

# Mississippi College Law Review

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Volume 27  
Issue 1 *Vol. 27 Iss. 1*

Article 5

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2008

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Robin W. Lovin

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27 Miss. C. L. Rev. 91 (2007-2008)

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# RELIGION AND POLITICAL PLURALISM

*Robin W. Lovin\**

Normative religious pluralism is more than a description of the situation of religious diversity in which much of the human race now lives. In normative religious pluralism, religious diversity is encouraged and protected as a positive force in social life. Historically speaking, normative religious pluralism has emerged after the development of political pluralism. In political pluralism, both religion and government are limited in significant ways, but each is enabled to maintain a distinctive role in society. It is this interaction between religion and politics, rather than a transformation of religious belief, that makes normative religious pluralism possible.

Religious pluralism has both a descriptive and a normative meaning. Descriptively, religious pluralism is a state of affairs that exists in human communities made up of people who have different religious beliefs, backgrounds, and ways of expressing their convictions. Normative religious pluralism, however, is more than a description of this situation in which much of the human race now lives. In normative religious pluralism, religious diversity is encouraged and protected by social practices and sometimes by law. Religious diversity is held to be a positive force in social life, giving moral and spiritual depth to civic discourse, enriching personal and family life, and even making the diverse religious communities themselves better representatives of their faiths and traditions.<sup>1</sup>

Normative religious pluralism is upheld by most modern democracies, despite differences in their religious histories and in the legal status they accord to religious institutions. Democracy goes together with religious pluralism and religious freedom, especially in jurisdictions where international human rights conventions increasingly control local policy and practice.<sup>2</sup> Nevertheless, normative religious pluralism is a relatively recent development in human history, and it is still regarded with suspicion or rejected by many religious movements and cultures in today's world.<sup>3</sup> Normative religious pluralism does not appeal to everyone who encounters it, nor does it seem obvious as the only response to the facts of religious diversity. Thus, an important question to ask is how normative religious pluralism emerges and what sustains it, not only alongside diverse religious beliefs, but also in tension with or opposition to some of them.

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\* Cary M. Maguire, University Professor of Ethics, Southern Methodist University.

1. Robert BELLAH ET. AL., *HABITS OF THE HEART: INDIVIDUALISM AND COMMITMENT IN AMERICAN LIFE* 225-27 (1985); ROBERT WUTHNOW, *AMERICA AND THE CHALLENGES OF RELIGIOUS DIVERSITY* 153-58 (2005).

2. Carolyn Evans, *Religious Freedom in European Human Rights Law: The Search for a Guiding Conception*, in *RELIGION AND INTERNATIONAL LAW* 385-400 (Mark W. Janis & Carolyn Evans eds., 1999).

3. MARK LILLA, *THE STILLBORN GOD: RELIGION, POLITICS, AND THE MODERN WEST* 5 (2007).

My answer, briefly, is that normative religious pluralism has generally been the result of political pluralism. In other words, normative religious pluralism takes hold and shapes religious and civic life when religions recognize a stable and ordered government as the source of important human goods, and when governments in turn recognize that they are not the only source of human goods. When religion rejects the goods that government provides, sectarian withdrawal or attempts at religious domination may follow. When government attempts to determine all human goods, an anti-religious secularism or totalitarianism may follow. Religious pluralism becomes normative, by contrast, where religion is supported by political pluralism or finds its own religious reasons to advocate political pluralism.

### I. NORMATIVE RELIGIOUS PLURALISM

Religious pluralism has been a salient fact in many places at least since the beginning of the modern era. Today, human migration and global communications are spreading religious pluralism into areas that were previously homogeneous and increasing religious diversity in places that thought they had dealt with the facts of pluralism long ago. Through tourism, culture, and commerce, Muslims in traditionally Islamic societies now encounter Christians and Jews who are quite different from the *dhimmi* who have lived among them for many generations. Europeans and North Americans, likewise, must adjust to large Muslim, Sikh, Hindu, and Buddhist communities alongside the familiar pluralism of Christian and Jewish groups which they had previously accommodated.

