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Religious Arguments in the Public Sphere: 
Comparing Habermas with Rawls

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ABSTRACT

In the discussion about the role of religious reasons in the public sphere, Habermas has developed a middle-ground position defined by his institutional translation proviso. After a presentation of Habermas’s postsecular perspective, we analyze the specificity of his account of public reason by comparing it with the position of John Rawls. We argue that Habermas’s interpretation of Rawls’s position is not fully correct and that it is therefore less clear than Habermas assumes that Habermas indeed advocates the more inclusionist position of the two.

KEYWORDS

Rawls, Habermas, public reason, religion in the public sphere

1. HABERMAS’S POSTSECULAR PERSPECTIVE

In recent years, Jürgen Habermas has become an interesting voice in the debate on the role of religion in the public sphere. His approach starts from the assumption that current day society should be characterized as a postsecular one. In spite of sociological secularization and in spite of what he used to believe himself, Habermas now acknowledges that religion will not disappear as a relevant influence neither in the lives of individuals nor in the cultural and political arena.
Today, public consciousness in Europe can be described in terms of a ‘post-secular society’ to the extent that at present it still has to ‘adjust itself to the continued existence of religious communities in an increasingly secularized environment’.¹

In this postsecular context, a peaceful coexistence of religious and secular citizens in a democratic constitutional state requires, Habermas argues, a complementary learning process. Orthodox religious traditions should become reflexive in the sense that religious citizens should find ways to reconcile their own religious beliefs with respect for the freedom of religion of others, with the acknowledgment of the independent validity of scientific knowledge as well as with the secular character of the constitutional state.² On the secular side, citizens should develop a postmetaphysical thinking which accepts that religions are not necessarily irrational relics of premodern times. Secular citizens should appreciate that religious discourse might contain relevant meanings which could perhaps be translated and introduced into secular political discourse. What is at stake here is more than a respectful sensibility for the possible existential significance of religion for other persons. The postsecular perspective requires that religious contributions to contentious political issues can be taken seriously and that secular citizens in the public sphere must be able to speak with their religious fellow citizens as equals.

Secular citizens, in their role as citizens, may neither deny that religious worldviews are in principle capable of truth nor question the right of their devout fellow citizens to couch their contributions to public discussions in religious language.³

2. SHARING THE MIDDLE GROUND

This postsecular perspective provides the background for Habermas’s analysis of the place of religious arguments in public reason. Habermas develops a middle-ground position between exclusionists like Robert Audi on

³ Habermas, Between Naturalism and Religion, 113.
the one hand and inclusionists like Nicholas Wolterstorff and Paul Weith-
man on the other. This middle-ground position is defined by what Habermas
calls the *institutional translation proviso*. This proviso states that religious
reasons can be introduced into the debate in the informal public sphere pro-
vided that, in the course of the debate, these religious reasons are adequately
translated into secular reasons equally accessible to all. Importantly, this
process of translation has to be completed before the debate crosses over into
the formalized institutions of democratic decision-making such as parlia-
ment and government. The proviso thus operates as a necessary filter be-
tween the informal and the formal public sphere. Because legitimate democ-
Ratic decisions should be based on a reasonable agreement between all citi-
zens and because the particularity of religious reasons precludes such an
agreement, these reasons are no longer acceptable in the more formal con-
text of actual decision-making.

... only those political decisions can count as legitimate that can be impartially
justified in the light of generally accessible reasons, in other words, that can be
justified equally toward religious and nonreligious citizens and citizens of dif-
ferent confessions.

Habermas recognizes that his position has important affinities with
Rawls’s. Like Habermas, Rawls emphasizes that political decisions are le-
gitimate only to the extent that they are based on a reasonable agreement
between citizens. In the absence of such an agreement, political decisions are
necessarily coercive for at least some groups of citizens.

Our exercise of political power is proper and hence justifiable only when it is
exercised in accordance with a constitution the essentials of which all citizens
may reasonably be expected to endorse in the light of principles and ideals ac-
ceptable to them as reasonable and rational.

