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DOES THE IDEA OF GOD BELONG IN POLITICS? A RESPONSE TO THE “POLITICAL LIBERALISM” OF JOHN RAWLS

Abstract

This is a polemical essay providing an historical and cultural analysis of John Rawls's political liberalism, and arguing that the “original position” in his philosophy is not only hypothetical, but also unrealistic by virtue of ignoring comprehensive religious and philosophical points of view. Rawls attempts to derive the ideas of liberty, equality, and fraternity from a mere thought experiment without considering the foundational role of the Christian religion, which was instrumental in the birth and refinement of these ideas.

Keywords: Rawls, political liberalism, Christianity, politics, liberty, equality, fraternity

Since the Immigration Reform Act of 1965 was passed into law, the demography of the United States has undergone radical changes. During the 50 years following enactment of this legislation, 59 million immigrants arrived on these shores, primarily from the Third World, and reshaped the nation's racial and ethnic composition. It has been projected that, at this rate of growth, the nation's population will have increased by 103 million in 2065, bringing the population to a total of 441 million people. Immigrants will then account for a full 88 percent of the growth.²

As Harvard religion professor, Diana L. Eck, among others, points out, new immigrants have brought with them their own religions, languages, traditions, habits, and mores, transforming what was once a “Christian country” into what is now “the world's most religiously diverse nation.”³ This religious diversity poses, according to Princeton sociologist Robert Wuthnow's assessment, “a significant cultural challenge,”⁴ requiring citizens to rethink their national identity.

Obviously such religiocultural transformation, involving an immense mul-

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2 “Modern Immigration Wave Brings 59 Million to U.S., Driving Population Growth and Change Through 2065,” Pew Research Center: Hispanic Trends, September 28, 2015, available at <http://www.pewhispanic.org/2015/09/28/modern-immigration-wave-brings-59-million-to-u-s-driving-population-growth-and-change-through-2065/>. (accessed January 15, 2018)

3 Diana L. Eck, *A New Religious America: How a “Christian Country” Has Become the World's Most Religiously Diverse Nation*, HarperCollins Paperback Edition, New York, 2002. The issues addressed in this article fall within the purview of an important and burgeoning discipline called the “politology of religion.” For further reading, See: Mirosljub Jevtic, Political Science and Religion, *Politics and Religion Journal*, Vol. 1, No. 1, 2007, pp. 59-69.

4 Robert Wuthnow, *America and the Challenges of Religious Diversity*, Princeton University Press, 2005, xv.

tiplicity of differences, is bound to present transactional challenges for citizens. The question for political theorists, like John Rawls, boils down to a fundamental one: how does a citizenry, composed of free and equal members, with deep-seated and radically diverse views of the good life, structure and commit to political principles of fair governance? The issue is not how citizens can peacefully co-exist by means of a *modus vivendi*, but how they can be dedicated to a common freestanding system of justice in spite of their profoundest differences.⁵ Rawls's treatment of this matter constitutes a progress report on the thorny relationship between religion and politics, a relationship that has always bristled with problems and with which liberalism in its various formations has wrestled for centuries.

It scarcely deserves mention that, from the dawn of civilization, religion has tended to synthesize all the concerns of human beings into an ordered whole, providing its devotees a comprehensive view of reality. Religion has included not only one's deeply personal concerns, but also the starkly public ones as well. As the celebrated French historian of antiquity, Fustel de Coulanges, observed long ago, "The religious idea was, among the ancients, the inspiring breath and organizer of society."⁶ It was a supremely unifying force, but also a divisive one. While it brought families together into phratries, tribes, and cities, it separated them from others of like kind who were dedicated to other deities or cults. Nothing much in this respect has changed over thousands of years. Samuel P. Huntington's work on the "clash of civilizations" is, interestingly enough, anchored in the influence of world religions, and is a sort of progress report on the public power of religion.⁷

It is to the continuing credit of liberalism that it has sought to surmount the divisions resulting from loyalties to comprehensive religious and philosophical views. There is dignity in attempting to scale differences even when they cannot be resolved. The distinctive strategy that liberalism has used for accomplishing this end has typically been to promote "toleration" among the proponents of conflicting views. Yet toleration is a weasel word, which implies a condescending acceptance of that which is really regarded as unacceptable. The decision merely to tolerate another is a fragile undertaking that may momentarily unravel. So, while Rawls is a liberal, he has no interest in building a system of justice upon mere toleration.⁸ Instead, he seeks to construct a stable, independent system of justice upon principles that all citizens, regardless of their religious or

5 John Rawls, *Political Liberalism*, Columbia University Press, 1996, p. xxxix.

6 Numa Denis Fustel de Coulanges, *The Ancient City*, The Johns Hopkins University Press, [1864], 1980, p. 124.

7 See: Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order*, Simon & Schuster Paperbacks, 1996, p. 47, in which the author states that "Religion is a central defining characteristic of civilizations, and, as Christopher Dawson said, 'the great religions are the foundations on which the great civilizations rest.'"

8 See: *Political Liberalism*, pp. xxvi-xxvii, in which Rawls wonders how society is "even possible between those of different faiths" and asks "What can conceivably be the basis of religious toleration?"

nonreligious, liberal or nonliberal persuasions, can wholeheartedly accept.⁹ This is the singular goal of his political liberalism.

The key to his project involves a bifurcation between political and civil society. In the political realm, comprehensive religious and philosophical issues take a backseat, if they are not eliminated altogether, while in the civil, with such institutions as family, church, and university, these issues may be, indeed for Rawls should be, vigorously discussed and debated. The way in which one responds to his project depends finally upon an answer to one question: are there reasons why the American citizenry, as a body politic, should accommodate the idea of a Supreme Being as the ultimate fount of love and goodness? Or succinctly put: does the idea of God belong in politics?