Thus, normative religious pluralism is an ongoing development rather than something that can be definitively formulated in legislation or constitutional requirements. Commitments to normative religious pluralism are regularly tested against the changing realities of religious diversity, and it is possible for a society to go backward as well as forward in its response to these challenges.<sup>4</sup> Likewise, there is no single set of legal or constitutional arrangements that marks all societies which have normative religious pluralism and distinguishes them from others which do not. Modern democracies with normative religious pluralism include some like the United States, where religion has an important and visible place in public life, and others like France, where religion plays an important social role, but the public square maintains a more strictly secular appearance. In others, like the United Kingdom, the public presence of an established church is maintained in a society which also protects the freedom to practice other religions and where many citizens have no personal commitment to any of these religious practices.<sup>5</sup> Normative religious pluralism will not be the same in Pakistan or Turkey as normative religious pluralism in Britain. It will not even be the same in Britain and the United States.

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4. Thomas Banchoff, *Contours of the New Religious Pluralism*, in *DEMOCRACY AND THE NEW RELIGIOUS PLURALISM* 13-14 (Thomas Banchoff ed., 2007).

5. MARTIN MARTY, *WHEN FAITHS COLLIDE* 87-96 (2005); ROGER TRIGG, *RELIGION IN PUBLIC LIFE: MUST FAITH BE PRIVATIZED* 20-24 (2007).

Nevertheless, this multiform social commitment is important to the peace and order of modern societies, and social scientists, ethicists, and legal scholars therefore try to identify the conditions that make it possible. Explanatory theories at first focused on a process of secularization, thought to be characteristic of all modern societies, in which religious belief becomes less determinative of daily life and thus less important to individuals. According to secularization theorists, people in modern societies are generally more accepting of all religious positions because they are generally less committed to any of them. This explanation has the advantage of historical generalizability, but the problem is that it has not held up very well over time. As modernization spreads globally, it is not clear that it is invariably marked by the decline in religious belief and practice that accompanied modernization in Western Europe. Nor do these trends move in only one direction. Among some groups in the United States and in Eastern Europe, religious commitment seems at present to be growing, rather than receding. As a result, sociologists and social philosophers alike are reconsidering secularization as a universal pattern of social development.<sup>6</sup>

A second, more historical explanation sees normative religious pluralism as the outcome of specific developments in specific religious communities, rather than as the result of general forces of secularization that weaken religious commitment. Normative religious pluralism results from a democratization of religious life that places religion in the hands of lay people who are used to living among their neighbors, whoever these happen to be, rather than in the hands of elites who are more eager to demarcate specific religious identities.

Here, the American experience often serves as a paradigm. The early years of the nineteenth century witnessed religious renewal and increased religious commitment, so that religious participation was higher by 1830 than it had been at the time of the Revolution. Many religious leaders began to connect this flourishing of the churches to the growing democratic spirit among the people.<sup>7</sup> Perhaps most important, the growing number of new immigrants from other parts of Europe found this freedom served the needs of their religious communities, too. Alexis de Tocqueville was surprised to find that clergy of all denominations supported this distinctly American arrangement.<sup>8</sup> Democratic ideas of freedom and equality seemed to provide the conditions under which all religions could flourish, while the sources of religious conflict would be diminished and brought under social control.<sup>9</sup>

This account of how normative religious pluralism develops seems more promising than secularization theory, insofar as it builds on particular

6. DAVID MARTIN, *ON SECULARIZATION: TOWARDS A REVISED GENERAL THEORY* (2005); CHARLES TAYLOR, *A SECULAR AGE* (2007).

7. MARK NOLL, *THE OLD RELIGION IN A NEW WORLD*, 83-85 (2002); NATHAN HATCH, *THE DEMOCRATIZATION OF AMERICAN CHRISTIANITY* (1989).

8. ALEXIS DE TOCQUEVILLE, *DEMOCRACY IN AMERICA* 295 (J.P. Mayer ed., 1969).

9. *Id.* at 447-49.

interactions between religion and politics, rather than on generalizations about the nature of religious belief and the nature of modernity. The importance of the American experience is that normative religious pluralism emerges as a polity, not a doctrine.<sup>10</sup> It does not result from religious groups rethinking their own beliefs or their assessment of other faiths. It happens as religious groups claim for themselves a certain space in public life that at the same time concedes some space to the requirements of public peace and order. The change in relationship to other religious groups is not negotiated directly, but mediated through a changed relationship between religion and government.

Because it is about polity rather than theology, normative religious pluralism does not require people to believe that all religions are the same, or to give up their beliefs that one religion is true and that others are false, or to forego the expectation that in God's good time, their own faith will displace the others. It does require a certain level of mutual respect between the adherents of different religions, though this may be hard to specify in the abstract and may be severely tested by events like terrorist attacks or aggressive proselytizing. It requires civility toward religious practices and observances, even from those who believe in none of them and are skeptical of the social value of all of them.

