Augustinian Liberal

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Can a devout person be a virtuous citizen in a liberal democracy like ours—not merely virtuous, but a virtuous citizen—without provisionally suspending his religious faith? For a decade or so the question has provoked extensive debate among legal scholars, political philosophers, and theologians. Some theorists advocate an exclusionary position—exclusionary because, albeit in an effort at inclusiveness, it seeks to make religious belief inadmissible in public discourse. Liberal democracy, these theorists maintain, rests on the premise that all citizens are entitled to participate in public deliberation and decision-making on an equal basis, and this premise entails that public decisions should be made on grounds shared by or accessible to all. Religious beliefs, however, are not shared by or accessible to all citizens. So although everyone is free to hold and exercise religious beliefs in private matters, religious citizens or officials ought in good conscience to check their faith at the door before entering into public deliberation and decisionmaking.

Critics of the exclusionary position respond that believers cannot accept a citizenship conditioned on the suspension of their faith. The exclusion of religious convictions would place religious citizens at an unfair disadvantage relative to non-religious citizens, who would be able to rely on all of their deepest convictions as they participate in political life. Moreover, religious faith is, for most believers, not neatly severable from non-religious beliefs, and beliefs in general are not merely incidental to, but indeed are constitutive of, the believer’s very identity. So the religious citizen could not suspend her faith for purposes of public participation even if she wanted to. Or even if she could somehow manage this, it would, in a real sense, no longer be the religious person who would be debating and campaigning and voting, but rather someone else—a sort of pale, denatured liberal extraction. On the basis of these and related objections, some critics of

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1 Cf. The Politics of Aristotle 102 (Ernest Baker trans., 1948) (asserting that “the excellence of a good citizen cannot be identical with that of a good man”).
the exclusionary view conclude that religious citizens should be free to rely on and express their religious views for what they are worth without attempting to practice what Sanford Levinson has described as "epistemic abstinence."^2

In simple terms, the preceding paragraphs describe the core of the contending positions in the "religion and citizenship" debate. In reality, of course, the arguments are more varied and complex, and probably no one has contributed to this debate as carefully and comprehensively, or has criticized the exclusionary position as persuasively, as has Professor Kent Greenawalt. Yet despite (or perhaps because of) his sophistication, Greenawalt's own position in this debate may seem strangely unstable and unsatisfactory. That is because unlike many other critics of the exclusionary position, Greenawalt has persistently sought a middle ground, or intermediate position. Religious beliefs should not be excluded from political deliberations, he maintains, but they should be subject, at least as a matter of political morality, to significant constraints. For instance, although some aspects of his position have altered over time, Greenawalt has consistently argued that in some contexts it is appropriate for citizens or officials to rely upon religious beliefs in making a decision but not to express those beliefs as part of the public justification for the decision.\(^4\)

We sometimes praise the practitioners of compromise, of course, but it may also seem that this particular controversy is peculiarly unsuited to compromise. If a believer could not accept an invitation to citizenship conditioned on the suspension of her religious convictions because such a condition would be unfair and would in effect deprive her of her identity in the political realm, then why should she accept an invitation to citizenship conditioned on the partial or occasional suspension of her faith? Why is a little unfairness, or an intermittent loss of identity, okay? In short, the type of intermediate position advocated by Greenawalt may seem to be tailor-made for, or perhaps to

\(^2\) Sanford Levinson, Religious Language and the Public Square, 105 HARV. L. REV. 2061, 2077 (1992) (reviewing MICHAEL PERRY, MORALITY, POLITICS, AND LAW (1988)); see also id. ("Why doesn't liberal democracy give everyone an equal right, without engaging in any version of epistemic abstinence, to make his or her arguments, subject, obviously, to the prerogative of listeners to reject the arguments should they be unpersuasive . . .?").

\(^3\) See, e.g., KENT GREENAWALT, PRIVATE CONSCiences AND Public Reasons (1995) [hereinafter GREENAWALT, Public Reasons]; KENT GREENAWALT, Religious Convictions and Political Choice (1988) [hereinafter GREENAWALT, Political Choice]. Greenawalt also has addressed this debate in a large number of articles, but in this Essay I will draw upon his book-length analyses.

