced on such sources do not enjoy any necessary coincidence with the demands of justice, and consensus in such matters, no necessary correspondence with the truth. We can, I think, go part of the way with Habermas in insisting that our being constituted as communicative agents provides the key to understanding the common norms of elemental social interaction that we always already presuppose in our linguistic exchanges with one another, both within and beyond the boarders of our traditions and cultural contexts. Instead of describing these norms in conjunction with a postmetaphysical theory of communicative rationality, we can simply draw from the general precepts of the conditions of ideal communication as a point of departure for specifying a normative theory of democracy that is consistent with a postconventional understanding of argumentation and open, in principle, to the validation of comprehensive, or metaphysical, claims. In other words, what we require is a normative theory of democracy that is both postconventional and metaphysical.

Freeing Religion: A New Framework for a Normative Theory of Democracy

The groundwork for this section was laid in chapter 4, where Habermas's theory of communicative action was discussed in depth. There, I indicated that communicative action is a type of social action in which the participants adopt an attitude oriented toward reaching understanding. Moreover, this form of social action has a pragmatic priority relative to strategic action as a means of lifeworld reproduction and integration in the modern world. That is to say, strategic action is parasitic on communicative action; therefore, the normative presuppositions of the latter have priority when critically evaluating existing social structures and practices and for constituting a stable and enduring political order. Recall, too, that the idea of communicative action was shown to have an internal relationship with argumentation and that this relationship was implied by

the aim of trying to achieve understanding in terms of rationally motivated assent, that is, consensus based on shared convictions rather than coercion. With this loose collection of ideas, we have the nucleus for a general account of democratic practice and the normative principles that can guide our participation as citizens who are also adherents of an indeterminate plurality of religions.

My position is that democracy, as an ideal, represents the formal institutionalization of political forms and practices that embody, as far as possible, the normative presuppositions of postconventional modes of argumentation. Maeve Cooke provides a helpful summary of these presuppositions:

> Participants necessarily suppose not only that all taking part are using the same linguistic expressions in the same way, that no relevant opinions have been suppressed or excluded, that no force is exerted except that of the better argument, and that everyone is motivated only by the desire for truth but also that no validity claim is in principle exempt from the critical evaluation of participants.[5]

"Habermas's notion of communicative action," she concludes, "is situated firmly within those theoretical, moral, political, ethical, and aesthetic practices of modern lifeworlds in which all ultimate sources of validity external to human argumentation have been called into question."[6] I believe that it follows from this that a normative theory of democracy ought to demand no more and no less of citizens than that they encounter one another as conversation partners committed to observing the pragmatic presuppositions of postconventional forms of argumentation in their pursuit of a valid understanding of the common good by which their life together can be peacefully sustained and enriched.

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[5] Maeve Cooke, Language and Reason: A Study of Habermas's Pragmatics (Cambridge, Mass.: MIT Press, 1994), p. 34.

[6] Ibid.

Such an encounter includes as part of its objective the validation of our comprehensive convictions through a critical discourse wherein competing claims are evaluated by participants whose sole motivation in accepting or rejecting them is their truth, or validity, as revealed by the force of the better argument. Habermas has argued that such an endeavor aims at consensus as a constitutive element of the validity of the normative claims in question. This implies the rejection of an internal relationship between existential and normative claims, that is, between claims about the good and claims about what is right. I have argued against this postmetaphysical presumption in Habermas's theory, and I believe that the promise of democracy as a response to the problem of religious pluralism can be fulfilled only with its rejection.

Consensus in matters of practical validity can have no more force than it does in matters of existential fact. The claim made in both cases is to universal validity; the most significant difference for this discussion is that in political discourse, we are seeking rationally motivated resolutions of "real conflicts in a concrete situation in which the actors consider it incumbent upon them to reach a consensual means of regulating some controversial social matter."[7] It seems to me, however, that the burden of "consensual" in the context of political discourse must be restricted to our mutual acknowledgment of the fairness of the procedures involved (i.e., their neutrality relative to the disputing parties) and our willingness to recognize as fair and legitimate the outcome of the debate with the understanding that such resolution will always be provisional and subject to reevaluation. The goal, in other words, is not consensus but truth; our faith in democracy, if that term is not too loaded, is that a common understanding of the truth about the common good is possible as the outcome of a full and free debate.