I intend in this article first to present, in a cursory and almost skeletal fashion, without practical application, Rawls's view of political liberalism, and to do so for the benefit of those without, or with only peripheral, familiarity with it. I intend, second, to offer a critique of his position by arguing that the idea of God does indeed belong in politics. Finally, I will venture a few parting observations that build upon the preceding critique.

Political Liberalism in Brief

Rawls accepts "reasonable pluralism"¹⁰ as a given, or as a fact of life flowing from the Protestant Reformation.¹¹ So in order to structure a political society that is "a fair system of cooperation"¹² and that does not advantage one person or group of persons over others, he invites us to engage in a thought experiment. He asks us to imagine that we are in an "original position" behind a "veil of ignorance,"¹³ with the duty of fashioning a system of justice fair to all citizens. Behind the veil, we lack all knowledge of our natural assets and social situation. We do not know what our religion or philosophy is. Our race, ethnicity, gender, education, financial means, and social affiliations are mysteries to us as well. This is Rawls's way, when seeking to formulate principles of political justice, of abstracting from all particulars. Obviously, if one is ignorant whether he or she

9 Ibidem, pp. xx, xli.

10 "Reasonable pluralism" stands for "a diversity of opposing and irreconcilable religious, philosophical, and moral doctrines" that can support a stable and independent system of justice as fairness. Ibid, p. 4, 24n.

11 Ibid, pp. xxiv-xxvii, 36. Thinkers in addition to Rawls have tried making the point that the pluralism spawned by the Reformation is the basis of the pluralism we know today. See: Jon Butler, *Becoming America*, Harvard University Press, 2000, p. 186, where he states: "[B]etween 1680 and 1770 colonists transformed the religious patterns laid down in the seventeenth century, creating the religious pluralism and vitality long since identified as the very soul of modern American culture." What Rawls, Butler, and others see: to forget is that the pluralism evidenced in America before the Immigration Reform Act of 1965 still had broad lines of agreement that could be accurately described as Protestant, Catholic, and Jew. All were biblical. See: Will Herberg, *Protestant—Catholic—Jew*, Anchor Books, 1960. Today, there are in America countless religious orientations in evidence, not merely these three. It is absurd to conflate the pluralism of seventeenth-century America with that of the twenty-first century.

12 Ibid, pp. 34-35.

13 Ibid, pp. 22, 304-305.

is white or black, male or female, polymath or intellectually challenged, rich or poor, educated or uneducated, or Christian or Muslim, the objective will be to purge prejudices from the system and to take care protecting the rights of all. The goal will be to construct a system in which no disrespect is shown to an individual based upon his or her unique circumstances, including religious or philosophical orientation.

In Rawls's original position, the aim is to fashion a conception of political justice that is, by nature, limited in scope¹⁴ and coherent in bringing our various judgments and considerations about the system into "reflective equilibrium."¹⁵ This means that the construction of a political principle occurs when a general belief shared by citizens as part of public knowledge is examined from the perspective of the original position, and the holder of the belief goes back and forth between judgment and principle until a state of equilibrium is reached, or at least asymptotically approached.¹⁶ By means of this process, we formulate first the "equality principle,"¹⁷ according to which each citizen has an equal claim to a fully adequate scheme of equal basic rights and liberties. Second, we formulate a principle of fraternity, which Rawls calls the "difference principle,"¹⁸ whereby social and economic inequalities must be attached to positions and offices open to all under conditions of fair equality of opportunity and must inure to the greatest benefit of the least advantaged members of society. These two principles, according to Rawls, are lexically ordered,¹⁹ such that the first principle is satisfied prior to the second. Based on the first, freedoms, such as those of religion and conscience, are elevated to a position of vital, uncompromised importance while, based on the second, the social and economic advantages of the few are to benefit all. When they work together in tandem, they define pure procedural justice.²⁰

Rawls's equality principle, with its emphasis upon individual rights, distinguishes his theory from that of utilitarianism, which fosters "the ethics of a single rational individual prepared to take whatever chances necessary to maximize his prospects from the standpoint of the initial situation."²¹ Rawls believes it self-

14 Ibid, p. 13.

15 Ibid, p. 8.

16 Ibid, pp. 70, 95-96.

17 Ibid, pp. 5-6, 79.

18 Ibid, pp. 6, 282-283. Dombrowski astutely notes, "The difference principle roughly corresponds to the meaning of fraternity." See: Daniel A. Dombrowski, *Rawls and Religion*, State University of New York Press, 2001, p. 32.

19 John Rawls, *A Theory of Justice*, The Belknap Press, Cambridge, 1971, pp. 42-43.

20 *Political Liberalism*, p. 282. Those in the original position who construct the principles of "pure procedural justice" do so as "rationally autonomous beings." Ibid, pp. 72-73. Rawls states: "Pure procedural justice means that in their rational deliberations the parties [in the original position] do not view themselves as required to apply, or as bound by, any antecedently given principles of right and justice. Put another way, they recognize no standpoint external to their own point of view as rational representatives from which they are constrained by prior and independent principles of justice", Ibid, p. 73. "The parties are, in short, "self-authenticating sources of valid claims." Ibid, p. 72.