In this context, Rawls advocates a *duty of civility* according to which citizens
should be prepared to provide reasons in support of their political positions.

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4 Habermas, *Between Naturalism and Religion*, 130-1.
5 For this distinction see Jürgen Habermas, *Between Facts and Norms* (Cambridge, MA: MIT
7 Ibid., 119-23.
137.
Thereby, the reasons used should be based on the political values of public reason, i.e. values acceptable to all reasonable and rational citizens and as such part of the overlapping consensus. Rawls emphasizes that this duty is a moral duty, not a legal duty for in that case it would be incompatible with freedom of speech.

In his latest texts on public reason (The idea of public reason revisited, and Introduction to the paperback edition of Political Liberalism) Rawls developed what he called a ‘wide view of public political culture’ and explained more explicitly to what extent religious arguments are allowed to enter public debate. He thereby introduced his famous proviso which states that reasonable comprehensive doctrines, religious and nonreligious, may be introduced in public political discussion at any time, provided that in due course, proper political reasons – and not reasons given solely by comprehensive doctrines – are presented that are sufficient to support whatever the comprehensive doctrines are said to support.

So, religious reasons are not excluded from public debate but they can only be introduced on the condition that in the course of the debate adequate reasons acceptable to all reasonable citizens are also provided. However, in applying this proviso, two further qualifications should be noted. First, Rawls indicates that the proviso does not hold for the background culture. In civil society religious and other comprehensive doctrines may properly play a role, without any restrictions. Secondly, the limits imposed by public reason and the proviso do not apply to all political questions indiscriminately, but only to those ‘involving what we may call “constitutional essentials” and questions of basic justice’. As a result, the proviso is in the first place relevant in the official discourse of judges, legislators, chief executives, and other government officials.

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10 Rawls, Political Liberalism, Ii-Iii; Rawls, ‘The idea of public reason revisited,’ 152, 144.
12 Rawls, Political Liberalism, 214.
3. CLARIFYING THE DISTINCTIONS

Although there are important similarities between the positions of Rawls and Habermas, it is interesting to get a better grip on the remaining differences. In this regard, Habermas claims to defend the more inclusionist position. This claim is, however, partly based on an obvious misunderstanding by Habermas of Rawls’s position.

The principle of separation of church and state obliges politicians and officials within political institutions to formulate and justify laws, court rulings, decrees, and measures exclusively in a language that is equally accessible to all citizens. By contrast, [Rawls’s] proviso to which citizens, political parties and their candidates, social organizations, churches, and other religious associations are subject in the public arena [in der politischen Öffentlichkeit] is not quite so strict.13

In this quote, Habermas wrongly assumes that Rawls is equally demanding as he is in terms of imposing a strict ban of religious arguments in what Habermas would call the formal public sphere. Additionally, Habermas wrongly assumes that Rawls applies his proviso to the informal public sphere and thereby imposes the proviso to all participants individually, requiring that all participants in the informal public debate should be able, in due course, to provide secular reasons for all the political positions they defend. This position then allegedly contrasts with Habermas’s in the sense that Habermas conceives of the duty for citizens in the informal public sphere to provide translations of religious arguments into arguments equally accessible to all as a collective rather than an individual duty.

The misunderstandings contained in these claims arise because Habermas wrongly identifies what Rawls calls ‘the political public sphere’ with what he himself calls the ‘informal public sphere’ whereas, in fact, the ‘political public sphere’ as defined by Rawls basically corresponds to Habermas’s formal public sphere.14 As a result of this confusion, Habermas is two times wrong and it is Rawls who actually seems to defend the more inclusionist position. In the context of the formal public sphere, Habermas rejects all religious arguments. In contrast, Rawls allows them here on the condition that the proviso is met. In the context of the informal public sphere, which Rawls calls the ‘background culture’, Habermas applies his proviso which says that

