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THE PARADOX OF PUBLIC SECULARISM:
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RELIGIOUS COMMITMENT AND SECULAR REASON

Erik A. Anderson

This paper critically assesses Robert Audi's formulation and defense of pub-
lic secularism in *Religious Commitment and Secular Reason*. After explicating
central elements of Audi's theory, I consider a series of objections against it.
I argue that Audi's theory can be successfully defended from many of these
objections. However, in the final section of the paper, I present an objection
based on *the relativity of the secular* that I take to successfully undermine his
principles of public secularism.

It is a commonplace among educated Americans that the modern state
must be a secular state and that the task of protecting religious freedom
requires a separation between church and state, the religious and the secu-
lar, across many domains. Let us call this view *public secularism*. Many
people, even highly educated ones, hold a commitment to public secular-
ism seemingly without giving it too much thought. To such people it is
simply obvious that in a modern, religiously pluralistic society the state,
in its public actions and pronouncements, must appear in an exclusively
secular guise.

But why exactly should we accept public secularism? Is there a con-
vincing philosophical justification for it, or does it abide in the minds of
its adherents as "a dead dogma, not a living truth"?[1] Furthermore, what
exactly is "the secular"? Why and how is "the secular" privileged from
the point of view of liberal theory over "the religious"?

Fortunately, the taken-for-granted character of public secularism has
been remedied to a considerable extent in a number of recent works
by Robert Audi, in particular his recent book *Religious Commitment and
Secular Reason*.[2] Audi has presented a comprehensive and powerful ver-
sion of public secularism extending across a number of areas of liberal
theory and practice. In this paper, I will critically evaluate Audi's case
for public secularism in one particular domain of application, that of the
behavior of individual citizens in their acts of political advocacy. Audi
argues that there should be a separation between "religious and secu-
lar considerations" in "our conduct as citizens" that mirrors the institu-
tional separation between religious and governmental institutions.[3] It is
this claim that shall be my primary focus, although my argument will
have implications for the separation between the religious and secular
more generally.

I will proceed dialectically by presenting a series of objections to Audi's theory and considering whether his view has the resources to generate responses to each one. While I think Audi can respond successfully to some of the objections that I will raise against his view, I will present an objection in the final section that I take to be fatal to his version of public secularism.

I. Audi's Principles of Public Secularism

Audi articulates and defends a number of principles governing how religious citizens of liberal democracies should conduct themselves when they engage in acts of political advocacy. These principles do not express legal requirements; that is, they are not intended to specify what religious citizens can and cannot do as a matter of their legal rights. Rather, these principles capture an ideal of civic virtue, of reasonable, praiseworthy, or ideal behavior that goes beyond what it is simply within one's moral or legal rights to do.[4]

Before presenting Audi's principles in more detail, it is important to understand their underlying rationale. According to Audi, what underlies principles governing how citizens should conduct themselves in their acts of political advocacy is a sincere commitment to the "essential premises" of liberal democracy, in particular a commitment to "respecting the autonomy and integrity of persons."[5] He points out that the autonomy and integrity of persons is particularly threatened when citizens and legislators advocate and enact laws that restrict human conduct. When a citizen advocates a law that will have the effect of limiting her fellow citizens' liberty backed by the threat of coercion, there is a danger that that law will illegitimately restrict the autonomy of her fellow citizens. Respect for autonomy does not require that *no* laws restricting human conduct be enacted; rather, laws constraining human conduct are consistent with respect for individual autonomy only when they possess the proper kind of *justification*. Here is how Audi makes the point:

> If I am coerced on grounds that cannot motivate me, as a rational informed person, to do the thing in question, I cannot come to identify with the deed and will tend to resent having to do it. . . . It is part of the underlying rationale of liberal democracy that we not have to feel this kind of resentment—that we give up autonomy only where, no matter what our specific preferences or our particular world view, we can be expected, given adequate rationality and sufficient information, to see that we would have (or at least would tend to have) so acted on our own.[6]

In the context of laws that restrict human conduct, respect for the autonomy of our fellow citizens requires that we be willing and able to offer a justification for the law that is "publicly comprehensible," that our fellow citizens can accept independently of religious belief, "esoteric knowledge," or "initiation into a subculture."[7] If we fail to abide by this requirement, we subject our fellow citizens to the "alienation and resentment" that attends coercive legislation backed only by grounds that they cannot accept.

It is in pursuit of this general commitment to respecting the autonomy and integrity of citizens in a religiously diverse society that Audi presents his principles of civic virtue. The first principle is called *the principle of secular rationale* (PSR). PSR governs the reasons that citizens publicly offer in support of their coercive political proposals. PSR holds that each citizen has "a prima facie obligation not to advocate or support any law or public policy that restricts human conduct, unless one has, and is willing to offer, *adequate secular reason* for this advocacy or support."[8]

PSR has two primary components. It requires citizens to offer supporting justifications that are both (a) secular and (b) adequate. For my purposes, however, it is the *secularity* of the supporting justifications that is most important, so I will focus my attention exclusively on this component. The assumption underlying the requirement of secularity is that secular reasons are publicly comprehensible in a way that religious reasons are not. Secular reasons are uniquely suited to providing justifications that our fellow citizens can accept regardless of their religious affiliation (or lack thereof). Therefore, appeal to secular reasons is necessary if we are to justify our coercive political proposals in a way that shows respect for the autonomy and integrity of our fellow citizens.