21 *A Theory of Justice*, pp. 167-168.

evident that average principles of utility would be roundly rejected in the original position. The rights of each citizen, he insists, must be respected as the rights of any and all others. The satisfaction of this principle does not mean that he is a socialist who favors an equal distribution of benefits to each citizen regardless of what the citizen has accomplished. Rawls understands that there are significant differences in citizens' level of aspiration, incentive, and achievement, resulting in social and financial inequalities.²² Yet these differences, whenever they exist, must be the result of equal opportunities available to all on the same terms. The inequalities effected by the system must, moreover, benefit all, especially the least advantaged, for, as he explains, "the representative man who is better off in any two-way comparison gains by the advantages offered him, and the man who is worse off gains from the contributions which these inequalities make."²³ An example of the difference principle at work might be that of a graduated income taxation system, whereby a neurosurgeon with a substantial financial income pays more in taxes than the hospital custodian does. The neurosurgeon's elevated social and financial status helps the custodian by making life better for him or her than it would otherwise be.

In the system that Rawls constructs, the "right" takes precedence over the "good."²⁴ Politics is about justice as fairness, and that in turn is about how citizens conduct themselves in relation to one another as free and equal members of society. Politics concerns the "reasonable," which Rawls understands as a fair system of social cooperation, and not the "rational," which is the capacity to have and to attain a conception of the good.²⁵ An idea, for him, can be consummately rational, but at the same time outrageous and unreasonable. As rational and meticulously logical as a comprehensive religious or philosophical view may be to the one who holds it, it should not be determinative in politics. This does not mean that one's conception of the good is entirely irrelevant in the political arena because, for Rawls, the right and the good reinforce each other.²⁶ Some conception of the good is integral to the moral life, and politics is a form of public morality. Yet comprehensive views do not, indeed cannot be allowed to, comprise the warp and woof of politics. For arguing about deity and its commands is, for Rawls, invariably an exercise in which ambition exceeds expectation, especially in a reasonable pluralistic society. The more circumscribed effort of fairness and social cooperation is a goal that, on the other hand, is achievable and that rightly constitutes the substance of political engagement.

Rawls's theory of justice has admitted social implications, the most significant of which perhaps is that citizens who have bracketed their religious and

22 Ibid, p. 283.

23 Ibid, p. 80.

24 *Political Liberalism*, pp. 173-174.

25 Ibid, pp. 48-54.

26 Ibid, p. 175.

philosophical views are encouraged to engage in a discourse primarily of “public reason.”²⁷ Note that this is the distinctive reasoning of “citizens” in their public capacity. The subject of this reasoning is none other than “the good of the public and the matters of fundamental justice,” and its nature and content are “given by the ideals and principles expressed by society’s conception of political justice.”²⁸ Citizens are discouraged from importing their comprehensive views, no matter how rational, into the political arena without honoring the “proviso” that “in due course public reasons. . .are presented.”²⁹ They must communicate with one another in a manner that all can understand, and this involves their setting aside theology and philosophy. When discoursing “on matters of constitutional essentials and basic justice,” Rawls stresses, “we are to appeal only to presently accepted general beliefs and forms of reasoning found in common sense, and in the methods and conclusions of science when these are not controversial.”³⁰ To interject into political conversation the idea of a Supreme Being is sure to constitute an affront to at least some citizens and, for Daniel A. Dombrowski, this manner of speech will “show them disrespect and hence treat them unfairly.”³¹ Muslims, Jews, Hindus, Buddhists, Christians, atheists, and devotees of all other sects, religious and philosophical, are not to advocate policy positions if they are supportable only by theological and philosophical reasons. When a citizen yields to this beguiling temptation, he or she disrespects those of conflicting comprehensive views and stops conversation. A Hobbesian truce will then prevail over an affirmation of freestanding principles of justice.

Rawls’s position is subtler than may meet the eye. He does not contend that there is no ultimate moral, religious or philosophical truth, nor does he profess an agnostic position regarding its discovery or derivation. His point is that, whether a comprehensive view is true or false, it is beyond the capacity of a political system to make the determination.³² In addition, he does not argue that citizens cannot personally reflect upon political matters based upon their private religious views, but only that they should exercise restraint in referring to these views in public.³³ Rawls likewise does not insist that every mention of deity or to holy writ is now, or has always been, a violation of public reason. He believes, for example, that Abraham Lincoln’s Proclamation of a National Fast Day, his two Proclamations of Thanksgiving, and his references to the Old Testament in his Second Inaugural Address did not violate public reason “as it applied in his

27 Ibid, pp. 212-254. It is important to note that Rawls distinguishes between “public” and “nonpublic” reason. The latter is not synonymous with “private.” Religion is nonpublic, but not private. Ibid, p. xxi.

28 Ibid, p. 213.

29 Ibid, pp. li-iii.

30 Ibid, p. 224. Apparently, public reason even brackets certain “methods and conclusions” of science when “they are controversial.”

31 Dombrowski, *Rawls and Religion*, p. 95.

32 *Political Liberalism*, p. xxii. Rawls argues that political liberalism is not in the position to decide which comprehensive views are true, but this is not the same as saying that none is true. See: also Ibid, pp. 63, 150.

33 Ibid, pp. 247-248.

day."³⁴ The same may be acknowledged of those today who introduce religious references into public speech so long as the speakers show restraint and offer public justification.

Rawls's political vision is, in summary, that of a metacommunity³⁵ consisting of diverse peoples who work together in accordance with commonly held principles of justice, and who incorporate these principles as a "module"³⁶ into their respective comprehensive religious and philosophical views in order to form a "reasonable overlapping consensus"³⁷ with fellow-citizens. This is Rawls's rendition of social contract theory. Citizens may be in different books, or perhaps libraries, when speculating about deity and divine commands, but they are on the same page of the same book when discoursing about political justice. Rawls's goal is to demonstrate that citizens of diverse faiths can work together according to a stable and coherent system of justice even when their religious and philosophical doctrines may not prosper, but decline, in a democratic society.