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13 Habermas, Between Naturalism and Religion, 122.
religious arguments are allowed provided they are translated into arguments equally accessible to all before they enter into the formal public debate. For Rawls, in contrast, political debate in the background culture is fully open and no restrictions whatsoever are imposed.\footnote{Rawls, ‘The idea of public reason revisited,’ 134, 152, 153 n.51; Rawls, \textit{Political Liberalism}, I, 215, 220, 382.}

Rawls is also more inclusionist in the sense that his proviso only holds for constitutional essentials and matters of basic justice, whereas Habermas’s proviso covers all political issues. However, Habermas plausibly argues that the distinction between ‘ordinary’ and ‘fundamental’ political issues is moot. In our modern legal systems in which basic rights directly affect concrete legislation, the domain of constitutional essentials is much broader than Rawls seems to suggest.\footnote{Habermas, \textit{Between Naturalism and Religion}, 123, n.18.}

Although there is an important sense in which Rawls is the more inclusionist of the two, Habermas is not completely mistaken. In spite of the fact that Rawls leaves the background culture completely open, he nevertheless imposes the use of public reason on individual citizens when they are voting ‘in elections when constitutional essentials and matters of basic justice are at stake’.\footnote{Rawls, \textit{Political Liberalism}, 215; see also 241-3 and Rawls, ‘The idea of public reason revisited,’ 135.}

Here, Habermas disagrees. He clearly defends the more inclusionist position and allows religious people to vote in light of their religious beliefs.

And certainly the normative expectation that all religious citizens when casting their vote should \textit{ultimately} let themselves be guided by secular considerations is to ignore the realities of a devout life, an existence \textit{guided} by faith.\footnote{Habermas, \textit{Between Naturalism and Religion}, 129.}

In view of these intricacies, it should be clear that an analysis of the differences between Rawls and Habermas cannot simply be made in terms of who is the more inclusionist. In these terms, a clear-cut answer is not possible. In order to better understand their differences, it is necessary to dig a bit deeper and to assess more carefully Habermas’s arguments in explaining his differences with Rawls.
4. DIGGING DEEPER. HABERMAS’S THREE ARGUMENTS

In support of his claim that his own position is more inclusionist than Rawls’s, Habermas advances three main arguments.¹⁹

His first is sociological. Although there are examples to the contrary, religious communities and churches have, in the past, played a positive role for liberal political culture.²⁰ In this regard, Habermas mentions Martin Luther King and the US civil rights movement, but also American civil religion. Endorsing a similar claim by Weithmann, Habermas argues that religious movements

... provide arguments for public debates on crucial morally loaded issues and fulfil tasks of political socialization by informing their members and encouraging them to participate in the political process.²¹

Rawls’s critics have suggested that Rawls’s proviso might hamper this sociological function of religious communities because the duty to always find secular equivalents ‘for every religious statement they pronounce’ threatens to undermine their commitment to civil society. Obviously, this critique is based again on a misreading of Rawls. Since Rawls has no intention whatsoever of imposing the proviso on participants in the wider civil society, the critique misses the mark. In fact, Rawls himself cites Martin Luther King’s interventions as a clear example of religiously inspired contributions to the political process which are in line with the requirements of public reason.²² Therefore, Habermas is right when he writes that this sociological argument is not the central objection to Rawls’s theory.²³

Habermas’s second argument is of a more existential nature and hinges on the idea that any ‘ought’ implies a ‘can’.

[...] a state cannot encumber its citizens, to whom it guarantees freedom of religion, with duties that are incompatible with pursuing a devout life – it cannot expect something impossible of them.²⁴