\(^4\) See infra Part II.B.
reflect, the sort of “wissy-washy” or “watered-down religiosity” described (and promoted) by Stephen Macedo.\footnote{Stephen Macedo, \textit{Transformative Constitutionalism and the Case of Religion: Defending the Moderate Hegemony of Liberalism}, 26 \textit{Pol. Theory} 56, 61, 63 (1998).}

Though I have regularly heard this criticism expressed by others (in seminars that I have taught, for example), and though I myself have been inclined to agree with the criticism, upon reflection I think this dismissal misconceives Greenawalt’s project. What Greenawalt urges on the religious believer is not compromise but rather a more reflective, and so ultimately more \textit{faithful}, expression of faith. Consequently, an intermediate position may well have appeal not so much for the lukewarm religionist as for the committed believer who looks for a model of citizenship that would allow him to relate realistically to the world \textit{as it is} without compromising his religious faith. In fact, I will argue, nearly all believers are already quite accustomed to acting out the sort of self-restrained role that Greenawalt tries to depict, and they do so not merely out of weakness or timidity but out of conscience or principle; they believe that such restraint offers the best way to carry out their religious commitments under the circumstances of an imperfect and religiously diverse world.

To be sure, restraint presents special problems and objections when it is attached to the role of \textit{citizen}—problems that Greenawalt himself may not fully acknowledge. In effect, restraint forces the believer to acknowledge some inconvenient truths about her relationship with the world—truths that are familiar enough but also, especially in the American environment, easy to forget. It may turn out, though, that those truths are not incompatible with, but indeed are a part of, religious faith. More specifically, the perhaps unintended consequence of Greenawalt’s efforts is to subvert the comforting but religiously dubious assumption that there can or should be any nice harmony between citizenship in the Republic and membership in the Kingdom.

In this Essay, I will discuss three aspects of Greenawalt’s contribution to the “religion and citizenship” debate. In Part I, I will note how Greenawalt helpfully calls into question simplistic descriptions of what religion means and how faith operates in the lives of religious believers. In Part II, I will consider how Greenawalt emphasizes the incapacity of either democratic theory or religious faith to generate universal answers to the question of the role of religion in public life; the question, he contends, is heavily dependent on political and historical context. Taken together, these contributions invite consideration of an Augustinian approach to politics—an approach which begins by rec-
ognizing that citizenship in the City of Man and citizenship in the City of God are neither mutually exclusive nor nicely compatible and that the believer is called upon to make contextual judgments about what sort of expression and behavior is appropriate in different circumstances. I discuss this approach in Part III of the Essay.

I. Battling the Caricatures

Arguments about how a “religious citizen” can be expected to behave necessarily rest upon assumptions about what it means to be a “religious” person. Advocates of an exclusionary position sometimes seem to presuppose a type of religious person that few believers would recognize. In this depiction of what we might call “the segmented soul,” religious beliefs are separable both from the believer’s identity as a person and from the believer’s other, non-religious beliefs and commitments. Asking the believer to suspend her religious faith for purposes of democratic politics, in this view, is much like asking a juror to set aside his presuppositions and prejudices or to disregard statements improperly made in court for purposes of rendering an impartial verdict. The suspension may not be easy, or clean. But in principle there is nothing absurd or improper about the demand, even if the uninstructed juror—or the religious believer—would find the inadmissible material relevant to some questions he is asked to decide.

Critics of the exclusionary position naturally respond by pointing out that this “segmented soul” depiction is implausible. In the first place, religious and nonreligious beliefs are often simply not separable. Greenawalt has discussed the myriad ways in which these kinds of beliefs may be inextricably intertwined.6 In addition, for the person of faith, religious beliefs may be central to, or in a sense constitutive of, her very identity. So to ask the believer, “How would you decide this political question if you didn’t rely on your religious beliefs?” can be much like asking, “How would you decide this question if you weren’t you, but were somebody else?”7 It seems to follow that the

7 See Perry, supra note 2, at 72–73.

If it is the case (as I believe it is) that a person—a “self”—is partly constituted by her moral convictions, then, in choosing principles of justice, the partisan cannot bracket her membership in her moral community, her particular moral convictions, for that membership, those convictions, are constitutive of her very self. To bracket them would be to bracket—indeed, to annihilate—herself. And doing that would preclude her—the particular person she is—from engaging in moral discourse with other members of society.
believer cannot, and should not be asked to, suspend her faith in the ways that exclusionary theorists propose.

Upon reflection, though, it may seem that critics of the exclusionary position combat one caricature by offering an opposite caricature. They counter the implausible "segmented soul" depiction with an equally implausible "monolithic soul" conception. By contrast, Greenawalt's discussion of the ways in which religious and nonreligious beliefs interact prompts a closer examination of the nature of religious faith as it occurs in actual human beings. Such an examination discloses a complexity that challenges both of the simpler models.

