

## Strong Inclusionist Accounts of the Role of Religion in Political Decision-Making

*James W. Boettcher*

In recent years, discussions about the role of religion in political decision-making seem to have become more heated but less polarized. Few contributors to these discussions endorse the positions that (1) religious discourse and argument should play no role in political decision-making or (2) citizens and officials have no reason to seek nonsectarian political justifications that are suitably addressed to others as fellow citizens. Leading voices in debates about the role of religion in political decision-making are generally united in calling for some form of *inclusionism*. Intense disagreement now centers mainly on questions about the extent to which religious discourse and argument should be included in political decision-making. With respect to the role of religion in politics, we might say that the main question is, “What is the proper mean between extremes?”

According to philosophers such as John Rawls and Robert Audi, religious discourse and argument would supplement the public (Rawls) or secular (Audi) reasoning that primarily constitutes the political justifications that citizens endorse and present to one another. But an approach that is even more inclusive of religion has recently emerged as a challenger to these familiar positions. An essential feature of what I call *strong inclusionism* is its distinction between seeking a political justification and exercising restraint in the appeal to religious beliefs in political decision-making. The strong inclusionist acknowledges that citizens are obligated, or at least strongly encouraged, to seek suitable political justifications that are addressed to others; citizens are not, however, discouraged from basing their political decisions or arguments solely on religious grounds. Strong inclusionism thus rejects the notion that citizens are sometimes required, just in virtue of the obligations and excellences of liberal-democratic citizenship, to restrain their appeal to religious beliefs in their political decision-making.

In this essay, I address the question of an obligation to exercise restraint only indirectly. My own view is that the Rawlsian account of “public reason” is the right one, provided that it is interpreted as widely as possible, so as to acknowledge the many positive religious contributions to public political debate and decision-making. To be sure, given the numerous criticisms of Rawls on this score, an argument demonstrating that there is indeed a moral obligation sometimes to exercise restraint would be a necessary element in a complete defense of an idea of public reason. But in this essay I shall take a different tack, focusing instead

on the possible alternatives to the Rawlsian approach. One important alternative has been developed by Christopher Eberle, whose view serves as the best example of strong inclusionism. According to Eberle, a citizen is entitled to rely solely on a religious justification in attempting to resolve questions about the fundamental terms of political cooperation. And it is this feature of strong inclusionism that I want to examine in light of an ideal of democratic deliberation. I shall argue that deliberating citizens should adopt attitudes and practices which enable them to remain open to rejecting or changing their political judgments in the exchange of reasons with fellow citizens. Citizens should expect the transformation in belief and judgment that sometimes results from the process of deliberation itself. My thesis is that, given this dimension of democratic deliberation, Eberle's strong inclusionism faces the following dilemma: Either its ideal of conscientious engagement, which turns on the distinction between seeking a political justification and exercising restraint in religious discourse and argument, is based on an insufficiently deliberative understanding of political decision-making, or that ideal implies that, as an obligation or excellence of citizenship, some citizens must adopt attitudes and practices which encourage them to remain open to adjusting or even renouncing some of their fundamental religious convictions. I conclude by reflecting on how this problem might inform our assessment of the debate between strong and weak inclusionists.

### **1. Varieties of Inclusionism: Strong and Weak**

In the literature on public reasoning, many pages have been devoted to questions about whether and how religious beliefs should inform the political choices and discourse of liberal-democratic citizens and officials. Two questions are especially important, the first being the question of political justification (QP): Are citizens, in their political choices and discourse, obligated, or at least encouraged, to seek suitable political justifications? A suitable political justification is a non-sectarian justification for a favored law or policy which addresses a diverse group of fellow citizens and satisfies some proposed condition or standard, such as reasonableness, publicity, secularity, neutrality, accessibility, or rational acceptability to others. Second, there is the question of restraint (QR): Are citizens qua citizens obligated or encouraged to exercise restraint in the appeal to a religious doctrine in their political choices and discourse? I leave aside for the moment the issue of precisely which condition or requirement should be attached to political justifications, and precisely when citizens might be required to exercise restraint. Various approaches to both questions have been suggested by liberal political philosophers, legal scholars, and religiously minded philosophers and critics. However, if we were to categorize these approaches, we might begin by positing two relatively straightforward positions, albeit ones which are defended by few contributors to debates about the role of religion in political decision-making.

On one side, we could imagine a view that would maintain a strict separation of religion and politics by excluding most or all religious argument from the

political choices and discourse of citizens. An *exclusionist* will insist that, with respect to at least some political issues, religious doctrine should play no role in political decision-making. That is, in their political choices and in the public presentation of arguments that would support these choices, citizens should altogether avoid appeals to their religious beliefs. Of course, while an exclusionist would likely answer both of the above questions—that is, QP and QR—affirmatively, it is not the case that an affirmative answer to both questions necessarily entails exclusionism. Indeed, support for exclusionism, as I have defined it, is not nearly as widespread as the critics of liberal public reasoning sometimes suggest.<sup>1</sup>

On the other side, we could imagine the view that citizens need not seek suitable political justifications in their political choices and discourse, even as they rely indiscriminately on their religious beliefs. This “anything goes” view—call it *laissez-faire*—answers QP and QR negatively. According to a thoroughgoing *laissez-faire* view, citizens should simply offer what they take to be the most politically effective reasons and arguments for their political positions. Stanley Fish, for example, challenges liberal appeals to principle that are said to marginalize religious believers and to involve theoretical constructions such as “neutrality” which simply mask preferences for substantive political outcomes.<sup>2</sup> With respect to political activity, including, presumably, religiously informed political activity, Fish’s conclusion is to “[f]igure out what you think is right and then look around for ways to be true to it.”<sup>3</sup> However, the *laissez-faire* view seems to have attracted few proponents in discussions about the role of religion in the public square.<sup>4</sup> Even critics of the familiar liberal principles of political justification and restraint often acknowledge that religious citizens ought to adopt and sometimes present justifications that are at least guided by a shared political purpose such as the common good.

Between exclusionism and *laissez-faire*, there is a substantial area of middle ground, which is home to the most fruitful discussions about the proper role of religion in politics. This is the territory of *inclusionism*. I shall understand inclusionist views about religion and political decision-making to share two main characteristics. First, these views suggest that, with respect to political decision-making, it is either an obligation or excellence of citizenship to seek justifications that are, in some fashion, suitably addressed to a diverse group of fellow citizens. Thus all forms of inclusionism answer QP affirmatively. How justifications might be “suitably addressed” to other citizens and whether and when they must be publicly presented are matters of disagreement, as no single standard of political justification is accepted by all inclusionists. But all inclusionists maintain that citizens should somehow consider the perspectives and interests of a diverse body of fellow citizens who are known to hold rival religious and nonreligious doctrines, and that political choices should not be based merely on self- or group-interest. A second characteristic of inclusionism is the commitment to including religion in political decision-making. For the inclusionist, a citizen’s reliance on religious convictions in political choices and discourse is either sometimes or always permissible, and perhaps sometimes, or even typically, to be encouraged.

