It was a surprising discovery of modern liberal politics. As John Rawls puts it, "the success of liberal constitutionalism came as a discovery of new social possibility: the possibility of a reasonably harmonious and stable pluralist society." There was, he thinks, no way of knowing in advance of that possibility. Moreover, this pluralism is itself reasonable. Modern democratic societies are characterized, according to Rawls, "not simply by a pluralism of comprehensive religious, philosophical and moral doctrines but by a pluralism of incompatible yet reasonable comprehensive doctrines." So liberals should now start from the assumption that such pluralism is the normal result of the exercise of human reason within the context of the free institutions of a democratic society. The assumption is supported by the modern history of secular philosophical ethics. As Robert M. Adams notes, "nothing in the history of modern secular ethical theory gives reason to expect that general agreement on a single comprehensive ethical theory will ever be achieved — or that, if achieved, it would long endure in a climate of free inquiry." And, needless to say, the prospects for agreement on a single comprehensive religious doctrine are, at best, equally dim.

I share with Adams the view that the discovery of this new social possibility was "an important moral discovery," though, as he notes, Rawls is "more explicit about discovery of possibility than about discovery of value." In particular, it seems to me that liberal societies in which there is a pluralism of reasonable comprehensive religious doctrines realize some very significant values. Among them is the availability to those who live within such societies of a variety of sources of insight into human spirituality and a transcendent dimension of reality as well as ample social space for criticism and reform of religious traditions. Of course, like Rawls, who attributes this thought to Isaiah Berlin, I believe "there is no social world without loss." And, like Adams, I think that "some social arrangements seem to have few advantages, but all have disadvantages." I can appreciate the values, especially those connected with social and cultural integration, that can be realized in a religiously homogeneous society but are bound to be lost, at least to some extent, in a religiously pluralistic society such as ours. But if I had a choice about which sort of society I would inhabit, I would opt for a religiously pluralistic society. So I am a supporter of the religious arrangements commonly found under modern liberal constitutional regimes. Believing what I do about loss, however, I consider it incumbent on me to be attentive to the costs such regimes impose on
religion and their religious citizens. A big question for me therefore is how to arrange such costs so that they are not an excessive burden on religious citizens.

In my opinion, the version of political liberalism developed in the past two decades by Rawls is the best attempt so far to work out in detail a liberal political theory according to which the costs liberal regimes should impose on religious citizens are, though real, close to minimal. An important innovation in that theory is its distinctive idea of public reason, which is explained in Lecture VI of the book Political Liberalism and then refined in the article “The Idea of Public Reason Revisited.” Can religious citizens live comfortably within the limits of public reason and should they be willing to do so? Some philosophers favor negative answers to these questions. In a pair of powerfully argued book chapters, “Why We Should Reject What Liberalism Tells Us” and “The Role of Religion in Decision and Discussion of Political Issues,” Nicholas Wolterstorff has directed critical fire against Rawls’s version of the liberal position. I think much of this critical fire misses the mark, and I argue for that conclusion in this paper. Its first part is devoted to explaining the Rawlsian idea of public reason; its second part defends that idea against some of Wolterstorff’s critical assaults.

I. THE RAWLSSIAN IDEA OF PUBLIC REASON EXPLAINED

For Rawls, public reason is the reason of democratic citizens, who share the status of equal citizenship, on the subject of the good of the public. It is to be contrasted with the reasons of rulers in aristocratic and autocratic regimes and with the nonpublic reasons, within a democratic society, of churches, universities and many other associations within civil society. Two structural features Rawls attributes to it deserve to be emphasized. The first is the fundamental political questions to which it applies; they are questions of constitutional essentials and matters of basic justice. Constitutional essentials concern the general structure of government and political processes as well as the equal basic political rights and liberties of citizens. Matters of basic justice have to do with the basic structure of society and, in particular, how it ought to respond to social and economic inequalities. The second feature is the persons to whom the idea of public reason applies; they are persons

1John Rawls, Political Liberalism (New York: Columbia University Press, 1993), xxv. (Hereafter cited as PL.)
2PL, xvi.
5PL, 197.
6FIG, 334.
8PL, 217.
9“IPRR,” 769.
10Ibid., 769.
11PL, 218.

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who conduct discussions of the fundamental political questions in the public political forum. Rawls specifies this forum quite narrowly. He says it “may be divided into three parts: the discourse of judges in their decisions, and especially of the judges of a supreme court; the discourse of government officials, especially chief executives and legislators; and finally, the discourse of candidates for public office and their campaign managers, especially in their public oratory, party platforms, and political statements.” To get around the problem of drawing a line separating candidates and those who run their campaigns from other politically engaged citizens, Rawls by stipulation makes candidates and those who run their campaigns responsible for what others say or do on behalf of candidates. It is thus important to be clear at the outset that the idea of public reason is meant to apply only to questions of constitutional essentials and matters of basic justice and only to discussions of them in the public political forum, narrowly circumscribed.