Americans were not uniquely tolerant, and they certainly were not less religious than other modernizing societies in the early nineteenth century. Their history was marked by outbursts of violence against Catholics, Mormons, and others whose religion was sometimes perceived to fall outside of the acceptable range of difference. The growth of normative religious pluralism depended neither on tolerance nor indifference, but on a small number of dominant Protestant groups whose receptivity to religious pluralism had been shaped by an experience of political pluralism over the previous three centuries, in Reformation and post-Reformation Europe.

## II. FROM SECULAR AUTHORITY TO POLITICAL PLURALISM

During the early years of the Protestant Reformation, religious leaders and secular authorities sometimes ended up on different sides of the religious divide. The medieval understanding that a unified church and a Christian ruler jointly provide for the spiritual and temporal welfare of the people no longer made sense in territories which might include several different confessions. In place of the ideal of a prince with broad authority ruling under the guidance of the church, political and religious conditions made it expedient to think of a ruler whose power was limited to a specific sphere of law and government, but whose decisions within that sphere were not subject to any other authority.

Like others of his time, Martin Luther looked to these local princes who were beginning to exercise something like sovereign authority over

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10. MARTY, *supra* note 5, at 68.

their territories to provide order and restrain evil.<sup>11</sup> In his 1523 treatise *On Secular Authority*, he wrote, "If there were [no law and government], then seeing that all the world is evil and that scarcely one human being in a thousand is a true Christian, people would devour each other and no one would be able to support his wife and children, feed himself, and serve God. The world would become a desert."<sup>12</sup>

Because peace and order depend on the restraint of evil, too much interest in spiritual matters might actually distract a prince from the main task at hand. People must therefore regard the keeping of peace as worthy of honor on its own terms. Luther suggests that this is God's intention for secular rulers:

You should know that a prudent prince has been a rare bird in the world since the beginning of time, and a just prince an even rarer one. As a rule, princes are the greatest fools or the worst criminals on earth, and the worst is always to be expected, and little good hoped for, from them, especially in what regards God and the salvation of souls. For these are God's jailers and hangmen, and his divine wrath makes use of them to punish the wicked and maintain outward peace . . . It is his divine will and pleasure that we should call his hangmen "gracious lords," fall at their feet and be subject to them in all humility, so long as they do not overreach themselves by wanting to become pastors instead of hangmen.<sup>13</sup>

Secular rulers achieve results by power, whereas spiritual authorities work an inward moral transformation. "Therefore care must be taken to keep these two governments distinct, and both must be allowed to continue [their work], the one to make [people] just, the other to create outward peace and prevent evil-doing. Neither is enough for the world without the other."<sup>14</sup>

Ideas of toleration and religious freedom grow from this beginning, but they do not follow at once, and they certainly do not appear immediately in Luther's thought. What Luther provides is a role for secular authority that is at once limited and indispensable. Normative religious pluralism begins with this political realism. Order and security are essential to social life, and they require a government strong enough to impose them both on those who seek to live religious lives and on those who do not. Any religion that recognizes the value of peace and security has reasons to recognize the moral authority of the actions that government undertakes to

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11. DANIEL PHILPOTT, *REVOLUTIONS IN SOVEREIGNTY: HOW IDEAS SHAPED MODERN INTERNATIONAL RELATIONS* 104-07 (2007).

12. Martin Luther, *On Secular Authority*, in *LUTHER AND CALVIN ON SECULAR AUTHORITY* 10 (Harro Höpfl ed., 1991).

13. *Id.* at 30.

14. *Id.* at 12.

maintain its distinctive responsibilities. The reasons for supporting this independence and moral authority are largely instrumental. They rest on observations about what government does, rather than on the piety of its leaders or the divine origin of its laws. The point is a simpler, more political one: To have the goods that government provides imposes constraints on those who enjoy them. If the goods are essential to religious life, the constraints can be accepted by religious people.