This complexity might be seen as having two aspects. First, although religious faith is often described as a kind of "comprehensive view," this description may be misleading. To be sure, many believers would likely maintain that their faith is "comprehensive" in that it addresses the most ultimate or far-reaching questions. Believers might also insist that faith is authoritative with regard to matters that fall within its scope. But they would also likely admit, at least upon introspection, that there is a whole host of matters about which their faith is silent. What should I wear? Where should I have dinner? Which car should I buy? None of these questions are, in principle, beyond the jurisdiction of religious faith, and it is not difficult to think of persons or groups whose faith does speak directly to any of these questions. Still, most believers, even the most devout, would likely concede that on many or even most of the day-to-day questions that life presents, their religion dictates no answer. Indeed, there is even a theological term and category—"adiaphora"—for describing such matters.8

Consequently, the claim that religious citizens cannot forbear from relying on their religious convictions while participating in some domains of life, or that they cannot do so without in some sense sacrificing their identity, seems to overreach. In reality, most believers will be well-accustomed to operating in a variety of contexts without relying in any conspicuous or conscious way on their religious faith. The faculty meeting, the neighborhood association, the athletic league, the firm business meeting, the music program, the social club: In

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8 See, e.g., John Witte, Jr., Moderate Religious Liberty in the Theology of John Calvin, in RELIGIOUS LIBERTY IN WESTERN THOUGHT 83, 91 (Noel B. Reynolds & W. Cole Durham, Jr. eds., 1996) (describing Calvin's ideas about the "so-called adiaphora—"the outward things of themselves "indifferent" to salvation"). Witte points out that for Calvin, this was a capacious category, including "habits of food, drink, dress, holy days, confessions, pilgrimages, marital relations, and the like." Id.
these and a host of other contexts, the religious person may participate routinely while keeping her religious commitments invisible to fellow participants, and perhaps even to herself.

Once again, none of these areas of life is in principle beyond the scope of religious authority; faith might be—and occasionally is—relevant to any of these activities. But in reality, believers typically find it unnecessary or inappropriate to invoke religious beliefs in a huge variety of contexts. Nor do they believe that they somehow shed their identities for purposes of engaging in such activities. So the believer who proclaims, "My religion is relevant to everything I do" may be stating a truth, but the truth may mislead with respect to these and an array of similar issues and decisions. In these mundane matters, the "monolithic soul" depiction distorts the reality of the believer's day-to-day life.

In itself, though, this qualification may seem to leave the overall argument pretty much where it was. To be sure, there may be many matters to which a person’s faith does not speak. The conflict at the heart of the "religion and citizenship" debate occurs, however, precisely when a believer’s faith does speak to a public issue while the exclusionary position tells the believer not to consult that faith. But the depiction of a believer constituted by a monolithic faith also misleads in a second way: It fails to acknowledge the complex and nuanced character of religious faith itself.

Most religious belief systems are sensitive to, and are capable of responding to, the variety of different real life situations—in particular to the variety of situations that result from a "fallen" or imperfect world. Christian scripture, for example, is replete with admonitions recognizing the need to treat mature believers differently from new converts, believers differently from unbelievers, adults differently from children, and good faith inquirers differently from contemptuous skeptics. Such counsel clearly implies that different ways both of acting and of talking will be appropriate in different contexts: Nuanced, context-relative behavior is not incompatible with, but indeed is enjoined by, the believer’s faith. The practice of moral casuistry that flourishes in many religious traditions is a clear expression of this sensitivity to complexity. For his part, Greenawalt calls attention to this dimension of faith by emphasizing the possibility of a "reflective comprehensive view," thereby distinguishing the reality from more simplistic or one-dimensional depictions of faith.

10 GREENAWALT, PUBLIC REASONS, supra note 3, at 115.
But how does this recognition of the complexity of faith bear on the "religion and citizenship" debate? We can approach this question by considering a second aspect of Greenawalt's work—his emphasis on the contextual character both of democratic political morality and of the life of faith.

II. Faith in Context

For Greenawalt, the question of the role of religion in public life has no general answer; everything depends on context. Unlike some other theorists, Greenawalt stresses again and again that there are no specific principles of restraint—or "public reason"—that can simply be deduced from the concept of liberal democracy. Principles of restraint that are appropriate for one society, or one kind of situation, or one point in history, may not be appropriate in other settings. In one context, rigorous restraints on the use of religious belief might be called for; in a different context no such restraints would be appropriate. Greenawalt develops lists of factors that govern this highly flexible assessment, and he tries to apply these factors to a variety of contemporary situations.