Public reason helps to specify an ideal conception of citizenship for a constitutional democratic regime. Rawls thinks it is a normative ideal. Thus it imposes on citizens “a moral, not a legal duty — the duty of civility — to be able to explain to one another on those fundamental questions how the principles and policies they advocate and vote for can be supported by the political values of public reason.” How do citizens live up to the ideal and fulfill the duty? Judges, chief executives, legislators and candidates for public office do so when they “act from and follow the idea of public reason and explain to other citizens their reasons for supporting fundamental political positions in terms of the political conception of justice they regard as the most reasonable.” And how do citizens who are not government officials comply with the duty of civility? Recently Rawls has said that they “fulfill their duty of civility and support the idea of public reason by doing what they can to hold government officials to it.” But earlier he had presented his ideal of democratic politics as asking more than that. One of the tasks of all democratic citizens is that they should at least try to “be ready to explain the basis of their actions to one another in terms each could reasonably expect that others might endorse as consistent with their freedom and equality.” It is not clear, at least to me, whether he then thought that performing this task is required by the duty of civility and, if he did, whether he has since backed off from that view. What does seem clear is that the duty of civility requires government officials and political candidates to use the political conception of justice they find most reasonable to explain to their fellow citizens why they support the positions they do on constitutional essentials and matters of basic justice and requires other citizens to try to hold government officials and political candidates to conducting themselves in this manner. And it also seems clear that Rawls once thought that citizens who are not government

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officials or political candidates should, in order to realize fully the ideal of public
reason, do what they can to make themselves ready to explain to one another their
positions and actions regarding constitutional essentials and matters of basic jus-
tice in terms each could reasonably expect that the others might endorse as consist-
ent with their freedom and equality. What kinds of normative constraints do the
ideal of public reason and the duty of civility it imposes actually involve? In order
to address this question, it is important to understand Rawls’s idea of a political
conception of justice and how he specifies the reasonable.

Let us begin with the idea of a political conception of justice. While a political
conception is a moral conception, it is restricted in some significant ways.
According to Rawls, political conceptions have the following three features: “First,
their principles apply to basic political and social institutions (the basic structure of
society); second, they can be presented independently from comprehensive doc-
trines of any kind (although they may, of course, be supported by a reasonable
overlapping consensus of such doctrines); and finally, they can be worked out from
fundamental ideas seen as implicit in the public political culture of a constitutional
regime, such as the conceptions of citizens as free and equal persons, and of soci-
ey as a fair system of cooperation.” 12 The first feature insures that political concep-
tions are limited in scope; they do not apply to every issue where justice is at stake.
The second guarantees that they are freestanding relative to comprehensive philo-
sophical and religious doctrines in the sense that presentations of them need not
appeal to such comprehensive doctrines. And the third specifies a source for politi-
cal conceptions that is generally accessible to and widely shared by citizens of a
constitutional democracy. Rawlsian political liberalism is, of course, particularly
concerned with liberal political conceptions of justice. Liberal political concep-
tions are political conceptions with the following additional features: “First, a list
of certain basic rights, liberties, and opportunities (such as those familiar from con-
stitutional regimes); Second, an assignment of special priority to those rights, lib-
erties, and opportunities, especially with respect to the claims of the general good
and perfectionist values; and Third, measures ensuring for all citizens adequate all-
purpose means to make effective use of their freedoms.” 13 These features help to
configure distinctively liberal substantive principles of justice for political concep-
tions. In addition to their substantive principles of justice, liberal political concep-
tions also contain guidelines for inquiry that “specify ways of reasoning and
criteria for the kinds of information relevant for political questions.” 14 The substan-
tive principles of justice and the guidelines for inquiry in turn specify political val-
ues of two sorts. The substantive principles give rise to values of political justice;

12 “IPRR,” 776.
13 Ibid., 774.
14 Ibid., 773.
15 Ibid., 773.
16 Ibid., 774.
17 Ibid., 774.
18 Ibid., 775.
19 PL, 49.
they include equal political and civil liberty and equality of opportunity. The guidelines generate values of public reason, which include political virtues such as reasonableness and a readiness to honor the duty of civility. Rawls also insists that liberal political conceptions should be complete. For him, this means that “each conception should express principles, standards, and ideals, along with guidelines of inquiry, such that the values specified by it can be suitably ordered or otherwise united so that those values alone give a reasonable answer to all, or to nearby all, questions involving constitutional essentials and matters of basic justice.”

It is worth calling attention at this point to the fact that Rawls has deliberately characterized liberal political conceptions of justice rather abstractly. It follows directly that “the content of public reason is given by a family of political conceptions of justice, and not by a single one.” Even the liberal political conception Rawls himself prefers, justice as fairness, which makes use of the representational device of the original position in specifying its substantive principles of justice, is only one liberal political conception among many. To be sure, such conceptions are united in their endorsement of the general ideas of citizens as free and equal persons and of society as a fair system of cooperation over time. However, as Rawls hastens to add, “since these ideas can be interpreted in various ways, we get different formulations of the principles of justice and different contents of public reason.” Rawlsian political liberalism does not aspire to fix public reason in the form of just one liberal political conception. Even if one or a few conceptions were, in the course of a society’s historical development, to become dominant, “the forms of permissible public reason are always several.” In short, public reason does not demand of citizens of a constitutional democracy, even at the level of principle, unanimity on political questions, even when constitutional essentials or matters of basic justice are at stake.

As we have seen, the idea of the reasonable enters into Rawls’s characterization of the duty of civility as it applies to government officials and political candidates, into his description of a task he once thought the ideal of public reason sets for democratic citizens who are not government officials or political candidates, into his specification of the political values of public reason, and into his definition of completeness for liberal political conceptions of justice. So let us now turn to what he has to say about this idea. Rawls contrasts the reasonable with the rational, and he does not try to define the reasonable directly. Instead, he specifies two of its aspects as virtues of persons. The first is this: “Persons are reasonable in one basic aspect when, among equals say, they are ready to propose principles and standards as fair terms of cooperation and to abide by them willingly, given the assurance that others will likewise do so.”