Obviously, PSR relies crucially on the distinction between religious and secular reasons, so in order to more fully understand the principle, we should reflect on Audi's account of this distinction. Audi defines a secular reason as

> One whose normative force, that is, its status as a prima facie justificatory element, does not evidentially depend on the existence of God (or on denying it) or on theological considerations, or on the pronouncements of a person or institution qua religious authority. Roughly, this is to say that a secular reason is a ground that enables one to know or have some degree of justification (roughly, evidence of some kind) for a proposition, such as a moral principle, independently of having knowledge of, or justification for believing, a religious proposition.[9]

A secular reason or argument is one that has "evidential independence" or "evidential autonomy" from the truth of any religious propositions or the pronouncements of any religious authorities. Its rationally persuasive power, its justificatory force, can be appreciated and evaluated independently of any religious beliefs and by rational people regardless of what religious or non-religious worldview they happen to accept. In this sense, a secular argument contrasts with an argument that is "evidentially religious" in that its premises, conclusion, or the fact that its premises warrant its conclusion "cannot be known, or at least cannot be justifiably accepted, apart from reliance on religious considerations, for instance scripture or revelation or clerical authority."[10]

PSR requires citizens to provide justifications for their coercive political proposals that are secular in the sense of being evidentially independent of their religious beliefs. If they are unable to provide such a justification, they should refrain from advocating their proposal for public acceptance.

The second principle, which Audi calls *the principle of secular motivation* (PSM), governs not what justifications people publicly offer but what reasons and arguments *actually motivate* their advocacy. It is entirely possible for a person to offer a secular justification for a law or policy that she does not sincerely endorse and that masks an unstated religious motivation for supporting the law or policy in question. In this case, the secular justification a person gives misrepresents her actual assessment of the issues and the considerations that actually motivate her. Her secular justification functions as a "screen" for her attempt to pass a proposal that flows entirely from her religious beliefs. PSM prevents this by holding that "one has a (prima facie) obligation to abstain from advocacy or support of a law or public policy that restricts human conduct, unless in advocating or supporting it one is sufficiently motivated by (normatively) adequate secular reason."[11] If a citizen finds that she does not possess adequate secular motivation for a proposal to restrict human conduct, even if she knows and is willing to offer a secular justification for it that others would find persuasive, she should refrain from advocating the proposal.

PSR and PSM thus put constraints on citizens' reliance on their religious beliefs in the public sphere. These constraints do not take the form of an outright prohibition on invoking religious beliefs. Rather, they require that any religious reasons for laws and public policies be accompanied (at both the justificatory and motivational levels) by evidentially adequate non-religious reasons.

II. The Fragmentation and Indeterminacy of the Secular

Audi's public secularism, at least in the form in which I want to evaluate it, takes the form of his two principles of PSR and PSM. I now want to present Audi's position with a series of objections and then see whether his view has the resources to meet them. Each of the objections focuses on the notion of secular reasons, in particular on whether there really is a set of reasons, adequate for all of the political debates that occupy citizens in contemporary liberal democracies, that possesses the evidential neutrality and public comprehensibility that is supposed to characterize secular reasons.

To understand the first objection, consider on what basis Audi recommends secular reasons as the appropriate basis for political deliberation and action in a democratic society. Secular reasons are "reasons of a kind that any rational adult citizens can endorse as sufficient" to justify laws and public policies.[12] Audi's characterization of secular reasons suggests that "the secular" denotes *a single set* of reasons that are accessible to all rational adults and that can form the *lingua franca* of a religiously diverse democracy. But does "the secular" really denote a single, unified set of reasons? Isn't it rather the case that "the secular," at least as conventionally understood, denotes a heterogeneous assemblage of conflicting and competing approaches to moral and political questions? And doesn't this diversity undermine the claim that "the secular" should be uniquely privileged in relation to "the religious" in our account of civic virtue?

It is undeniable that when we turn to what are conventionally regarded as secular approaches to morality and politics, we do not find a single set

of secular reasons but a multiplicity of incompatible approaches. Instead of "secular reason" we find utilitarian reasons, natural law reasons, Kantian reasons, virtue theoretic reasons, libertarian reasons, Hobbesian reasons, feminist reasons, socialist reasons, postmodern reasons, and so on. If we assume that these are all sources of "secular reasons," it is hard to see how such reasons constitute *a single set* of reasons at all, much less a single set that can be set over against "the religious" (another heterogeneous assemblage) as uniquely "endorsable" by all rational persons.

I call this *the fragmentation of the secular* objection. Although he does not refer to it as such, Philip L. Quinn rejects Audi's PSR and PSM principles on the basis of this objection. Quinn argues that secular moral theories are just as controversial among rational adults as religious ones. Given the diversity of secular approaches to moral and political theory, there is no basis for claiming that secular reasons as such are more "acceptable" to all rational persons than religious reasons.[13] Therefore, either controversial secular and religious beliefs should *both* be excluded from public political deliberation, or they should *both* be included. There is no basis for the differential treatment of the religious and the secular as such.

How can Audi respond to this objection? I want to explore two possible lines of response. The first response, which I will consider through the remainder of this section, would have Audi deny that by "secular" he means what are conventionally labeled secular moral and political theories. Rather, the secular primarily refers to a set of *moral principles* that are intuitively or self-evidently true and which any plausible moral theory (religious or secular) must recognize and accommodate.

In order to arrive at this more refined understanding of secular reasons, Audi appeals to a distinction between "agreement *in* reasons" and "agreement *on* reasons."[14] Agreement in reasons is "a matter of accepting the same first-order prima facie normative judgments on the same grounds," while agreement on reasons is "agreement on some theoretical or other proposition about those grounds."[15] The point of this distinction is that rational people can agree on a number of moral principles and judgments (agreement in reasons) without agreeing on what moral theory best explains and justifies these principles and judgments (agreement on reasons). As Audi puts it, "extensive agreement in moral practice is compatible with absence of agreement or even sharp disagreement in moral theory."[16] Thus, secular reasons consist of shared moral principles that the adherents of competing secular and religious moral theories can be expected to accept, even if they hold conflicting views as to which theory best accounts for these shared principles.