Should the devout believer find this contextual or situational approach objectionable in principle? The question is not whether the believer should agree with all of the particular recommendations that Greenawalt offers—I take it as given that different believers will find some of those recommendations incompatible with their faith (as Greenawalt himself acknowledges) or will be at least mildly irritated by the "Miss Manners" quality that the discussion occasionally exhibits—but instead whether the believer should object to the contextual approach in itself as an invitation to compromise something that should be beyond compromise. The suspicion is natural enough. But it is also, I think, misplaced: In fact Greenawalt's contextualism calls not for the sacrifice of the believer's principles, but rather for a more faithful and reflective implementation of those principles.

A. Faith Constraining Faith

Unlike some liberal theorists, Greenawalt emphatically does not ask the believer to set aside her faith for the sake of civil peace or democratic politics. On the contrary, his constant assumption is that a person's "comprehensive view," including a religious faith, will be more fundamental than her commitment to democracy, so that the

11 See, e.g., id. at 6, 22, 56, 70, 105, 129-30, 133.
12 See id. at 132.
believer would never have a sufficient reason to *transgress* her faith in order to comply with any demands of democratic citizenship.\(^\text{13}\) Still, it does not follow that faith must always be on public display. Thus, Greenawalt suggests that when the religious citizen or official declines to rely on or publicly express her religious convictions in some contexts, her restraint itself will actually *arise out of* her religious convictions and values—in particular from her commitment to respecting other people and to engaging in a spirit of charity with others of different beliefs in common and valuable enterprises.

The basic idea here is familiar and, it would seem, unobjectionable. Indeed, many believers in this country already embrace wholeheartedly one major instance of this sort of religiously-based restraint on religion insofar as they favor various legal protections for religious freedom. A simple-minded perspective might suggest, that is, that if I believe X is the true religion, then if I have the power, I should force you to accept X—or at least not to publicly oppose X. In the history of Christendom, it is not hard to find examples of people and rulers who have embraced this sort of logic. But many believers today would argue that the better view—better not just because it is politically expedient but because it is more consistent with a sound understanding of Christian faith—holds that I should not impose my religious beliefs on others, but should understand that their inherent dignity as creatures made in the image of God entails respect for their freedom to believe and choose in matters of religion.\(^\text{14}\) This forbearance from the use of coercion in matters of religion is not in derogation of Christian commitments; rather, it is an essential part of those commitments.

In a similar but more affirmative vein, many citizens' religious faiths may teach the importance not only of tolerating the religiously heterodox in the sense of "putting up with" them or declining to coerce them but, more affirmatively, of loving and understanding all human beings—including those with different religious beliefs and commitments.\(^\text{15}\) To be sure, this precept hardly warrants any categori-

\(^{13}\) See, e.g., *id.* at 53.


\(^{15}\) Greenawalt not only advocates this sort of effort in mutual understanding, but also, I think, exemplifies it. For example, it would be difficult to find a more balanced brief presentation of the competing perspectives regarding the question of whether theistic belief is supported by or is contrary to reason. See *Greenawalt, Public Reasons*, *supra* note 3, at 39–44.
cal silencing of religion in public. But in some contexts, a willingness to exercise restraint in advocating and enacting one's own views might enhance mutual understanding.

These examples may seem too easy. It might be that religion, when properly understood, simply provides no grounds for imposing a creed on nonbelievers and indeed counsels charity and understanding towards them. But is there ever an instance, one might wonder, in which a person's religious beliefs would counsel him to refrain from relying on those beliefs in situations in which they are potentially relevant and would, if invoked, support decisions that the believer might not otherwise reach? The very suggestion might seem to invite the believer into internal contradiction. How could a faith instruct its followers not to rely on the faith? What sense would it make for believers, on the basis of their belief, to forego expressing or acting on that belief?

Once again, though, the apparent paradox rests on an overly simplistic depiction of the nature of faith. In the more complex world in which believers live and act, it is not hard to imagine situations in which faith itself counsels forbearance from relying on faith for some purposes. Suppose you agree to judge a high school debate in accordance with certain specified, nonreligious criteria. Perhaps the debate is about abortion, say, or same-sex marriage. In a different context, your religious convictions might well be relevant, or even dispositive, in assessing the merits of the arguments on those issues, but you have agreed in this context not to rely on those grounds. Insofar as it obliges you to keep promises, your religious faith may in this situation not only permit, but require such self-restraint.