Proposing principles and standards as fair terms...
of cooperation involves taking them to be reasonable for everyone to accept. The second aspect is “the willingness to recognize the burdens of judgment and to accept their consequences for the use of public reason in directing the legitimate exercise of political power in a constitutional regime.” The burdens of judgment are factors that contribute to explaining reasonable disagreement under conditions of free inquiry. According to Rawls, they include conflicting and complex evidence, disagreement about the weights to assign to various considerations, conceptual vagueness or indeterminacy, the influence of differing total life-experiences on how we balance values, difficulties in coming up with an overall assessment of competing normative considerations, and being forced to select among values that compete for room in a social space that cannot fully realize them all. Accepting the consequences of these burdens, and others like them, involves acknowledging that reasonable people can disagree about how to order or balance political values when they are applied to cases even if they agree about which political values are applicable. As Rawls observes, liberal political conceptions differ not only about substantive principles but also “in how they order, or balance, political principles and values even when they specify the same ones.” What is more, even within a single liberal political conception, there can be reasonable disagreement about how to order or balance its political values in particular cases. Thus it is only to be expected that “reasonable political conceptions of justice do not always lead to the same conclusion; nor do citizens holding the same conception always agree on particular issues.” In other words, public reason itself often allows more than one reasonable answer to a particular question. What are we to do in such situations?

Rawls is aware that some will be tempted to say that, since public reason has failed to resolve the question, “citizens may legitimately invoke principles appealing to nonpolitical values to resolve it in a way they find satisfactory.” But he thinks the ideal of public reason urges us not to proceed in this way on questions of constitutional essentials and basic justice. We should instead stick to considering the question exclusively in terms of what we regard as our political conception. In other words, “we should sincerely think that our view of the matter is based on political values everyone can reasonably be expected to endorse.” The question can then be resolved by a vote. When we vote, however, the ideal of public reason is sustained if the question has been debated by appeal to political values and citizens vote on the basis of political values they sincerely believe everyone might reasonably endorse. In such cases, “what public reason asks is that citizens be able to explain their vote to one another in terms of a reasonable balance of public political values, it being understood by everyone that of course the plurality of reasonable

20Ibid., 54.
21“IPRR,” 774.
22Ibid., 798.
23PL, 240.
24Ibid., 241.
25Ibid., 243.
26“IPRR,” 770.
comprehensive doctrines held by citizens is thought by them to provide further and often transcendent backing for those values. So even in situations of reasonable disagreement in which questions are to be settled by a vote the ideal of public reason has some bite. It proposes to democratic citizens a task of abstinence; they should abstain from going outside the realm of political values in search of a basis for discussion and voting. It also proposes to them a task of articulateness; they should be prepared to explain their votes to each other in terms of a reasonable balance of political values.

Perhaps an example will serve to make it clear that the task of abstinence is not trivial. Consider the issue of capital punishment. It is obviously a matter of basic justice, and so the ideal of public reason urges us to consider it exclusively within our political conceptions. Suppose the main political values that bear on the issue are respect for human life, public safety and compensation for victims of serious crimes or their relatives. I myself think that the most reasonable balance of these values, one that gives very great weight to respect for human life, supports opposition to capital punishment. In his comments on this paper at the fourth Henle Conference, Jeffrie G. Murphy constructed an argument for opposing America’s harsh system of criminal punishment, particularly the death penalty, that appeals to comprehensive Christian doctrine. No doubt some Christians will believe that Murphy’s argument, or something like it, articulates their deepest reasons for opposing capital punishment. Even if they agree with my judgment about the most reasonable balance of political values, it may seem to them to provide only relatively shallow reasons for opposition to capital punishment. I sympathize with this point of view. So I am prepared to grant that performing the task of abstinence will in some cases involve appealing only to shallow reasons even though one has deeper reasons for one’s position. For Rawls, of course, this is simply a price that must be paid if, given the fact of reasonable pluralism, we are to realize the ideal of living politically with one another in the light of reasons all might reasonably be expected to endorse. Yet it is a real price, and it may not always be a small one.

I think the deepest consideration Rawls mobilizes in support of this way of responding to reasonable disagreement about questions of constitutional essentials and matters of basic justice is an appeal to a criterion of reciprocity. When citizens propose fair terms of cooperation to one another according to what they regard as the most reasonable political conception, he tells us, the criterion of reciprocity requires that they “must also think it at least reasonable for others to accept them, as free and equal citizens, and not as dominated or manipulated, or under the pressure of an inferior political or social position.” To be sure, citizens will disagree about which political conception is the most reasonable, and so public reason can
lead to a stand-off on particular issues. Yet Rawls hopes that citizens will agree that several political conceptions are reasonable, even if some of them are barely so. When citizens appeal to the political conceptions they regard as most reasonable and a stand-off results, they can think it reasonable that others, who disagree with them about what is most reasonable, can at least agree that their proposals are reasonable. If citizens appeal beyond such political conceptions to other parts of their comprehensive doctrines as a basis for their proposals, they will not, according to Rawls, reasonably think others could reasonably accept those proposals. Hence when stand-offs occur and are to be resolved by vote, “citizens must vote for the ordering of political values they sincerely think the most reasonable. Otherwise they fail to exercise political power in ways that satisfy the criterion of reciprocity.”

And to violate reciprocity is to flout the ideal of public reason.

Or at least this is so under what we might think of as the best-case scenario. In Political Liberalism, Rawls distinguishes between the exclusive view and the inclusive view of public reason. According to the exclusive view, “reasons given explicitly in terms of comprehensive doctrines are never to be introduced into public reason.” Rawls suggests that the exclusive view would be appropriate for the highly idealized case of a more or less well ordered society untroubled by deep disputes. To claim that a society is well ordered is to say three things: first, it is a society in which everyone accepts, and knows that everyone else accepts, the same principles of justice; second, its basic structure is publicly known, or with good reason believed, to satisfy these principles; and third, “its citizens have a normally effective sense of justice and so they generally comply with society’s basic institutions, which they regard as just.” Hence in a more or less well ordered society there is just one political conception. Rawls supposes that “in this case the values of the political conception are familiar and citizens honor the ideal of public reason most clearly by appealing to those values.” Even in a more or less well ordered society there is, of course, room for reasonable disagreement, as a consequence of the burdens of judgment, about how to apply the shared principles and balance the values of the political conception in particular cases. But, absent deep disputes, there is no need for citizens to go outside the political conception they share to locate a balance of values they consider most reasonable and also sincerely regard as reasonable for their fellow citizens to accept. So the exclusive view, which in effect has been the focus of my discussion thus far, seems well suited for the highly idealized case of a more or less well ordered society not stirred by deep disputes.