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[7] Habermas, Moral Consciousness and Communicative Action (n. 3 above), p. 103.

We should be willing to consent to the procedural resolution of some controversial issue not because we are always willing to compromise our beliefs in the pursuit of consensus as a criterion of validity but because we believe that the truth, given the opportunity of a fair hearing and in the long run, will be recognized as valid and so win the approbation of the participants as the result of compelling evidence and argument. One of the most important virtues of democratic citizens is patience because they must be willing to view the political process as ongoing and fallible in its deliverances while always constituted by its aim at a greater realization of justice through our constant and vigorous pursuit of the common good through the mechanism of a full and free debate. Moreover, we consent to this fallible and imperfect procedure because it represents the only means by which to procure a resolution of some controversial social matter in terms of our mutual understanding about the common good.

This account creates a situation in which the constitutive norms of democratic politics, such as those given explicit formulation in the U.S. Constitution, ought to be understood as providing a provisional description of the necessary conditions for a full and free debate about the common good among citizens and their representatives. Thus, the evaluation and revision of such principles should occur only as part of our efforts to bring them more in line with our best understanding of what a full and free debate requires. Within the context of the discourse described by these principles, we seek to redeem substantive claims about legislation and public policy that we believe are required by, or at least consistent with, the common good as we understand it while simultaneously defending the compatibility of our position with the preservation and enhancement of the necessary conditions for the debate itself. The debate, then, should be full in the sense that it must be able to range from comprehensive conceptions of the good, on the one hand, to specifications of the good in terms of principles of justice and specific policy, on the other. It must be free in the sense that no perspective should be

excluded from due consideration insofar as there is someone willing to defend its relevance to our common life together.

Does this account adequately address the problem of neutrality in a theory of democracy? Unlike theories that require some substantive consensus about the nature of the good or justice, no matter how thin, this account simply attempts to give explicit formulation of the norms of communicative rationality that we all already presuppose as communicative agents in modern society. The procedure here, to follow Habermas, is formal pragmatic; our assessment of claims to validity about these norms requires an evaluation of whether they identify the necessary presuppositions of communicative action, that is, by showing that they are a "necessary component of a practice that is without alternatives or substitutes, and in this sense unavoidable."[8] It is hard to see how such norms, if valid, could be anything other than neutral relative to all communicative agents regardless of their particular comprehensive convictions. Once the constitutive norms are given adequate formulation (always subject to reconsideration as a result of their actual employment in practice), then we have in place the general rules of discursive engagement that all ought to be able to affirm as communicative agents. That is to say, we have an account of democratic politics that can be explicitly affirmed by the adherents of an indeterminate plurality of religions, and so we can say that this model explains how democracy properly understood can legitimate an indeterminate plurality of religious, moral, and philosophical convictions as the set of actual and potential beliefs advocated by their adherents in the context of a full and free debate about the common good.

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[8]Habermas, Between Facts and Norms, p. 310. "A practice is 'unavoidable' if it fulfills functions vital to human life and cannot be replaced by any other practice.... If we find ourselves confronted with questions of conflict resolution or concerning the choice of collective goals and we want to avoid the alternative of violent clashes, then we must engage in a practice of reaching understanding, whose procedures and communicative presuppositions are not at our disposition" (ibid.).