The crucial fault line in the territory of inclusionism involves the question of restraint. For in this broad description of inclusionism, many proposals concerning the proper role of religion in politics turn out to be inclusionist. Yet those philosophers who are committed to both a principle of political justification and the inclusion of religion in political decision-making might answer the question of restraint differently. Indeed they do answer it differently. An affirmative answer to QR is provided in the well-known theories of John Rawls and Robert Audi.<sup>5</sup> Each philosopher argues that citizens are required *sometimes* to restrain their appeal to their religious doctrines, even if they are often entitled to draw on these doctrines in their political choices and discourse. I shall refer to this type of view as *weak inclusionism*. By contrast, according to what I call *strong inclusionism*, citizens should seek political justifications but are not required, just in virtue of the obligations or excellences of liberal-democratic citizenship, to restrain their appeal to religious doctrine.

This is not the occasion for examining the details of the theories of Rawls and Audi, which have been the subject of so much discussion. I only observe that, while each view recommends restraint, neither view, strictly speaking, is exclusionist.<sup>6</sup> The requirements of restraint in Rawls's "wide view" of public reason, for example, are far from excessive.<sup>7</sup> These restraints, which affect the "comprehensive doctrines" of religious and nonreligious citizens alike, apply only to certain issues (i.e., "constitutional essentials" and "matters of basic justice") and in certain deliberative settings (i.e., the "public political forum" as opposed to the "background culture").<sup>8</sup> Moreover, even where restraints do apply, the Rawlsian "proviso" permits citizens to draw on their comprehensive doctrines provided that they also identify political justifications in "public reason."<sup>9</sup> Nevertheless, the Rawlsian view does suggest that, on some occasions, restraints on the appeal to religious and other comprehensive doctrines are warranted. Absent a sufficient political justification in public reason, citizens should not attempt to arrange the fundamental terms of political cooperation solely on the basis of a comprehensive doctrine.

## 2. Strong Inclusionism and the Ideal of Conscientious Engagement

What I am calling strong inclusionism has emerged in recent years as an alternative to the accounts of citizenship and political justification advanced by Rawls, Audi, and other liberal political philosophers. As I have suggested already, strong inclusionists accept the demand that citizens aim at suitable justifications for their political decisions, but they nevertheless reject the call for restraints on the use of religious argument. For example, Michael Perry argues that citizens should seek reasons for their political choices which other citizens might find convincing, but that the "morality of liberal democracy counsels neither against disfavoring conduct on the basis of religiously grounded moral belief nor, much less, against relying on religiously grounded moral belief in public argument about whether to disfavor conduct."<sup>10</sup> Others who answer QR negatively might be

located either in the strong inclusionist camp or somewhere between laissez-faire and strong inclusionism.<sup>11</sup> In what follows, I shall focus on what I take to be an especially lucid and powerful statement of strong inclusionism, presented in Christopher Eberle's *Religious Convictions in Liberal Politics*.<sup>12</sup>

Eberle defends the notion that "a citizen is morally permitted to support (or oppose) a coercive law even if he has only a religious rationale for that law."<sup>13</sup> This claim puts Eberle at odds with what he calls "justificatory liberalism," an umbrella term for a family of liberal theories which share a fundamental commitment to both "public justification" and respect for persons. Regarding the role of religion in political decision-making, most justificatory liberals are, in my terminology, either weak inclusionists or exclusionists.<sup>14</sup> And much of Eberle's book involves criticism of justificatory liberalism for its failure to present a convincing conception of political justification, or what Eberle calls "public justification," and for its inadequate account of why religious believers should avoid relying solely on their religious convictions in their political choices. Central to this criticism is the distinction between pursuit and restraint, that is, the distinction between seeking a public justification for one's favored coercive laws and withholding support from laws for which one lacks a satisfactory public justification.<sup>15</sup>

An examination of Eberle's many detailed criticisms of justificatory liberalism would be beyond the scope of the present paper. But it is worth repeating, and emphasizing, the importance of the distinction between pursuit and restraint in sustaining these criticisms. Along with other inclusionists of both varieties, Eberle accepts the idea that respect for persons is a fundamental moral-political norm which obliges citizens to recognize certain moral requirements in their political choices and discourse. By accepting the implications of this fundamental moral-political norm, but denying that it leads to an affirmative answer to QR, Eberle contests the justificatory liberal's claim—sometimes explained, but often simply assumed—that an attitude of respect for one's fellow citizens as persons requires one sometimes to prescind from one's religious convictions in political decision-making. That is, Eberle uses a competing account of what respect requires of citizens in order to undermine the commitment to restraint in weak inclusionism and exclusionism.<sup>16</sup>

So what does respect require of citizens? According to Eberle, respect for persons requires citizens to acknowledge various "constraints" on reason-giving that follow from an *ideal of conscientious engagement*.<sup>17</sup> One such constraint is that citizens are not to support coercive laws and policies on the basis of a dehumanizing view, such as racism, that would fundamentally deny the human dignity of other citizens. Moreover, according to the ideal of conscientious engagement, a citizen respects a fellow citizen's legitimate interest in not being coerced by pursuing and attempting to communicate a high degree of *rational justification* for his or her favored coercive laws and policies. Citizens should withhold support from any law or policy that is not rationally justified to a sufficiently high degree. For any particular citizen, a rational justification is a justification that draws on the set of beliefs and evidence available to him or her, and is formulated on the

basis of a critical analysis of this evidential set. In addition, a citizen should seek a *public justification* for the coercive laws and policies that he or she supports. That is, a citizen should seek what I have broadly defined as a political justification that is suitably addressed to fellow citizens. Finally, the ideal of conscientious engagement also instructs a citizen to be willing to consider the reasoning and criticism of other citizens, and to remain open to adjusting his or her political judgments accordingly.

Leaving aside considerations associated with the rationality of belief and the dignity of human beings, I want to focus on two components of the ideal of conscientious engagement, namely, public justification and mutual criticism. What is public justification? Eberle argues that, according to the concept of public justification, “a citizen is publicly justified in adhering to some coercive law only if she has a rationale for that law that articulates in the appropriate way with the points of view of her compatriots and thus enables her to justify that law to her compatriots.”<sup>18</sup> Eberle rightfully points out that, beyond merely endorsing the *concept* of public justification, a successful theory of justificatory liberalism must also specify a more determinate *conception* of public justification. Indeed one of the principal themes of Eberle’s book is that there are problems with the conceptions of public justification proposed by leading justificatory liberals. However, despite his criticism of justificatory liberalism in this regard, Eberle admits that respect for persons commits a citizen to pursuing a public justification for the coercive laws and policies he or she supports. To respect another, he argues, is to accord due weight to the fact that the other is a being with cares and concerns and with a capacity to reflect upon and revise these cares and concerns. Reflective persons to whom things matter are averse to being coerced, and so respect for such persons commits one to minimizing the distress associated with what one takes to be rationally justified coercive laws and policies. And the best way to minimize this distress is to present a reason for coercion that others might accept, or that “articulates appropriately” with their distinctive points of view. On Eberle’s model, a citizen already rationally convinced of his or her own judgment should attempt to ameliorate the distress that arises from the imposition of coercive power by at least pursuing public justifications, including, perhaps, justifications that the reason-giving agent would reject.