Rawls, however, acknowledges that the inclusive view is better suited to encouraging citizens to honor the ideal of public reason and to securing its social

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27Ibid., 797.
28PL, 247.
29Ibid., 35.
30Ibid., 248.
31Ibid., 247.
32Ibid., 251.
33Ibid., 253.
conditions in the longer run in less idealized cases. On that view, citizens are allowed, in some circumstances, “to present what they regard as the basis of political values rooted in their comprehensive doctrine, *provided* they do this in ways that strengthen the ideal of public reason itself” (my emphasis). By way of illustration, Rawls discusses two cases. The first involves a nearly well ordered society in which there is a serious dispute about the application of one of the shared principles of justice. Suppose religious groups dispute about whether the principle of fair equality of opportunity, as applied to education, supports state aid to parochial schools. Rawls imagines that religious leaders might, by introducing portions of their comprehensive doctrines into the public forum, show how those doctrines affirm the values of the shared political conception. If the religious leaders succeeded in doing this, they would, Rawls thinks, strengthen the ideal of public reason and thereby satisfy the proviso of the inclusive view. His second case involves a society that is not well ordered in which there is a profound division about constitutional essentials. He asks us to consider the historical examples of the nineteenth-century abolitionists and the civil rights movement led by Martin Luther King, Jr. His claim is that they did not go against the ideal of public reason, even though they appealed to comprehensive doctrines, “provided they thought, or on reflection would have thought (as they certainly could have thought), that the comprehensive reasons they appealed to were required to give sufficient strength to the political conception to be subsequently realized.” Though this remark is a bit cryptic, I take it the idea behind it is that the abolitionists and civil rights leaders would have satisfied the proviso of the inclusive view if they had thought that invoking comprehensive doctrines was the best way, or perhaps the only way, open to them to contribute to bringing about a society in which the ideal of public reason eventually could be honored.

And as we move away from highly idealized cases, it seems that Rawls is willing to relax, to some extent, other constraints such full satisfaction of the criterion of reciprocity. Ideally, public reason asks that the balance of political values we consider most reasonable is one we sincerely believe others can also see as reasonable, if only barely so. But Rawls allows that the best we can do on some questions may be to strike a balance we think “can be seen as at least not unreasonable in this sense: that those who oppose it can nevertheless understand how reasonable persons can affirm it.” The general idea, I presume, is that when, in unfavorable circumstances, full compliance with the ideal of public reason is not feasible, our departures from full compliance should be both reluctant and minimal.

In “The Idea of Public Reason Revisited,” Rawls signals a change of mind when he replaces the inclusive view with the wide view of public political culture.
Like the inclusive view, the wide view is specified in terms of a proviso, but its proviso is more permissive than that of the inclusive view. According to the wide view, “reasonable comprehensive doctrines, religious or nonreligious, may be introduced in public political discussion at any time, provided that in due course proper political reasons — and not reasons given solely by comprehensive doctrines — are presented that are sufficient to support whatever the comprehensive doctrines are said to support” (my emphasis). Rawls is aware that the wide view’s new proviso will give rise to questions. When does it need to be satisfied, and who is obliged to satisfy it? However he professes not to be able provide much help in answering such questions. He thinks the details of how to satisfy it “must be worked out in practice and cannot feasibly be governed by a clear family of rules given in advance.” An advantage of the wide view is that it enables Rawls to simplify his treatment of the abolitionists and the leaders of the civil rights movement. He no longer needs to speculate about the truth of counterfactuals concerning what they would have thought on reflection. Instead he simply notes that the wide view’s proviso “was fulfilled in their cases, however much they emphasized the religious roots of their doctrines, because these doctrines supported basic constitutional values — as they themselves asserted — and so supported reasonable conceptions of political justice.” Even if they had not thought that the measures they advocated were supported by a reasonable balance of political values, we see that they are so supported, and on that account the new proviso is satisfied in their cases.

I conjecture that Rawls moved from the inclusive view to the wide view in part because he wanted to address the concerns of some religious citizens that his political liberalism is biased toward the secular and unnecessarily exclusive of the religious. But there is only so far he can move while remaining wedded to the core idea of liberalism. For Rawls, I think, this is its principle of legitimacy. According to that principle, our exercise of coercive political power “is proper and hence justifiable only when it is exercised in accordance with a constitution the essentials of which all citizens may reasonably be expected to endorse in the light of principles and ideals acceptable to them as reasonable and rational.” So even when the proviso of the wide view is in place, ultimate political justification must be in terms of a reasonable balance of the values of a political conception of justice and so must be conducted within the limits of public reason. As Rawls puts it, “this justification is still given in terms of a family of reasonable political conceptions of justice.”

Nor does a core idea of this sort seem to be distinctive of Rawlsian political liberalism. Something similar is at the heart of Charles Larmore’s liberalism of equal
The common idea is that liberal justification of at least the fundamental principles of the exercise of coercive political power must be justification to all persons to whom those principles are to be applied.