To be sure, explicit promises by believers not to invoke their religious beliefs are probably rare. But promise-keeping is not the only religious obligation that might support forbearance from active and direct reliance on faith in some contexts. The more general question is whether believers might not encounter ongoing projects or activities which are devoted to purposes that the believers' own faiths would commend as valuable, but that would be undermined or disrupted if participants insisted on invoking their controversial religious beliefs. As noted above, any number of cultural, social, occupational, or professional associations might be such activities: They promote valuable ends, perhaps, and they might work best if all participants at least tac-

16 Liberal theorists sometimes try to suggest that the "social contract" itself, or perhaps the ratification of the Constitution, implicitly contained just such a promise. See, e.g., Kathleen M. Sullivan, Religion and Liberal Democracy, 59 U. Chi. L. Rev. 195, 197–98 (1992). But these characterizations are implausible and in any event could hardly seem compelling to present believers who were not parties to such (fictional or historical) "contracts."
itly accept that they should act only on the basis of certain commonly accepted criteria—criteria that do not include religion.

According to one common jurisprudential view, for example, the enterprise of providing justice through the courts is an activity that calls upon the judge to set aside a variety of personal views and values in order to decide cases solely on the basis of specified legal criteria. So the religious convictions of a given judge—Antonin Scalia, perhaps—might lead him to conclude both that he should support the legal enterprise in the role of judge and also that this obligation precludes him from consulting his religious convictions on a variety of substantive legal issues that come before him in that role.

In such situations, in short, a believer’s own religious commitments might well counsel him to join in a valuable project in accordance with its understood assumptions and restrictions, rather than either to shun participation or to participate in a way that might be subversive of the project. It is not hard to think of instances of the unfortunate consequences that sometimes ensue when this sort of restraint is not practiced. To mention one example: Persons or groups holding strong positions on issues like abortion, gay rights, or capital punishment sometimes try to induce organizations like the American Bar Association or the AALS to endorse those positions, but such partisanship always alienates some members—or even provokes them to resign—and thus arguably undermines the ability of such organizations to promote their central, mutually beneficial purposes.

The deeper question is whether democracy itself is just such a project. In contrast to some liberal theorists, Greenawalt denies that democracy is inherently a project that requires such restraint by religious believers. But he also notes that in some contexts, and given a particular set of constituents, democracy might be an enterprise calling for some such self-imposed restrictions. And he argues that the present political context warrants limited constraints.

B. Dishonesty or Nondisclosure?

In urging such restraint, Greenawalt does not suggest that citizens should ever practice dishonesty or deception in their public deliberations. This point is crucial because one of the restraints advocated by Greenawalt—the restraint suggesting that in many contexts citizens or officials may appropriately rely on their religious convictions, but should not express them as a public justification for their decisions—may seem to condone or even require deception.

17 See supra note 11 and accompanying text.
In response to this suspicion, Greenawalt emphasizes the distinction between actual deception and mere lack of full disclosure.\(^{18}\) If an official declines to express a conviction that in fact motivated his decision, then it is true that the explanation will be less revealing than it might have been; citizens will know less about the full grounds for the decision than they would know if greater candor were exercised. Greenawalt acknowledges this cost. Whether the explanation is deceitful, however, depends on the conventions and expectations that govern public explanation. If full disclosure is the expectation, then an official explanation that withholds some of the grounds of decision will indeed be deceptive. But if the expectation is that officials should offer more conclusory and less personal explanations—as it is in our political and legal culture, Greenawalt argues\(^ {19}\)—then an explanation that conforms to such expectations will not mislead. It won't explain everything that went into the decision. But then no one expects that it should, and so no one is deceived.

Nor does it follow on this understanding that officials are immunized from dishonesty or that "anything goes." Though an official would not act dishonestly by declining to make public a personal religious conviction that influenced a decision, he would\(^ {\text{\ }}\) act deceitfully either by affirmatively denying the role of that conviction or by offering a different, public justification that in fact he did not believe. These kinds of dishonesty are still entirely possible, but the restraint advocated by Greenawalt does not condone either kind of deceit.

