DEBATING the DIVINE

RELIGION IN 21st CENTURY AMERICAN DEMOCRACY

Edited by Sally Steenland

Center for American Progress
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JEREMIAH SMITH, JR. PROFESSOR OF LAW, HARVARD LAW SCHOOL
ONE OF MY FAVORITE STORIES tells of the rabbi who listens to one disputant and says, “You’re right,” then listens to his opponent, only to comment that he too is right, and then after his wife shouts out from the next room, “They can’t both be right,” the rabbi replies, “You’re right also.”

Eboo Patel says religious justifications should be part of political debate,¹ while David Hollinger argues that in the civic sphere, membership in a nation should trump religious loyalties.² On these points, they both are right,³ and any tension between the two positions can be resolved by demanding that actual rationales for public policies must be translated into secular language, accessible to and preserving of secular debate—even while the very conceptions of a common good, larger than any individual or group itself, can be sustained and replenished through the religious commitments of individuals.

In a religiously diverse society, the precise religious gestures that may solemnize events, vouch for individuals, or motivate some constituents may baffle or alienate others. The display of religious symbols or distribution of public funding may support the idea of religion or particular religions, but do so at the cost of offending those whose views are not visibly supported—or those who reject the placement of their religion on a par with others, or those who on principle reject government entanglement with their faith. Religiously-informed arguments and perspectives afford prophetic insights and energy to politics and public affairs, but exactly these same arguments and perspectives can be conversation-stoppers through the appeal to a higher authority or through the perception, by some listeners, of an alien discourse.

The promise and peril of religious references in the specifically political dimensions of public life are especially visible now as political candidates vie for the support of religious voters. An opening for religious discourse in politics occurs as the “religious right” no longer lines up uniformly for Republicans, as Democratic candidates for national office eagerly appear in televised discussions of their religious faith to overcome negative impressions that they are either too disconnected from or too influenced by religion, and as five of the nine Supreme Court justices share the Catholic faith and seem poised to rework the rules governing abortion, marriage, the death penalty, government torture, and environmental protection.

But there are deeper reasons for the mounting focus on religion in politics. Complex global forces (the excesses of market capitalism? the political uncertainties after the Cold War? the politicized uses of religion in non-democratic states?) over several decades have produced growing religiosity across all major faith traditions. The hold of secularism is growing more tenu-
ous in places as far apart as Turkey, due to internal and regional politics, and France, as natives reclaim Christianity in their response to Muslim immigrants. In this moment, it is more crucial than ever to reaffirm the distinctive American respect for the diverse religious lives of citizens and a commitment to create a common world that can be shared and governed apart from religious visions and divisions.

As a practical matter, any view that ejects religion entirely from the public sphere is doomed in a nation like the United States, where the vast majority of people identify themselves on surveys as religious and believers in a divine being. Efforts to exclude religious motivations and claims from public debate are also out of touch with the well-springs of many people’s values. But difficulties arise if government actions cross over from reflecting religious sources for vision and energy to bypassing secular argument with private signals, accessible and responsive only to some participants in public debate.

That is, in effect, what happens when claims of religious belief or authority substitute for secular arguments; religious claims are comprehensible and persuasive only to some and not others. Even religiously coded speeches by presidents and representatives are problematic in this respect, for they bisect the community into those who understand the secret references and those who may not even know that a private conversation is going on.

Princeton professor of religion Jeffrey Stout puts it well: “If a large segment of the citizenry is in fact relying on religious premises when making political decisions, it behooves all of us to know what those premises are. Premises left unexpressed are often premises left unchallenged.” Both public debate and public policy must refrain from preferring one kind of religion over others, or preferring the religious over the non-religious, if the fundamental commitment to civic equality is to have any chance of succeeding.

The central task, then, is one of translation. Jim Wallis, quoted by Eboo Patel, says, “Religious convictions must be translated into moral arguments, which must win the political debates if they are to be implemented. Religious people... like any other citizens, have to convince their fellow citizens that what they propose is best for the common good.”