Rawls is candid about the ways in which the ideal of public reason is supposed to constrain discussion in the public forum. It asks citizens to submit to the discipline of working up and being prepared to defend a political conception of justice. For Rawls, “the point of the ideal of public reason is that citizens are to conduct their fundamental discussions within the framework of what each regards as a political conception of justice based on values that the others can reasonably be expected to endorse and each is, in good faith, prepared to defend that conception so understood.” It also asks citizens to submit to the discipline of using their political conceptions as a filter on arguments that makes the route from their comprehensive doctrines to ultimate political justification inevitably indirect. According to Rawls, “What we cannot do in public reason is to proceed directly from our comprehensive doctrine, or a part thereof, to one or several political principles and values, and the particular institutions they support. Instead, we are required first to work to the basic ideas of a complete political conception and from there to elaborate its principles and ideals, and to use the arguments they provide.”

We must proceed by way of political conceptions because in public reason we aim at justification in terms of values all can reasonably be expected to endorse. And we must proceed by way of complete political conceptions because in public reason we aim at a unified system of answers to the full range of fundamental questions of constitutional essentials and basic justice. Neither of these requests is trivial. Bearing the yoke of the discipline they call for will not be equally easy for all citizens and cannot be expected always to be easy for each citizen.

Is this too much to ask of the religious citizens of a liberal democracy? Nicholas Wolterstorff thinks so. I now turn to an examination of his views.

II. THE RAWLSIAN IDEA CRITICIZED AND DEFENDED

Let me make two preliminary remarks before I begin explaining and criticizing Wolterstorff’s arguments. The first is that he himself is committed to some liberal political values; the final paragraph of his book, *John Locke and the Ethics of Belief*, makes this very clear. It says this:

Yet we must live together. It is to politics and not to epistemology that we shall have to look for an answer as to how to do that. “Liberal” poli-

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tics has fallen on bad days recently. But to its animating vision of a society in which persons of diverse traditions live together, injustice and friendship, conversing with each other and slowly altering their traditions in response to their conversation — to that, there is no viable alternative.\(^{42}\)

So Wolterstorff does not reject liberalism’s animating vision; he thinks there is no viable alternative to endeavoring to realize and live in accord with it. His quarrel is with what some liberal theorists tell us about what this project requires of us.

It is also worth noting for the record that the Rawls Wolterstorff attacks is not exactly the same as the Rawls I shall try to defend. The two book chapters in which Wolterstorff criticizes Rawls, both of which were published in 1997, target the views of *Political Liberalism* and do not take into account the shifts of emphasis, clarifications, elaborations and even changes of mind contained in “The Idea of Public Reason Revisited,” which was also published in 1997. My exposition of Rawls, though it points out some salient differences between the views of *Political Liberalism* and those of “The Idea of Public Reason Revisited,” draws freely on both sources. Hence it presents a picture that is not a perfect match with the one likely to emerge from reading *Political Liberalism* on its own. Yet it is this picture I want to defend. And I hope to show that it contains the features of Rawlsian liberal theory that Wolterstorff finds generally and most deeply objectionable.

We can gain entry into the general perspective from which Wolterstorff approaches liberal theorists if we start by considering an image he uses to paint in broad brushstrokes an aspect of their ideas he rejects. He distinguishes between a parliamentary session and a quaker meeting. In a parliamentary session, after appropriate discussion has occurred, a vote is taken, and the will of a suitable majority constitutes the decision of the body. By contrast, in a quaker meeting, as Wolterstorff is conceiving it, a proposal is regarded as adopted by the body only if it is supported by a consensus, where a consensus involves positive agreement by all and not just the mere acquiescence, on the part of some, represented by failure to dissent. Criticizing Robert Audi and other unnamed liberal theorists, Wolterstorff accuses them of seeing “the concept of liberal democracy as incorporating the ideal of all the citizens together constituting a quaker meeting when it comes to the choosing of laws and governmental policies that are in any way coercive.”\(^{43}\) Of course, as Wolterstorff acknowledges, such theorists realize that sometimes, on


\(^{43}\)Robert Audi and Nicholas Wolterstorff, *Religion in the Public Square: The Place of Religious Convictions in Political Debate* (Lanham, MD: Rowman and Littlefield, 1997), 152. (Hereafter cited as *RPS*.)

\(^{44}\)“REPS,” 112.


\(^{46}\)RPS, 92.
account of persisting disagreement, the citizens will have no recourse but to constitute themselves as a parliamentary session. But when they do, their society, by falling short of the ideal, either is to that extent not a liberal democracy or is a malformed liberal democracy. Nor is Wolterstorff the first to raise a worry of this sort about Rawlsian liberalism. Writing slightly before Political Liberalism's publication, Robert M. Adams had said that it seemed to him that "Rawls underemphasizes the combative aspects of a democratic polity and tends to overestimate the level of theoretical agreement in political ethics needed for an attainably just society."^44

Whatever may be the case for Audi and others, it is surely no part of Rawlsian political liberalism to conceive of the citizens of a liberal democracy as ideally constituting a quaker meeting whenever it comes to choosing coercive laws and policies. As we have seen, the ideal of public reason applies only to questions of constitutional essentials and basic justice. It says nothing against adopting coercive laws and policies on other matters in parliamentary session. What is more, even in the extremely idealized case of a society more or less well ordered by a single political conception, Rawls recognizes, as his example of a serious dispute over government aid of parochial schools makes clear, that there may be disagreement about the application of shared political values in particular situations. In light of the burdens of judgment, reasonable citizens will acknowledge that public reason does not require of them a resolution of such disputes by unanimous agreement. And in less idealized cases, in which public reason takes on several of its permissible forms and society contains a family of political conceptions, there may be reasonable disagreement in particular instances about exactly which political values are applicable and how the applicable political values are to be ordered or balanced. In short, even when constitutional essentials and matters of basic justice are at stake, Rawls leaves room for many issues that it is beyond the scope of public reason to adjudicate in terms of the unanimous agreement of the model of the quaker meeting.

