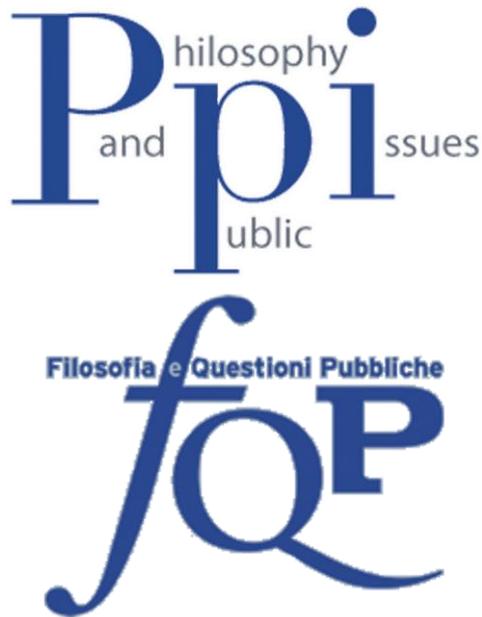


SYMPOSIUM  
LIBERAL LEGITIMACY, PUBLIC REASON AND  
CITIZENS OF FAITH



A 'RELIGIOUS' READING  
OF RAWLS'S WORKS

PAUL WEITHMAN'S *RAWLS, POLITICAL  
LIBERALISM AND REASONABLE FAITH*

BY  
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# A 'Religious' Reading of Rawls's Works

## Paul Weithman's *Rawls, Political Liberalism and Reasonable Faith*

Roberta Sala

### Introduction

**A**lthough this book by Paul Weithman consists of a collection of published contributions, with rare exceptions, it represents a precious itinerary through the thought of John Rawls (Weithman 2016). Weithman invites the reader to a journey, to walk down a sort of philosophical path, starting from *A Brief Inquiry into the Meaning of Sin and Faith*, the undergraduate thesis that Rawls wrote in 1942, and ending with some remarks on the last published work of Rawls, namely the *Law of Peoples* (1999). This backward movement is not a regress: it seems instead a hermeneutic circle where the end is a reflective and mature reappraisal of the beginning. In this journey, Weithman intends to emphasize the relevance of religion and religious belief in the whole intellectual career of Rawls. That is why I choose to call the reading offered by Weithman "religious": Not because he holds that Rawls is to be considered a philosopher of religion or similar. But because there seems to be a sort of religious aura around the entire Rawlsian production devoted to *justice as fairness*, be it a moral theory or a political one.

To speak of a proper role of religion in Rawlsian political reflection seems pretty odd. Quite the opposite, Rawls is generally welcome as a defendant of the secular society as grounded on the ideal of public reason. In light of this, citizens may work out the best way to coexist peacefully, provided that they leave their religious beliefs out of the public arena. It means that, in order to live with fellow citizens, members of a fair society need to abstain politically from their religious beliefs and, generally, from any enforcement of a philosophical or moral position. In a nutshell, citizens should satisfy the exclusivist requirement of a fair society and, specifically, of the basic structure of it.

Now, these presumptions of a secularist society and, in parallel, of an exclusivist public reason are not supported by evidence. Rawls's idea of a secular society is not exactly the same. Focusing on the relationship between politics and religion in a liberal framework, Weithman aims at rebutting such prejudicial criticisms to Rawls's political liberalism, specifically those charging it to be disrespectful to religious believers.

In my contribution I will recall some points of Weithman's argument on the relationship between political liberalism and religious reasons in Rawls, according to the main line of Weithman's book here discussed. This is for me a precious opportunity to subscribe to some conclusions Weithman offers to the debate, especially the one according to which Rawls shows a sensitivity for religion all along his works, even in *Political Liberalism*, ungenerously pointed out as the least philosophical one. My overall impression is that in this book under discussion, and partly in the previous one on Rawls's political turn (Weithman 2010), Weithman offers the most complete intellectual portrait of an author – John Rawls – read and criticized, but probably not read enough and still criticized, often prejudicially.