In addition, respect for persons should lead a citizen to subject his or her justifications to criticism. As Eberle argues, we should concede that others are sometimes in a better position to identify the ways in which our judgment might be distorted by error, bias, self-deception, and other epistemic vices. Thus citizens should embrace an attitude of fallibilism, and they should be prepared to adjust their justifications in light of mutual criticism. This attitude of fallibilism is, however, interpreted narrowly to apply to political commitments and “the grounds that directly bear on [a citizen’s] political commitments.”<sup>19</sup> Citizens need not call into question the truth of moral and theological claims that are central to their identities. They should, however, acknowledge the possibility that what they take to be rationally justified political judgments might turn out to be incorrect.

In sum, according to Eberle's ideal of conscientious engagement, citizens who are prepared to exercise coercive political power should adopt attitudes and virtues of citizenship that we might associate with a deliberative approach to political discussion and democratic decision-making. They should attempt to communicate a rational justification for their political choices. They also should seek public justifications for these choices. And they should remain receptive to modifying their judgments in light of the reasoning and criticism of other citizens. For Eberle, a citizen who satisfies these conditions and the other conditions of the ideal of conscientious engagement has done all that respect requires, and need not exercise restraint in relying on a religious doctrine to discuss or resolve political controversies.

### **3. Liberal-Democratic Citizenship and Democratic Deliberation**

While defending a model of democratic deliberation is not one of the main goals of Eberle's strong inclusionism, I want to ask whether the account of decision-making underlying his ideal of conscientious engagement is sufficiently deliberative. Before getting to that question, however, more needs to be said about the notion of "deliberative democracy." Like the concept of political justification, the concept of deliberative democracy is contested, and it is not my aim here to choose among competing conceptions. I shall instead mention several familiar ideas that are often considered central to deliberative democracy. I assume that these ideas are among the necessary conditions for a democratic system to count as deliberative. Moreover, these ideas are consistent with—and in some cases constitutive of—the institutions of liberal democracy. With Rawls and other deliberative liberals, I assume that essential liberal commitments can be combined with an interpretation of the system of political decision-making as a deliberative democracy.<sup>20</sup> A good liberal citizen ultimately seeks a justification for her political choices which she sincerely believes that other reasonable citizens might reasonably accept as at least consistent with their status as free and equal participants in a fair system of cooperation.<sup>21</sup> But a good liberal citizen also acknowledges that the search for such a political justification requires deliberation with others.

What, then, are the defining ideas of democratic deliberation? A first idea is that democratic legitimacy should be understood "in terms of the ability or opportunity to participate in effective deliberation on the part of those subject to collective decisions."<sup>22</sup> In other words, democratic legitimacy is based on more than the mere responsiveness of political institutions to the interests of citizens. It requires also that decisions are informed and reasoned, and emerge from a process of deliberation that is open to all and not distorted by coercion or manipulation. It is for this reason that accounts of deliberative democracy often include corresponding notions of public reasoning and political justification. Second, citizens in a deliberative democracy are understood as free and equal members of the body politic, and the recognition of this status must be built into deliberative procedures. This means that citizens should have an equal opportunity to participate in

political deliberation and sufficient access to the rights, opportunities, and other social goods that are necessary for such participation.

Other characteristics of democratic deliberation are meant to apply directly to the attitudes and judgments of citizens. A third idea, then, is that citizens approach their political choices and discourse by aiming at an ideal of justice or the common good.<sup>23</sup> The extent to which citizens might be legitimately entitled to engage in forms of political bargaining or advocate and vote for laws and policies because those laws and policies promote their own interests is often not clearly specified by proponents of deliberative democracy. But there is widespread agreement that the ideal of democratic self-rule is not realized simply by aggregating the votes of citizens who are understood primarily to pursue their own interests. Rather, persons in the role of citizens should often concern themselves with what is in the equal interest of all, or with the “conditions needed to secure and maintain freedom, equality, and independence of citizens.”<sup>24</sup> A final idea is related to this orientation to the interests of all citizens. An essential characteristic of a deliberative democracy is a disposition on the part of citizens to remain open to changing their judgments in light of the results of political deliberation. Good citizens do not strategically pursue fixed preferences based on beliefs formed prior to deliberation. They are instead willing to engage in dialogue, accept the force of the better argument and modify their views accordingly. A deliberative democracy, it is often said, aims at the rational *transformation* of the beliefs and preferences of citizens.<sup>25</sup>

In addition to specifying these ideas in more detail, a complete theory of democratic deliberation must also address a number of empirical questions that might seem to cast doubt on the feasibility of the deliberative ideal. In these brief remarks, I shall mention one problem that is particularly germane to the question of how this ideal might be realized in a religiously pluralistic, mass democracy. Given the scale and complexity of modern democratic societies, there are severe practical limitations on face-to-face interpersonal deliberations. The deliberative ideal instructs citizens to consider the relevant arguments and evidence on different sides of an issue before coming to a reasoned decision about which laws or policies are warranted. And often the main source of relevant arguments and evidence will be other deliberating citizens, who are likely to be affected by proposed laws and policies and eager to have their voices heard. Yet, for many decisions, a citizen will not have the opportunity to encounter and reflect upon very many of these different voices in a deliberative setting. The obvious constraints on time and location, among other problems, will limit the number of people who can take part in what Robert Goodin calls the “external-collective” aspect of political deliberation.<sup>26</sup> These limitations might be especially damaging to the deliberative process insofar as citizens form relatively homogenous social groupings and repeatedly encounter mainly or only arguments that simply reinforce ideas that they are already predisposed to accept.<sup>27</sup> Moreover, as Iris Marion Young has observed, citizens often fail to understand different social positions and perspectives, relying instead on “a stock of empty generalities, false assump-

tions, or incomplete and biased pictures of the needs, aspirations and histories of others.”<sup>28</sup>

Goodin suggests that a theory of democratic deliberation should attend to the “internal-reflective” aspect of deliberation as a necessary complement to external-collective deliberation and nondeliberative acts such as voting. In his model of “democratic deliberation within,” he proposes to shift “much of the work of democratic deliberation back inside the head of each individual.”<sup>29</sup> Citizens who are unable to engage diverse others in face-to-face deliberation can at least attempt to make the others “imaginatively present” by trying to understand their lives, perspectives, and social positions as well as their political judgments. How might this imaginative presence be achieved? Goodin suggests, as avenues for democratic deliberation within, that citizens actively seek out artistic representations of others, and also make an effort to expose themselves to a “broader social mix of people” in their day-to-day lives.<sup>30</sup> Indeed, if Goodin is right about the need for internal-reflective deliberation as a complement to voting and more familiar models of interpersonal deliberation, we should recognize that it is at least an excellence of citizenship, if not a requirement, to reach out to others in these ways. As Goodin argues, “‘democratic deliberation within’ require[s] people to make various changes in their behavior, if not their basic character. It requires them to do lots of things in between elections to put themselves in a position, come the election, to internalize adequately the perspectives of all those around them.”<sup>31</sup>