Regarding the problem in Wolterstorff's theory of how to distinguish between communicative versus strategic understandings of his dialogical imperative, we now have an argument in favor of the priority of communicative norms relative to the process of social integration. As a result of the necessary process of lifeworld reproduction and integration for maintaining the conditions of social life and individual socialization under modern conditions, communicative action has a pragmatic priority, and thus the norms of communicative rationality have priority over strategic imperatives in describing principles of political association. Our aim, then, should not be the achievement of our prepolitical interests through the strategic manipulation of the political process; instead, as communicative agents engaged in the practice of making validity claims about the proper organization of society, we seek to validate our positions by providing supporting evidence and arguments while always acknowledging and respecting others as conversation partners with whom we desire a mutual understanding. Thus, the priority of communicative versus strategic imperatives in Habermas's theory of communicative action provides a theoretical basis for overcoming the normative ambivalence of Wolterstorff's dialogical imperative.

Some Final Comments: The Scope and Limits of the Discussion

As indicated, this is a very general outline for a normative theory of democracy that I believe could fulfill the neutrality requirement and provide principles that could be consistently affirmed by the adherents of an indeterminate plurality of religions. It is, I believe, largely compatible with Wolterstorff's understanding of prima facie warrant; at the very least, it does not commit the same epistemological error that he has exposed in the liberal tradition. In the end, however, I do not believe that a prima facie account of warrant understood in externalist terms can provide the basis for an understanding of critical discourse through which we seek to redeem the validity of our comprehensive

beliefs in pursuit of a mutual understanding of the common good; that is, it cannot adequately describe the requirements for a theory of argumentation as such as long as it insists on the absence of guilt rather than the presence of good reasons as the criterion of successful critical evaluation.

Such an account of warrant is not sufficient for describing the conditions for a full and free debate in terms of a critical discourse, or argument, among contending comprehensive understandings. Prima facie warrant and the defense of our beliefs in terms of their purported innocence, especially in controversial matters, will not be sufficient within the context of a critical discourse to bring about a mutual understanding. As a result, controversial validity claims on the behalf of which we have nothing else to offer than either our prima facie entitlement or a defense of their innocence will fail to achieve a rationally motivated consensus about the common good that is the ideal goal of democratic discourse (as both Wolterstorff and I seem to agree). That, however, does not in any way impugn our prima facie warrant, and the absence of argumentative support, as Wolterstorff has pointed out, is not always a sufficient reason to cease believing as one does.

This last point shows how this theoretical model avoids making any final epistemological claims regarding the nature of prima facie belief beyond the externalist account described by Wolterstorff and Alvin Plantinga. For the purposes of pursuing a normative theory of democracy that can justify the inclusion of religious beliefs as part of the debate, I believe that their account, or something roughly similar, serves admirably. Unlike the Lockean foundations of liberal theory, this account avoids the identification of universal internalist standards of rationality that beliefs as such must meet in order for them to be the proper object of an individual's belief and so acceptable for use in political decision and debate. It is sufficient for prima facie warrant that our beliefs fulfill the externalist conditions described by Wolterstorff and Plantinga. Furthermore, regarding

the specter of radical doubt, let prima facie warrant suffice in circumstances where uncertainty and diversity of opinion raises questions about the truth or validity of our various understandings. That is, we can avoid the nettles and thorns of a deontological theory of entitlement in which we are all under some obligation of justifying our beliefs prior to giving our initial assent, at least insofar as we are merely describing the conditions of prima facie warrant that are sufficient to declare a belief appropriate for consideration in terms of public reason. This establishes the minimal conditions for inclusion of the widest array of beliefs in the debate.

My concern has been with providing the basis for a normative theory of democratic politics that could be affirmed by the adherents of an indeterminate plurality of religions insofar as they desire to govern themselves deliberatively through a critical assessment of contested validity claims rather than through coercion. In other words, this has been a hypothetical proposal and not one that seeks to establish the normative priority of democracy as such or the norms of postconventional forms of communicative rationality as opposed to alternative political models that some might seek to defend. As I have indicated, this dissertation has been an exercise in the former type of political theorizing. As a result, I have presupposed an interest on the part of citizens as adherents to an indeterminate plurality of religions in democracy as a legitimate form of government, and I have not felt compelled to defend the normative superiority of democracy as such.