But why should we expect this agreement at the level of moral principles? In support of this expectation, Audi distinguishes between two different levels of moral theory and practice. This distinction follows from his reading of W. D. Ross, who maintains that "the verdicts of the moral consciousness of the best people" are "the foundation" on which moral philosophies should be built: "The moral convictions of thoughtful and well-educated people are the data of ethics just as sense-perceptions are the data of natural science."[17] The moral convictions or intuitions of rational people (or at least people who have attained a certain level of education and maturity) form the pre-theoretical data that we construct

moral theories to justify, systematize, and explain. The division between this foundational level of moral intuition and the second-order level of moral theory underlies Audi's distinction between agreement in reasons and agreement on reasons and explains why the former need not entail the latter.

Of course, pre-theoretical moral intuitions appear to be the subject of controversy among rational people as much as anything else. A further feature of Audi's moral theory addresses this worry. Audi follows Ross in holding that at least some of these pre-theoretical intuitions express principles of moral obligation—Ross's *prima facie* moral duties—that are self-evidently true.[18] We can expect a large measure of rational agreement where self-evident moral principles are concerned even if, strictly speaking, it is not impossible for rational people to disagree or be mistaken about which principles truly enjoy this status.[19]

With these aspects of Audi's view in place, we can understand how he can grant that there is a large measure of rational disagreement over which secular moral theory is the correct one while still holding that there are secular reasons that are acceptable to any rational person. From this perspective, conflicting secular moral theories are *not* secular reasons. Rather secular reasons consist of self-evident principles of prima facie duty along with whatever factual beliefs are necessary to apply them. Audi can thus claim that for the purposes of democratic deliberation in a religiously pluralistic society, *both* secular *and* religious moral theories should be precluded from forming the sole basis for a citizen's political proposals. PSR and PSM should be interpreted as requiring appeal to secular reasons understood in this more restricted sense; they should *not* be interpreted as requiring or allowing non-religious citizens to rely on their secular moral theories while religious citizens are prohibited from relying on their religious moral theories.

Here then is a way for Audi to maintain the unity and rational acceptability of secular reasons in the face of the fragmentation of secular moral and political theory. In order for this response to succeed, however, it must be the case that citizens can justify their political proposals in all cases without having to invoke competing moral theories as essential grounds for those proposals. Self-evident moral principles and whatever factual assumptions are needed to apply them must provide a sufficient basis for all proposals for laws and policies restricting human conduct. If these are not sufficient, then the secular, conceived as what is acceptable to all rational persons, will require supplementation by moral theories that are not secular in this sense, and the question will arise once again why theories that are conventionally labeled 'secular' should be allowed to play this supplementary role while religious ones are not.

Is the secular-as-self-evident sufficient in the required way? It seems to me that it is unlikely to be so for reasons that stem from Audi's own moral theory. To see this, consider first that Audi's self-evident moral principles can be situated in larger moral theories that systematize, explain, and provide additional justification for them:

There can be a moral theory that both explains and provides inferential grounds for moral propositions which, given sufficient reflec-

tion, can also be seen, non-inferentially, to be true. What is at one time only a conclusion of reflection—and in that way a candidate to be an intuition—can become a conclusion of inference. It can still derive support simultaneously from both the newly found premises for it and any remaining intuitive sense of its truth. An appropriately non-inferential, pre-theoretical sense of its truth may survive one's inferring it from premises.[20]

Audi's point here is that a moral principle can receive independent evidential support from multiple sources, e.g., both from itself (in virtue of being self-evident) and from a supporting moral theory.[21]

Not only *can* self-evident moral principles be situated within larger moral theories, there are good reasons for doing so. Moral theories have important roles to play where self-evident moral principles are concerned, even if those principles possess adequate justification in the absence of any supporting theory. First, moral theories enable us to *systematize* self-evident moral principles. Ross holds that there is a plurality of self-evident moral principles that cannot be reduced to any single overarching principle and that can conflict in particular cases. When this happens, we need some basis for prioritizing one moral principle over another. Ross provides little guidance as to how these judgments should be made. According to Audi, however, it precisely here that moral theory can be useful in providing a systematization of self-evident moral principles that provides grounds for ranking one more highly than another in cases of conflict.[22]

Second, moral theory has an important role to play in *falsifying* moral principles that we might mistakenly regard as self-evidently true. Audi holds a conception of the self-evident according to which our judgments that a particular proposition is self-evident are defeasible. Both Ross and Audi hold that intuitively grasped moral principles do not depend on moral theories for their justification. But according to Audi, this does not make these principles completely independent of moral theories. These principles can have what he calls "negative epistemic dependence" on moral theories:

> An intuition may be defeated and abandoned in the light of theoretical results incompatible with its truth, especially when these results are supported by other intuitions. This is a kind of negative epistemic dependence of intuition on theory[.] . . . It is negative dependence on—in the sense of a vulnerability to—disconfirmation by theories, whether actual or possible.[23]

While a moral theory is not necessary to justify self-evident moral principles, such a theory can serve to falsify apparently self-evident principles that turn out to be false.

My purpose in exploring Audi's moral theory is to show that, given his own views, it follows that competing moral theories—secular as well as religious—will often have an essential role to play in justifying the political judgments of citizens. Consider first the role that moral theories are supposed to play in systematizing self-evident moral principles. This systematization provides us with a theoretical basis for determining which

principle takes priority when two or more give us conflicting directives in a particular case. Now suppose two citizens hold different moral theories, one of which ranks principle A higher than principle B in cases of conflict, while the other provides the reverse ranking. If the political question is whether we should adopt a law or policy that embodies principle A or principle B, then the reason one citizen has for preferring A evidentially depends on his moral theory, while the reason the other citizen has for preferring B evidentially depends on her moral theory. If these two citizens offer public justifications for their preferred courses of action, they cannot avoid appealing to their competing moral theories as the basis for their judgments. The self-evident moral principles themselves and the facts of the case alone will not be sufficient.

