Summary

This dissertation discusses the use of religious arguments in public discourse as addressed by theories of public reason. Public reason is a normative concept in liberal democratic theory specifying which arguments should and should not be used in public discourse. It is often taken to exclude religious arguments. In this dissertation I take issue with theories of public reason and the far-reaching degree of self-restraint which they expect citizens and office-holders to exercise. My argument aims to show that religious arguments should be given much more space in public discourse than many proponents of public reason are prepared to grant them.

According to most theories of public reason, citizens and office-holders should both, to more or less the same degree, exercise self-restraint when it comes to expressing their religious convictions in public discourse. My dissertation takes issue with this assumption, arguing that we should distinguish between citizens and office-holders when considering self-restraint. Citizens should be (morally) free to use religious arguments, whereas most office-holders should be held to exercise self-restraint with respect to religious arguments.

Chapter 1 introduces the topic and delimits the area of research. It situates the topic within political philosophy and introduces its main concepts and problems. It notes the following choices made for the dissertation. First, while I note that public reason theories rely on a number of controversial assumptions, I take public reason theories as given, subjecting to critical assessment only some of their claims. Second,
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I write about the use of arguments primarily in relation to the exercise of political coercion, assuming that religious arguments are potentially problematic only if and in so far as they are used in contexts in which political coercion plays a role. I do not consider other uses of arguments, nor roles for religious convictions in public life in general. Third, this dissertation is about the subject of public reason in relationship to religious arguments and its claims apply to religious arguments only.

Chapter 2 shows that not only exclusionist but also inclusionist accounts favour self-restraint in the use of religious arguments in public discourse. I introduce Audi’s exclusionist account and argue that Audi allows religious reasons and religious motivations to matter only if and in so far as they coincide with and supplement secular reasons and motivations. His two principles of secular reason and motivation render his theory vulnerable to the objections that it is morally objectionable and constitutes an undue cognitive burden. I then turn to inclusionist accounts of public reason and analyse three kinds of restraint that have been presented by inclusionists. The first, Greenawalt’s distinction between religious imposition and non-imposition reasons, excludes a significant group of religious arguments from public discourse, namely all those religious arguments that refer to the authority of God. The second, the pursuit of the common good, seriously limits the possibilities religious believers have to present their religious convictions as group-specific interests. The third, the fallibilism requirement, requires religious believers to demonstrate the awareness that their religious beliefs may be mistaken. It imposes a considerable cognitive burden on religious and other citizens with profound convictions, and in Perry’s version the fallibilism requirement is used to appeal to religious conservatives to change their minds about their opposition to abortion and homosexuality. In that chapter I also expose the image of a person as it emerges from the accounts of public reason reviewed. According to this, the good liberal citizen is able to hold his beliefs at arm’s length and distance himself from his commitments and interests. The good liberal citizen is self-critical and self-reflexive and prepared to change his mind. It is only for these ideal liberal citizens that the requirements propounded by inclusionism do not constitute very heavy burdens.

Chapter 3 identifies five rationales for self-restraint which are given by proponents of public reason. Self-restraint with respect to religious arguments can be said to be necessary to make consensus possible; may be defended on the ground that religious arguments are special; may be thought of as deriving from the separation of church and state; may be deemed a requirement of respect; and may be based on the idea that coercion needs to be justified. I analyse these five rationales for self-restraint, concluding that only the last one, the argument from coercion, when combined with the argument from respect, offers a potentially convincing rationale for
self-restraint. The justification lies in the claim that participants in public discourse exercise coercive political power over one another and should therefore use only those arguments that all citizens can reasonably be expected to accept as bases for political coercion.

Chapter 4 examines whether this rationale is convincing for the public discourse of citizens as distinguished from office-holders, and reaches the conclusion that the rationale for restraints on the use of religious arguments is not convincing where citizens are concerned. I seek to show that citizens do not exercise coercion over one another, at least not in the sense envisaged by public reason, that is, as a collective deciding on laws and regulations. An important element in this claim is the distinction I introduce between arguments and positions. I define religious as opposed to secular positions, showing there is a four-fold distinction between secular and religious arguments used to support secular and religious positions. With that distinction in place, I show that the link between religious arguments and coercion is in fact a circuitous route with many tenuous links. One such link is that public reason liberalism has little if anything to say about secular conservative policy options which religious believers sometimes support and which liberals often seek to invalidate. Some proponents of public reason seem to suggest that public reason can be used to prevent such positions from being defended in public discourse, but public reason is neither a necessary nor a sufficient means to that end. A second problem is that the notions of respect and political justice offered by public reason liberalism remain partial at best, for they cannot incorporate important intuitions about the importance of positions for respect and political justice. Moreover, in some cases these notions contradict plausible liberal conceptions of respect and justice. A third, weak link is the decision aspect of politics. Voting is directly related to decisions, but not to decisions on coercive laws. Debate among citizens is not related to decisions. In neither case, then, is citizens' political activity directly connected to the exercise of coercion.