A Critique of Political Liberalism from the Idea of Culture

A veil of ignorance may enshroud the so-called "original position," but it is more than curious why those behind the veil come to champion individual rights, liberty, equality, and fraternity. Certainly the impress of these values upon humanity does not arise from, nor are they confirmed by, a state of ignorance, much less one imposed in a thought experiment. Nor does reason acting alone, from a starting point of general beliefs, commend these values to the world. It seems more likely that their appeal emanates from the messy crucible of Western history. There have been, of course, many conflicting conceptions of justice³⁸ that have been cogently advanced throughout history, each with its own respective emphasis and following. The suggestion that Rawls's theory is uniquely reasonable and accommodating to the demands of justice, because it is the one theory that emerges intact from a thought experiment, is breathtaking.

The benefits of human reason working behind a "veil of ignorance" seem hardly promising. In order to maintain direction, reason requires the context of a culture. Yet, across cultures, we see reason purchasing disparate standards of justice. The values extolled in Rawls's theory are, without question or surprise, broadly Western. They are, in other words, derived from and imbued upon him

34 Ibid, p. 254.

35 For this term I am indebted to Dombrowski, *Rawls and Religion*, p. 52. Rawls explicitly states that a "well-ordered democratic society is neither a community nor, more generally, an association." *Political Liberalism*, p. 40. But he would doubtless have no objection to the term "metacommunity" since it is not united by a single comprehensive doctrine. Ibid, 40n, p. 42.

36 Ibid, p. 10.

37 Ibid, p. 389.

38 See: *What Is Justice?*, Robert C. Solomon and Mark C. Murphy, eds, Oxford University Press, 1990.

by a distinctive culture, not simply by naked reason abstracting from particularities. As Oxford political theorist Larry Siedentop explains, “inventing the individual” has been the project of many centuries in the West, where the Christian religion has been the primary force. He explains “that in its basic assumptions, liberal thought is the offspring of Christianity . . . [and] emerged as the moral intuitions generated by Christianity were turned against an authoritarian model of the church.”³⁹ He further points out:

The roots of liberalism were firmly established in the arguments of philosophers and canon lawyers by the fourteenth and early fifteenth centuries: beliefs in a fundamental equality of status as the proper basis for a legal system; belief that enforcing moral conduct is a contradiction in terms; a defence of individual liberty, through the assertion of fundamental or ‘natural’ rights; and, finally the conclusion that only a representative form of government is appropriate for a society resting on the assumption of moral equality.⁴⁰

It is clear that, whatever appeal the principles of liberalism may now enjoy, is not the result of a castle of contemplation created in a philosopher’s study. The principles of justice cannot be derived from reason operating in a cultural void.

What inference, then, must we draw regarding Rawls’s original position? It is a clever artifice that inclines toward a conclusion both bogus and misleading: that a comprehensive religious or philosophical view has nothing to do with, and can be divorced from, a formulation of the principles of justice. Contrary to Rawls, religious and philosophical views, as well as the cultures to which they give rise, must be included behind the veil; otherwise, reason has no concrete application. Can Rawls be the last to recognize that the basic values of his system of justice are, in reality, byproducts of a particular religion and culture? His thought experiment turns out to be not only hypothetical, but also unrealistic as well. One suspects that, at most, what he succeeds in demonstrating is an a priori commitment to liberal values.

The decisive and overarching point to be underscored is that religion, with its comprehensive vision, gives birth to culture, which in turn provides a particular context in which reason works. It was the premiere historian Christopher Dawson who stressed that “the world religions have been the keystones of the world cultures, so that when they are removed the arch falls and the building is destroyed.”⁴¹ The great historian asks rhetorically, “What then is the relation of culture to religion?” His answer is as follows:

It is clear that a common way of life involves a common view of life, common standards of behavior and common standards of value, and consequently a culture is a spiritual community which owes its unity to common beliefs and

39 Larry Siedentop, *Inventing the Individual: The Origins of Western Liberalism*, Belkap Press, Cambridge, 2014, p. 332.

40 Ibid.

41 Christopher Dawson, *Religion and Culture*, The Catholic University Press of America, Washington, D.C, [1948], 2013, p. 16.

common ways of thought far more than to any uniformity of physical type.⁴²

Expanding upon this relationship, and stressing its connection to the utilization of reason, historian Thomas E. Woods, Jr. adds, "The Church . . . built Western civilization."⁴³ He points out that historians of science, such as A.C. Crombie, David Lindberg, Edward Grant, Stanley Jaki, Thomas Goldstein, and J. L. Heilbron, have all acknowledged the immense debt owed by the scientific revolution to Christianity.⁴⁴ Woods highlights the victories of reason in the context of Christian culture. He points out that the creation and development of the university, of international law, of the common law, of economics, of Western morality, and virtually every other intellectual enterprise of Western civilization was the work of reason guided by the inspiration of a single religion. Indeed, according to historian Rodney Stark, the creative power of reason in the West, represented especially by the massive steps taken in the sciences, is the result of the Christian religion. He writes, "The truth is that science arose only because the doctrine of the rational creator of a rational universe made scientific inquiry plausible."⁴⁵ Religion, culture, and reason are inextricably intertwined and reinforce one another. For citizens to acknowledge the seminal influence of the Christian religion upon Western civilization, and to celebrate it as such, affirming that this comprehensive religious view has a unique place, both politically and civilly, in the Western world is to admit nothing less than a fact. It is also, considering the Christian religion's boundless litany of cultural gifts, a happy fact, and hardly "the fact of oppression."⁴⁶

Rawls is an intellectual standing at the receiving end of a long tradition of Western liberal thought; but just as surely he is an American who is deeply concerned about his country's system and institutions of justice. The awareness of this fact raises additionally troubling concerns about his project. In spite of the conclusion of some commentators, and Rawls himself would seem to be one, that the United States Constitution and its institutions of justice are "godless,"⁴⁷ nothing could really be further from the truth. Harvard political theorist Samuel P. Huntington observes that "America is a founded society created by seventeenth- and eighteenth-century settlers almost all of whom came from the British Isles. . . . They initially defined America in terms of race, ethnicity, culture, and *most importantly religion*."⁴⁸ Huntington expands upon this characteriza-

42 Ibid, p. 36.

43 Thomas E. Woods, Jr, *How the Catholic Church Built Western Civilization*, Regnery Publishing, Inc, Washington, 2005, p. 1.