#### **4. The Ideal of Conscientious Engagement and Political Deliberation**

At first glance, Eberle’s ideal of conscientious engagement would appear to satisfy—or at least not contravene—the necessary conditions of a deliberative democracy. While Eberle’s main goal is not to provide a theory of political legitimacy or an account of the best democratic institutional arrangements, his ideal of conscientious engagement seems to be consistent with the ideas of legitimacy and equality that are central to democratic deliberation. More important, Eberle’s ideal explicitly instructs citizens to subject their views to mutual criticism, to pursue public justification, and to aim at reasoned decisions that serve the common good.<sup>32</sup> Indeed the seemingly deliberative aspects of the ideal of conscientious engagement are the very same features that are said to reflect the underlying norm of respect for persons.

But appearances can be deceiving, and so it is worth asking: Is the ideal of conscientious engagement a sufficiently deliberative ideal? Specifically, is it appropriate—or under what circumstances would it be appropriate—for a citizen or official who is committed both to this ideal and to the ideal of democratic deliberation to rely solely on a religious or other comprehensive justification in exercising coercive power over other citizens with respect to a fundamental political issue? How would a commitment to these ideals affect a citizen’s understanding of his or her religious doctrine? For the sake of convenience, I shall concentrate

on the case of a *citizen's* political choice, leaving aside the question of how an ideal of citizenship might apply to political officials. Citizens who are committed to democratic deliberation are committed, *inter alia*, to acknowledging the ideas and attitudes discussed in the last section, including the willingness to revise their beliefs and judgments, especially on fundamental political issues. A fundamental political issue concerns the basic terms of citizens' political cooperation, or what Rawls calls constitutional essentials and matters of basic justice. My question targets citizens who, in acting to resolve such an issue, would rely solely on a religious justification, one that is neither translated into nonsectarian, public-political terms nor accompanied by what the reason-giving citizen takes to be a credible and sufficient political justification. In keeping with Eberle's discussion, I shall focus only on the case of a religious citizen, even though I assume that requirements of citizenship should apply in the same way to the religious and secular comprehensive doctrines that citizens would introduce into political decision-making. Finally, my question concerns the sole reliance on a religious justification as the basis for a political choice. A citizen relies solely on a religious justification for her political choice if, after due reflection, she believes that the available supporting political justifications are plainly insufficient to warrant that choice.

Consider the following example, which, I should note, is not intended to identify all religious citizens with a particular ideological orientation or political agenda.<sup>33</sup> Jack and Jill are citizens who must decide Ohio's State Issue 1, a proposed amendment to the state's constitution which would prohibit official recognition of same-sex marriage as well as civil unions that would be similar to marriage in "design, qualities, significance or effect."<sup>34</sup> Both of our fictional citizens are aware that passage of the amendment would lead to the elimination of many legal benefits enjoyed by same-sex couples living in the state. Jill believes that the state's recognition of either same-sex marriages or civil unions would amount to state endorsement of the moral permissibility of homosexual relationships. Because she also believes on the basis of biblical authority that such relationships are sinful, she is convinced that the state's constitution ought to be amended so as to disfavor them. Finally, because she believes that the available political justifications for her position which might appeal to a nonreligious citizen like Jack are plainly insufficient, Jill is willing to vote "yes" on State Issue 1 solely on religious grounds. As I understand Eberle's view, a citizen like Jill does not violate any of the obligations or excellences of citizenship in refusing to exercise restraint in voting or advocating for State Issue 1, "even if [she] lacks a credible nonreligious rationale in support of that proposal."<sup>35</sup> We can now ask whether the approach that underwrites this claim is consistent with a commitment to an ideal of democratic deliberation.

A first point concerns the reasons why a citizen like Jill would seek a political justification that is suitably addressed to other citizens. Recall that, according to Eberle, if Jill respects Jack and other citizens, she will seek a political justification in support of State Issue 1 which they might accept. And the reason

she will seek such a political justification, and also perhaps even present a justification that she finds unconvincing, is that she hopes to ameliorate the distress that would otherwise be caused by her exercise of coercive power over them. An initial question is whether the notion of ameliorating distress is what best explains why respect for persons leads to the requirement to seek a political justification suitably addressed to others. I am not convinced that it is. If ameliorating distress is Jill's main goal, then seeking a political justification might be encouraged in some cases, but not as a necessary requirement of citizenship. After all, there are other ways to ameliorate distress. Jill might, for example, engage in a kind of political bargaining by lending her support to another cause, one which matters to her fellow citizens but about which she is ambivalent. From the standpoint of deliberative democracy, however, there is a deeper concern. In suggesting that Jill should respond to the distress of her fellow citizens Eberle seems to apply the requirement to pursue a political justification at a postdeliberative moment of civic interaction. It is as if the requirement to seek a political justification governs Jill's choices after she has actually decided, on the basis of religious grounds, to support State Issue 1. On this model, the main goal of pursuing political justification is not common political will-formation through public deliberation, but placating others, given the fact that there are bound to be losers once a controversial question is brought to a vote. Such an account of political justification would be insufficiently deliberative.

But perhaps this characterization of Eberle's position is unfair. To be sure, ameliorating distress is the consideration that Eberle cites in connecting respect for persons to the requirement to pursue political justification, or what he calls "public justification."<sup>36</sup> But Eberle's ideal of conscientious engagement, as we have seen, includes much more than the recommendation that citizens respond to the distress caused by their exercise of coercive power. It also requires citizens to identify and communicate a high degree of rational justification for the coercive policies they support, and to engage their fellow citizens by listening to their evaluation and criticism of these justifications. A good citizen, Eberle suggests, will attempt to respond to the distress caused by coercion. But she will do so only after "she [has put] her compatriots in a position to change her mind as to the soundness of her rationale for her favored coercive laws."<sup>37</sup>

What would this mean in the case of the debate surrounding State Issue 1? What would Jill have to do to put her compatriots in a position to change her mind about the soundness of her religious rationale for the amendment? In order to answer this question, we would need to have a better understanding of the details of Jill's argument in support of State Issue 1. Suppose, for example, that this argument consists of the following claims: (1) that God has issued moral commands and guidelines concerning same-sex relationships and human well-being; (2) that these commands and guidelines are revealed in Scripture; (3) that according to the best interpretation of Scripture, homosexual activity—for example, relationships, sex, civil unions, and marriage—is sinful; (4) that the political community should sometimes attempt to prohibit, deter, or disfavor

sinful activity; (5) that same-sex relationships represent a form of sinful activity which should be politically disfavored; and, (6) that State Issue 1 is, all things considered, an appropriate means for politically disfavorsing same-sex relationships. In order to put her compatriots in a position to change her mind about this argument, Jill would presumably need to adopt the attitude of fallibilism that Eberle recommends and remain open to critical challenges to each of these claims.