It seems to me that religious believers have no cause to condemn in principle the kind of less-than-complete disclosure proposed by Greenawalt, although they might well disagree about its propriety in different settings. After all, religious believers, like other human beings, often will find themselves in situations in which complete revelation of their views (religious or otherwise) seems unnecessary and indeed inappropriate. Professors do not believe they act dishonestly if they tell students less than everything they know about a subject, or if they simplify some issues to enhance the students' understanding. Parents find it necessary to translate and simplify drastically in dealing with children's questions and to present information gradually as children are ready to receive it. Indeed, the founder of the Christian faith both advocated and practiced a similar, context-dependent restraint on full disclosure.\(^ {20}\)

\(^{18}\) See Greenawalt, Public Reasons, supra note 3, at 139, 165.

\(^{19}\) See id. at 153–56.

\(^{20}\) See Matthew 7:6, 13:10–16; John 16:12.
In sum, the contextualism urged by Greenawalt does not entail compromising religious faith. On the contrary, for the religious believer Greenawalt’s discussion is a caution against crude, overly simplistic inferences about the applications of faith—inferential of the kind that have often led to religious persecution—and a call to work out more carefully the meaning and implications of that faith for the real world contexts in which faith must be lived.

III. The Augustinian Perspective

The preceding discussion suggests that religious believers routinely refrain from invoking their religious beliefs in a variety of different contexts and that such restraint is not inherently incompatible with—and may even be required by—their religious faiths. Why then should persons of faith be reluctant to accept an invitation to citizenship conditioned on a similar restraint?

Such reluctance, I suspect, reflects a sense that citizenship is fundamentally different than membership or participation in more limited-purpose activities or organizations like a social club or a debate tournament or even the federal judiciary. Two different perspectives on the nature of citizenship might help to explain the crucial difference. First, what we might call the modern “liberal democratic” conception suggests that citizens in a political community are entitled to be treated with “equal concern and respect,” that none of them should be treated as lesser members of the community because of their religious beliefs, and that they are eligible for full participation in public decision-making. This conception of citizenship is in tension with restraints on the use of religious convictions because such restraints will prevent the religious citizen from participating fully and equally in public life.

For instance, a citizen might be precluded from expressing herself fully or from sharing with fellow citizens her deepest convictions on which her political decisions are based. She might feel frustrated by the obligation to present her beliefs in terms that seem generic and unilluminating. Moreover, this is a restriction that will not affect other citizens whose grounds for decision do not run afoul of liberal restraints on public religious expression.21


If [Bruce] Ackerman and I were participants in a two-party political conversation, I suspect that the proportion of Ackerman’s relevant beliefs that I would share would be larger, perhaps much larger, than the proportion of mine he would share. . . . That state of affairs would leave me at a serious
In short, even if religious believers can exercise the sorts of restraints that Greenawalt proposes, and even if their faith itself counsels them in some situations to do so, it is still true that these restraints prevent believers from participating in the political process as fully as they might, or as fully and whole-heartedly as other citizens can who are unaffected by these particular restraints. And these limitations on full participation seem incompatible with the "liberal democratic" conception of full and equal citizenship.

Objections arising from this "liberal democratic" or egalitarian orientation may be subtly reenforced by what we might crudely describe as a "Christian Nation" perspective on citizenship. During much of our early history, Christian faith was thought of not as an impediment but, on the contrary, as a prerequisite to complete citizenship. In the "Holy Commonwealth" of early Massachusetts, the franchise was limited to those who could qualify for full church membership by reporting a genuine conversion experience. Later, at the time the Constitution was ratified and for decades afterwards, most states still imposed religious oath requirements in an effort to ensure that public officials would be orthodox in their faith. To be sure, both culturally and legally, these religious prerequisites for full citizenship have largely dissolved. But it may seem ironic—and, frankly, galling—that religious faith, formerly a qualification for full citizenship, might now operate to make some citizens less than full participants in public life.

Indeed, the historical and philosophical developments that have led to the current "religion and citizenship" debate are pervaded with irony. Restraints on the public invocation of religious convictions are typically derived, as noted, from an assumption that all citizens must be regarded as equals. And although that assumption itself is rarely defended, but rather is simply taken for granted as a central axiom of liberal democracy, a powerful argument can be made that the commitment to human equality was itself derived from the Judeo-Christian tradition and that the commitment can still be best defended on

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disadvantage. Ackerman might get to rely on all or most of his relevant beliefs, including his most important relevant beliefs, while I would get to rely on only some of my relevant beliefs, not including the most important ones: my religious convictions about human good.