Wolterstorff's striking image of the liberal polity as a quaker meeting would, then, be misleading if it were applied to Rawlsian political liberalism. Wolterstorff does not explicitly make such an application. However, he does say things about Rawls that strongly suggest an interpretation which distorts in a similar way. He asserts, for example, that Rawls "employs a consensus populi strategy."^45 Though he admits that Rawls does not use the words "consensus populi," he takes it that Rawls's "suggestion, at bottom, is that, in a liberal democracy, the consensus populi ought to be used to form the political basis of the discussions and decisions of the citizens."^46 Wolterstorff apparently thinks that this is the suggestion because of the way Rawls specifies the second and third features of political conceptions. As previously noted, political conceptions are supposed to be worked up from ideas

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implicit in the public political culture of a constitutional regime and freestanding in the sense of being able to be presented independently of comprehensive doctrines. Wolterstorff seems to think Rawls wants political conceptions to have these features in order to guarantee or at least make it likely that there will be a *consensus populi* on a single favored political conception. He rightly observes that such an outcome is not likely. As he puts it, “no matter what principles of justice a particular political theorist may propose, the reasonable thing for her to expect, given any plausible understanding whatsoever of ‘reasonable and rational,’ is not that all reasonable and rational citizens would accept those principles, but rather that not all of them would do so.” But, not only does Rawls not deny this point, he insists that even within the limits of public reason there will be different formulations of the principles of justice. It seems to me Rawls is correct to insist that the content of public reason cannot be fixed in the form of a single liberal political conception of justice; the fundamental ideals of the public political culture from which it derives can reasonably be interpreted in different ways and are likely to continue to permit such diverse interpretations as long as free inquiry endures.

When Wolterstorff notices that Rawls does not think that public reason requires us all to agree on a single political conception of justice, he regards this as remarkable. He takes Rawls to be making, in the interests of realism, the concession that “we do not need, for political life in a liberal democracy, principles endorsed by all reasonable and rational citizens.” And he concludes that such unanimous endorsement of principles and so public reason itself must be ideals, the difficulty being that they may never be anything more. Of course, it may be that Rawls thinks that it would be ideal in some sense if we were all to endorse the same principles of justice, but public reason does not demand this of us. And he does subscribe to an ideal of public reason, but it can be satisfied even in the absence of unanimous endorsement of principles of justice. Yet it does not occur to Wolterstorff to reconsider his claim that Rawls employs a *consensus populi* strategy. This is unfortunate. Had he done so, he might have seen that Rawlsian political liberalism does not insist on and, in fact, does not even aspire to *consensus populi* about the content of public reason or at the level of principles of justice.

Perhaps Rawls does indeed aspire to a level of agreement in political morality that is neither feasible nor desirable. But his ideal of public reason does not require anyone to aspire to the level of agreement of Wolterstorff’s imaginary quaker meeting. Nor does public reason aim at a *consensus populi* on a single political conception or a single set of principles of justice. On these issues Wolterstorff’s critique sees Rawlsian political liberalism through a distorting lens. Rawls simply does not

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51 “WWSR,” 166.
aspire to agreement in political morality to the extent Wolterstorff thinks he does, much less to the level Wolterstorff attributes to Audi and other unnamed liberal theorists.

It seems clear to me, however, that Wolterstorff’s main quarrel with Rawls does not lie in the area of how much agreement it is reasonable to expect or aspire to in a liberal society. Even if Wolterstorff were to concede that Rawls, perhaps unlike some other liberal theorists, does not make the unreasonable or unrealistic demands implicit in the quaker meeting image or the consensus populi strategy, he would still object to conducting political argument within the limits of Rawlsian public reason because he thinks its limits impose an unfair burden on religious citizens of certain sorts. Where the shoe really pinches, for Wolterstorff, is where it excludes, as he sees it, the reasons of comprehensive religious doctrines from the public forum. I read him as having two arguments for the unfairness of the exclusion. The first focuses on the idea of the free exercise of religion, and so I shall call it the free exercise argument. The second emphasizes the concept of living a religiously integrated existence, and so I shall call it the integrity argument.

The free exercise argument comes in two versions. The premise of the first concerns the religious convictions of some religious citizens. Wolterstorff says: “It belongs to the religious convictions of a good many religious people in our society that they ought to base their decisions concerning fundamental issues of justice on their religious convictions.”49 The conclusion he draws from this premise is this: “Accordingly, to require of them that they not base their decisions and discussions concerning political issues on their religion is to infringe, inequitably, on the free exercise of their religion.”50 In order to understand the second version of the free exercise argument, we need to grasp what Wolterstorff describes as liberalism’s independent-basis principle. It is the principle that citizens of a liberal democracy “are to base their political debate in the public space, and their political decisions, on the principles yielded by some source independent of any and all of the religious perspectives to be found in the society.”51 The premise of second version is closely related to the conclusion of the first. Wolterstorff claims: “Should someone try to stop me from voting, and acting politically, on the basis of my religious convictions, that would violate the free exercise of my religion.”52 From this claim he infers immediately the following conclusion: “Accordingly, if honoring the freedom and equality of citizens did require adherence to the independent-basis principle, then honoring the freedom and equality of citizens would also require non-adherence.”53 What are we to make of this chain of arguments?