44 Ibid, pp. 69-113.

45 Rodney Stark, *How the West Won: The Neglected Story of the Triumph of Modernity*, ISI Books, Wilmington, 2014, p. 40.

46 *Political Liberalism*, p. 37.

47 See: Isaac Kramnick and Laurence Moore, *The Godless Constitution*, W.W. Norton, 2005. It is unfair to contend that Rawls is a thoroughgoing secularist, since he thinks there is a place for the public expression of comprehensive religious and philosophical views. In another sense, however, he is a secularist inasmuch as he advocates that public reason alone is to be used in political discourse. If the term is applicable to him at all, it is applicable only to his politics.

48 Samuel P. Huntington, *Who Are We*, Simon & Schuster Paperbacks, 2004, p. 38 (emphasis mine).

tion: "Its origins as an *Anglo-Protestant* settler society have, more than anything else, profoundly and lastingly shaped American culture, institutions, historical development, and identity."⁴⁹ Huntington is correct: at the heart of the settler's culture, was Protestantism. Even Roman Catholics, he maintains, assimilated to Protestant culture.⁵⁰ Everything in America, according to the brilliant German-American historian Philip Schaff, had "a Protestant beginning."⁵¹ At the risk of belaboring the point, suffice it to say that political theorist and historian Russell Kirk also emphasizes the monumental debt that American culture owes to the British and to religion. "All the aspects of any civilization," Kirk maintains, "arise out of a people's religion: its politics, its economics, its arts, its sciences, even its simple crafts are the by-products of religious insights and a religious cult."⁵² It borders upon historical amnesia to argue for an *American* system of justice, in which the immense and foundational contribution of the Christian religion, as well as the culture that flourished around it, is ignored. Any system of justice, the derivation of which runs counter to and discounts historical fact, is troubling and should raise an immediate red flag. Rawls appears to fall victim here to an unfortunate tendency, commonly witnessed in liberal thought, of attempting to create the world anew. His hypothetical veil of ignorance is one that, if it could even be actualized, would constitute little more than an abysmal void, disorienting reason and rendering it unable to deliver on anything, much less the guiding principles of justice. A theorist who undertakes to construct a theory of justice behind a veil of ignorance, thus bracketing religion and culture, is involved from the start in a misguided, self-delusive, and vainglorious effort.

This conclusion is further borne out in Rawls's idea of "public reason." When divorced from its religiocultural context, political discourse loses its underlying power and support and becomes sadly impoverished. Although his goal is a laudable one of ensuring that the justification provided in political discussion and debate is readily accessible to all citizens, the implementation of the goal is crippling. Rawls involves himself in policing the content of speech. He insists, for example, that the political speaker, even when a Christian in a *de facto* Christian culture, must refrain from offering religious or philosophical reasons in advocacy. Yet how is it, one wonders, that invoking the thought of a Charles Hartshorne or an Alvin Plantinga is inappropriate, disrespectful, inaccessible, or irrelevant? Both thinkers are rigorously logical and profoundly thoughtful when they speak of God. Their writings are critically mindful of both common sense

49 Ibid, p. 39 (emphasis mine).

50 Ibid, p. 92. Dombrowski asserts that "Catholics and Protestants get along with each other these days precisely because they have been civilized by liberalism." *Rawls and Religion*, 7. One might suspect that Huntington could have expanded on his position by arguing that the two have gotten along with each other in this country as well as they have because they share the same deity and most of the same scriptural canon; that is, both are "Christian." The diversity between them is significant, but not radical. Liberalism, he might have added, has only appeared to be the civilizing agent.

51 Philip Schaff, *America: A Sketch of Its Political, Social, and Religious Character*, Harvard University Press, 1961, p. 72.

52 Russell Kirk, *The Roots of American Order*, ISI Books, Wilmington, 2003, p. 14. See: also his, *America's British Culture*, Transaction Publishers, New Brunswick, 1993, pp. 70-72.

and the findings of modern science. Why not, as Nicholas Wolterstorff advises, permit thoughtful religious voices to speak their mind, and “concern ourselves with the *virtues* of the conduct of the debate rather than with the *content* of the positions staked out in the debate?”⁵³ Rawls desires to discourage reference to their thought in political debate because he deems their thought to have no immediate relevance to the freestanding system of justice that he advances. Perhaps, at this point, one should ask how banning, limiting, or discouraging speech in the political arena on the basis of its content is a liberal idea in keeping with the First Amendment. Rawls’s idea may strike some as even oppressive, befitting authoritarian regimes where citizens cower in a political straitjacket. Such a “gag order,” as philosopher Jean Elshtain analyzes it, implies an illiberal command – that “we depluralize in the name of democratizing.”⁵⁴ In view of this unfortunate effect, maybe Rawls’s idea of public reason would prove more sanguinely liberal if it were modified to encourage Christians, who discourse about politics from primarily a faith perspective, to support their statements with the dictates of reason rather than with arguments based upon mystery (*argumentum ad mysteriam*) or holy writ (*argumentum ad verecundiam*). Such a modification might help safeguard politics from arbitrary points of view, and would not impose a restriction on references to deity as a primary reason in political discourse. Rawls appears to believe that theological and philosophical argument amounts, in substance, to either heteronymous divine commands or to abstract argument so distant from political discourse as to accomplish little more than confounding it. Neither is true.