Now imagine a different case. Here two citizens hold two different moral theories, one of which entails that apparently self-evident moral principle A is actually false, the other of which supports its truth. The first person will declare A to be false and thus not a legitimate basis for restrictive laws or policies; he might instead champion an alternative course of action that invokes principle B. The second person, on the other hand, judges A to be self-evidently true because it is not falsified by her moral theory. She sees principle A to be a perfectly legitimate ground for justifying restrictive laws or policies. Suppose further that principle B *is* falsified by her theory, so that she makes exactly the reverse assessment of the truth of A and B as the first citizen. Now imagine that the first citizen proposes the acceptance of a law or policy based on principle B, while the second proposes the acceptance of one based on principle A. If these two citizens engage in public debate over the issue, the first person cannot avoid appealing to his moral theory as the basis on which he rejects A and accepts B, while the second cannot avoid appealing to her moral theory as the basis on which she accepts A and rejects B. Once again, the apparently self-evident principles A and B themselves are not sufficient to explain or justify the different positions these two citizens take. Their competing moral theories play an essential role.

It follows, therefore, that on Audi's own view the secular-as-self-evident is unlikely to be evidentially adequate for citizens when they justify their proposals in the public sphere. Taken in isolation from moral theory, the secular as self-evident suffers from *justificational indeterminacy*—it cannot determine how competing principles are to be ranked or on what basis conflicting moral intuitions are to be resolved. I call this problem *the indeterminacy of the secular*. If the secular-as-self-evident is indeterminate (at least in some cases) then Audi cannot resort solely to this notion in addressing the fragmentation of the secular. Instead, he must go further and argue that only *secular moral theories* are entitled to play the supplementary role necessary to give determinacy to self-evident moral principles. I will explore whether there is some way he can do this in the next section.

III. Toward a More Adequate Conception of the Secular

Earlier I mentioned that there are two possible responses Audi might make to the fragmentation of the secular objection. The second response

potentially affords Audi a way to respond to this objection while simultaneously explaining why only secular moral theories should be allowed to play an essential justificatory role. This response claims that there is a distinction between a reason's being *comprehensible* to all rational persons, on the one hand, and its being *acceptable* to all rational persons on the other.[24] These two statuses are not equivalent. To say that a reason is *comprehensible* is to say that its persuasive force as a reason can be rationally assessed by any person regardless of his or her religious beliefs. Roughly, the evidential force of a comprehensible reason can be grasped without the prior acceptance (or rejection) of any religious beliefs. But comprehensibility does not entail that a rational person must *accept* the evidential force of a reason as conclusive. A rational person can reject a reason that is publicly comprehensible. While self-evidence entails comprehensibility, comprehensibility does not entail self-evidence.

Audi can defend his principles of public secularism by arguing that secular reasons need only possess the quality of comprehensibility rather than the further quality of acceptability. Thus the fragmentation of the secular, the existence of a multiplicity of secular approaches to moral and political theorizing and the consequence that no particular secular approach is likely to be accepted by all rational citizens, need not undermine Audi's distinction between the religious and the secular. For secular theories do not acquire their status as secular by virtue of being acceptable to all rational citizens. Rather, they acquire that status by being comprehensible to all such citizens—by invoking considerations whose evidential force can be grasped and assessed independently of any citizens' religious beliefs.

If we add the secular-as-comprehensible to the secular-as-self-evident, we get the following (more complex) picture. Audi's principles PSR and PSM require citizens to attempt to justify their political proposals solely in terms of self-evident moral principles (and whatever factual assumptions are needed to apply them); if, in doing so, it is necessary to advert to some moral theory, the only theories allowed to play an essential justificatory role are those that are secular in the sense of publicly comprehensible. Audi can employ these two conceptions of the secular to respond to Quinn by claiming that if moral theories are necessary for purposes of political justification, there is a basis for allowing secular but not religious moral theories to play such a role, even though such theories fall short of being acceptable to all rational persons.

This is a promising response to the above objection, but more needs to be said for it to be fully successful. The problem is that to say that all secular moral theories are comprehensible in a way that all religious moral theories are not appears to assume that there is "some sort of epistemological divide or discontinuity" between the religious and the secular that is hard to justify.[25] Defining the secular as what is uniquely comprehensible to all rational persons seems to presuppose that religious views rely on "special" kinds of evidence for their acceptance, evidence that is not available to persons generally. But it is not clear that religious views rely on evidence that is essentially "special," "personal," or "private" when compared to the kinds of considerations that lead people to become Kantians, utilitarians, Aristotelians, and so on.

The possibility that there is no blanket epistemological distinction be-
tween secular and religious moral theories calls attention to the fact that
once we leave the secular-as-self-evident behind, the distinction between
the religious and the secular is not at all obvious or unproblematic. Let us
see if we can remedy this problem.

Kenneth A. Strike has brilliantly elucidated one reason why the dis-
tinction between the religious and the secular is so fuzzy and elusive.[26]
Strike points out that the notion of the secular suffers from an ambiguity.
The term 'secular' refers to two quite different "ethical languages" in our
public and philosophical discourse, though we often fail to notice this fact.
First, 'secular' can refer to what Strike calls a Secular Neutral Ethical Lan-
guage (SNEL), which aspires to be a religiously neutral public language. A
SNEL is formulated in concepts that have been deliberately "disassociat-
ed" from "specifically religious concepts," and is a form of "moral pidgin
suitable for discoursing about public affairs, but insufficient for discours-
ing about the full range of issues concerning the good life for human be-
ings."[27] The notion of a SNEL captures the kind of secular public language
that Audi himself is trying to discover and promote.