Id. 22 See MARK A. NOLL, A HISTORY OF CHRISTIANITY IN THE UNITED STATES AND CANADA 42 (1992).

23 See NOONAN, supra note 14, at 99.

From the religious believer's perspective, therefore, she is being relegated to less than equal citizenship status on the basis of a commitment to equality that itself tacitly depends on the kind of religious faith to which she adheres, but which is now being declared inadmissible in public deliberation. Such logic will seem deeply perverse.

So the religious citizen who is asked to refrain from relying upon or expressing her religious beliefs in public deliberation has good cause to complain, "No fair!" But to complaints of "No fair," there is a well-known response—one which parents, for example, are often forced to resort to with children who make the same complaint. More specifically, the religious believer's well-founded objection might provoke two blunt rejoinders. First, the liberal democratic ideal of a polity in which all citizens can participate fully and are treated with "equal concern and respect" in any important substantive sense (as opposed to a more procedural or formal sense) never was and never could be more than a pleasing illusion (and a source of beguiling but misleading judicial rhetoric). Second, the United States is not currently, if it ever was, a "Christian Nation" in anything but the thinnest, "Gallup Poll" sense. It might be more accurate to describe our culture as "post-Christian."

Religious believers have long assumed that citizenship in this country should be fully compatible with membership in the visible or invisible church. The assumption may come most easily to the descendants of the Protestant traditions; after all, it was largely Protestants who settled the country, created its institutional structures, and

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26 See, e.g., John A. Coleman, S.J., Deprivatizing Religion and Revitalizing Citizenship, in RELIGION AND CONTEMPORARY LIBERALISM 264, 289 (Paul J. Weithman ed., 1997) (“Such talk about the need for a decent silencing of all religious symbols in public is, of course, nonsense, more—it represents a species of intolerance, a refusal to recognize the legitimacy of the other and a form of secular oppressive domination.”).

27 For a critical discussion of the recently popular notion that the religion clauses mean that no citizen can be made to feel like an outsider on grounds of religion, see STEVEN D. SMITH, FOREORDAINED FAILURE: THE QUEST FOR A CONSTITUTIONAL PRINCIPLE OF RELIGIOUS FREEDOM 109–17 (1995).

for a long period dominated its culture. Michael Baxter has recently argued, however, that Catholic thinkers and historians have likewise consistently subscribed to what he calls the "Americanist tradition"—a perspective "governed by the belief that there exists a fundamental harmony between Catholicism and the political institutions of the United States of America."

What Greenawalt's analysis does, probably without quite intending to, is call this assumption into question. Perhaps religious faith and political citizenship are, if not incompatible, at least in serious tension. Surely there should be nothing surprising about this discovery. The tension is clearly depicted in many of the most memorable narratives in Hebrew scripture, such as those about Daniel and his friends in Babylon. The conflict between faith and earthly loyalties or between the kingdom and "the world" becomes, if anything, even more dramatic in the New Testament and in early Christian history and is sometimes described in terms suggestive of a sort of global truth.

The classic expression of this conflict is Saint Augustine's City of God. Significantly, and unlike New Testament writings, the book was written during a period in which Christianity had achieved the status,
for better or worse, of the official religion of the Roman Empire. Augustine was not deceived, however, by this outward prosperity. The believer is a citizen, he wrote, of two cities, the City of God and the City of Man, and these cities will always be in tension. The conflict is not total. In fact, the cities' interests overlap—both are interested in maintaining a kind of "peace"—and so a degree of mutual cooperation will sometimes be possible. Such cooperation should be ardently cultivated. At the same time, the believer should not be misled: What the City of Man means by "peace" is radically different from what the City of God seeks. Moreover, the earthly city is driven by the lust for domination. Consequently, despite periods of peaceful co-existence, conflicts are also inevitable, and, when they occur, "the heavenly city has been compelled . . . to dissent, and to become obnoxious to those who think differently."

In the end, the City of God "lives like a captive and a stranger in the earthly city." Religious believers may try to promote as much peace as both cities can converge upon, but they should not rest easy in the assumption that the two realms are ultimately harmonious. And if in many circumstances it turns out that people of faith may participate in the earthly city only partially and as less than full citizens, these limitations should not come as a surprise.