On a final note, it does seem to me that our common interest in democracy itself assumes that this form of government can be defended as the valid form of political association for human beings, that is, as the superior form of political organization for governing human affairs. Argumentative support of this conclusion would require the elaboration of a substantive anthropology and social theory in which an account of human nature (including human reason) and social relations would provide the basis for a

defense of the superiority of democracy versus other political forms as a means of ordering human society, especially those more complex social communities like states. Because such an account would include as its proper object a discussion of human subjectivity as such, I believe that it would unavoidably raise some of the stickier epistemological matters I have been able to avoid by presupposing a common interest by my interlocutors in a dialogical resolution of contested social matters through democratic institutions and practices that are fair for all.

An account of human subjectivity as such would inevitably push the epistemological discussion beyond the pragmatic context of political discourse per se and raise the question of ultima facie warrant in a more general sense. I am inclined to believe as well that this inquiry would result in the incorporation of the intersubjective norms of communicative rationality with the conditions of prima facie warrant described by Wolterstorff and Plantinga in a hybrid epistemology that would combine internalist and externalist criteria for the evaluation of beliefs generally, regardless of whether one was seeking to redeem his or her beliefs in a public forum. Such an account could, I think, avoid the reintroduction of strict Lockean duties and the problems associated with classical foundationalism and evidentialism; however, the inclusion of internalist criteria in terms of the conditions for the intersubjective validation of validity claims would have significant implications for reconceiving an ethics of belief. This, however, is not the place to pursue such an account.

By presupposing an interest in the affirmation of fair democratic principles on the part of citizens who are understood to include the adherents of an indeterminate plurality of religions, I have been able to maintain a distinction between matters of prima facie warrant and the necessary conditions for redeeming controversial validity claims through a critical discourse. In other words, I have not had to argue that belief as such commits one to engaging in a process of critical validation as a condition of warranted belief. The

set of beliefs actually subjected to validation through critical discourse will obviously be smaller than the set of beliefs that enjoy prima facie warrant among the adherents of an indeterminate plurality of religions. In the account I have given, all that needs concern us is the point of contact between these two sets, that is to say, the point at which contested beliefs are brought into the public sphere as reasons for political decision and debate. At that point, their prima facie warrant serves as a condition of entry only.[9] As a claim made about the common good that seeks validation through the discourse, something more than prima facie warrant or a presumption of innocence is required if a claim is to be the object of a discursively achieved rational consensus. What I would call the "burden of validity" has not been placed on beliefs as such, religious or otherwise.[10] As a result, only insofar as religious adherents assert that their beliefs, comprehensive and otherwise, are

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[9]In other words, we might say that prima facie warrant, insofar as it can be determined, is a sufficient condition for a belief's becoming the object of a political debate about its validity. If those in the debate have good reason to believe that prima facie warrant is lacking, then that alone is sufficient reason for ignoring the petitioner. To be clear, since warrant is indexed to individuals, the same belief (i.e., a belief with identical propositional content) could be warranted for someone else, and that individual ought to be allowed to introduce and defend the belief in the context of the debate regardless whether the belief has warrant for anyone else. For example, we might be justified in dismissing claims made by a diagnosed schizophrenic regarding the immanent appearance of a black hole in New York City; however, the same claims made by Stephen Hawking would probably deserve our attention. Moreover, nothing I have said would preclude the hypothetical consideration of any proposition whatsoever within a critical discourse regardless of whether anyone actually affirms its validity or relevance.

[10]It is not that I am denying such a burden; however, the level of theory at which I am operating does not require an exploration of belief as such relative to the validation of democratic discourse as response to the problem of religious pluralism. Given a desire on the part of citizens to engage in democratic politics, it is important to provide a theoretical account of this form of government such that its principles can be consistently affirmed by all participants as fair and just. The explicit affirmation of such constitutive principles provides a common point of reference for resolving conflicts concerning the actual practice of democratic politics. I have argued that the only principles that could be consistently affirmed by all citizens understood as adherents of an indeterminate plurality of religious must be neutral with respect to their comprehensive convictions. Moreover, their neutrality cannot be ensured by denying the political relevance of these comprehensive beliefs through a separationist understanding of the principles of religious freedom and disestablishment. Therefore, I have sought to defend principles of democracy in terms of a full and free debate formulated as a critical discourse that is both postconventional and metaphysical. I believe that a general burden of validity on belief as such can be defended, and such a defense might then be used to argue that human subjectivity as such implies democratic politics as the proper form of human government. This line of argument has been extensively pursued by Franklin I. Gamwell in Democracy on Purpose: Justice and the Reality of God (Georgetown University Press, 2000).