However, 'secular' also refers to something quite different from this.
Contrasting with the secular-as-religiously-neutral is what we might call
the secular-as-religiously-antagonistic, or what Strike calls a Secular Reli-
giously Antagonistic Ethical Language (SRAEL). SRAEL's have two pri-
mary features: (i) they are deliberately and explicitly based upon rejecting
the claims of traditional religions in a particular social context. Their pro-
ponents "are engaged in a project that they understand as reconstructing
ethics in way that replaces religious foundations with non-religious foun-
dations."[28] They assume as a their fundamental starting point something
like, "since God as traditionally conceived does not exist." (ii) SRAELs do
not simply propose different philosophical foundations for moral views
but "generate competing substantive views of a good life and of moral
obligation" that are more or less incompatible with the religious views
they strive to replace.[29] As examples of SRAELs Strike includes Marxism,
atheistic versions of existentialism, naturalism, and humanism, and more
controversially, utilitarianism.[30]

Disambiguating the term 'secular' in the way Strike proposes enables
us to understand both it and its distinction from 'religion' more precisely.
For one thing, we can now see that we need not a two-term distinction
between the religious and the secular but a three-term distinction that
makes explicit the difference between SNELs and SRAELs. Henceforth,
I will use the term 'secular' to refer only to a SNEL or the secular-as-
religiously-neutral, and the term 'atheistic' to refer to a SRAEL or the
secular-as-religiously-antagonistic.

Properly understood, the secular is defined not by one but by two ne-
gations: the secular is the *non-religious* in that it does not evidentially de-
pend on any religious beliefs, but it is also the *non-atheistic* in that it does
not evidentially depend on any atheistic beliefs, i.e., beliefs that deny the
truth of any religious beliefs. Audi's own definition of a secular reason
implicitly supports this three-term categorization: a secular reason is "one
whose normative force . . . does not evidentially depend on the existence
of God (*or on denying it*)."[31] Audi's principles should thus prohibit citizens

from advocating laws and public policies on the sole basis of reasons that are atheistic as opposed to secular. If the secular-as-self-evident requires supplementation by moral theories in order to be determinately applied in particular cases, Audi's principles should rule out any essential reliance on moral theories that are atheistic or elements of a SRAEL.

Now that we have achieved an increase in conceptual clarity regarding the religious and the secular, the next thing is to see if we can flesh out these abstract concepts and give them enough substance to make then practically useful. The following approach seems the most reasonable one to adopt. Rather than defining "the religious" primarily in terms of its alleged epistemological uniqueness, we should initially define it in terms of *the content* that it paradigmatically receives in our particular social context. By "content" I mean not only what religious beliefs are paradigmatically about, but also the ritual, moral, and institutional forms in which these beliefs are paradigmatically expressed and embodied. Since "religion" has no essence and admits of no non-controversial definition, we have no choice but to begin with paradigms or uncontroversial instances of religion; we can then extend the meaning and reference of the term 'religion' outward from our paradigm on the basis of degrees of similarity or "family resemblance."

This is roughly the way Audi proceeds. He lists a number of criteria that apply to "the richest paradigms of religion, such as Christianity, Judaism, and Islam," which can then be used to pick out instances that bear substantial similarities to these central cases.[32] Elsewhere he states that his principles are meant to apply in the first instance to religions in "the Hebraic-Christian tradition" or that are forms of "standard Western theism."[33] For Audi, then, we give content to the concept of religion by reflecting on the dominant religious traditions of the West; on the concepts of God, his nature, his actions, and his purposes that are central to these traditions; also on the institutional forms these traditions have taken, including their practices of worship, their peculiar forms of evidence and argument, and the obligations they typically impose on their adherents. These contingent features of "standard Western theism" give substance to our concept of the religious. In relation to this substantive content we can then define what can be known independently of these beliefs and practices (the secular) and what can be known only on the basis of their repudiation (the atheistic).

With the three-part distinction between the religious, the secular, and the atheistic in place, we can return to the question of whether Audi can maintain that secular moral theories are publicly comprehensible in a way that religious moral theories are not. It seems to me that he can. If we interpret the secular as that which is neither religious nor atheistic and give content to the religious by reference to standard Western theism, we can say that secular moral theories are those that do not presuppose or entail the truth of any claims about the God of standard Western theism. Nor do they presuppose or entail the falsity of any of those claims. The truth or efficacy of secular moral theories is compatible with either the existence or non-existence of God. Such theories are not necessarily *acceptable* to all rational citizens, because while they incorporate any self-evident moral truths that may exist, they go beyond the self-evident and add concepts,

explanations, and justifications that a person can rationally reject. But these theories are *comprehensible* to all rational citizens. The whole process of deciding which of these theories to accept can take place independently of having to accept or reject any claims about the existence and nature of God (at least as standard Western theists conceive of God).

Perhaps, therefore, Audi needn't rely on any claims about the special epistemological nature of religious beliefs—e.g., that they rely on some special source of evidence that is not publicly available to non-adherents—in order to justify his distinction between religious and secular moral theories. It is sufficient for his purposes that, whatever the evidential basis and epistemic credentials of standard Western theism, there exists a set of moral theories that are evidentially independent of its truth or falsity. These will be moral theories that standard Western theists can see God as having made available to rational persons generally, independently of any special religious experiences or revelations.[34]

In light of the objections we have considered so far, the claim that secular moral theories are comprehensible in a way that religious (and atheistic) ones are not appears to be a defensible one.[35] Audi can claim that where the secular-as-self-evident requires theoretical supplementation, citizens ought to rely essentially only on secular moral theories and not on religious ones. I turn now to consideration of an objection that I take to successfully undermine Audi's principles of public secularism even on this more refined understanding of the secular.

IV. The Relativity of the Secular

On the contextual approach to defining religion employed above, what counts as religious is culturally and historically specific, defined in terms of what has in fact served the West as its paradigm case of religion. Atheism, too, takes a culturally and historically specific form as what we might call "standard Western atheism," since its rejection of standard Western theism is its defining trait. The secular as the non-religious and non-atheistic must also take a culturally and historically specific form, at in least part.[36]

Now consider on what assumptions we can plausibly expect that a historically and culturally specific conception of the religious, secular, and atheistic will enable citizens in a religiously diverse democracy to apply PSR and PSM. In my judgment, this framework could plausibly play the role Audi wants it to only given a crucial (if unstated) simplifying assumption: that the citizens who are to utilize it fall into either the standard Western theist or atheist camps, or do not depart too radically from the beliefs held by the members of one or the other of these two groups.