I think both of them prove to be, upon examination, bad arguments. Consider the first version. Its premise is undoubtedly true. There are religious citizens whose religious convictions include the belief that they should base their political...
responses to fundamental questions of justice on their religion. Its conclusion, however, is ambiguous. If there were a legal requirement that they not do so, it would clearly infringe on the free exercise of their religion. But Rawlsian political liberalism proposes no such legal duty. As previously noted, its duty of civility is a moral rather than a legal duty. Rawls is explicit about how this distinction bears on constitutionally protected liberties. He emphasizes that the duty of civility is not a legal duty because “in that case it would be incompatible with freedom of speech.” Similarly, the duty of civility would be incompatible with the free exercise of religion if it were a legal duty. So if the conclusion of the argument is to make contact with Rawls, it must be understood to say that morally requiring religious citizens not to base their political activity on their religion is an infringement of the free exercise of their religion. But thus interpreted the conclusion is false, and the argument is unsound. Morally prohibiting religious citizens from basing their political activity on religious convictions would no more infringe on their free exercise of religion than would morally prohibiting them from treating homosexuals with a lack of respect for religious reasons. In both cases, the free exercise clause constitutionally protects conduct that violates moral requirements, and as long as religious citizens are legally free to violate such requirements there has been no infringement of the free exercise of their religion.

Turn now to the second version. Something closely akin to its premise is true. Someone who tried to stop Wolterstorff from acting politically on the basis of his religious convictions would, at least if the attempt succeeded, violate the free exercise of his religion, assuming of course that his religiously based conduct was not contrary to legitimate law. However, nothing in Rawls’s political liberalism justifies anyone in making an attempt of this sort, and so it is not easy to see how this premise is supposed to support a conclusion applicable to his view. Indeed I do not even find it easy to make sense of the conclusion’s claim that if honoring the freedom and equality of citizens required adherence to the independent-basis principle, it would also require non-adherence. Evidently Wolterstorff thinks the independent-basis principle is self-undermining or something of that sort, but some work is needed to get at his reasons for thinking so. I presume he thinks Rawls is committed to the conclusion’s antecedent. It is plausible to attribute Rawls the thought that we are morally required to adhere to the principle in order to honor the freedom and equality of our fellow citizens because, if we did not, we would act politically on a basis they could not reasonably endorse consistent with their freedom and equality. So suppose the conclusion’s antecedent is true on this interpretation. On this assumption, the conclusion’s consequent should be taken to assert that we are also morally required not to adhere to the principle in order to honor the freedom and equality of our fellow citizens. The only reason I can come up with that might be offered in

54 “IPRR,” 769.
55 “WWSR,” 165.
56 Ibid., 176–177.
support of this assertion and invokes the free exercise of religion is the claim that we would violate the free exercise of religion by some of our fellow citizens and so fail to honor their freedom and equality if we adhered to the principle. But this claim is false. If we adhered to the principle, we would be committed to thinking that religious citizens who violated it when they exercised their religious freedom were doing something contrary to duty. However we would not be violating their free exercise unless we also went on to prevent them from acting in this way. Hence I can see no good reason deriving from the free exercise of religion that supports the conclusion’s consequent. What is more, its consequent is pretty clearly false. We do not violate the religious freedom of fellow citizens and thus fail to honor their freedom and equality when we adhere to a principle according to which some legally permissible exercises of that freedom are contrary to moral duty, and so we are not morally required not to adhere to such a principle in order to honor their freedom and equality. Therefore, on an interpretation of the argument’s conclusion which at least has the merit of making the idea of free exercise of religion cited in its premise relevant to the conclusion, the conclusion’s antecedent is true while its consequent is false. Thus the conclusion as a whole is false, and the argument is unsound.

The integrity argument is meant by Wolterstorff to challenge a wide range of liberal positions. It is directed against the independent-basis principle as well as against the separation principle, according to which “government is to do nothing to advance or hinder any religion.” Because Rawls does endorse a version of the independent-basis principle when he includes the duty of civility within public reason, the argument applies to his view. Wolterstorff sees a common pattern in the liberal’s impression that these two principles deal fairly with religion. His argument, which is worth quoting at length, continues as follows:

That common pattern is this: The liberal assumes that requiring religious persons to debate and act politically for reasons other than religious reasons is not in violation of their religious convictions; likewise he assumes that an educational program which makes no reference to religion is not in violation of any parent’s religious convictions. He assumes, in other words, that though religious people may not be in the habit of dividing their life into a religious component and a nonreligious component, and though some might be unhappy doing so, nonetheless, their doing so would not be in violation of anybody’s religion. But he’s wrong about this. It’s when we bring into the picture persons for whom it is a matter of religious conviction that they ought to strive for a religiously integrated existence — it’s then, especially, though not only then, that the unfairness of liberalism to religion comes to light.
Wolterstorff is obviously quite fond of this argument. It appears almost word-for-word identically in both the book chapters in which he attacks liberalism.\(^{57}\)

I think Wolterstorff is on to something important when he makes this argument, though it will take some work to get clear about exactly what it is. Wolterstorff seems to believe the argument shows that liberalism is unfair to religion as such or to religious people generally, but it is not strong enough to do that. While there are, to be sure, some religious people for whom it is a matter of religious conviction that they ought to strive for a religiously integrated existence, there are others for whom it is not. Some people who are religiously devout are content to separate their lives into religious and non-religious spheres, acting politically for reasons other than religious reasons does not violate their religious convictions. So even if the argument is successful, its conclusion applies only to some and not to all religious citizens. In addition, there are non-religious people whose comprehensive doctrines make it a matter of conviction for them that they ought to strive for lives integrated by those doctrines. Examples include some secular Millian liberals and Marxist socialists. Hence if the argument succeeds, a parallel argument will show that liberalism is also unfair to non-religious citizens of these kinds. In other words, the question we ought to be asking is not whether liberalism is unfair to religion but whether it is unfair to a group of people, some of whose members are religious while others are not, all of whom as a matter of conviction want to live in ways tightly integrated around their comprehensive doctrines. For the sake of convenience, let us call the members of this group “the integralists.”