With respect to some of these claims, it is possible for Jill to remain open to the criticism of others without departing from her home religious tradition. There is, for example, widespread disagreement among Christians about claims (3) and (5).<sup>38</sup> Thus there may very well be grounds from within Jill's religious tradition on which Jack and others could draw in their criticism of her support of State Issue 1. Jill would need to consider these grounds, along with arguments and evidence that challenge an interpretation of Scripture according to which all homosexual activity is sinful. And, as Eberle suggests, she would need to examine these challenges in light of extra-biblical information that might be crucial for determining what particular biblical passages mean. Under the assumption that God does not utter moral falsehoods, she would also need to reflect on any well-grounded moral claims that would suggest that (3) is false. According to Eberle, even a citizen who is committed to the inerrancy of the Bible must consider the possibility that any particular interpretation of an inerrant source of moral guidance might be incorrect.<sup>39</sup> So, even if she were committed to the inerrancy of the Bible, Jill would still be able to put others in a position to change her mind about claims (3) and (5) by taking seriously potential defeaters, relevant moral arguments and rival interpretations of contested biblical passages.

But what about claims (1)–(2)? The claims that God issues moral commands and guidelines concerning sexuality and well-being and that these commands and guidelines are revealed in Scripture are essential to the argument sketched above. Similar claims are likely to be important elements in other arguments that cite biblical or church authority directly in support of the conclusion that some activity or practice should be favored or disfavored by the political community. What would it mean, then, to subject such claims to criticism under an attitude of fallibilism? It would mean that citizens must be prepared to examine a number of questions about what they might understand as core religious beliefs. Consider the following examples: What is the relationship between human sexuality and well-being? Which biblical statements should be read as presenting moral commands and guidelines that apply to contemporary human beings? What are the ultimate purposes to which these commands and guidelines contribute? Are God's purposes, as well as God's particular commands and guidelines, always or sometimes discernible by human reason? Which texts count as Scripture, containing God's word? Which religious authorities are qualified to identify these texts, or comment on them insightfully? Are these texts inerrant? Which interpretative strategies and assumptions are appropriate for determining their meaning? Is one and only one religious doctrine the source of the whole truth? Answers to these

and related questions will include convictions that are central to many citizens' religious doctrines. And, insofar as these convictions constitute or are essentially related to a citizen's justification for the exercise of coercive power with respect to a fundamental political question, they must be subjected to deliberative, critical scrutiny, and perhaps at times adjusted or even renounced. To remove these convictions arbitrarily from such scrutiny while continuing principally to rely on them in political decision-making would represent a failure to live up to the deliberative ideal.

Thus, the ideal of conscientious engagement, interpreted in terms of a deliberative democracy, seems to demand much more of religious believers than first appears. Citizens who rely on biblically based claims in support of a political choice must be prepared at times sincerely to reexamine their religious beliefs, remaining open to the criticism of other citizens and the force of the better argument. Eberle does acknowledge that citizens should adopt an attitude of fallibilism with respect to certain religious convictions. As we have seen, this attitude is said to be appropriate for convictions that are "directly tied" to political commitments, as opposed to convictions such as "God exists" which are "sufficiently remote" from such commitments.<sup>40</sup> He argues that it is "far too onerous a burden to impose on citizens the expectation that they ought to take seriously the possibility that the convictions that define their respective moral identities might be false."<sup>41</sup> This concern is understandable. However, the distinction between "directly tied" and "sufficiently remote" cannot be drawn too rigidly, especially in advance of actual political deliberation. The question of which convictions are directly tied to political decision-making will depend in part on the nature of the justifications that citizens formulate and advance. Citizens could not and need not entertain challenges to all of their religious beliefs or to all of the beliefs that remotely support their political commitments. Yet many arguments that appeal to the authority of divine commands or a religious conception of human well-being will, I suspect, rely on convictions that are not as remote as the belief that God exists but are nevertheless central to the moral identities of some citizens. And, to the extent that they are essentially related to citizens' political choices, as more than foundational claims or assumptions that provide the moral-religious grounding for a reasonable political conception of justice, these convictions must be put to the test, especially insofar as they are adopted in political decision-making without accompanying political justifications in public reason.<sup>42</sup>

But that is not all. Recall that in a mass democracy the opportunities for face-to-face deliberation are limited. Citizens should certainly attempt to discuss contested political issues with one another. But in both formal settings and the informal context of civil society, there will be limits to the number and diversity of ideas that even a conscientious citizen will encounter. These limits will be even greater insofar as a citizen's involvement in civil society is restricted to a few relatively homogenous groups. For these reasons, a citizen should also practice "deliberative democracy within," attempting to internalize the lives and perspectives of other citizens. In a religiously pluralistic democracy, this means that

citizens should remain aware of the diversity of religious belief and practice. They should discuss with one another the political implications of their own religious doctrines. And, they should also make a genuine effort to understand different religious traditions and imagine how various questions might be approached from within alien traditions.<sup>43</sup> Rawlsians and other weak inclusionists would do well to acknowledge that, to some degree, all citizens ought to aim at such mutual understanding. But a special burden falls on citizens who rely *solely* on religious—or, for that matter, secular comprehensive—justifications for the exercise of coercive power. For these citizens, the entire justificatory burden is carried by the claims of a comprehensive doctrine. Insofar as citizens are prepared to invoke such claims as the sole basis for political decision-making, it is especially important that they are challenged and scrutinized.

For the citizen who would rely solely on religious justifications in exercising coercive power, a number of religious beliefs become the object of ongoing critical scrutiny, both in dialogue with others and through deliberative democracy within. Of course, some convictions will turn out to be “sufficiently remote” from a citizen’s political choices and so immune from such scrutiny. Eberle is right, I think, to resist the notion that the obligations of citizenship require a citizen like Jill to question her faith in God.<sup>44</sup> But the set of religious beliefs that potentially fall under the purview of political deliberation also seems larger than Eberle suggests. In my example, Jill’s conviction that God has issued moral commands and guidelines concerning sexuality which are revealed in Scripture is essential to her appeal to *biblical authority* in opposing same-sex unions. Some of Jill’s fellow citizens will want to question her understanding of this source of authority, along with its relevant texts, traditions, and commentators. Indeed they will likely disagree about which texts, traditions, and commentators are reliable and authoritative. And even if Jill were to scrutinize only claim (3), concerning the best interpretation of Scripture, she may still need to entertain challenges to a number of her religious beliefs, at both the core and periphery of her religious doctrine. As Daniel Conkle argued in an early article on the subject, a “deliberative, dialogic decision-making process” calls for a “substantive inquiry” and “theological evaluation” of religiously based truth claims.<sup>45</sup> Conkle supports such inquiry, but also understands the dangers and difficulties that it would present for some religious citizens. Citizens would need to investigate whether various substantive religious positions are right or wrong through public challenges that “can be extremely hurtful to the individuals who hold the religious beliefs in question.”<sup>46</sup>