Only if the terms 'religion' and 'atheism' have a commonly agreed upon reference will all rational citizens converge upon a common notion of the secular as the religiously neutral. If citizens in a liberal democracy understand by 'religion' Audi's standard Western theism, they can be expected to take a certain range of truths, moral truths and truths about the natural world, to be publicly comprehensible. If they understand by atheism the repudiation of standard Western theism, then it is plausible to suppose that they nonetheless can accept the same set of truths as comprehensible to all rational persons.

But now let us ask whether this framework is sufficient for purposes of public deliberation on the more realistic assumption that our liberal democracy includes a much wider range of religious diversity, including *non-standard* Western theists, standard *non-Western* theists, and standard *non-Western non-theists*. Will this framework be adequate when our rational citizens are not mainstream Christians and Jews but Old Order Amish, Christian Scientists, Seventh Day Adventists, Hasidic Jews, Mormons, and fundamentalists of various stripes? Will it be adequate when our rational citizens are Buddhists, Native Americans, Confucians, Muslims, and Hindus? My knowledge of these various religious traditions is not extensive enough for me to answer these questions in detail, but it seems to me that if one takes a different religious worldview as the standard, paradigm, or baseline in terms of which 'religion' is defined, then it is entirely possible and in fact likely that one will end up with a conception of the secular-as-religiously-neutral that is *not* coextensive with this notion as defined in relation to standard Western theism. I call this *the relativity of the secular* objection.

Instead of political debate among standard Western theists and atheists, let us briefly consider a more exotic (i.e., real) case, the debate between Christian Science parents and members of the mainstream legal and medical communities over whether Christian Science parents should have the legal right to withhold conventional medical treatment from their children.[37] How does the religious/secular/atheistic framework function when used to apply Audi's principles to this particular debate?

The first thing to point out is that for mainstream medical practitioners and their supporters, conceiving of the health and well-being of children in terms of the theories and procedures of scientific medicine is a purely secular affair. These people accept what we can call the medical model of health and healing according to which the human body is a natural system situated in a natural world that can be known and manipulated without drawing on either religious or antireligious premises. This kind of medical naturalism is comprehensible to adherents of standard Western theism and atheism. Combined with moral principles such as "children ought not to be abused, injured, or caused to suffer and die" and "children should not be allowed to die when they can be saved"[38] that are arguably either self-evident or derivable from self-evident principles, the medical model of health and healing provides a justification for forcing Christian Science parents to seek conventional medical treatment for their children. From mainstream theistic and atheistic points of view, the justification for intervention is entirely secular.

Now consider the beliefs that lead Christian Scientists to reject conventional medical care for their children. In metaphysical terms, Christian Scientists are idealists.[39] They believe that the physical world and everything in it (including the body and disease) are ultimately illusory. Following the teachings of their founder, Mary Baker Eddy, Christian Scientists reason that "if God, infinite Mind, is All," then nothing that contradicts God's nature can be real.[40] This means that neither *matter* (which they believe contradicts the spiritual nature of God) nor *evil* (which they believe contradicts God's goodness) is ultimately real. What human beings perceive as "the physical universe" is nothing but the "conscious

and unconscious thoughts of mortals" who are alienated from God.[41] The physical world with its sin, illness, and death is nothing but the creation of erring human minds. Reality, in contrast, is entirely spiritual, consisting wholly of God and the spirits of individual human beings who exist as ideas in the divine mind. Spiritual reality is perfectly harmonious: human beings in their real nature as divine ideas are without sin, illness, suffering, or death.

As idealists, Christian Scientists hold that what we perceive as the physical world is "plastic" and can be changed by changing our beliefs about it.[42] They interpret prayer as "the search for an increased understanding of spiritual reality" that, when attained, transforms the physical world in ways that reflect (to greater or lesser degrees) the perfection and harmony of spiritual reality. [43] Christian Scientists believe that if a person achieves this awareness, she will experience a healing that demonstrates or exemplifies the depth of her spiritual understanding. Significantly, Christian Scientists also believe that children can undergo vicarious healing as a result of the prayers of others, including their parents.

As I noted above, the justification for forcing Christian Scientists to accept treatment would most likely assume the validity of the medical model of health and healing. The question I want to raise is whether this justification, which is secular from the perspective of standard Western theism and atheism, is secular from the perspective of Christian Science. In my judgment it is not, and this fact poses a deep problem for Audi's principles of public secularism.

Christian Scientists would most likely declare the belief that the human body is a natural system situated in a natural world that can be known independently of God to be an *atheistic* rather than a secular belief. They would view the belief that there is an independently existing material world, filled with physical bodies, disease, illness, and death as evidentially dependent upon a *rejection* of God's nature as they conceive it. The existence of matter is not something that can be secularly known: it is part and parcel of an erroneous, anti-religious perspective, the product of a primordial fall from grace. Scientific medicine does not produce true health and well-being but reinforces and perpetuates the rejection of God. The true good for human beings consists in their achieving the awareness that only God or "Infinite Mind" is real, an awareness that Christian Scientists believe transforms the apparently physical world in the direction of true health and perfection.[44]

If I am right, then based on the very non-standard theological assumptions of Christian Science, conventional medicine does *not* count as a secular from their point of view. The general point that follows from this example is that since the entire religious/secular/atheistic framework receives its content from certain religious beliefs and practices taken as paradigmatic, the content specified by the framework is relative to whatever religion(s) serve as its starting point. A particular "filling in" of the content of the religious, secular, and atheistic will depend ultimately on assumptions about what to count as paradigmatically religious in a particular context. 'Secularity' is thus not an intrinsic, religiously neutral feature of a set of beliefs; the definition of the secular as religiously neutral is made from a vantage point that is not itself religiously neutral.

