

RELIGIOUS REASONING IN THE LIBERAL PUBLIC FROM THE SECOND- PERSONAL PERSPECTIVE

A DEFENSE OF AN INCLUSIVIST MODEL OF PUBLIC REASON LIBERALISM

Patrick Zoll

ARE CITIZENS OBLIGED to refrain from using religious arguments for the public justification of political norms in a liberal democracy (e.g., a law) if these are the *only* justificatory reasons they have? Is a committed Christian, for example, who has no other means than his religious beliefs to justify his political preferences, obliged to refrain from referring to the Bible or other evaluative standards of his religious conception of a good life to justify his rejection of a law that allows abortion or the use of human embryos for research purposes?

Exclusivists like Robert Audi, Robert B. Talisse, and Jonathan Quong respond to these questions affirmatively, while inclusivists like Christopher J. Eberle, Steven Wall, and Nicholas Wolterstorff answer them negatively.¹ This

¹ Cf. Audi, *Religious Commitment and Secular Reason*; Audi and Wolterstorff, *Religion in the Public Square*; Eberle, *Religious Conviction in Liberal Politics*; Quong, *Liberalism without Perfection*; Talisse, *Democracy and Moral Conflict*; Wall, *Liberalism, Perfectionism and Restraint*. One might wonder why I include Wall and Quong in this list, who are not very explicit about religious reasons. The reason is that I regard religious reasons as a kind of perfectionist reasons, and they are leading protagonists in the debate between anti-perfectionist and perfectionist liberals. I assume therefore that the debate about religious arguments in public justification is best understood as part of the more general debate about perfectionist reasons in public justification. A defense of this classificatory claim is provided by Zoll, *Perfektionistischer Liberalismus*. As will become clear in the unfolding of my argument, I am here interested in religious reasons that cannot be translated into a secular language or evaluated based on common evaluative standards because their soundness depends on the acceptance of revealed knowledge or religious authority. I am not claiming that all religious reasons are reasons that are generally inaccessible. Rather, I am arguing that the kind of religious reasons mentioned above are rejected by exclusivists because they are generally inaccessible. Although I come to a different conclusion with respect to the possible role of these reasons in public justification, I find the typology of different religious reasons offered by Andrew March quite helpful; see March, "Rethinking Religious Reasons in Public Justification" 527–30.

debate has a long trajectory in contemporary liberal political philosophy and has led not only to a constant dissent between the parties but also to the impression that a commitment to public reason liberalism necessarily implies a commitment to exclusivism.

In this essay, I will argue that the stability of this dissent is best explained as being rooted in two incompatible conceptions of public justification.² The exclusivist's position is grounded in a third-personal account that implies restraint, the inclusivist's in a first-personal account that rejects restraint.³ After having criticized both accounts as insufficient, I will rely on a second-personal conception of public justification to construct and defend an inclusivist model of public reason liberalism that rejects restraint but is able to do justice to the moral intuition that motivates exclusivism.⁴ Finally, I will clarify how my model of acceptable religious discourse differs from other inclusivist variants in the literature by comparing it with two proposals that have been advanced recently.

1. WHY INCLUSIVISM FAILS SO FAR: THE FIRST-PERSONAL ACCOUNT OF PUBLIC JUSTIFICATION

I will begin my argument with the thesis that inclusivists fail so far to convince exclusivists because inclusivism is rooted in a first-personal conception of public

- 2 This might be a surprise because authors like Wall and Eberle explicitly reject the term "public justification" and speak instead of "political justification." As will become clear later on, I will argue that this rejection is a reaction to the identification of the *concept* of public justification with a particular third-personal *conception* of public justification that implies restraint. Once this identification is questioned, as for example by Vallier, it becomes possible to use the term "public justification" in a broader sense than currently at use in literature; see Vallier, *Liberal Politics and Public Faith: A Philosophical Reconciliation* and *Liberal Politics and Public Faith: Beyond Separation*.
- 3 I assume here that the debate between political liberals and their religious critics has shown that all attempts to solve the problem by narrowing the scope of the principle of restraint (e.g., to constitutional essentials) and thereby "softening" the demand of restraint have failed. An analysis of three different models of this softening strategy and a defense of the claim that they all fail can be found in Zoll, *Perfektionistischer Liberalismus*, 93–120. For this reason, I identify "inclusivism" with "strong inclusivism" here. I will show why this strong inclusivism is preferable to a "weak inclusivism" by comparing my model of acceptable religious discourse with the models that result from two more recent versions of a weak inclusivism in section 5 of this essay. I owe thanks to an anonymous reviewer of this journal who made me aware of the need to address this issue.
- 4 I have learned a great deal from the works of Kevin Vallier who, to my awareness, was the first one to present a book-length defense of the possibility to construct an inclusivist public reason liberalism; see Vallier, *Liberal Politics and Public Faith: A Philosophical Reconciliation* and *Liberal Politics and Public Faith: Beyond Separation*.

justification that is not able to accommodate a valid moral intuition that motivates exclusivism.