Luther's stark rendering of sovereign secular authority was well matched to the emerging political realities of the modern state, but it also provided a way of thinking about other social institutions that provide human goods. These, too, were taking on their modern forms and establishing the independence they needed to serve their distinctive purposes under new conditions. Universities were gradually separating themselves from the authority of the church and defining a search for knowledge that was secular, insofar as it was not primarily theological, but these institutions of learning were acquiring a measure of independence from secular political authority, too. Commerce, subject always to the princes' taxes and tolls, was growing increasingly independent of the authority of guilds and local customs. The rules of the market were beginning to assert themselves as a force to be reckoned with. Under the impact of these changes, even enduring social institutions like the family were transformed as the household was increasingly separated from commerce and servants and apprentices became more like employees and less like members of the family. These transformations did not happen rapidly. They continued well into the age of the Industrial Revolution, and the slow pace of change could obscure its continuities from the sight of those who experienced it. The democratization of American religion seemed novel to foreign observers in the early nineteenth century,<sup>15</sup> but it continued patterns of development that had begun in Europe centuries earlier. These patterns were continuing there in their own ways, at the same time that the American experience of pluralism was defining its normative terms.

This multiplicity of authorities, institutions, and ways of life recalled earlier ideas of "orders" or "estates," the interdependent worlds organized around church, home, and castle in which nearly everyone lived and worked in the Middle Ages.<sup>16</sup> But the organic unity of medieval life was gone. Farms now produced for the market as well as the manor. Church was a matter of choice, rather than a shared attachment to a local parish. The sovereign authority of the state was crowding out the overlapping jurisdictions of barons, guilds, and bishops.

The early modern world knew that it was no longer medieval, but it had some difficulty deciding whether its new order depended entirely on

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15. *THE VOLUNTARY CHURCH: AMERICAN RELIGIOUS LIFE (1740-1865) SEEN THROUGH THE EYES OF EUROPEAN VISITORS* (Milton Powell ed., 1967).

16. See Ulrich Nissen, *Between Identity and Differentiation: On the Identity of Lutheran Social Ethics*, in *THE SOURCES OF PUBLIC MORALITY—ON THE ETHICS AND RELIGION DEBATE* 152-57 (Svend Anderson & Ulrich Nissen eds., 2003).

this new sovereign state. Thomas Hobbes famously proposed that without a sovereign who is subject to no law and who has authority to settle all disputes, humanity would revert to a state of nature in which life is “solitary, poore, nasty, brutish, and short.”<sup>17</sup> John Locke, by contrast, recognized that people could organize themselves in a state of nature to pursue a variety of goods.<sup>18</sup> Government has a unique, but limited, role among the institutions that order social life. Like Luther’s secular authority, Locke’s civil government holds exclusive authority within this realm of competence, but has no authority to settle questions of faith or morals that fall outside of it.

What Locke recognized is that there are more pieces to the social puzzle than Hobbes considered. Hobbes tried to secure order by subordinating everything to the decision of the sovereign. Locke raises the possibility that questions about property and family, as well as faith, must be answered on their own terms. Subsequent relations between law and religion in Western democracies largely develop from this Lockean pluralism.

The pluralistic approach has been theorized in various ways. Locke’s own work leads to a simple distinction between public and private, and liberal political theory has generally followed this direction, emphasizing the importance of “public reason” in law and government and separating these questions of justice from private judgments about the human good.<sup>19</sup> Religious thought, by contrast, often develops the plurality of human goods into a theology that recognizes different, relatively autonomous spheres of life, each of which has its own moral order and authority, resting on its essential contribution to a complete human life.<sup>20</sup> Religion and government are two of these spheres, but family, work, and culture are also often included in the list. Abraham Kuyper, theologian and political leader in the Netherlands at the end of the nineteenth century, regarded each of these social spheres as having a kind of “sovereignty,” in the sense that there is no power above it except for the power of God.<sup>21</sup>

While the first formulations of this theology of political pluralism were distinctly Protestant, similar themes have developed in Catholic and Anglican thought. Since the encyclical *Rerum Novarum* was issued by Pope Leo XIII in 1891, the idea of “subsidiarity” has become part of Catholic social teaching, recognizing the diversity and integrity of the institutional settings of modern life and rejecting the proposition that they can be comprehensively controlled by centralized state planning.<sup>22</sup> John Neville

17. THOMAS HOBBS, *LEVIATHAN* 89 (Richard Tuck ed., 1991).

18. See JOHN LOCKE, *TWO TREATISES OF GOVERNMENT AND A LETTER CONCERNING TOLERATION* 276 (Ian Shapiro ed., 2003).

19. JOHN RAWLS, *JUSTICE AS FAIRNESS: A RESTATEMENT* 89-94 (2001).

20. For an overview of these developments in theology, see *POLITICAL ORDER AND THE PLURAL STRUCTURE OF SOCIETY* (James Skillen & Rockne McCarthy eds., 1991).