Any dispute over what counts as secular between minority religions like Christian Science and mainstream theists and atheists will implicate more fundamental issues that cannot be resolved within the domain of the secular. If the view of the mainstream medical and legal communities carries the day, Christian Science parents will find their liberty restricted for reasons that count as secular from dominant perspectives but not from their perspective. A political proposal that mainstream citizens might defend in terms of Audi's PSR and PSM principles would constitute a kind of religious imposition from the perspective of a religious minority, a form of coercion that, given their theology, they could rightly resent, be alienated by, and see as not respecting their autonomy.

In response to their complaints, we (non-Scientists) might say that we simply take as definitive of the religious what in our social context has always served as the paradigm of religion, Audi's standard Western theism. But then the secular encodes a kind of majoritarian bias in favor of "normal" or "mainstream" religion. This would be especially ironic, since Audi defends his public secularism as necessary in part for the protection of religious minorities.[45] On the other hand, we might say that we define the secular in the way we do because it flows from the *true* theistic (or atheistic) perspective. But this would once again be ironic because we would be restricting the liberty of religious minorities in the name of religious (or antireligious) truth, which is precisely the kind of religious imposition that public secularism is supposed to avoid.

Audi's public secularism produces this kind of paradoxical result in conditions of radical religious diversity. In a society as religiously diverse as the United States, the secular does not possess the stable and shared meaning that would enable it to be the *lingua franca* for all of our political deliberation. Audi has thus failed to justify the claim that citizens must rely on the secular in their justificatory encounters because the secular—defined as it typically is from dominant perspectives—will often fail to be a way of showing respect for religious minorities.

Audi might respond to this objection by stressing that his principles of public secularism are only *prima facie* principles, which means that they can be overridden in some cases. He might then say that when dealing with cases of political disagreement that are ultimately rooted in radical religious differences, we are entitled to set aside his principles and find some other basis for public argument.

But this response would render Audi's principles inapplicable in precisely those cases where arguably we are in the greatest need of principles of civic virtue. Moreover, I don't think this response adequately addresses the problem of the relativity of the secular. If we accept Audi's principles of secular reason as prima facie obligating we are lulled into a false sense that what counts as secular from our (mainstream, dominant) perspectives is *intrinsically* and *absolutely* so. It is a short step from here to the dismissal of the complaints of religious minorities (especially unpopular ones) on the grounds that their adherents are irrational, unreasonable, or unwilling to argue in publicly comprehensible terms. Citizens need to be aware that in light of the increasing religious diversity of societies like the United States, they cannot take "the secular" for granted, especially when dealing with religious minorities.

Nothing I have argued here entails that the attempt to create what Strike calls a SNEL for our society should be abandoned. But we must first recognize that any particular SNEL is neutral only in a particular context and only among the views of some (most likely the dominant) religious perspectives.[46] In the face of more radical religious differences, we encounter conflicts over what constitutes the secular itself. We then have no recourse but to engage deeper metaphysical, theological, and epistemological issues over what diverse interlocutors can come to accept—at the end of a dialogue that more closely resembles interfaith dialogue than secular public discourse—as having been "revealed" to all persons. This kind of public discussion has as its aim the creation or discovery of new areas of convergence, new forms of SNEL, between religious and atheistic perspectives that have hitherto been alien to each other.

The kind of discussion I envision between the adherents of radically different religious and atheistic perspectives should no doubt be governed by principles of civic virtue of the kind Audi proposes, but these cannot be principles of secular reason. What these alternative principles are remains to be seen. Identifying them forms the positive task corresponding to my critique of Audi's public secularism.[47]

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NOTES

1. John Stuart Mill, *On Liberty* (Indianapolis, IN: Hackett Publishing Co., 1978), 34.
2. *Religious Commitment and Secular Reason* (Cambridge: Cambridge University Press, 2000). This book gives an extended and revised treatment of views Audi has also presented in "The Separation of Church and State and the Obligations of Citizenship," *Philosophy & Public Affairs* 18 (3) (1989): 259–96, "The Place of Religious Argument in a Free and Democratic Society," *San Diego Law Review* 3 (4) (1993): 677–702, "The State, the Church, and the Citizen" in *Religion and Contemporary Liberalism* ed. Paul Weithman (Notre Dame, IN: University of Notre Dame Press, 1997) 38–75, and his contributions to a book co-written with Nicholas Wolterstorff, *Religion in the Public Square: The Place of Religious Convictions in Political Debate* (Lanham, MD: Rowman & Littlefield, 1997).
3. Audi (2000), 82.
4. Audi (2000), 85–86.
5. Audi (2000), 6.
6. Audi (2000), 67. Cf. Audi (2000), 123: "What we are persuaded to do by being offered reasons for it, we tend to do autonomously and to identify with; what we are compelled to do constitutes both a reduction in our freedom and something we tend to resent doing. Thus, when there must be coercion, liberal democracies try to justify it in terms considerations, such as public safety, that any rational adult citizen will find persuasive and can identify with."
7. Audi (2000), 67, 158.
8. Audi (2000), 86, italics added.
9. Audi (2000), 89.
10. Audi (2000), 71. Michael Perry offers a similar definition of a religious argument: "By a religious argument, I mean an argument that relies on (among other things) a religious belief: an argument that presupposes the truth of a

religious belief and that includes that belief as one of its essential premises. A 'religious' belief is, for present purposes, either the belief that God exists—'God' in the sense of a transcendent reality that is the source, the ground, and the end of everything else—or a belief about the nature, the activity, or the will of God." See his *Religion in Politics: Constitutional and Moral Perspectives* (New York: Oxford University Press, 1997) 31.

11. Audi (2000), 96. A person is sufficiently motivated by adequate secular reasons if a secular reason or argument is sufficient to account for her advocacy of a particular proposal—in other words, if she would continue to advocate her proposal even in the absence of her religious reasons for supporting it.