¹⁹ Habermas, Between Naturalism and Religion, 124-32.
²⁰ Habermas, Between Naturalism and Religion, 125. See also Paul Weithman, Religion and the Obligations of Citizenship (Cambridge: Cambridge University Press 2002), 91.
²¹ Habermas, Between Naturalism and Religion, 125.
²² Rawls, Political Liberalism, 249-51.
²³ Habermas, Between Naturalism and Religion, 125.
²⁴ Ibid., 126.
The inability referred to could be due to the fact that citizens who take a stance on political issues from a religious perspective do not have enough knowledge or imagination to find equivalent secular justifications for their views. Apart from the lack of knowledge or imagination, the inability to meet the proviso could, moreover, also have deeper origins. Endorsing a similar claim by Wolterstorff, Habermas emphasizes that it may, from the perspective of religious citizens, be an existential necessity ‘to base their decisions concerning fundamental issues of justice on their religious convictions.’ Indeed, genuine faith is not simply a doctrine religious people endorse but also a source of energy that nurtures the whole life of the devout person. Habermas therefore concludes that a liberal state, which expressly protects religious ways of life, cannot expect religious citizens and organizations to justify their political positions independently of their religious worldview. This duty can only be imposed on persons in the formal public sphere.

With this second argument, Habermas explicitly challenges the exclusionist account of Audi who advocates the principles of secular justification and secular motivation. For Habermas, it is unrealistic to hold these principles, because some religious citizens may not be able to fulfil them. Agreeing with Weithman that some religious persons are incapable of discerning ‘any “pull” from any secular reasons,’ Habermas argues that religious people should be able to make contributions to the political debate without having to provide adequate translations for their arguments themselves. Instead,

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26 Habermas, Between Naturalism and Religion, 127.
27 Ibid., 128.
30 Habermas, Between Naturalism and Religion, 128.
they are allowed to rely on the cooperative efforts of their fellow citizens to provide for these translations into reasons equally accessible to all.\footnote{Habermas, \textit{Between Naturalism and Religion}, 130-2.}

Although Habermas convincingly distances himself from Audi, it remains to be seen whether his arguments also mark a difference with Rawls. Here, it should be noted that Rawls would also reject the \textit{principle of secular motivation}. As long as arguments comply with the proviso it is perfectly acceptable that they are religiously motivated.

All those who affirm the political conception start from within their own comprehensive view and draw on the religious, philosophical, and moral grounds it provides. The fact that people affirm the same political conception on those grounds does not make their affirming it any less religious, philosophical, or moral, as the case may be, since the grounds sincerely held determine the nature of their affirmation.\footnote{Rawls, \textit{Political Liberalism}, 147-8; see also 241-2.}

Regarding the \textit{principle of secular justification}, Rawls’s position is more ambiguous. On the one hand, he restricts the scope of the proviso to discourse of government officials and imposes no restrictions on public debate in the background culture. On the other hand, Rawls recognizes that citizens, at least at the time of elections, ‘are to think of themselves as if they were legislators’\footnote{Rawls, ‘The idea of public reason revisited,’ 135.} and ‘are to reason by public reason [...] whenever constitutional essentials and matters of basic justice are at stake’\footnote{Rawls, ‘The idea of public reason revisited,’ 168. Also Rawls, \textit{Political Liberalism}, 240-1.}. On some readings of Rawls, this requirement is not simply restricted to the times of elections but implies more generally that (ideal) citizens are always under the moral duty to give neutral, political reasons in debates on constitutional essentials.\footnote{Cf. Rawls, \textit{Political Liberalism}, 15-17. For discussion see Cristina Lafont, ‘Religion in the public sphere: remarks on Habermas’s conception of public deliberation in postsecular societies,’ \textit{Constellations} 14 (2007) 2, 239-259, 240, 242, 256 nt. 20} Whichever reading one prefers, however, the requirement for citizens to think of themselves as if they were legislators, marks a clear contrast with Habermas’s position which is more inclusionist because it does not object to the contributions to the informal public debate of monoglot religious citizens unable to translate their own religious contributions into secular language and because it does not require them to base their votes on secular reasons.\footnote{Habermas, \textit{Between Naturalism and Religion}, 129-30.}
Although, here, Habermas’s proviso seems to come out as the more inclusionist one, it should be noted that his allowance for the contributions of monoglot citizens is not without problems. First, it is unclear why religious citizens should be allowed to remain monoglots, unable and/or unwilling to translate their own religious arguments into a generally accessible language whereas secular citizens should not have the same privilege. In this regard, Lafont points out that this privilege itself is problematic because it is non-generalizable.\(^{37}\) It is not only a violation of the basic principle of political equality, but, more importantly, if all religious citizens were to make use of their prerogative, it is totally unclear how the institutional translation proviso could ever be upheld. Secondly, the acceptance of monoglot religious contributions seems to be inconsistent with some of Habermas’s other claims, most notably when he describes the cognitive burdens and epistemic duties religious citizens have to assume in a postsecular society. Here, Habermas clearly states that religious citizens are themselves responsible for ascertaining the compatibility of their religious doctrines with the basic egalitarian and individualistic moral presuppositions of the modern constitutional state.\(^{38}\)