In Jill’s case, questions arise about the interpretation and meaning of Scripture which go beyond debates about particular biblical passages, especially if she considers potential defeaters to claims (1) and (2). Jill must pursue questions about religious authority and about how human beings know God’s commands. To approach these questions deliberatively, Jill must make changes in her character and behavior that enable her imaginatively to inhabit other religious and nonreligious points of view and to learn more about the interests and commit-

ments of citizens who do not share her comprehensive doctrine. She must also sincerely attempt to understand the lives and aspirations of gay and lesbian citizens who will be affected by her vote. And she must adopt an attitude of fallibilism toward some of her own beliefs, and take steps genuinely to challenge her predeliberative assumptions and judgments, not only in discussion with others, but also internally and imaginatively, in her day-to-day life. That is, she must take steps genuinely to challenge assumptions and judgments that may be essential to her denominational affiliation, her theological perspective, or even her particular self-understanding and religious identity.

## 5. Conclusion

The example of a citizen's appeal to biblical authority on the question of same-sex unions is intended to illustrate a deliberative burden that would apply especially to a citizen who relies solely on the authority of a comprehensive doctrine for a political choice about how to arrange the fundamental terms of political cooperation. The example also suggests the following problem with Eberle's ideal of conscientious engagement, which permits such reliance: If political justifications are pursued only after a citizen has individually decided a political question on religious grounds, then the ideal of conscientious engagement would be an insufficiently deliberative ideal. But if this ideal is interpreted in terms of a deliberative democracy, it requires that some citizens adopt practices and attitudes which encourage deliberative, critical scrutiny of their religious beliefs, and that they remain open, as an aspect of good citizenship, to modifying or even renouncing those beliefs. My point is not to suggest that it is wrong for people to adopt such practices and attitudes with respect to their religious beliefs, or that doing so is incompatible with a life of faith. A deliberative, critical attitude about traditional religious beliefs might be celebrated by some religious believers and rejected by others. Citizens of faith are likely to disagree about the extent to which they are required or encouraged to engage in an open-ended, dialogical search for truth with nonreligious citizens and adherents of other religious traditions. The problem with the ideal of conscientious engagement is that it seems to require such inquiry in a rather demanding fashion and simply in virtue of the fact that a person occupies the role of democratic citizen.

Weak inclusionism proposes a conception of citizenship that is demanding in its own right. Yet while the Rawlsian ideal discourages citizens from relying solely on their comprehensive doctrines in their political choices, it also entitles citizens to set aside certain beliefs from the practice of ongoing deliberative, critical scrutiny. First, reasonable citizens accept political liberalism's fundamental moral-political ideas of society as a fair scheme of cooperation and persons as free and equal citizens with an interest in exercising their basic moral powers. Second, citizens would not need to subject religious convictions to scrutiny just insofar as those convictions play a nonjustificatory role in their political choices and discourse or constitute the moral-religious foundation for a reasonable polit-

ical conception of justice. In the latter case, we should recognize a distinction between adopting a reasonable political conception that is supported by a comprehensive doctrine and appealing primarily or solely to doctrinal beliefs in political decision-making. Finally, and most important, citizens who adhere to the requirements of public reason by exercising restraint or satisfying the Rawlsian proviso need not scrutinize the religious convictions which have thereby been removed from political decision-making, translated into public-political terms or accompanied by suitable political justifications. In short, the Rawlsian model encourages religious citizens to shift much of the deliberative burden to the claims and arguments they would pursue in public reason.

Although the analysis of this paper has been restricted to Eberle's view, which I take to be representative of strong inclusionism, the problem that I have identified is one which other strong inclusionists should confront directly. Much will depend on the details of the view in question, but the basic dilemma could be understood in the following way: Insofar as it accepts an ideal of democratic deliberation, strong inclusionism must also accept certain requirements of citizenship. Citizens must incorporate attitudes and practices that render certain politically relevant religious and other comprehensive beliefs consistent with the conditions associated with a deliberative approach to political decision-making. These attitudes and practices—for example, fallibilism, the willingness to change one's mind, the search for the better argument, and the practice of deliberative democracy within—must be manifested in everyday life and applied sometimes to core religious and secular comprehensive beliefs, especially when those beliefs serve as the principal basis for a citizen's political choice.

Hence, for the strong inclusionist, persons qua citizens would be expected to acknowledge that their attitudes toward their own comprehensive doctrines must be governed at times by the obligations of citizenship. This expectation may present a problem for citizens insofar as they regard their religious obligations as both "overriding" and "totalizing."<sup>47</sup> To be sure, the weak inclusionist position that I favor must contend with a different, and, I think, more manageable, version of this problem. My purpose here is not to provide a full defense of weak inclusionism, but to suggest that a properly deliberative strong inclusionism is just as likely to encounter the objections that its requirements interfere with the integrity of a citizen's religious life and that it privileges certain religious and theological orientations over others.<sup>48</sup> Contrary to what is often assumed by critics of liberal principles of political justification and restraint, the charge that such principles are somehow infeasible or unfair to religious believers should not obviously count in favor of the stronger variety of inclusionism over an approach like that of Rawls's wide view of public reason.

Another possibility for the strong inclusionist is to reject the ideal of democratic deliberation, or to present an alternative interpretation of it. But, in pursuing this strategy, the strong inclusionist must still provide a conception of citizenship that is consistent with the norm of respect for persons as free and equal citizens. I have not demonstrated here that such a norm requires citizens to

endorse a particular conception of political justification, a particular policy of restraint, or, for that matter, a particular ideal of democratic deliberation. Indeed one issue that remains to be investigated in more detail is whether the goal of ameliorating distress is the principal reason why a citizen who respects others must pursue a political justification. If the connection between respect for persons and pursuing political justification lies elsewhere, as I suspect that it does, then the strong inclusionist's employment of the distinction between pursuing a political justification and exercising restraint must be reexamined.

Both strong and weak inclusionists can permit and even welcome much politically relevant religious discourse and argument.<sup>49</sup> Both can accept the idea that the values animating the public life of a democracy will, for many citizens, be morally grounded in religious doctrine. Both can recognize that citizens ought to learn more about the religious and nonreligious doctrines that support various political commitments and conceptions of justice. But weak inclusionists will insist that citizens should *sometimes* exercise restraint, particularly when a citizen cannot identify what she takes to be an adequate political justification for a law or policy that she might otherwise favor on religious grounds. In exercising restraint in such a case, a citizen also legitimately opts out of the political demand to treat her religious convictions as contestable political beliefs, subjecting them to deliberative, critical scrutiny. Citizens who are unwilling to meet this latter demand should reconsider whether it is appropriate to rely solely on such grounds to arrange the fundamental terms of political cooperation.