To get a better grasp of this intuition, it is helpful to analyze an example that the prominent exclusivist Robert Audi gives to support the view that religious citizens should exercise restraint in public justification. Audi asks whether it is plausible that one would be willing to accept a law as legitimate that forbids one to mow one's lawn in one's backyard if this law is only justified on the ground that the dandelion is sacred.⁵ He admits that this is not a very realistic case because no one seems to really believe that dandelions are sacred.⁶ But its hypothetical and artificial nature does not weaken its force. On the contrary, even religious citizens should be able to acknowledge by this experiment of role reversal what they have to accept if they give up the idea that public justification implies an obligation to exercise restraint.⁷

On the one hand, it would be possible for them to support a coercive law just on the basis of *their* religious reasons, but on the other hand, they would also have to accept that *their* liberty could get restricted just on the basis of *other* religious reasons. But, as the absurd case of the sacred dandelion should make clear to religious citizens, if they do not embrace the possibility of getting forced on the basis of foreign religious reasons that are not accessible to themselves, they should also refrain from trying to force others solely with their own religious arguments that are not accessible to their fellow citizens who do not share their religious convictions.⁸

5 Cf. Audi, *Religious Commitment*, 93.

6 Cf. Audi, *Religious Commitment*, 93–94.

7 It could be objected that perhaps some religious citizens (e.g., fanatics) lack the necessary capacities or willingness for such an exercise, e.g., due to certain character traits, lack of training, or upbringing. Against this I would respond that the example is not a claim about what *actual* religious citizens should be able to acknowledge but a claim about what *appropriately idealized* versions of them should be able to acknowledge. This rules out cases of fanatics or other religious citizens who are either not willing or not able to play the democratic game of giving and asking for reasons. Thanks to an anonymous reviewer for pushing me here.

8 I am aware that Audi's example of the dandelion has a problematic and polemic edge because it seems to imply that all religious beliefs are somehow epistemologically flawed and therefore not apt to serve in public justifications; cf. Eberle, *Religious Conviction in Liberal Politics*, 134–40. I agree with Eberle's critique but maintain that it is possible to reinterpret the argument in the heuristic or hermeneutical way that I do above. The absurd case of the dandelion could help religious citizens precisely because of its absurd character to understand on the one hand how religious beliefs sometimes appear to *nonreligious citizens*. On the other hand, from their *own perspective* they can understand that they do not want to be coerced on the basis of absurd beliefs or beliefs that at least appear to be absurd. My point is therefore that the argument can serve for religious citizens as a heuristic device to get a

The moral intuition seeming to motivate a conception of public justification that implies restraint is that the justification of a demand that infringes the liberty of another person should take into account the epistemic perspective of this person because it is plausible to assume that one would not accept a restriction of one's own liberty by this other person if she justifies this restriction only with reasons one cannot access from one's own epistemic standpoint. I call this moral intuition "second-personal" because it makes plain that the justification of demands cannot be successful if one relies exclusively on one's own "first-personal" standpoint. It is also necessary to reason from the epistemic perspective of the addressed person.⁹

But the acceptance of this second-personal moral intuition as plausible implies the commitment to accept a "principle of moral restraint," as this argument demonstrates:

1. It is plausible to assume that nobody is willing to accept a demand that restricts one's liberty if this demand is solely justified with arguments that one cannot access from one's own epistemic perspective.
2. It is plausible to accept the general moral principle of reciprocity: "One should not treat others in ways that one would not like to be treated."
3. Therefore, if one cannot justify one's demand to another person by showing to that person that she has a weighty reason to comply with the demand, one ought to refrain from advancing and enforcing this demand.¹⁰

better grasp on the moral intuition that motivates nonreligious citizens to support restraint. This heuristic interpretation of the argument does not commit religious citizens to the truth of its problematic epistemological implications.