21. ABRAHAM KUYPER, *LECTURES ON CALVINISM* 91 (2000). Similar themes are central to the theological ethics of Emil Brunner and Dietrich Bonhoeffer. See EMIL BRUNNER, *THE DIVINE IMPERATIVE* 208 (1947); DIETRICH BONHOEFFER, *ETHICS* 380 (Clifford Green ed., 2005).

22. CHARLES CURRAN, *CATHOLIC SOCIAL TEACHING, 1891- PRESENT: A HISTORICAL, THEOLOGICAL, AND ETHICAL ANALYSIS* 141-45 (2002).



Figgis developed an Anglo-Catholic pluralism that relied on traditions of natural law and connected pluralism directly to the independence of church and university.<sup>23</sup> For Figgis, the tendency of modern law to treat every institution as though it existed only by legislative fiat is an abandonment of moral realism.<sup>24</sup> The complexity of modern social problems and the variety of local conditions requires respect for what the contemporary Catholic theologian David Hollenbach describes as “many different forms of inter-relationship and community in which human beings achieve their good in history. None of these forms of community may be absolutized or allowed to dominate all the others. Each of them has a place within the framework of social existence, but none of them can be granted absolute status.”<sup>25</sup>

There are theological differences between the Catholic concept of “subsidiarity” and the Protestant “spheres” or “orders,” but the practical implications for contemporary social ethics are very similar. Nor should we overstate the differences between theology and political theory in understanding this social pluralism, despite recent controversies over the role of religion in public life or the place of religious language in the public square. William A. Galston elaborates on the human pursuit of different, sometimes competing goods in a theory of political pluralism which shares some of the same historical roots as the theological account.<sup>26</sup> Michael Walzer’s “spheres of justice” likewise offer an understanding of liberal democracy that recognizes that different criteria of right and wrong apply in different areas of life. There is no single account of justice that we could establish to make sense of all the distributions of human goods that a society has to make.<sup>27</sup>

The fundamental insight which all of these versions of political pluralism share is that “quite stable functional requirements of human living demand the participation in and maintenance of some viable institutions that are logically prior to the state and cannot be fully controlled by it.”<sup>28</sup> This political pluralism provides terms on which religious groups can accept the authority of civil government without succumbing to a legal positivism in which the only meaningful social norms derive from the sovereign state. While these terms will be unacceptable both to the Hobbesian political theorist, who fears the dissolution of society unless there is a single center of ultimate authority, and to the sectarian who acknowledges no authority but God, the development of the modern world has been marked by increasing diversity and complexity of its institutions and a capacity to resolve the competitions and tensions between them without recourse to an omni-competent political authority. This has required fewer constraints on religious

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23. J. N. FIGGIS, *CHURCHES IN THE MODERN STATE* 40 (1913).

24. *Id.*

25. DAVID HOLLENBACH, *THE COMMON GOOD AND CHRISTIAN ETHICS* 136 (2002).

26. WILLIAM A. GALSTON, *LIBERAL PLURALISM: THE IMPLICATIONS OF VALUE PLURALISM FOR POLITICAL THEORY AND PRACTICE* 3-11 (2002).

27. MICHAEL WALZER, *SPHERES OF JUSTICE* 8-19 (1983).

28. Max L. Stackhouse, *Public Theology and Political Economy in a Globalizing Era*, in 14 *STUD. IN CHRISTIAN ETHICS* 63, 70 (2001).

activity than early political thinkers, living in the aftermath of the Wars of Religion, assumed would be necessary. It has also allowed a limited civil government to be valued for the distinctive contribution that the rule of law makes to the human good, apart from the beliefs and virtues of the rulers. This political pluralism provides the background against which the emergence of normative religious pluralism can be most completely understood.

### III. RELIGION, POLITICAL PLURALISM, AND HUMAN GOODS

As we have noted, religious commitment to secular political authority was at first largely instrumental. Protestant Reformers sought the protection of rulers who could be detached from their traditional role as defenders of the Catholic faith, and the understanding of secular authority in Luther's writing matched the understanding of territorial sovereignty that was emerging among the German principalities. The presence of a ruler whose primary task was to maintain peace and order allowed the religious work of persuasion, conversion, and reformation to proceed, and the Christian's obligation to obey this ruler gave the Reformation a measure of protection from what remained a largely Catholic populace, even in places where the ruler supported reform.<sup>29</sup> Indeed, the idea of secular authority as uniquely responsible for wielding force to defend order and security was so compelling in relation to the problems of the time that it continued even in the Genevan Reformation, where the Protestant order was independent and secure.<sup>30</sup> Close cooperation between pastors and civil magistrates was restored, but Calvin kept their functions strictly separate.