*The author would like to thank the anonymous reviewers at the Journal of Social Philosophy for their comments and suggestions.*

## Notes

<sup>1</sup>Richard Rorty may endorse exclusionism, as he celebrates the "privatization" of religion and recommends its "exclusion" from political discussion. See Richard Rorty, "Religion as Conversation-Stopper," in *Philosophy and Social Hope* (New York: Penguin Books, 1999), 168–74. To be sure, exclusionism was never defended in print by John Rawls, whose views seem to inform Rorty's treatment of the issue. Rawls seems to have considered exclusionism, but rejected it before the publication of the first edition of *Political Liberalism*. See John Rawls, *Political Liberalism*, 2nd ed. (New York: Columbia University Press, 1996), 247 n. 36. See also Lawrence Solum, "Situating Political Liberalism," *Chicago-Kent Law Review* 69, no. 3 (1994): 549–88, at 562 n. 68.

<sup>2</sup>Stanley Fish, *The Trouble with Principle* (Cambridge, MA: Harvard University Press, 1999).

<sup>3</sup>*Ibid.*, 242.

<sup>4</sup>An exception might be Ashley Woodiwiss, who relies on Fish in "Ecclesial Profiling," *Wake Forest Law Review* 36, no. 2 (2001): 557–70.

<sup>5</sup>See Rawls (1996) and Robert Audi, *Religious Commitment and Secular Reason* (New York: Cambridge University Press, 2000).

<sup>6</sup>Unfortunately there is no standard terminology in the literature, and Rawls and Audi are sometimes called exclusionists. For example, Philip Quinn uses the related term "exclusivist" to refer to their views. See Philip L. Quinn, "Political Liberalisms and Their Exclusions of the Religious," in *Religion and Contemporary Liberalism*, ed. Paul Weithman (Notre Dame, IN: University of Notre

- Dame Press), 138–61, and Quinn, “Religious Diversity and Religious Toleration,” *International Journal for Philosophy of Religion* 50 (2001): 57–80.
- <sup>7</sup>John Rawls, “The Idea of Public Reason Revisited,” in *Collected Papers*, ed. Samuel Freeman (Cambridge, MA: Harvard University Press, 1999), 573–615. Rawls refers to his considered view as the “wide view” of public reason, where the wide view replaces *Political Liberalism*’s original “inclusive” view of public reason. For a discussion of these changes see the second “Introduction” to *Political Liberalism*, at lii. Both the wide view and the inclusive view are, in my terminology, types of weak inclusionism.
- <sup>8</sup>For a discussion of these distinctions and an account of where the idea of public reason does and does not apply, see my “Public Reason and Religion,” in *The Legacy of John Rawls*, ed. Thom Brooks and Fabian Freyenhagen (London: Continuum, 2005), 124–51.
- <sup>9</sup>See especially Rawls (1999), 591–94.
- <sup>10</sup>Michael Perry, *Under God?* (New York: Cambridge University Press, 2003), 51. Perry has changed his view over the years, and it is worth noting that the ideas presented by Perry in earlier works are closer to what I am calling weak inclusionism. A weaker form of inclusionism appears in Michael Perry, *Love and Power* (New York: Oxford University Press, 1991), and Perry, *Religion in Politics* (New York: Oxford University Press, 1997).
- <sup>11</sup>See, for example, Jeffrey Stout, *Democracy and Tradition* (Princeton, NJ: Princeton University Press, 2004), Paul Weithman, *Religion and the Obligations of Citizenship* (New York: Cambridge University Press, 2002), and Nicholas Wolterstorff, “The Role of Religion in Decision and Discussion of Political Issues,” in *Religion in the Public Square*, ed. Robert Audi and Nicholas Wolterstorff (New York: Rowman & Littlefield, 1997), 67–120.
- <sup>12</sup>Christopher J. Eberle, *Religious Convictions in Liberal Politics* (New York: Cambridge University Press, 2002).
- <sup>13</sup>*Ibid.*, 10.
- <sup>14</sup>Eberle cites John Rawls, Charles Larmore, Bruce Ackerman, Robert Audi, Amy Gutmann, Thomas Nagel, Lawrence Solum, and Gerald Gaus as examples of justificatory liberals.
- <sup>15</sup>Indeed, Eberle’s perspicuous treatment of this distinction has inspired my attempt to separate the question of political justification from the question of restraint.
- <sup>16</sup>As Eberle puts it, “So long as we don’t distinguish between pursuing a public justification and exercising restraint, a successful argument in support of the former appears to establish the latter. As a consequence, the plausibility of justificatory liberalism, understood as a commitment to the claim that respect for others requires *both* the pursuit of public justification and the exercise of restraint, depends on blurring the distinction between public justification and restraint” (Eberle 2002, 71).
- <sup>17</sup>Here I focus mainly on chap. 4 of *Religious Convictions in Liberal Politics*, 84–108, summarizing Eberle’s discussion of the six constraints listed on pp. 104–105. See also Christopher Eberle, “What Respect Requires—And What It Does Not,” *Wake Forest Law Review* 36, no. 2 (2001): 305–52.
- <sup>18</sup>Eberle (2002), 66.
- <sup>19</sup>*Ibid.*, 103.
- <sup>20</sup>For Rawls’s acknowledgment that his own political liberalism should be understood as recommending a deliberative democracy, see “The Idea of Public Reason Revisited,” 579–81. For other liberal approaches to deliberative democracy, see Joshua Cohen, “Procedure and Substance in Deliberative Democracy,” in *Deliberative Democracy*, ed. James Bohman and William Rehg (Cambridge: MIT Press, 1997), 407–38, and Amy Gutmann and Dennis Thompson, *Democracy and Disagreement* (Cambridge, MA: Harvard University Press, 1996). For a deliberative-democratic critique of the liberal approach to religion and public reason, see James Bohman, “Deliberative Toleration,” *Political Theory* 31, no. 6 (2003): 757–79.
- <sup>21</sup>See my “What Is Reasonableness?,” *Philosophy and Social Criticism* 30, nos. 5–6 (2004): 597–621.
- <sup>22</sup>John S. Dryzek, *Deliberative Democracy and Beyond* (New York: Oxford University Press, 2000), 1.
- <sup>23</sup>On this point, see Samuel Freeman, “Deliberative Democracy: A Sympathetic Comment,” *Philosophy and Public Affairs* 29 (2000): 371–418, at 375.

<sup>24</sup>Ibid., 376.

<sup>25</sup>See, for example, Jon Elster's "Introduction" to *Deliberative Democracy*, ed. Jon Elster (New York: Cambridge University Press, 1998), 1: "Largely under the influence of Jürgen Habermas, the idea that democracy revolves around the transformation rather than simply the aggregation of preferences has become one of the major positions in democratic theory." See also Dryzek (2000), 31, and Jürgen Habermas, *Between Facts and Norms*, trans. William Rehg (Cambridge: MIT Press, 1996).