The third argument Habermas advances concerns the semantic potential of religious arguments. It is a core concern of Habermas’s postsecular approach that the content of religious contributions to the public debate should be taken seriously. The Rawlsian proviso seems to imply that religious arguments do not perform any semantic work and leave the content of public reason unaltered.\(^{39}\) Rawls argues that

[... the introduction into public political culture of religious and secular doctrines, provided the proviso is met, does not change the nature and content of justification in public reason itself.\(^{40}\)]


\(^{38}\) Habermas, Between Naturalism and Religion, 137.

\(^{39}\) James Boettcher’s comparison of Rawls and Habermas in his, ‘Habermas, religion and the ethics of citizenship,’ Philosophy & Social Criticism 35 (2009) 1-2, 215-238 fails to consider the differences between both authors in terms of the potential semantic impact of religious arguments on public reason. As argued below, it is precisely here that the main differences between them are located.


It could be objected here that Rawls has argued that his view of public reason is more open and dynamic than is often suggested. This alleged openness derives from the fact that public reason consists of a dynamic family of political conceptions (Rawls, Political Liberalism, lii-liv; Rawls, ‘The idea of public reason revisited,’ 581-6). However, this is not in line with Rawls’s argument that the overlapping
For Habermas, in contrast, religion has a special power to give expression to important moral intuitions and ‘can also open the eyes of citizens to aspects that were hitherto neglected.’ Crucial for Habermas but absent in Rawls, is the idea that religious speech is a serious vehicle for original truth contents that can be preserved in the translation process of making arguments equally accessible to all.

A full analysis of the relevant differences between Rawls and Habermas regarding the semantic role of religious contributions is complicated. Although we have elaborated on this issue elsewhere, the different scope of the present paper does not allow us to go through the whole argument in detail. Suffice it to say, here, that the completeness of Rawls’s political conception of justice plays a crucial role. Since public reason as a set of political conceptions, is self-contained, it cannot allow for any genuine semantic reference to the comprehensive doctrines present in society. For Habermas’s deliberative model, in contrast, the idea of public reason is an essentially proceduralistic and constructivist one. This means that discourse theory only presupposes a very thin and still very vague consensus on the notion of autonomy as the core value of public deliberation. In order to further elaborate what this means, the public debate cannot rely on some given substantive idea of public reason, but needs to receive further input from the citizens themselves. As a result, the outcome of deliberation will necessarily be colored by the cultural, religious and other comprehensive doctrines present in society.

We can illustrate this by means of Wolterstorff’s well known example of a religious argument concerning the need for unconditional access to the basic means of subsistence. Here it should be clear that the advocacy of ba-

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41 Habermas, Between Naturalism and Religion, 264, see also 2, 131, 139-40, 245.