Chapter 5 proceeds to argue that while the justification for the exclusion of religious arguments does not apply to the public discourse of citizens, it does apply in the case of holders of public office. This suggests that the self-restraint prescribed by public reason should not apply to citizens but only to office-holders, leading to a role-differentiated theory of public reason. I review two approaches to a role-differentiated application of public reason. In Rawls's account of public reason, the identification of a public political forum serves to delineate the realm in which public reason applies. It can be seen as a means of a role-differentiated application of public reason, but Rawls is not consistent in using it for that purpose. Moreover, the distinction between the public political forum and the general public reveals that the
distinction is not only role-specific but at the same time spatial, raising difficult ques-
tions about the behaviour of public officials outside of the public political forum. I
then present Habermas’s account as constituting in several respects an improve-
ment over Rawls’s. Habermas’s theory is role-differentiated to a greater degree, and
acknowledges the distinction between the need to justify laws and the issue of who
has the moral duty to provide the justification. However, the role differentiation is
not seen through to its logical conclusion, which would be that the translation re-
quirement should apply to members of the formal public sphere and not to citizens.
With this adjustment, Habermas offers a convincing account of role differentiation
in the application of public reason to officials but not to citizens, based on the dis-
tinction between opinion-forming and decision-making. Following that distinction,
the following chapters investigate self-restraint for office-holders.

Chapter 6 introduces the notion of a role-specific or positional duty and ex-
plores the positional duties of different offices and their implications for the role-
differentiated application of public reason which I defended in the previous chapter.
I argue that the positional duties of judges and executive officials support self-
restraint with respect to religious arguments but that matters are more complicated
where MPs are concerned. MPs have two main positional duties: to exercise polit-
ical coercion in a way that avoids reliance on religious arguments, and to represent
their constituents. According to the classic concept of representation, a represent-
ative represents a territorially defined, heterogeneous constituency, composed of
religious citizens of different faiths as well as non-believing citizens. Whereas reli-
gious citizens of one denomination may expect their MP to represent their specific
worldview in parliament, citizens of other denominations and secular citizens will
not feel that such behaviour of their MP represents them. On a different account
of representation, however, an MP represents first and foremost the supporters of
his parties. I argue that this view of representation is more relevant than the view
according to which an MP represents the members of his electoral district. This is
because in modern-day liberal democracies, representation is organised, structured
and realised by parties. If religious voters vote for a religious party, and this party
is committed to the use of religious arguments in parliament, their MP knows that
all those who voted for his party expect their representatives to use religious argu-
ments in parliament. There is in that case a strong positional duty on the part of
the MP to represent religious citizens by using religious arguments in parliament.
Because of the pivotal role of representation in liberal democracy, the duty of MPs
of religious parties to represent their religious supporters is sufficiently strong to
outweigh the duty of MPs as legislators not to use religious arguments. Finally I ad-
dress the neglect of the role of parties in the theories of Rawls and Habermas. Haber-
mas’s theory, I argue, can be adapted to account for the role of parties. The institutional threshold which prevents the use of arguments in the public sphere should be dropped for MPs of religious parties. This also implies that religious political parties have a right to exist and should be tolerated.

Chapter 7, finally, takes up the issue of toleration of religious political parties. Religious political parties have an important role to play in the representation of religious citizens. They also enjoy the legitimacy of parties in general, which accrues to them from popular support and their role in liberal democracy as a means of realising popular sovereignty. At the same time, political philosophy regards religious parties with misgiving, claiming that they can at best be tolerated. As toleration presupposes disapproval, I ask what it is about religious parties that makes them objects of disapproval. The answer lies in how some religious parties relate to liberal democratic principles in their own organisation (internal democracy) and in their aims, programmes, and actions (external democracy). I argue that toleration is not only the proper framework but also the proper reaction to such religious parties, applying Spinner-Halev’s framework for tolerating religious groups. Seeking to apply this general conclusion to a specific case, I go on to discuss a theocratic party, the Dutch theocratic Staatkundig Gereformeerde Partij (SGP). The SGP on the national level poses no danger to the existence of liberal democracy in the Netherlands and is therefore best described as an essentially harmless party. At the local level, however, the SGP in some city councils of the Bible Belt holds a majority of seats together with another religious party, the ChristenUnie (CU), allowing it to make decisions and change rules and regulations on the basis of its religious views. Under the circumstances under which the SGP functions at the local level, public reason is of no use. As long as religious worldviews determine how some citizens and office-holders think about politics, no plea for self-restrain in the use of religious arguments will be able to prevent religious politics being pursued on a religious basis. And as long as one takes seriously a commitment to procedural notions of liberal democracy, there is nothing that can be done about it, nothing, that is, except hope that the liberal mainstream will in the end prevail in the formal public sphere.

The conclusion briefly recapitulates my critique of public reason theories and places it within a broader perspective of procedural liberalism. It also addresses contemporary controversies surrounding Islam. Procedural liberals, I argue, must not wish to impose liberal values on people, religious or unbelieving, regardless of how unappealing their beliefs and practices may appear to liberals.