## I

### **Public reason: unreasonable constraint or liberal ideal?**

To deal with the role of religion in the Rawlsian public space some clarifications about public reason are to be spelt out. Rawls notably writes that

the idea of public reason [...] concerns how the political relation is to be understood. Those who reject constitutional democracy with its criterion of reciprocity will of course reject the very idea of public reason. For them the political relation may be that of friend or foe, to those of a particular religious or secular community or those who are not; or it may be a relentless struggle to win the world for the whole truth. Political liberalism does not engage those who think this way. The zeal to embody the whole truth in politics is incompatible with an idea of public reason that belongs with democratic citizenship (Rawls 2005, 442).

Although public reason concerns the limits of public debate in a liberal-democratic society, it raises a very real problem for agents; that is, they are expected, in light of public reason, to rely not on their whole truth – on their comprehensive doctrines – but only on a part of it compatible with the restrictions that public reason imposes (Maffettone 2010, 261). This restriction is totally reasonable for those who are sympathetic to liberal values: they can appreciate the distinction between the political domain and their moral or otherwise comprehensive one, as the latter includes political values such as freedom, tolerance and equal respect. In other words: those who affirm the priority of basic liberal principles may easily subscribe to the constraints of public reason. To them, no coercion is at stake in excluding from public debate

any claim to entire truths. By contrast, the same restrictions may turn unreasonable for those holding comprehensive views as religions. Quite oddly, the ones who Rawls calls ‘unreasonable’ – as they are not ready to suspend their truth in public domain – accuse public reason’s restraints of being discriminatory towards them (Greenawalt 1995; Perry 2003). Political liberalism proves inhospitable towards (philosophically and morally) non-liberal positions as the divide between the presumed ‘reasonable’ people (those who adhere to the point of view of public reason) and the ‘unreasonable’ others (those who cannot adhere to it for a variety of reasons) is rooted on a partial idea of just society or, even, of politics (Greenawalt 1994; Wenar 1995; Raz 1998).

In chapter 6 of his book, Weithman questions such a trenchant divide among religious people and citizens, religion and politics, unreasonableness and reasonableness. While acknowledging some hurdles in the Rawlsian account of public reason and religions – since it imposes disputable limits to freedom in some way, as I will detail below –, Weithman maintains that a correct understanding of it would grant religious citizens with their right to be treated as politically equals. Weithman recalls the so-called *proviso* through which Rawls intends to limit the usage of religions or, generally, of comprehensive reasons: one can rely on those reasons in politics *provided that* one is able to reformulate them consistently with public reason. What is required is an effort to translate one’s own arguments into a language comprehensible to all.

In more detail, there is no iniquity in asking everybody to make such an effort: it intends to protect the debate from any menace of sectarianism or even illegitimate coercion. Quoting Maffettone, “Rawlsian public reason is opposed to all forms of sectarian interpretations of the public life of liberal democracy. The sectarian interpretations rely on comprehensive doctrines,

regardless of whether such doctrines are secular or religious” (Maffettone 2010, 285). What Rawls is insisting on is that any comprehensive doctrine, be it religious or moral or generally philosophical, should adjust itself into a secular language and frame. It involves putting a great deal of effort to become intelligible by all others so that everyone may assess collective decisions. Therefore, the motivation for the *proviso* is not the conviction that religion destabilizes society or leads to civil strife. It is the fact that a person’s reliance on religious arguments can lead her interlocutors to doubt whether she acknowledges the political authority of *justice as fairness*. The *proviso* requires citizens to adopt and deliberate in their common point of view only when they have good reason to think *assurance* is actually needed.