43 See Rummens, ‘The semantic potential’.

44 Nicholas Wolterstorff, ‘Why we should reject what liberalism tells us about speaking and acting in public for religious reasons,’ in: Religion and Contemporary Liberalism, P. J. Weithman (ed.),
sic social rights as such poses no big problems for either Rawls or Habermas, since these rights can easily be argued for in generally accessible terms referring, for instance to the means necessary for the effective realisation of the individual autonomy of citizens. Interestingly, however, the debate on the precise content of social rights is a very lively and complex debate, in which many different values need to be weighed against each other. Now, obviously, if someone approaches these issues from a background such as Wolterstorff’s, it is clear that his weighing of these different aspects (merit, talent, tastes) and of the values involved will be influenced by his background comprehensive doctrine. For the Habermasian approach, which rejects the idea of a self-contained conception of autonomy, such an influence is not only unproblematic but actually inevitable. Because the a priori idea of autonomy is necessarily vague and underdetermined, no strictly political answer (in the sense of Rawls) concerning the proper weighing and ordering of values is available. It is precisely the purpose of democratic deliberation for citizens to engage in an attempt to convince others of the relevance of their specific interpretation of what the requirements of autonomy are. A successful translation of a religious argument is, thereby, an argument or series of arguments which succeeds in convincing others of the general adequacy of an ordering and weighing which are religious in origin. Although, of course, the explicit references to religious sources of authority will be filtered out during the translation, the specific ordering of values which succeeds in convincing others constitutes that part of the original semantic content which is transferred into public reason. For Rawls, in contrast, the coloring of the idea of autonomy by the different comprehensive doctrines present in society which ensues from such a constructive deliberative process is unacceptable. He believes that an ordering of values needs to be made within the political conception itself because, otherwise, these values would remain “puppets manipulated from behind the scenes by comprehensive doctrines.” Rawls, in contrast with Habermas, does not allow the reference to a religious background doctrine to do any genuine semantic work when it comes to the elaboration of the requirements of autonomy. Precisely in this significant respect, Habermas’s deliberative theory takes a markedly more inclusionist stance towards religious arguments than Rawls’ political liberalism.

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(Notre Dame, IN: University of Notre Dame Press 1997), 162-81, 162; Audi & Wolterstorff, Religion in the Public Square, 162-3.

With this third and most convincing argument Habermas does not so much emphasize the right of religious citizens to take part in public discussion, but rather the loss for society as a whole in case they are prevented from doing so. Because we can never anticipate what we might learn from them, it is important to conserve as much as possible all cultural sources that nurture citizens’s solidarity and their normative awareness.46

... for it cannot be sure that secular society would not otherwise cut itself off from key resources or the creation of meaning and identity. Secular citizens or those of other religious persuasions can also learn something from religious contributions under certain circumstances, for example, when they recognize buried intuitions of their own in the normative truth contents of a religious utterance.47

5. CONCLUSION

Summarizing our comparison of the Rawlsian and the Habermasian proviso, we come to a balanced conclusion. On the one hand, Rawls is more inclusionist than Habermas because for Habermas the transformation of religious into political arguments already has to be completed in the informal public sphere. Rawls, in contrast, leaves this informal sphere totally free and also allows religious arguments in the formal public sphere provided political reasons supporting the same position can be found in due course. On the other hand, Habermas is more inclusionist in the sense that Rawls seems to impose the proviso on all individuals as far as they vote on or even simply debate issues concerning constitutional essentials. Habermas regards such a demand as an unacceptable psychological burden on religious citizens who, in his opinion, are allowed to participate in public debate while, at the same time, remaining religious monoglots. Concerning the semantic impact of the proviso, finally, Habermas distinctively claims the more inclusionist position. Where Rawls states that the proviso guarantees that the political content of public reason remains unaltered, Habermas points out that religious arguments can have a genuine semantic impact on the agreement at the end of the debate.

46 Habermas, Between Naturalism and Religion, 111.
47 Ibid., 131.
Jürgen Habermas (UK: /ˈhÉ¡rməs/, US: /-ˈmÉ±s/; German: [ˌjyr'ɡen hàˈbɐ́maːs]; born 18 June 1929) is a German philosopher and sociologist in the tradition of critical theory and pragmatism. His work addresses communicative rationality and the public sphere. Associated with the Frankfurt School, Habermas's work focuses on the foundations of epistemology and social theory, the analysis of advanced capitalism and democracy, the rule of law in a critical social-evolutionary context, albeit within the