Yet assume, *arguendo*, that a political speaker publicly invokes Christian reasons and symbols to make his or her point regarding a controversial political subject, and that there are some in the audience who are unable to follow the train of thought. Does this mean that the speaker is *ipso facto* insensitive to or disrespectful of his listeners, any more than if he or she had used polysyllabic terms or had referenced passages from secular literary works that listeners could not understand? The consideration is outrageous, and the answer is obvious. In a culture that was given birth by the Christian religion, where Christian clergymen, such as Elisha Williams, George Whitefield, Jonathan Mayhew, John Witherspoon, Jonathan Edwards, Jr, and Timothy Dwight, preached political sermons to political assemblies,⁵⁵ it is difficult to comprehend, and almost defies credibility, that Rawls approves only so-called public reasons in politics and counsels restraint in the use of religious and philosophical ones. The fact is that separation of religion and politics was virtually unknown in America until the ninetieth cen-

53 Nicholas Wolterstorff, “Why We Should Reject What Liberalism Tells Us about Speaking and Acting in Public for Religious Reasons”, in: *Religion and Contemporary Liberalism*, Paul J. Weithman, ed, Notre Dame University Press, 1997, p. 180.

54 Jean Elshtain, “The Question Concerning Authority,” *ibid*, p. 253.

55 See: *Political Sermons of the America Founding Era, 1730-1805*, 2 vols, Ellis Sandoz, ed, Indianapolis, Liberty Fund, 1998.

tury.⁵⁶ Could he be unaware of the fact that even Thomas Jefferson, at the beginning of his tenure as president, walked over to the House of Representatives to listen to his Baptist friend, the Reverend John Leland, preach there?⁵⁷

When referencing Abraham Lincoln's religious proclamations and his Second Inaugural Address, Rawls contends that "Lincoln does not violate public reason as I have discussed it and as it applied in his day – whether in ours is another matter – since what he says has no implications bearing on constitutional essentials or matters of basic justice." Yet in his Second Inaugural, the sixteenth president addressed the issues of slavery and of civil war, so his words did in fact bear upon "constitutional essentials or matters of basic justice." That Rawls attempts to skirt the issue of "public versus nonpublic" reasoning in this instance by qualifying his statement with "as it applied in his day – whether in ours is another matter . . ." is telling. What he seems to be suggesting is that Lincoln was justified in appealing to God and to the Bible as he did, but speakers today are not justified in doing so, because the population of the United States is far more diverse now than it was then. A heavy pluralistic and multicultural environment would serve, in other words, to sound a note of caution against any such address today.⁵⁸ If this is Rawls's meaning, then additional uncomfortable, politically incorrect questions arise for him. Why should newcomers to the United States of America be allowed to import into an already established and prevailing culture the cultures from whence they come? Does multiculturalism, when interpreted as a policy that refuses to acknowledge a dominant culture within a nation, not damage the "spiritual community" about which Dawson writes, "which owes its unity to common beliefs and common ways of thought"? As the legendary historian Arthur M. Schlesinger, Jr. reminds us, "The point of America was not to preserve old cultures, but to produce a new American culture."⁵⁹ This is, for better or worse, what America is. The country has its own cultural history, albeit with a heavy debt to the British, and the question is whether its culture should remain foundational or be erased. The stakes of the matter are high and, in fact, of life and death proportion. As German historian Michael Stürmer warns, "Loss of orientation and the search for identity are brothers. . . . Anyone who believes that this has no effect on politics and the future ignores the fact that in a land without history, he who fills the memory, defines the concepts, and interprets the past, wins the future."⁶⁰ Rawls's scheme of justice contributes to America's cultural conflagration, with an insouciance befitting Nero, and does so to the extent that even the religious wellsprings of the culture are dammed. Again, what he fails to

56 Philip Hamburger, *Separation of Church and State*, Harvard University Press, 2002, pp. 53, 78, 109-129. The author points out the distinction between the disestablishment of churches and the position known as separationism. *Ibid.*, p. 107.

57 Daniel L. Dreisbach, *Thomas Jefferson and the Wall of Separation Between Church and State*, The New York University Press, 2002, p. 21.

58 This would imply an admission of the fact that pluralism then and now cannot be conflated. See: note 10 above.

59 Arthur M. Schlesinger, Jr. *The Disuniting of America: Reflections on a Multicultural Society*, W.W. Norton, 1998, p. 17.

60 *Ibid.*, p. 57 (quoting Michael Stürmer).

recognize is that a system of justice thrives only within a prevailing culture, and the culture flourishes under the impetus of a religion. If and when the culture is erased, so is the system of justice.

In supporting a bifurcation between the political and the civil, Rawls seems unaware of the fact that society is a body the various parts of which – civil and political – interpenetrate and support one another. There is a deep and congenitally pervasive dependence between them. "The civility that makes democratic politics possible," argues John A. Coleman, "gets learned in the associational networks of civil society."⁶¹ He emphasizes that "a true citizen democracy encompasses much more than a mere procedure of suffrage, vote, and representation. It depends on a cultural ethos of democracy primarily anchored in civil society."⁶² He further asserts: "The fate of the public church and a vital and public civil society rise and fall together."⁶³ David Hollenbach maintains with much the same spirit and meaning as Coleman, "Active involvement in church life not only provides motivation and a context for recruitment of political activity; it also has a significant, measurable impact on the capacity of Americans to become politically involved."⁶⁴ To cordon off Christianity from politics, as Rawls attempts to do, is to impose upon Christianity a kind of irrelevance so far as the system of public justice is concerned and to leave politics at the mercy of destructive attitudes that cannot be controlled. Philosopher Charles Hartshorne makes the point with admirable insight and clarity:

The alternative to religion in the true sense is megalomania in some form, the deifying of something human; or else it is the discouragement of man's vital impulses by the notion of an absolute so alien to man that he can derive no sympathetic satisfaction, no participating joy and fellowship from its existence, but must rather seek to annihilate himself as irrelevant to ultimate value.⁶⁵

When, in the history of a nation, godless politics ever proved ennobling or constructive is an unsearchable mystery, for, as Hartshorne states, "[W]ithout the idea of God there can be no clear criterion of good and bad, fortunate or unfortunate."⁶⁶ An important corollary to this truth is precisely what Rawls does not admit,⁶⁷ and it is that metaphysics profoundly influences political ideology.