In a similar vein, Greenawalt's efforts to articulate an intermediate position in the "religion and citizenship" debate can be helpfully understood, I think, as a kind of Augustinian strategizing about the best ways of promoting a minimal but still valuable peace in a post-Christian, thinly (very thinly) deliberative democratic culture. Whether Greenawalt has been consciously influenced by Augustine's political thought is uncertain but not unlikely. In both of his books on the "religion and citizenship" question, Greenawalt unobtrusively acknowledges the influence of the "neo-Orthodox" thinking of Rein-
hold Niebuhr,\textsuperscript{40} and Niebuhr in turn was powerfully instructed by Augustine’s “political realism” and in particular by his discussion of the two cities.\textsuperscript{41} This Augustinian instruction led Niebuhr to write,

> We can approach a solution of the problem of relating religious commitments to political decisions by excluding two answers . . . . The one wrong answer is to find no relevance at all between our faith and our political actions. This answer is wrong because it denies the seriousness of our political decisions and obscures our Christian responsibilities for the good order and justice of our civil community.

> The other wrong answer stands at the opposite extreme. It is to equate religious and political commitments and to regard every political decision as simply derived from our faith. This is a wrong answer because political issues deal with complex problems of justice, every solution for which contains morally ambiguous elements. . . . The tendency to equate our political with our Christian convictions causes politics to generate idolatry.\textsuperscript{42}

Greenawalt’s theorizing plainly is animated by the effort to avoid those same two mistakes.

Of course, to view Greenawalt’s work as a kind of Augustinian strategizing is not to concur in his particular conclusions. Both his diagnosis of our current situation and his prescriptions for that situation are open to debate. Our culture may not be as thoroughly “post-Christian” as many like Greenawalt seem to suppose.\textsuperscript{43} And even if it is, the proper response might not be retreat into a delicate and perhaps innocuous civility, but instead more aggressive witnessing.\textsuperscript{44} My purpose here is not to address such strategic choices, but merely to

\textsuperscript{40} See Greenawalt, Public Reasons, supra note 3, at 181; Greenawalt, Political Choice, supra note 3, at vii.


\textsuperscript{42} Id. at 126–27.

\textsuperscript{43} See Gilbert C. Meilaender, Faith and Faithfulness: Basic Themes in Christian Ethics 8 (1991) (“I am not myself persuaded that ours is as fully post-Christian a culture as these diagnoses suggest . . . . There are all around us at least partial bits of evidence for a resurgent ability of Christians to shape the moral life of our society.”).

\textsuperscript{44} This seems to be the implication that Stanley Hauerwas and William Willimon draw from the “resident alien” image, for example.

Christian ethics . . . are the ethics of revolution. . . . Having no use for such bourgeois virtues as tolerance, open-mindedness, and inclusiveness (which the revolutionary knows are usually cover-ups that allow the powerful to maintain social equilibrium rather than to be confronted and then to change), revolutionaries value honesty and confrontation—painful though they may be.

argue that Greenawalt's middle position should be considered not as a proposal contrary to or corrosive of religious faith, but rather as a possible way of living out such faith under current conditions.

CONCLUSION

Though I have tried in this Essay to defend Greenawalt's effort to develop an intermediate position in the "religion and citizenship" debate, there is reason to wonder whether he would welcome this particular defense. Like other liberal theorists, Greenawalt appears to work from the premise that "liberal democracy," including its professed commitment to treating all citizens as equals in some strong and substantive sense, is an attractive and viable ideal; and he offers his analysis, including his proposed restraints on the use of religious convictions, as if they were fully compatible with that ideal.

But although Greenawalt's analysis is often persuasive and his descriptions of religious beliefs and religious believers are often more realistic than the simpler alternatives presupposed by some other theorists, he does not succeed in reconciling restrictions on religious belief with the ideal of full and equal democratic citizenship. On the contrary, perhaps the most valuable aspect of his work in this area is its calling into question the long-standing assumption that in this country it should be possible for a person to be, in good faith, both a whole-hearted believer and a fully participating and loyal citizen. In short, Greenawalt's work should serve to remind believers that "here we have no lasting city, but we look for the city that is to come." For his part, Greenawalt recognizes that within his own framework, a religious believer could plausibly make this strategic choice.

[A]n evangelical Christian might acknowledge that political harmony and respect for those with different views are values of some significance, but believe that the most important task in life is to preach the true faith and that this will be most effectively done if its relevance is raised in all possible settings, including political ones. For someone who thinks conversion vastly exceeds other aspects of social life in importance, the considerations may look different than they do to me.

GREENAWALT, PUBLIC REASONS, supra note 3, at 181.

45 See id. at 30, 104, 157.