As the pluralism of modern society developed, reasons multiplied for supporting a government that provided security and order for relatively autonomous spheres of social life. Not only peace follows from a strong secular authority, but also prosperity, and an unexpected degree of freedom. Eventually, in the Protestant settlements of North America, the distinction between civil and religious authority became the basis of demands for religious freedom and for strict neutrality on the part of the government toward religious controversies.<sup>31</sup> That religious pluralism grew in the space provided by this civic neutrality was thus a consequence of religious commitment to political pluralism that began in the exigencies of Reformation conflict, but became a necessary feature of modern life over a couple of centuries of political experience. Protestant Christianity made a commitment to political pluralism that preceded its eventual embrace of religious pluralism. It was history that many other religious groups would.

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29. Luther later allowed resistance to the Holy Roman Emperor when that ruler took arms against the Reformation, though he made that case on legal, rather than theological, grounds. 2 QUENTIN SKINNER, *THE FOUNDATIONS OF MODERN POLITICAL THOUGHT* 199-200 (1978).

30. DAVID FERGUSSON, *CHURCH, STATE, AND CIVIL SOCIETY* 39-41 (2004).

31. JEFFRY MORRISON, *JOHN WITHERSPOON AND THE FOUNDING OF THE AMERICAN REPUBLIC* 108 (2005).

No one system of government was dictated by political pluralism, but experience suggested some basic requirements. Enough force to provide security is essential, but popular consent and a general recognition of the government's legitimacy reduces the amount of force required. A predictable order of life, especially the kind of predictability that comes from the rule of law, allows people to proceed with the tasks that make social life possible. Luther's idea of secular authority rested solely on the individual ruler and was strongly authoritarian, but when the requirements of order are seen in light of political pluralism, order increasingly takes the form of a government limited by law and deriving its legitimacy from the consent of the governed. The image of the prince who maintains order by unlimited authority over life and goods gives way to the image of a democratic legislature, constrained by a constitutional understanding of its own limited purposes.

Part of the historical crisis through which the modern world is now living is that we get daily reminders in the news of what happens when these requirements of political pluralism are missing or neglected. One thing we have learned about government is that it creates certain kinds of human good, primarily those related to personal security and public order. The goods of government are not all the goods there are. It is a sign of political failure when people spend all their time worrying about what government is going to do. When government is functioning, people spend their time making things, circulating goods and information, teaching classes, running hospitals, and creating art. When the goods of government are effectively provided and maintained, they enhance other kinds of goods and make them possible. Modern political pluralism rests on an intricate balance, constantly adjusted, between the different systems that are responsible for all the different kinds of human goods.

Historically speaking, normative religious pluralism has grown more from the requirements of political pluralism than from efforts to reconcile religious conflicts. The simple idea that different religious groups would see how much they have in common if they just thought about it appears most cogent in places where political pluralism already has a long history. Normative religious pluralism rests on the requirements of a political order in which people enjoy a range of human goods that require a variety of institutional arrangements and patterns of authority for their creation and maintenance. Religious traditions which adapt to the demands of normative religious pluralism adjust to a civic order structured by political pluralism because they understand that human goods also have religious value. They may begin, as the Reformation did, with a grim acceptance of the requirements of secular authority, but they end by emphasizing the blessings of a human common good. They become religious pluralists because their beliefs and their experience combine to give them reasons to be political pluralists.

Political pluralism thus contrasts with the simple idea that grounds religious pluralism in a least common denominator of shared religious experience, but it also contrasts with a more complex philosophical idea that grounds pluralism in the logical requirements of justice, rather than in common pursuit of the good. This liberal understanding of pluralism, exemplified most clearly in the early work of John Rawls and the dialectical reasoning of Allen Gewirth, requires assent to universal, logical, and limited moral principles, in order that the requirements of justice may be known at the outset and pursuit of the good can otherwise be left to individual discretion.<sup>32</sup> Religious pluralism is accepted as part of the prevailing “conditions of reasonable pluralism”<sup>33</sup> around which a theory of justice must be constructed, but religious ideas themselves have no direct contribution to make to the principles of justice.