Not only Rawls's brand of liberalism, but also others, brings one finally to a decisive wall of distinction in political theory, between government with or without purposes, which are inspired by some idea of the good. In the name of social cooperation, respect, and fairness, Rawls desires to disavow any trans-

61 John A. Coleman, *Deprivatizing Religion and Revitalizing Citizenship*, *Religion and Contemporary Liberalism*, p. 278.

62 *Ibid.*, p. 283.

63 *Ibid.*, p. 265.

64 David Hollenbach, "Politically Active Churches: Some Empirical Prolegomena to a Normative Approach", *Religion and Contemporary Liberalism*, 297.

65 Charles Hartshorne, *Beyond Humanism* (Lincoln: University of Nebraska Press, 1937), 18.

66 *Ibid.*, 37.

67 *Political Liberalism*, p. 10.

endent purpose of goodness in governance.⁶⁸ Since the right takes precedence over the good, the upshot is that there is no extrinsic criterion in politics by which to distinguish good from evil. Politics has its own rules and is, in this respect, self-contained.⁶⁹ With this isolating feature, there is little or nothing to check its leading figures from falling prey to “megalomania” and amoral action. But, notwithstanding this sad state of affairs, the fact is that public authority does, even if by default, legitimate values outside its designated realm of activity. Nonpublic authority is frequently at odds with these values, but is weakened by and incapable of standing up to them. Civil institutions can, as a result, suffer a free-fall into decadence, eventually collapsing upon themselves. The moral of the story is that the civil must be reinforced by the political, and vice versa. American historian Gertrude Himmelfarb critically questions the divorce in liberalism of the two. She writes:

Individuals, families, churches, and communities cannot operate in isolation, cannot long maintain values at odds with those legitimated by the state and popularized by the culture. It takes a great effort of will and intellect for the individual to decide for himself that something is immoral and to act on that belief, when the law declares it legal and the culture deems it acceptable. It takes an even greater effort for parents to inculcate that belief in their children, when school officials contravene it and authorize behavior in violation of it. Values, even traditional values, require legitimation. At the very least they require not to be illegitimated.⁷⁰

Her point is that civil and political institutions fortify each other. This mutual support depends upon acknowledgement of a common purpose or purposes, the absence of which leads to what she rightly describes as “the de-moralization of society.” A vital check on this tendency is the idea of a righteous, but loving, deity supported to some degree by every arm of society.

Yes, Rawls’s system of political liberalism makes a notable effort of protecting political discussion and debate from warring deities, but, most significantly, what it ultimately fails to do is to demonstrate how godless politics can strengthen civil society. There are many examples of the debilitating effect of politics when separated from a belief in deity, such as Stalin’s Soviet Union, Hit-

68 A liberal thinker with whom Rawls is in agreement on this issue is Michael Oakeschott, *ibid.*, p. 42, who distinguishes between “civil association” and “enterprise association,” describing the latter as agents “related in the joint pursuit of some imagined and wished-for common satisfaction.” An enterprise, for him, is a relationship between people in terms of the pursuit of some common purpose, some substantive condition of things to be jointly procured, or some common interest to be continuously satisfied.” Michael Oakeschott, *On Human Conduct*, Clarendon Press, 1975, p. 114 (emphasis mine). Purposive action encroaches, so this line of reasoning goes, on the freedom of association, such that “it is only by holding the governing ideal of liberal neutrality – that is, by making the state studiously neutral with respect to the variety of ends for which individuals come together – that civil society can flourish.” Richard Boyd, *Uncivil Society: The Perils of Pluralism and the Making of Modern Liberalism*, Lexington Books, 2004, pp. 298-299. Of course, standing at the other end of thought on this issue is Aristotle, who states that “every state is an association of persons formed with a view to some good purpose.” Aristotle, *The Politics*, trans. T. A. Sinclair, Penguin Books, 1962, p. 25.

69 *Political Liberalism*, p. 12.

70 Gertrude Himmelfarb, *The De-Moralization of Society*, Vintage Books, 1994, pp. 247-248.

ler's Germany, and Pol Pot's Cambodia. Although it may be tempting here one to interject that the Christian faith is a matter only for one's "inner life," but since religious conviction represents a self-understanding that integrates and is exemplified in all human activity, including politics, the relegation of faith solely to the recesses of the inner life emasculates it as a social and political force.