Assurance acquires a central role in Rawls’s political philosophy, be it referred to society and to political justification of institutions, as I will argue for below. In Weithman’s view – and humbly in mine – the claim that Rawls endorses guidelines of public reason because of hostility toward or fear of religion is a serious misreading. Instead of speaking of exclusivism about the Rawlsian public reason, Weithman rightly opts to speak of a “restrictive inclusivism”: some restrictions are to be imposed however to citizens who appeal to religious considerations in public debate. Those restrictions or constraints respond to a problem: that one of connecting norms of public reasoning with the need to solve an *assurance problem* in a pluralistic society (Weithman 2016, chap. 5).

An assurance problem arises because a pluralistic society should be both fair and stable not through coercion but as it refers to “stability for the right reasons” (Rawls 1996, xiii). That kind of ‘fair’ stability requires that citizens be assured of one another’s acceptance of *justice as fairness*. On Weithman’s reading, differently from those accusing Rawls of exclusivism, Rawls

allows ordinary citizens to rely on their comprehensive doctrines without adducing public reasons in support of their positions, so long as their doing so does not lead others to doubt that they acknowledge the authority of the public conception of justice. Only if doubts arise, and others need assurance of their allegiance, must citizens provide assurance by actually adopting and reasoning from the perspective of public reason.

A historical example may help understand better the Rawlsian idea of public reason. In chapter 4, Weithman focuses on a singular experience in North-American public life, that is, the role Martin Luther King played for his fellow citizens (Weithman 2016, chap. 4). Be they religious believers or not, they generally shared his teaching and preaching about freedom and human rights. Rawls says of Martin Luther King that his use of religious language could not be construed as unreasonable because King would have been willing to justify his position on civil rights in the public forum by appeal to the values of public reason. But, Weithman says, something different may be said: perhaps King's fellow citizens looked for a basis of agreement in his religious political discourse because of the moral authority he had in American public life. That authority derived not only from what King said in the public forum but also from what they knew of the suffering of his people and of his own readiness to share those sufferings. That authority enabled King to use religious arguments in the public forum without raising questions about his reasonableness. According to Weithman the point is that, in Rawls's account of citizens in an *ideal* liberal democracy, they are best thought of as having an interest in receiving justifications that do not depend upon comprehensive doctrine when fundamental matters are at stake. It means that citizens *may* conceive of themselves as free and equal, as subjects entitled to a right to justification (Forst 2007). In their public life and for

political purposes, citizens *must be able* to view themselves as the source of those norms.

Having said that, a provisional conclusion may be reached. That is, the *capability* of fellow citizens to see themselves and others as free and equal is a prerequisite of being members of a public debate within an ideal liberal democracy. It is a sort of self-awareness, or the idea of persons as *capable of* pursuing justice as a priority over any other interest. Once this requisite has been met, people may take part in public debate and make collective decisions in light of public reason. What is reached, in the end, is an idea of citizen, or perhaps a normative ideal. It refers to us as citizens, if we are ready to see ourselves as free and equal. We can do it, thus we should. This conclusion will be deepened in what follows.

## II

### **Religious reasons and motivations to justice**

Public reason is, in brief, the view from which citizens are to be capable of distinguishing political values from comprehensive values, hence must be capable of balancing them. Despite the clarifications on the Rawlsian side referred above, to some critics this view or way of public reasoning is not adoptable by religious citizens insofar as public reason shows to exclude their religious reasons from the political debate (a useful reconstruction of this debate in: Bailey & Gentile, 2015). The appeal to religious reasons is admitted *provided that* these reasons are presented under constraints. It means that believers are suspected of being less reliable than lay citizens because of the priority they assign to religious commitments over other obligations. Thus, public reason turns to be much more demanding with religious people than with non-religious one: it asks the former for a sacrifice of

their sentiments and values where it does not ask the last for the same. As a consequence, religious citizens are obliged to *privatize* their belief: as they cannot claim to their religious reasons in the public debate, they should see their religion as a mere option they can do without in public. Rawls privatizes religion – this criticism goes on – because he believes that religion proves divisive if accorded a role in politics. He thus ignores the real possibility that religion may sustain social unity or vitalize social cooperation (see e.g. Wenar 1995).