- 9 To be more precise: in addition to an individual first-personal perspective a "second first-personal perspective" has to be adopted. The epistemic duties have been fulfilled and a demand is successfully justified if it is possible to show that this demand is conclusively justified from one's own first-personal perspective as well as that there is a weighty reason to comply with the demand from the second first-personal perspective of the person who is addressed by that demand. Thus, my use of the term "second-personal" has certain similarities to the recent attempts to ground morality in the "second-personal standpoint"; cf. Darwall, *The Second-Person Standpoint*; Eilan, *The Second Person*; Pinsent, *The Second-Person Perspective in Aquinas's Ethics*. Moreover, it is important to recognize that the adoption of a second first-personal perspective that is incompatible with one's own first-personal perspective and the fact that a demand is justified from two mutually incompatible epistemic standpoints results in commitment to a kind of epistemic contextualism but not a relativism about truth. A good illustration of what it means to adopt a "second first-personal perspective" and a defense of this conception of justification against the charge of relativism can be found in MacIntyre, *Whose Justice? Which Rationality?* 349–88.
- 10 Alternative ways to argue for this principle can be found in Gaus, *Justificatory Liberalism*, 123–41; and Wall, *Liberalism, Perfectionism and Restraint*, 115–18.

Exclusivists therefore argue, in a further step, that a commitment to the principle of moral restraint expressed in 3 obliges everyone to adopt a “third-personal” standpoint when political norms have to be publicly justified because these norms are nothing else than liberty-restricting demands addressing all appropriately idealized citizens of a liberal democracy:¹¹

4. Third-personal conception of public justification:
 - a. The imposition of a political norm through a democratic procedure is only legitimate iff it is publicly justified.
 - b. A political norm is publicly justified iff it is justified with reasons that are mutually accessible to the appropriately idealized members of the public.

The requirement of mutual accessibility 4b for public reasons *seems* to be a logical consequence if the premises 1 and 2 are accepted.¹² Moreover, mutual accessibility means that only those reasons can enter the process of public justification whose justificatory relevance for justifying a political norm can be recognized according to *common* evaluative standards.¹³

Therefore, exclusivists claim that the acceptance of moral restraint makes it necessary to adopt a third-personal conception of public justification and that this conception implies an obligation to exercise epistemic restraint:

5. Citizens are obliged to refrain from justifying their favored political norms with reasons that are not accessible to all appropriately idealized members of the public because the justificatory relevance of these

11 Exclusivists and inclusivists generally agree that the conception of the members of the public must be “idealized.” Idealization in some form is necessary because otherwise the success of a public justification would be determined by the “actual” members of the public and arguments could be rejected on the basis of poor information, inferential mistakes, or incoherent beliefs; see Billingham, “Convergence Justifications with Political Liberalism,” 137. What is controversial is how radical this idealization has to be. I believe that a “moderate idealization” is all that is demanded by a reasonable account of public justification. For a presentation and defense of this claim, see Gaus, *The Order of Public Reason*, 232–60; Vallier, *Liberal Politics and Public Faith: Beyond Separation*, 145–80. But because of the controversial character of this issue, I use the neutral expression “appropriately idealized,” leaving it open what idealization exactly involves. Thanks to an anonymous reviewer for making me aware of the need to address this issue.

12 As I will later show, it constitutes a fallacy to infer from the need to justify to each citizen a need to justify using mutually accessible reasons.

13 My definition of “accessibility” is partly inspired by Vallier, *Liberal Politics and Public Faith: Beyond Separation*, 108–9. An overview of other interpretations of this concept is given by Eberle, *Religious Conviction in Liberal Politics*, 252–86.

reasons for justifying a political norm cannot be recognized according to the common evaluative standards of a third-personal perspective.¹⁴

According to this line of reasoning, religious arguments cannot figure into a justification of political norms because they cannot be evaluated as justificatorily relevant from the common or “third-person” perspective that public justification demands. For example, David’s biblical argument for supporting a political norm that prohibits abortion cannot play a role in public justification because atheistic Beatrice can object that she does not share David’s religious evaluative standards. But without the acceptance of these evaluative standards she cannot recognize that David’s biblical considerations constitute a reason *for her* that justifies abortion.