<sup>26</sup>Robert Goodin, *Reflective Democracy* (New York: Oxford University Press, 2003), 169.

<sup>27</sup>Cass Sunstein has examined the political problems associated with "group polarization," or the predictable shift within relatively homogenous deliberating groups which leads to a convergence of opinion not in the middle but at one of the extremes in the range of possible predeliberative positions on an issue. See Cass R. Sunstein, "The Law of Group Polarization," in *Debating Deliberative Democracy*, ed. James S. Fishkin and Peter Laslett (Malden, MA: Blackwell Publishing, 2003), 80–101.

<sup>28</sup>Iris Marion Young, *Inclusion and Democracy* (New York: Oxford University Press, 2000), 74.

<sup>29</sup>Goodin (2003), 171. See also Young (2000), 70–77. Focusing on the importance of storytelling and other forms of narrative in political discourse, Young proposes a "norm of political communication . . . [according to which] everyone should aim to enlarge their social understanding by learning about the specific experience and meanings attending other social locations" (Young 2000, 77).

<sup>30</sup>Goodin (2003), 191.

<sup>31</sup>Ibid., 231.

<sup>32</sup>On the common good, see Eberle (2002), 335 n. 4.

<sup>33</sup>Eberle suggests that the initial plausibility of the thesis that respect for persons requires restraint derives in large part from an unfair characterization of the citizens who would refuse to exercise restraint. Specifically, the "evangelical or fundamentalist, particularly one who advocates policies that are unpopular among academics, serves as the most common whipping boy for the justificatory liberal" (Eberle 2002, 111). Aiming at clarity rather than "obfuscatory rhetoric," Eberle proposes to examine the plausibility of a requirement of restraint in light of an example of a citizen who is not burdened with an invidious stereotype and who supports, on religious grounds, the "right" kind of policy, namely, radical redistribution of wealth to the poor.

I have turned to a timely example of a fundamental political question which citizens might resolve mainly or even solely from a religious point of view. In fact, according to a recent survey by the Pew Center, opponents of gay marriage reported that the main reasons for their opposition were, first, that "homosexuality is immoral, a sin, or inconsistent with biblical teaching" and, second, that it is "in conflict with religious beliefs." See the Pew Forum on Religion and Public Life, "Religious Beliefs Underpin Opposition to Homosexuality" [<http://www.pewforum.org>] (November 18, 2003): 14. My example is not intended to label unfairly or caricature religiously minded citizens, and I welcome an analysis of a similarly constructed alternative example of the sort proposed by Eberle.

<sup>34</sup>According to the specific language of State Issue 1, "Only a union between one man and one woman may be a marriage valid in or recognized by this state and its political subdivisions. This state and its political subdivisions shall not create or recognize a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance or effect of marriage." See "Amendment Would Cast Marriage in Traditional Terms," *Columbus Dispatch* (October 31, 2004), B3. State Issue 1 was approved by Ohio voters on November 2, 2004.

<sup>35</sup>Eberle (2002), 10. Here I adapt a remark about an example which opens Eberle's book, namely, the case of Coloradoan Bill McCartney's public support for Amendment 2, a 1992 initiative that would have excluded gays and lesbians from anti-discrimination protection. One important difference between McCartney's case and my imagined citizen is that Jill hopes to satisfy Eberle's ideal of conscientious engagement.

<sup>36</sup>Eberle initially suggests that an additional reason why a citizen who is prepared to exercise coercive power ought to address his or her fellow citizens is that others have a valuable capacity to

“inhabit a distinctive point of view” and that this is a capacity which should be developed. But in working out the specific claim that respect for persons requires pursuit of “public justification,” Eberle largely ignores this consideration, which seems to require only that citizens engage in certain forms of communication. The more important consideration in Eberle’s analysis is ameliorating distress, which is said to be “the goal” of public justification. Eberle (2002), 96–101.

<sup>37</sup> Eberle (2002), 106.

<sup>38</sup> On this point, see Perry (2003), 55–97.

<sup>39</sup> Eberle (2002), 274–76.

<sup>40</sup> *Ibid.*, 102.

<sup>41</sup> *Ibid.*

<sup>42</sup> The question of precisely which convictions are “essentially related” to justifications for the exercise of political power is difficult to answer prior to the deliberation of citizens. The following proposal is intended as a rule of thumb rather than as a determinative *ex ante* standard: For any justification for the exercise of political power J and religious conviction R, where R is attached to comprehensive doctrine D, R is essentially related to J if J necessarily depends on the truth of R and if R is available to other citizens only from the standpoint of D or some related comprehensive doctrine. Among the set of a citizen’s essentially J-related Rs, it is more important (a) to examine those Rs which are more closely connected to J and (b) to examine Rs to the extent that J (1) explicitly takes the form of a religious (or secular comprehensive) argument which is not accompanied by a political justification in public reason or (2) concerns the coercion of others or the arrangement of the fundamental terms of cooperation.

<sup>43</sup> I take the term “alien” from Paul Griffiths, *Problems of Religious Diversity* (Malden, MA: Blackwell, 2001).

<sup>44</sup> Michael Perry’s distinction between religious faith and religious belief would seem to be helpful in this regard. Religious faith, Perry argues, is “trust in the ultimate meaningfulness of life,” while religious beliefs “are best understood as religious faith mediated by . . . words, whether concretely, in stories, or abstractly, in concepts and ideas.” See Perry (1991), 73.

<sup>45</sup> Daniel O. Conkle, “Different Religions, Different Politics: Evaluating the Role of Competing Religious Traditions in American Politics and Law,” *Journal of Law and Religion* 10, no. 1 (1993–94): 1–32, at 16 and 29.

<sup>46</sup> *Ibid.*, 29.

<sup>47</sup> Eberle (2002), 145–46.

<sup>48</sup> For the charge that liberal accounts of political justification and citizenship are infeasible or unfair to religious believers, see especially Wolterstorff (1997), 104–19, and Patrick Neal, “Political Liberalism, Public Reason, and the Citizen of Faith,” in *Natural Law and Public Reason*, ed. Robert P. George and Christopher Wolfe (Washington, D.C.: Georgetown University Press, 2000), 171–98. For a discussion of the concern that an ideal of citizenship might privilege certain theological orientations over others, see Conkle (1993–94) and also David Smolin, “Regulating Religious and Cultural Conflict in Postmodern America: A Response to Professor Perry,” *Iowa Law Review* 76, no. 4 (1991): 1067–1104. For a defense of the Rawlsian idea of public reason against these criticisms, see my “Religion and Public Reason.”

<sup>49</sup> For example, see my “‘Political, Not Metaphysical’: Reading the Bishops’ Letter as a Form of Public Reason,” *Proceedings of the American Catholic Philosophical Association* 77 (2004): 205–19.