Then, as already stated, this sort of criticism is misplaced. Rawls does not privatize religion at all: what he is looking for is an ethics of mutual respect as a stable basis of a fair society. This ethics restrains all fundamentalist comprehensive views. In the end, public reason acts as a sort of *assurance* against any threat to freedom and mutual tolerance (Maffettone 2010, 283).

In chapter 3 of his book, Weithman emphasizes this point (Weithman 2016, chap. 3). Although he defends the idea that religious reasons should be recognized a place in public discourse as motivations to be loyal to political institutions, he also rebuts the charge made against Rawls: Rawls, indeed, grants religious arguments a greater role in the political life of just liberal democracies than the critics seem to believe. This does not mean that Rawls does not privatize religion *in some way*: he excludes religious reasons from the justification of fundamental principles of justice. By doing this, Rawls intends to restate that a stable fair society is completely obtained when it is well-ordered by *justice as fairness*. This occurs when everyone accepts and receives *assurance* that everyone else accepts that conception of justice and when each has reconciled that conception with her comprehensive moral and religious views.

This reconciliation is exactly the task of public reason we have already met: the constraints dictated by public reason serve to

*assure* one another that no one intends to take advantage of social cooperation against others' legitimate interests. These constraints to the public use of religion – as opposed to what happens with its complete exclusion from the public arena–, are just what one should expect from a view like that of Rawls in which the claims of the right subordinate, but *do not exclude*, the claims of the good. Where the right is prior to the good, when circumstances of mutual respect are obtained, appeals to religious reasons would not be prohibited as inconsistent with the civility and mutual trust of a just liberal democracy. Rawls himself admits the possibility that religious reasons might be employed to strengthen social commitment to a liberal conception of justice and, in the long run, they may contribute to the stability of liberal democratic institutions (Rawls 1996, 227-30).

Following Rawls, Weithman insists, throughout his book, on religions as sources of motivation to be just. He corroborates this point by recalling *A Theory of Justice*, in which Rawls claims that members of a well-ordered society are *moved by the desire to be just*. Generally speaking, in *A Theory* Rawls suggests a sort of moral anthropology sustaining his faith in a feasible just society. Indeed, his main concern there is not only to identify the principles of justice, but also to show that they would be stable because those who live under them would judge that it is good to be just. The good of being just is connected with the good of expressing human nature, that is, with a moral conception of the person. In the third part of *A Theory of Justice* Rawls details the points above:

The desire to act justly and the desire to express our nature as free moral persons turn out to specify what is practically speaking the same desire. [...] They are both dispositions to act from precisely the same principles: namely, those that would be chosen in the original position. Of course, this contention is based on a theory of justice. If this theory is unsound, the practical identity fails. But since we are concerned only with the special case

of a well-ordered society as characterized by the theory, we are entitled to assume that its members have a lucid grasp of the public conception of justice upon which their relations are founded. (Rawls 1999, 504)

These claims of *A Theory of Justice* had already been anticipated in *A Brief Inquiry into the Meaning of Sin and Faith*. In spite of some critics dismissing *A Brief Inquiry* as theoretically poor (e.g. Schaefer 2010), there are continuities between the two works and the respective phases of Rawls's intellectual itinerary. Weithman defends the continuity between *A Brief Inquiry* and *A Theory* substantiating it by referring to the views of human nature and to its expression which underlie both of them. In both works – he clarifies – the young and the mature Rawls think that we are free and equal moral persons. It is because we express our nature by acting from principles chosen in the original position that Rawls says that a sense of justice “reveals what the person is” (Rawls 1999, 503). The underlying idea is that people as creatures of God, granted of such a social nature, may coexist rightly and, while doing so, may gain their good.