Therefore, epistemic constraint has the function to safeguard the exercise of moral restraint in politics by tying political coercion to public justification. This connection is necessary to rule out that a religious majority can impose a political norm on a religious minority solely relying on religious beliefs that the minority does not share or even rejects.¹⁵

We can easily see why it is problematic if public justification does not embrace moral restraint: e.g., if Adam, who is Muslim, demands from atheistic Beatrice not to wear bikinis in public swimming pools and “justifies” this demand to her only with the argument that her bikini is not appropriate according to the evaluative standards of *his* religious tradition, he is in reality not “justifying” his demand to *her*.¹⁶ In the best case, he insists that she should believe what he wants; in the worst case, he is just browbeating her.¹⁷ However, he misses an opportunity to address Beatrice and her epistemic standpoint in his justification. From his point of view the demand is justified but not from Beatrice’s point of view. However, *public* justification needs to be bi-relational.

Thus, the lasting unwillingness of exclusivists to grant inclusivists the possibility to justify their support or rejection of political norms *solely* with religious

14 It could be objected that proposition 5 is not accepted by all exclusivists because some of them—like Cécile Laborde, Aurélie Bardon, and Will Kymlicka—content themselves to demand that just public officials, not all citizens, are obliged to exercise epistemic restraint. Thus, the strategy to avoid the problems associated with 5 consists in a limitation of the scope or application of the obligation to exercise epistemic restraint. Here I assume—as already mentioned in note 3 above—that these and similar exclusivist strategies of limitation fail for the reasons given in Zoll, *Perfektionistischer Liberalismus*, 93–120.

15 This concern is often reiterated and seems to be an important motivation for defending exclusivism; see for example Audi, *Religious Commitment*, 201; Breul, *Religion in der politischen Öffentlichkeit*, 194.

16 The example is inspired by Audi, *Religious Commitment*, 93.

17 This distinction between a moral demand and mere browbeating is taken from Gaus, *Justificatory Liberalism*, 123–29.

arguments can best be explained as rooted in the rejection of a mono-relational conception of public justification that does not do justice to moral restraint and the bi-relational character of public justification.

On this background, I will now analyze in a second step the work of Steven Wall, which is representative of a highly influential “first-personal model” of inclusivism, to give evidence for my claim that inclusivists fail so far in convincing exclusivists because their first-personal conception of public justification is not able to accommodate the second-personal moral intuition that motivates exclusivism.

Though there is a variety of first-personal models of inclusivism, common to all of them is that they try to abandon epistemic restraint by substituting the third-personal conception of public justification with a first-personal account.¹⁸ With this different conception they want to demonstrate that there is a “gap” between public justification and epistemic restraint, i.e., that a commitment to public justification does not—in contrast to the exclusivists’ claim—imply necessarily a commitment to epistemic restraint.

4*. First-personal conception of public justification:

- a. The imposition of a political norm through a democratic procedure is only legitimate iff it is publicly justified.
- b. A political norm is publicly justified iff the group of citizens *C* who want to impose the norm
 - b1. give a sincere and honest justification of it, i.e., they state publicly and in a sincere and honest way the considerations that motivate them to support the imposition of this norm, and
 - b2. it is intelligible for the appropriately idealized members of the public on which the norm is imposed that these considerations constitute a weighty reason for *C* that justifies the imposition.¹⁹

According to 4*, a commitment to public justification implies only a *weak* kind of moral restraint. Religious citizens should refrain from advancing and imposing their preferred political norms if they cannot justify them sincerely, honestly, and intelligibly. Intelligibility requires that the arguments religious citizens use for the justification of political norms be formulated in such a way that appropriately idealized nonreligious citizens should be able to track the soundness of the

18 Cf. Eberle, *Religious Conviction in Liberal Politics*, 10, 109–51, 331–33; Wall, *Liberalism, Perfectionism and Restraint*, 79–82, 115–51.

19 Cf. Wall, *Liberalism, Perfectionism and Restraint*, 108, esp. n9 and n12. Wall does not mention “intelligibility” but condition b2 is a fair interpretation of what Wall means by “subjective” and “objective” justification.

argumentation if they adopt the epistemic standpoint of their fellow religious citizens. Intelligibility does not require that they have to accept the truth of the religious presuppositions—for example, revealed truths—but only that they should be able to acknowledge that these arguments are sound for someone who does accept their truth.