Criticism of these liberal theories has focused on the problems of achieving a genuinely universal rationality when dealing with matters so closely related to personal identity and self-understanding. These problems are real enough, but the more basic problem with liberal theory in relation to pluralism is that it treats pursuit of the good as an individual commitment. Public life rests on shared principles of justice. Politics is indifferent to the goods people choose, as long as they pursue and hold them justly. By concentrating narrowly on the conditions of justice, however, these theories ignore the conditions required for there to be any goods to pursue.

As Michael Walzer observes, goods are defined socially, rather than individually.<sup>34</sup> The creation of goods is thus inherently political, and the principles of justice upon which we agree as a guide to distribution cannot be abstracted from the nature of the goods available to be distributed. We value our political community because it meets our needs, Walzer writes, “But one of our needs is community itself: culture, religion, and politics. It is only under the aegis of these three that all the other things we need become *socially recognized needs*, take on historical and determinate form.”<sup>35</sup>

Instead of beginning with universal principles of justice, political pluralism begins with the recognition of some particular good that opens a discussion of the conditions required for realization of that good in present circumstances and in relation to other goods. These concrete, local explorations of human goods allow religious ideas and values to enter directly into the formulation of shared goods and distributive norms. Religious influence is not restricted to private choices, nor is politics limited to the realm of “public reason,” where the rules of neutrality strictly apply. In

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32. See generally John Rawls, *A Theory of Justice* (1971), Allen Gewirth, *Reason and Morality* (1978).

33. RAWLS, *supra* note 19, at 9.

34. WALZER, *supra* note 27, at 65.

35. *Id.* (emphasis added).

this broader discussion in what Rawls calls the "background culture," religion is not reduced to silence or relegated to a purely symbolic role in public life, even according to liberal theory.<sup>36</sup> It has a voice in the broader public forum.

In political pluralism, then, religion does not simply fall silent before secular authority, reduced to a duty to "obey and suffer" as Calvin put it.<sup>37</sup> Luther and Hobbes, for their different reasons, may have initially accepted such passive obedience as necessary to civil peace. Subsequent experience shows that this formulation of the requirements of order was overstated, and we should not expect that religious groups in today's world will give "public reason" the same deference once granted to Luther's secular authority or Hobbes' sovereign.

Nevertheless, political pluralism does impose significant constraints on religion. Participation in the public discussion requires at least an interim acceptance of the results of this deliberation. Whatever a tradition may believe about the ultimate disposition of human affairs, political pluralism requires acceptance of the rule of law. It also requires that those who participate in public deliberations take them seriously. Religion may reserve ultimate obedience to God rather than human powers, but it may not enter into the political process only with a view of subverting it, replacing it with a theocracy, or restoring it to some supposed pristine form where the parameters of public choice were defined in religious terms. Normative religious pluralism is possible only if religious traditions can understand the legal order as a genuine good. Religion may subject government to prophetic judgment. It may insist that there are other, higher goods that must not be traded off for the goods that government supplies, but normative religious pluralism will prove impossible for any tradition that regards all existing politics as a usurpation of divine rule.

Political pluralism imposes significant restraints on government, too. Order and security are not the only human goods, and the public forum does not define the whole human good. For that reason, the state may not set the terms for religious belief, observance, or expression in a society that is committed to normative religious pluralism.

There will, of course, be continuous discussion, conflict, and negotiation around points where religious goods and the goods of public order and security intersect. What about religious parents who refuse blood transfusions for their minor children? What about animal sacrifices in suburban backyards? Or on city streets? What about a pupil who wants to wear her *hijab* in the public high school? What about her teacher? In a society committed to political pluralism, these issues will be a permanent source of work for lawyers, theologians, editors, and ethicists, precisely because it is essential to political pluralism that government's authority is not unilateral or unlimited.

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36. See JOHN RAWLS, *COLLECTED PAPERS 576* (Samuel Freeman ed., 1999).

37. John Calvin, *On Civil Government*, in LUTHER AND CALVIN ON SECULAR AUTHORITY 82 (Harto Höpfl ed. 1991).

## IV. CONCLUSION

Normative religious pluralism has characterized American religious life since the general democratization of religion and society in the early nineteenth century. By the end of the twentieth century, the terms of this American normative pluralism were providing legal and theological starting points for religious freedom as a universal human right.<sup>38</sup> At the beginning of a new century marked by global economic unity, the weakening of political ideologies, and a resurgence of religious conflict, the urgent question is not about abstract rights, but about the concrete social and political conditions that permit those rights to become effective in social experience. The question is whether the developments that led to normative religious pluralism in America and in other Western democracies provide that kind of concrete guidance, both for regions that have newly begun to experience the fact of religious pluralism and for those that have begun to experience it with a new diversity and intensity.