relevant for arriving at the truth of the matter regarding the common good are they under the burden of redeeming their beliefs as validity claims in a critical discourse. No other epistemic obligation has been implied.

This account is skeletal; however, I believe that it captures and preserves important insights borrowed from both Wolterstorff and Habermas in the context of viable theory of democracy. It satisfies Wolterstorff's desire to provide a legitimate role for religious beliefs in democratic discourse, thus freeing religious belief from the constraints imposed on them by liberal theory as legitimate sources for political decision and debate. It also explains the character of legitimate political decisions and the decision-making process in a manner consistent with an indeterminate and legitimate plurality of religions without erring on the side of an establishment of religion or secularizing the political sphere, which were my requirements for a successful normative theory of democracy.

BIBLIOGRAPHY

Ackerman, Bruce. Social Justice and the Liberal State. New Haven, Conn.: Yale University Press, 1980.

———. "What Is Neutral about Neutrality?" Ethics 93 (1983): 372–90.

———. "Why Dialogue?" Journal of Philosophy 86 (1989): 5–22.

Audi, Robert. "Liberal Democracy and the Place of Religion in Politics." In Robert Audi and Nicholas Wolterstorff, Religion in the Public Square: The Place of Religious Convictions in Political Debate. Lanham, Md.: Rowman & Littlefield, 1997.

Barry, Brian. Justice as Impartiality. New York: Clarendon, 1995.

Cooke, Maeve. Language and Reason: A Study of Habermas's Pragmatics. Cambridge, Mass.: MIT Press, 1994.

———. Introduction to Jürgen Habermas, On the Pragmatics of Communication. Edited by Maeve Cooke. Cambridge, Mass.: MIT Press, 1998.

Gamwell, Franklin I. The Meaning of Religious Freedom: Modern Politics and the Democratic Resolution. Albany, N.Y.: SUNY Press, 1995.

———. Democracy on Purpose: Justice and the Reality of God. Washington, D.C.: Georgetown University Press, 2000.

Habermas, Jürgen. Reason and the Rationalization of Society. Vol. 1 of The Theory of Communicative Action. Translated by Thomas McCarthy. Boston: Beacon, 1984.

———. Lifeworld and System: A Critique of Functionalist Reason. Vol. 2 of The Theory of Communicative Action. Translated by Thomas McCarthy. Boston: Beacon, 1987.

———. Moral Consciousness and Communicative Action. Translated by Christian Lenhardt and Shierry Weber Nicholsen. Cambridge, Mass.: MIT Press, 1990.

———. Postmetaphysical Thinking: Philosophical Essays. Translated by William Mark Hohengarten. Cambridge, Mass.: MIT Press, 1992.

————. Justification and Application: Remarks on Discourse Ethics. Translated by Ciaran P. Cronin. Cambridge, Mass.: MIT Press, 1993.

————. Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy. Translated by William Rehg. Cambridge, Mass.: MIT Press, 1996.

————. On the Pragmatics of Communication. Edited by Maeve Cooke. Cambridge, Mass.: MIT Press, 1998.

Kamitsuka, David G. "The Justification of Religious Belief in the Pluralistic Public Realm: Another Look at Postliberal Apologetics." Journal of Religion 76, no. 4 (1998): 588–606.

Larmore, Charles E. Patterns of Moral Complexity. New York: Cambridge University Press, 1987.

————. "Political Liberalism," Political Theory 18 (1990): 339–60.