To recognize the thoroughly integrative nature of religious conviction does not imply that purposes shared between political and civil society necessarily lead to a monolithic, dictatorial state, or to Hobbes's "Leviathan." Peaceful dissent may still be upheld and minority views respected. Toleration can be practiced. But the political state will have a definite direction, and moral relativism will not hold sway over it. In Himmelfarb's words, no longer will a distinction "between the publication of Ulysses and the public performance of sodomy. . . be [thought] arbitrary and authoritarian."⁷¹

Parting Observations

Rawls is, in the final analysis, an intellectual legatee of Kant. Both thinkers involve themselves in a delimiting project. Kant desires to limit the realm of empirical knowledge, drawing a bold line of demarcation between the understanding and reason. Rawls, on the other hand, attempts to limit the realm of political justice, delineating between the reasonable and the rational. Kant holds that classical metaphysical issues, such as the freedom of humanity, the existence of God, the immortality of the soul, and the purposiveness of nature, cannot be resolved by the understanding. Rawls holds that these issues cannot be resolved by a system of political justice. The fact that both thinkers resort to bifurcation is revealing. If Kant's system now stands as a monument to any philosophic truth, it is that knowledge, as Alfred North Whitehead insists, cannot exist in "water-tight compartments"⁷² and that the effort to place it there is invariably based upon a distorted view of reality. Furthermore, the bifurcation itself, because it is artificial, tends illegitimately to elevate the status of one side of reality while reducing in importance the other. Religion and morality, as Kant left them, were eventually discounted by the world, for, within his system of thought, they had no sensible basis. To speak of them was literally "nonsense."⁷³ They are discounted by Rawls as well, because they are deemed irrelevant to the issues of justice as fairness, or to how political society is structured and governed. His philosophy of political liberalism suffers in its own way from the same kind of myopia as was manifested in Kant's philosophy of knowledge. One realm, constituted of the religious and moral, is compromised by, and sacrificed to, another, the political.

71 Ibid, p. 249.

72 Alfred North Whitehead, *Process and Reality*, The Free Press, New York, [1929], 1969, p. 13.

73 See: L. Scott Smith, "Christian Ideas as 'Nonsense': The Continuing Legacy of Kant's Worldview," *Process Studies* (forthcoming, 2018).

The overall effect is incoherency, as each realm is placed in its own “watertight compartment.” Rawls’s attempt to derive principles of justice parallels Kant’s attempt to uncover the transcendental ground of knowledge. Each project resorts to bifurcation and turns out being an unrealistic and misbegotten endeavor.

When a system of justice is “freestanding,” which is another way of saying that it is not strictly dependent upon underlying metaphysical principles, the instrument of reason is cut off from its cultural fountainhead, and so must adopt another set of beliefs, even if officially concealed from view. Consider the courts, which Rawls applauds as “the exemplar of public reason.” There is, as most every practicing attorney knows and has experienced, a duplicity at work in many important court decisions. The black-letter law can be manipulated to support a large variety of positions. As Georgetown constitutional law professor Mark Tushnet states,

I am invariably asked, ‘Well, yes, but how would you decide the X case?’ ... My answer, in brief, is to make an explicitly political judgment: which result is, in the circumstances now existing, likely to advance the cause of socialism. Having decided that, I would write an opinion in some currently favored version of Grand Theory.¹⁷⁴

The point is that, when defining justice apart from its religiocultural moorings, as Rawls does, issues such as religious liberty, abortion, homosexual marriage, pornography, and physician-assisted suicide are adjudicated according to the personal religious or philosophical views of the justices. On what else can such decisions ultimately rely when the Constitution is silent and gaps exist in the relevant statutes, if any? The fact is that, within (and even beyond) the interstices of the black-letter law, justices legislate, and do so according to their comprehensive religious or philosophical views. Yet since the explicit expression of comprehensive views is discouraged by Rawls, an interesting development follows when distinctively religious voices are raised in criticism of a court decision. They receive an officious reprimand for the inappropriate and disrespectful interjection of their personal religious views into matters of justice. For only public reason, after all, is acceptable in that arena. Instead of being a positive “exemplar of public reason,” courts are a negative one, as they are often little more than a ruse for the ruthless exercise of judicial power. As presently configured, they represent, in their own way, the acme of much that is wrong with a godless political order.

The Christian religion and the culture to which it gave birth are doubtless under siege. One can work to neutralize the ferocity of this tidal wave of opposition and resistance; or one can acquiesce in it, and try to swim with the tide. Rawls seems comfortable with the latter course. There are those, however, who think he is seriously wrong-headed and that he misunderstands the integrative

74 Mark Tushnet, *The Dilemmas of Liberal Constitutionalism*, *Ohio State Law Journal*, Vol. 42, 1981, pp. 411, 424.

power of religion and, more specifically, of Western Christianity and the role it has played in centuries of Western civilizational pre-eminence. Both views cannot be correct. If his view is confirmed over time, then the opposing assessment of it will surely be condemned as ungracious, retrograde, and colonialist. Yet, if his critics are correct, then when the epitaph of his philosophy of political liberalism is written, it will likely be described as a system of justice, which to be fair to competing religions and cultures, was largely indifferent to its own deepest inspirations. To the extent that the country sympathized with and implemented his notion of political liberalism, an ominous comment from Robert D. Kaplan may also come to mind, "America, more than any other nation, may have been born to die."⁷⁵

75 Robert D. Kaplan, "Fort Leavenworth and the Eclipse of Nationhood," *Atlantic Monthly*, Vol. 278, 1996, p. 81.

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Л. Скот Смит

**ДА ЛИ ИДЕЈА БОГА ПРИПАДА ПОЛИТИЦИ? ОДГОВОР НА
„ПОЛИТИЧКИ ЛИБЕРАЛИЗАМ“ ЏОНА РОЛСА**

Сажетак

Овај полемички чланак нуди историјску и културну анализу политичког либерализма Џон Ролса и тврди да „оригинална позиција“ његове философије не само да је хипотетичка, већ и нереална по својој особености да игнорише свеобухватност религијског и философског погледа на свет. Ролс покушава да изведе идеје слободе, једнакости и братства на основу мислећег експеримента, без разматрања фундаменталне улоге хришћанске религије, која је била кључна у рађању и развоју ових идеја.

Кључне речи: Ролс, политички либерализам, хришћанство, политика, слобода, једнакост, братство

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