It seems to me appropriate to ask whether Rawlsian political liberalism in particular is unfair to the integralists. As previously noted, public reason asks citizens generally to work up and be prepared to defend a political conception of justice; according to Rawls, “it is central to political liberalism that free and equal citizens affirm both a comprehensive doctrine and a political conception.”\(^{58}\) What is more, it also asks them to argue politically from their political conceptions rather than directly from their comprehensive doctrines. Of course it asks these two things of all free and equal citizens. But compliance is likely to be a heavier burden for the integralists than for others, because they would prefer to argue politically directly from their comprehensive doctrines and so will be skeptical of the value of working up a political conception that is to be interposed, so to speak, between their comprehensive doctrines and the public political forum. They may also fear, with some justification, that people of their sort are bound to decline in numbers and influence in a society in which the ideal of public reason becomes more fully realized over time.

\(^{57}\) Compare \textit{RPS}, 116.
\(^{58}\) “IPRR,” 800.
\(^{59}\) \textit{PL}, 197.
\(^{60}\) \textit{Ibid.}, 198.
\(^{62}\) “IPRR,” 803.
It should be granted to Wolterstorff, then, that political liberalism does impose special burdens on the integralists. It may even in the long run, to the extent that it comes to prevail in a society, doom integralist forms of life, religious and non-religious alike, to extinction. But should it also be granted that Rawlsian political liberalism is, on that account, unfair to the integralists? I think not. Along with Rawls, I endorse Berlin’s view that there is no social world without loss. The fact, should it turn out to be a fact, that the integralists cannot, as a matter of social necessity, reproduce themselves over time in a society well ordered by political liberalism would no doubt be cause for regret. However, as Rawls insists, such social necessities “are not to be taken for arbitrary bias or injustice.” Even the relatively capacious culture and institutions of liberal democracy are bound to prove uncongenial to some valuable forms of life, and integralism of various stripes may be among them. Obviously we must, with Rawls, reject the notion that “only unworthy forms of life lose out in a just constitutional regime.” Once that has been done, there remains no good reason to think that religion as such or integralism in general has been unfairly treated if integralist forms of life, religious and otherwise, fail to pass the historical test of enduring and gaining adherents in a liberal democratic society. So I conclude that Wolterstorff has not shown that Rawlsian political liberalism is unfair to integralist religion, much less to religion as such.

As I see it, therefore, Wolterstorff has established neither that Rawlsian political liberalism demands too much agreement in their views from those who live under a regime ordered by it nor that it is unfair to religious citizens. In other words, he has not shown that it asks too much of the religious citizens of a liberal democracy. But it may ask too much even if he has not proved that it does. Does it? I am on record as having argued that an inclusivist ideal of public political discourse is more attractive, all things considered, than the ideal of public reason proposed by Rawls. In concluding, let me return briefly to this issue.

It must be acknowledged that Rawls’s position has become more inclusive as a result of the substitution of the wide view of public political culture for the inclusive view of public reason. Does his ideal remain, by my lights, too restrictive? This is not an easy question to answer. Rawls himself modestly concludes: “I do not know how to prove that public reason is not too restrictive, or whether its forms are properly described. I suspect it cannot be done.” He thinks this will not be a serious problem if, as he believes, most cases fit the framework of public reason and those that do not have special features that enable us to understand why they cause difficulty and show us how to cope with them as they arise. And I, of course, do not know how to prove that public reason is too restrictive and suspect that cannot be done either. Nor can I show that we will be unable to deal with the hard
cases in the way Rawls hopes we can. It seems clear to me, moreover, that it would be foolish to abandon the ideal of public reason merely because it is restrictive to some extent. It would be highly desirable if exercises of political coercive power on fundamental questions were able to be justified to all reasonable citizens of a polity in terms of a balance of political values they could reasonably endorse as consistent with their freedom and equality even if some citizens regarded other balances of political values as more reasonable to endorse. Surely there will be some restrictions on political discourse and voting whose acceptance would be a price well worth paying in order achieve such a desirable state of affairs.

Perhaps, given prevailing circumstances in the United States here and now, it is unrealistic to expect the ideal of public reason to be attained. It is evidently not always a serious criticism of an ideal that it is unrealistic. However I think it is a serious criticism of an unrealistic ideal that imposes moral duties. Clearly Rawls conceives of his ideal of public reason as imposing a moral duty, the duty of civility. As Paul Weithman has pointed out, we should be puzzled about how moral ideals can impose moral requirements.63 According to a somewhat different conception of moral ideals, they urge or advise conduct that is morally good but above and beyond the call of duty. On this conception, I am prepared to subscribe to the ideal of public reason, understood as including the wide view of public political culture, despite its restrictions, as a political ideal in our present circumstances. Under different and presently non-actual circumstances, for example, circumstances including the existence of an overlapping consensus on a family of reasonable political conceptions of justice by all the reasonable comprehensive doctrines present in our society, I would be prepared to subscribe to the ideal of public reason conceived in the way Rawls thinks of it, as imposing a duty of civility. I take these two commitments to be a way of subscribing to articles of a liberal political faith. But I am not persuaded that the ideal of public reason, interpreted as adapted to present circumstances in the United States, imposes moral duties such as the duty of civility.

So, to ask the Kantian question implicit in the title of my paper, should religious citizens here and now live within the limits of Rawlsian public reason? I think it would be, morally speaking, very good indeed if they did, and I would encourage them to try to do so. I do not, however, think they presently act contrary to duty or are guilty of wrongdoing if, chafing at even the modest restrictions implied by the wide view, they choose not to live within those limits.64

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64 I am grateful to Jeffrie G. Murphy, who was my commentator at the fourth Henle Conference, and to members of the conference’s audience for stimulating discussion.