### III

#### **Religion from *religare*:**

#### **A systemic reading of Rawls's works**

I am here back to the provisional conclusion I drew above. The Rawlsian view of citizens as moral persons is undoubtedly ideal. It may be spelt out as a normative ideal of humanity: human commitment to justice may be fulfilled as human beings have a nature such that they could sustain it. Human nature is such that human beings may desire to be just as their good. The idea of a world in which justice will win is surely an ideal world. It

“require[s] certain beliefs about our nature and the social world” (Rawls 2010, 319). To trust it is a sort of *practical faith*.

In line with Kant, by whom he is inspired, Rawls thinks that members of a fair society can sustain a commitment to the principles of justice only if human nature is not unfriendly to the realization of that society in the world. This *conjecture* is not a mere theoretical hypothesis: in fair institutions, human nature is such that human beings can develop the sentiments needed to maintain them. This conjecture is thus a *practical faith* and a *reasonable one*. By confirming this link between human nature and commitment to a fair society, Rawls does not merely want to show that a just society is possible; he wants to show that what makes it possible is that human beings have a moral nature.

Human nature is conceived of as having a “sense of justice”: it is the moral power human beings have naturally and develop growing up in a fair society. Society may flourish in so far as those who live within it nurture their inner sense of justice. Conversely, those who live under just institutions of a fair society are motivated to be just: they see their good in being just. Motivation to justice provides society with “stability for the right reasons”: in other words, motivation to justice is the prerequisite for any society to be both long-lasting and just. I find remarkable how the anthropological explanation of human motivation to justice is here coupled with a sociological one. People may act justly because they are naturally inclined to justice (if they choose to be what they are by nature) and, realistically, as long as they live under just institutions. A just society seems to be a normative ideal, compatible with human nature, that is a moral one; but it seems also feasible, provided that humans behave according to their nature and build up just institutions under which to live.

According to Weithman, Rawls’s view of an ideal society reveals a religious aspect. This aspect is still working even after

the political turn of *Political Liberalism*, where Rawls's normative ambition seems dismissed (e.g. Habermas 1995). What Rawls says in *Political Liberalism* seems to imply that by presenting justice as fairness as a political conception, he is renouncing the project of providing justice with any deeper significance. Without dissimulating a thinner normative commitment of *Political Liberalism*, *justice as fairness* preserves something of a religious aspect even as a political conception rather than as a moral theory (as displayed in *A Theory of Justice*). That is because Rawls, both early and late, is still concerned with some of the deep existential questions that many religions have raised and have tried to answer to. Those questions are that of whether we can reconcile our life in the world as it is, that of whether human beings can be good despite what history shows about them and that of whether the world as a whole can be good. That Rawls was moved by them shows his religious temperament. As Weithman rightly claims, Rawls's passionate attempt to answer them gives *justice as fairness* a religious aspect that survives his political turn.

In the end, it may be reaffirmed what Rawls meant and Weithman rephrases effectively in the final chapter of the book: political philosophy can assume the task of grounding our confidence in the real possibility of a just liberal democracy. By presenting the world as it is as a potential well-ordered society, *justice as fairness* should reconcile us with the institutions under which we live. And if history inclines us to skepticism, *justice as fairness* conceives of ourselves and our fellow citizens as persons who would be willing to do their part sustaining such a well-ordered society, provided others will do as well. It presents those with whom we share the world as, in that sense, good. As Rawls himself says, we are prompted to see ourselves *sub specie aeternitatis*, that is, free and equals. And when we act from that point of view, we do not renounce our ends, but regulate them by mutually justifiable principles. This implies that, according to Rawls, we are

not requested to 'adjust' our morality to real world. Rather, we are suggested to see the world as it might be and ourselves as we should be *sub specie aeternitatis*. It is a matter of reasonable faith: we should trust the possibility of an ideal world as Rawls conceived it. This is part of what gives Rawls's view a religious significance.

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