I have argued in this essay that the relevance of these lessons depends on taking them in their broadest historical context, moving beyond the distinctively American experience of religious pluralism to a more general political pluralism that develops alongside the emergence of the modern state itself. It is significant for the history of normative religious pluralism that this rethinking of politics originated in the Protestant Reformation, so that the necessary political arrangements for the emergence of normative religious pluralism were themselves grounded in religious thought about political life. In retrospect, it is not surprising that religious pluralism flourished in the North American contexts where this Protestant political thought had the widest following. At the same time, the development in Catholic theology of a pluralistic, political understanding of the common good shows that a similar rethinking of politics is possible in other traditions.<sup>39</sup> The initial engagement of religion with pluralistic politics is often instrumental, but it can develop into a principled affirmation.<sup>40</sup>

What is to be avoided in using the lessons of history are simplifications that make the political adjustments that normative religious pluralism requires either too easy or too difficult. They are made too easy when we look at diverse religions living together and assume that the political arrangements follow from the religious harmony. "You see," we say hopefully, "when religions live together they find out that they have so much in common that they do not need to fight about the details." But in fact, a

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38. The influence of the American experience of religious pluralism can be seen both in the provisions for freedom of religion in the Universal Declaration of Human Rights (1948) and in the Declaration on Religious Liberty (*Dignitatis Humanae*) of the Second Vatican Council (1965). See JOHN NURSER, FOR ALL PEOPLES AND NATIONS: THE ECUMENICAL CHURCH AND HUMAN RIGHTS 20 (2005); JOHN T. NOONAN JR., A CHURCH THAT CAN AND CANNOT CHANGE: THE DEVELOPMENT OF CATHOLIC MORAL TEACHING 155 (2005).

39. See HOLLENBACH, *supra* note 25.

40. Consider, for example, the systematic relationship between Islam and Western society worked out in TARIQ RAMADAN, WESTERN MUSLIMS AND THE FUTURE OF ISLAM 166-71 (2004).

longer view of history suggests that each religious community had to re-think secular political authority and the general political community before it could live in that community in harmony with those who held quite different religious views. Societies that oversimplify the matter in this easy way run the risk of self-chosen isolation by groups that have not undertaken the political reconsideration. Indeed, they risk a backlash in which even religious groups that have long adjusted to normative religious pluralism will reject the trivialization of religious beliefs and identities that this easy assumption of religious unity requires.<sup>41</sup>

An opposite error treats the adjustments that normative religious pluralism requires as too difficult for persons and groups with serious religious commitments. The alternative to conflict over religious diversity is an enforced, official secularism. This approach is seen as compatible with pluralism and religious freedom when all religions are allowed to flourish in private and none of them is recognized as a public presence. The assumption is that religious differences become publicly unimportant when they cannot be seen. But this, too, is a trivialization of religious life that assumes that only differences in dress or symbols separates one religious community from another.

History does not conform to either of these assumptions. Religious conflict persists where the political arrangements that support and protect religious diversity are not in place. Enforced secularity does not provide that support, but has in fact been used principally to limit the power of religion where there has been a single, dominant religious tradition. The French commitment to *laïcité*, the secularization of Mexican law after the revolution of 1910, and the founding of modern Turkey are examples of secularism as a response to religious hegemony, not as a pathway to normative religious pluralism. Indeed, it is in states that enforce a policy of rigorous secularism that emergent religious diversity and renewed religious identities create the greatest problems, because secularism ignores the adjustments between religious life and political goods out of which normative religious pluralism actually grows.<sup>42</sup>

Political pluralism provides both an explanatory model and a normative theory as alternatives to answers that are inadequate to the realities of religious diversity in many parts of the world today. Political pluralism helps us understand how religious pluralism has in fact emerged out of religious conflict in the experience of the modern West. As a normative theory, it allows religious traditions to maintain their identities in relation to each other and in relation to government. Looking at our history in this long view may help point the way to normative religious pluralism by reconnecting religion, politics, and the human good. Religious pluralism seems most likely to become normative where religion finds its own religious reasons to advocate political pluralism.

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41. STEPHEN L. CARTER, *THE CULTURE OF DISBELIEF* 18-22 (1993).

42. RAMADAN, *supra* note 40, at 70-71.