Locke, John. An Essay Concerning Human Understanding. Edited by Peter H. Nidditch. 1975. Reprint, New York: Clarendon, 1990.

MacIntyre, Alasdair. Whose Justice? Which Rationality? Notre Dame, Ind.: University of Notre Dame Press, 1988.

McCarthy, Thomas. Translator's introduction to Reason and the Rationalization of Society. Vol. 1 of The Theory of Communicative Action, by Jürgen Habermas. Boston: Beacon, 1984.

————. Introduction to Moral Consciousness and Communicative Action, by Jürgen Habermas. Translated by Christian Lenhardt and Shierry Weber Nicholsen. Cambridge, Mass.: MIT Press, 1990.

Nagel, Thomas. "Moral Conflict and Political Legitimacy." Philosophy and Public Affairs 16 (1987): 215–40.

Ogden, Schubert. On Theology. 1986. San Francisco: Harper & Row.

Plantinga, Alvin. "Reason and Belief in God." In Faith and Rationality: Reason and Belief in God. Edited by Alvin Plantinga and Nicholas Wolterstorff. Notre Dame, Ind.: University of Notre Dame Press, 1983.

————. Warrant: The Current Debate. New York: Oxford University Press, 1993.

————. Warrant and Proper Function. New York: Oxford University Press, 1993.

————. Warranted Christian Belief. New York: Oxford University Press, 2000.

Rawls, John. A Theory of Justice. Cambridge, Mass.: Harvard University Press, 1971.

————. Political Liberalism. New York: Columbia University Press, 1993.

Rorty, Richard. Philosophy and the Mirror of Nature. Princeton, N.J.: Princeton University Press, 1979.

————. Contingency, Irony, and Solidarity. Cambridge: Cambridge University Press, 1989.

————. Consequences of Pragmatism. Minneapolis: University of Minnesota Press, 1982.

————. Objectivity, Relativism, and Truth. Vol. 1. Philosophical Papers. Cambridge: Cambridge University Press, 1991.

————. Essays on Heidegger and Others. Vol. 2. Philosophical Papers. Cambridge: Cambridge University Press, 1991.

Tracy, David. Blessed Rage for Order. 1975. Reprint, with a new preface, Chicago: University of Chicago Press, 1996.

White, Steven K. "Reason, Modernity, and Democracy." In The Cambridge Companion to Habermas. Edited by Steven K. White. New York: Cambridge University Press, 1995.

Wolterstorff, Nicholas. "Can Belief in God Be Rational If It Has No Foundations?" In Faith and Rationality: Reason and Belief in God. Edited by Alvin Plantinga and Nicholas Wolterstorff. Notre Dame, Ind.: University of Notre Dame Press, 1983.

————. Divine Discourse: Philosophical Reflections on the Claim that God Speaks. New York: Cambridge University Press, 1995.

————. "From Liberal to Plural." In Christian Philosophy at the Close of the Twentieth Century: Assessment and Perspective. Edited by Sander Griffioen and Bert M. Balk. Kampen: Uitgeverij Kok, 1995.

————. John Locke and the Ethics of Belief. New York: Cambridge University Press, 1996.

————. "The Role of Religion in Decision and Discussion of Political Issues," in Religion in the Public Square: The Place of Religious Convictions in Political Debate. Edited Robert Audi and Nicholas Wolterstorff. Lanham, Md.: Rowman & Littlefield, 1997.

————. "Suffering, Power, and Privileged Cognitive Access: The Revenge of the Particular." In Christianity and Culture in the Crossfire. Edited by David A Hoekema and Bobby Fong. Grand Rapids, Mich.: Eerdmans, 1997.

————. "Why We Should Reject What Liberalism Tells Us about Speaking and Acting in Public for Religious Reasons." In Religion and Contemporary Liberalism. Edited by Paul J. Weithman (Notre Dame, Ind.: University of Notre Dame Press, 1997.

————. Untitled paper presented at a meeting of the Society of Christian Philosophers. Lincoln, Nebr., April 16, 1998.