And Michael Walzer, quoted by Hollinger, similarly calls for welcoming religious arguments into public debate, subject to constitutional limits—separating any catechism or religious meanings in order to permit political debate. Arguments founded not in religious faith or texts but instead in empirical evidence, history, or commonly accessible moral language hold the possibility of communicating and persuading a diverse polity.

Concretely, two sets of public policies test the role of religions (for they are plural) in the public square. The first set of policies are the faith-based initiatives, started under President Bill Clinton and expanded under President George W. Bush—policies that expanded public funding for religious providers of welfare, drug treatment, housing, and other government programs. Some state governments, too, have experimented with public funding for religious schools and public contracts for religious programs in prisons. Lord knows (!), we need to improve schools, welfare, health care, and justice. Competition and plural approaches can help—but not without the larger public framework devoted to ensuring individual freedoms and mutual respect.

New government efforts to deploy religion to meet human needs must be accountable to a diverse public. A state can work with religious providers of welfare and social services, but only if the providers do not violate state and local anti-discrimination employment law and if they ensure the freedom of religion and expression by participants. A religious (or for-profit) provider can run corrections facilities, but cannot bypass the rule of law’s due-process protections.
Contract and voucher plans must have these public strings attached. Decisions to contract out or use vouchers for private programs must be subjected to ongoing review individually and taken together in light of the larger public goals of strengthening equality, mutual respect, and a sense of community across lines of difference.

The second set of policies where religions and the public square meet is public funding for private schools. Public funding must not reach any school that excludes students on the basis of race, religion, national origin, or ethnicity—and must ensure comparable opportunities for boys and girls, children with disabilities, and English-language learners. And it is vital that schools, whether public or private, secular or religious, equip students in this diverse polity to understand and use the language of secularism, while also cultivating recognition of and appreciation for the diverse religious and cultural traditions of neighbors and strangers.

Our remarkable experiment in democratic governance of a religiously diverse society depends upon believers and nonbelievers finding ways to live together, and Protestants and Catholics, Buddhist and Hindus, Muslims and Jews doing the same. As public schools splinter into specialized charter and magnet schools, and as private schools increase their enrollments through public and philanthropic subsidies, state and federal laws need to ensure guarantees of common preparation for civic participation, as well as for further education and jobs.

This nation, reflected in its constitution and laws, embraces complex and multiple social values: freedom and community, abstract equality and religious diversity, individual and communal responsibility. These values compete but they also link. Individual freedom relies upon shared rules and institutions. That is what produces ordered liberty. Religious pluralism depends upon overarching laws that mandate tolerance and also set limits on the government’s involvement and support. To make it all work, we need continuing democratic debate over how to protect the interdependence and independence of individuals.

ENDNOTES


3 Actually, our provocateurs avoid further conflict when Patel proceeds to advocate interfaith collaborations in universities and civil society rather than religious justifications for public policies, Patel, supra, at 22–23, and Hollinger calls for greeting religious arguments in public debate with the same engaged critique accorded to any other kinds of argument, Hollinger, supra, at 14–15.
5 Patel, 23 (quoting Jim Wallis).
6 Hollinger, 12–13.
“For too long religion has been played as political football, scoring points as we cheer our side and demonize opponents. Onto this field comes Debating the Divine which challenges our assumptions and gives us a way for religion to enrich our politics. Justice becomes our goal as we are asked to care for the least among us and work for the common good.”

Kathleen Kennedy Townsend, author of Failing America’s Faithful: How Today’s Churches Are Mixing God with Politics and Losing Their Way

“These essays offer a welcome, and much needed, discussion on how religion should engage the public square. The connection between policy and values is a dynamic one, and many voices—both religious and secular—need to be heard in order to make this a more perfect union. Elected officials need to hear this conversation.”

Jesse Jackson, Jr., Congressman, Second Congressional District of Illinois

“By enabling a lively, readable, and unflinching debate about religion in public policy, Debating the Divine reinforces the moderating power of American pluralism and offers hope for a political process in which the sacred and the secular, while sometimes in conflict, are not in opposition.”

Bill Ivey, past chairman, National Endowment for the Arts and author of Arts, Inc.: How Greed and Neglect Have Destroyed Our Cultural Rights