12. Audi (2000), 123.

13. Quinn writes that "[Audi] has not acknowledged that many secular beliefs are on a par with religious beliefs in not being shared by all citizens or in being reasonably rejected by some citizens. If such features of religious beliefs are grounds for demanding that citizens who have religious but not secular reasons for restrictive laws or policies refrain from advocating or supporting such laws or policies, they are equally grounds for demanding that citizens whose secular reasons for such laws or policies also possess these features refrain from advocating or supporting such laws or policies." See Philip L. Quinn, "Political Liberalisms and Their Exclusion of the Religious," in *Religion and Contemporary Liberalism* ed. Paul Weithman (Notre Dame, IN: University of Notre Dame Press, 1997), 145.

14. Audi (2000), 155.

15. Ibid.

16. Ibid.

17. W. D. Ross, *The Right and the Good* (Oxford: Oxford University Press, 2002), 41.

18   See "Intuitionism, Pluralism, and the Foundations of Ethics," Chapter 2 of Audi's *Moral Knowledge and Ethical Character* (New York: Oxford University Press, 1997), henceforth cited as Audi 1997b.

19. Audi (1997b), 46.

20. Ibid., 48.

21. This claim is crucial to his idea that a religious believer can have evidence for her moral conclusions that derives from her religious convictions while at the same time having evidence that is independent of those convictions. It also supports his distinction between agreement in reasons and agreement on reasons that potentially allows him to avoid the fragmentation of the secular objection by claiming the moral theories need play no *essential* justificatory role.

22. Audi proposes using Kant's categorical imperative to systematize Ross's prima facie duties in "A Kantian Intuitionism," *Mind* 110 (439) (2001): 601–35. As an anonymous reviewer points out, the claim that prima facie duties can be given a ranking that will be "invariant across all situations of moral decision" is a controversial one. Since I am trying to show that Audi's public secularism is problematic *even on his own premises*, I am simply accepting this claim for the sake of argument.

23. Audi (1997b), 41.

24   Audi discusses the notion of *public comprehensibility* and its distinctness from the similar notion of *accessibility* at Audi (2000), 156–60.

25. Larry Alexander, "Liberalism, Religion, and the Unity of Epistemology," *San Diego Law Review* 30 (1993), 774.

26. Kenneth A. Strike, "Are Secular Ethical Languages Religiously Neutral?" *Journal of Law & Politics* VI (1990): 469–502.

27. Strike (1990), 479.

28. Ibid., 479–80.

29. Ibid., 479.

30. Ibid., 473–74, 482–84, 496–500. There seem to be obvious additional candidates for inclusion on this list.

31. Audi (2000), 89; my italics.

32. Ibid., 35.

33. Ibid., 116, 124.

34. Audi asks, "If we assume a broadly Western theism, we can take God be omniscient, omnipotent, and omnibenevolent. Might we not, then (at least given this set of divine attributes), expect God to structure us free rational beings and the world of our experience so that there is a (humanly accessible) secular path to the discovery of moral truths, at least to those far-reaching ones needed for the kind of civilized life we can assume God would wish us to live?" He answers this question in the affirmative (Audi (2000), 124). He apparently assumes that standard Western theists will be able to see God as having made the natural facts (as described by modern science), self-evident moral principles, and a number of competing moral theories comprehensible to all rational persons.

35. I note in passing another objection to Audi's position that I haven't the space to consider here. If Strike's three-part distinction is correct, then many conventionally secular moral theories are actually atheistic rather than secular in content. Such theories are thus no more publicly comprehensible than their religious competitors and should be subject to the same restrictions imposed by PSR and PSM. But this raises the possibility that the criteria for secularity are so restrictive that very few moral theories will be able to satisfy them. If so, citizens may be left with an inadequate basis for resolving all of the political issues they must actually address. Christopher J. Eberle raises a similar objection against a number of "justificatory liberal" theories and finds them all wanting in *Religious Conviction in Liberal Politics* (Cambridge: Cambridge University Press, 2002), chap. 7.

36. I say 'in part' to leave open the possibility that the secular includes Audi's self-evident moral principles, which (if they exist) we can expect to be culturally universal.

37. Christian Scientists claim that the right to religious freedom entitles them to withhold medical treatment from their children, and they have succeeded in securing religious exemption clauses to the child abuse and neglect laws of a number of states. See Norman Gevitz, "Christian Science Healing and the Health Care of Children," *Perspectives in Biology and Medicine* 34, no. 3 (1991): 429. Children's rights advocates and medical professionals counter that the state's interest in protecting the lives and health of children should override the religious freedom of their parents. Religious exemption clauses should be revoked, and parents who withhold medical treatment from their children for religious reasons should be liable to prosecution for child neglect. For an account of the political and legal battle over religious exemption clauses to state child abuse and neglect laws, see Gevitz (1991) and Paula A. Monopli, "Allocating the Costs of Parental Free Exercise: Striking a New Balance Between Sincere Religious Belief and a Child's Right to Medical Treatment," *Pepperdine Law Review* 18 (1991): 319–52.

38. Peggy DesAutels, Margaret P. Battin, and Larry May, *Praying for a Cure: When Medical and Religious Practices Conflict* (Lanham, Rowman & Littlefield, 1999), 124.

39. DesAutels et al. (1999), 5.

40. DesAutels et al. (1999), 5.

41. Ibid..

42. Ibid..

43. Ibid., 4.

44. Is *anything* secular from this point of view? Since Christian Scientists reject as atheistic much of what standard Western theists and atheists take to be real, there will be little overlap in the accounts of the secular-as-religiously neutral provided by both groups. But Christian Scientists apparently do recognize at least some of Audi's self-evident moral principles to true, so there will be some overlap, however minimal, in the accounts of the secular offered by mainstream theists and atheists and Christian Scientists. See DesAutels et al. (1999), 124.

45. Audi (2000), 123.

46. Strike makes this point well: "Should our culture achieve some version of SNEL, this variant is likely to be neutral, not to any possible religion, but to the dominant religions that appear in our culture. Its neutrality will depend on the specific concepts asserted by SNEL and on how they interact with the concepts embedded in various religious and secular traditions. This neutrality will constantly be threatened by new religions, by the evolution of current ones, and by the evolution in our understanding of SNEL" (Strike (1990), 476).