Here, Wall states that this weak kind of moral restraint implied in 4* does not oblige inclusivists to exercise epistemic restraint and to refrain from enforcing their favored political norms on others if they cannot justify them with reasons that the addressed can access from their epistemic standpoint, because 4* does not commit someone to the acceptance of *strong* moral restraint in the sense of 3.

According to Wall, this is the case because the public justification of political norms and the justification of demands to others in general need not be “relational” but only “simple.”²⁰ In contrast to a relational conception of (public) justification, the “simple” conception holds that the epistemic perspective of the persons at which a demand is directed is irrelevant for determining whether this demand is successfully justified.

The first-personal conception of public justification states instead that a political norm imposed on Beatrice is successfully justified if Adam has presented reasons that are sound and of sufficient weight to override competing reasons against the political norm from *his* epistemic first-personal perspective and that this fact is intelligible to Beatrice.²¹ Therefore, the epistemic perspective of Beatrice plays no role in this first-personal account of public justification and the fact that Beatrice has no reason to comply with Adam’s demand imposes no further restraint on him.

In summary, Wall abandons epistemic restraint by attacking the third-personal conception of public justification. And he attacks the principle of moral restraint by preferring a “simple” to a “relational” conception of justification that allows him to offer a mono-relational first-personal conception of public justification that unties public justification from any restraint that derives from the idea that the justification of demands to another person should take the epistemic perspective of this person into account. Consequently, Wall’s argument is grounded in the claim that the exclusivist’s bi-relational third-personal conception of public justification can be substituted by the mono-relational first-personal conception without thereby disconnecting the exercise of political power from public justification in any problematic way.

After reconstructing the argumentative core of this first-personal model of inclusivism, I will now argue that it has no chance of convincing exclusivists. They can correctly object that the first-personal conception of public justifica-

20 Cf. Wall, “Perfectionism in Politics,” 112.

21 Cf. Wall, “Perfectionism in Politics.”

tion cannot substitute their third-personal account because the tie it establishes between political coercion and public justification is too loose. Consequently, it is not public justification but a democratic decision procedure that determines ultimately whether the imposition of political coercion is legitimate or not. If the epistemic perspective of those who are addressed by a demand becomes irrelevant by definition, then the only reason left for them to accept the imposition of a political norm they reject is that the imposition of this demand is the outcome of a procedure they accept. But this means that it is not public justification anymore that legitimizes the use of political power to them, but the democratic procedure of decision-making.

Wall himself gives evidence that this objection is well grounded because he regards cases as unproblematic that exclusivists mark as highly problematic.²² Thus, Wall's account confirms what exclusivists fear most: inclusivism leads to a legitimatization of cases where a majority can impose political norms on a minority by a democratic procedure with a "simple justification" that gives the addressed minority no reason to comply with this norm.²³ For exclusivists, these cases are highly problematic because the exact difference between "public justification from the first-personal perspective" and "political browbeating" or the arbitrary use of political power cannot be distinguished.²⁴

If the first-personal model of inclusivism is adopted, minorities lack any normative resources to criticize the exercise of political power that matches democratic procedures.²⁵ Their epistemic standpoints and the normative resources

22 Cf. Wall, *Liberalism, Perfectionism and Restraint*, 79–82, 115–23.

23 Against this it could be objected that this is not true and represents a misdescription of Wall's position because he holds that his conception of simple justification demands that a political norm is not only subjectively justified from the perspective of the majority but also objectively justified, which means that the political norm is justified in accordance with right reason; see Wall, *Liberalism, Perfectionism and Restraint*, 102. Thus, it is wrong that the minority are given no reasons. They are given "true" or "right" reasons by the majority, which are reasons the minority ought to accept even if they cannot accept these reasons as reasons from their epistemic standpoint. I think this objection fails for two reasons. First of all, it has deeply problematic paternalistic consequences. Second, the objection presupposes the acceptance of a very strong and implausible externalism about reasons; see Wall, "Perfectionism in Politics," 109–11. But Wall's argument for such an externalism is not convincing, as shown by Zoll, *Perfektionistischer Liberalismus*, 214–25. I would like to thank an anonymous reviewer for making me aware that this objection needs to be addressed.

24 Wall partly concedes this point; see esp. Wall, "Perfectionism in Politics," 112.

25 Against this and what follows it could be objected that it applies to all democratic theories that do not include a public reason requirement. But democracies guarantee their citizens a range of constitutionally protected basic rights and incorporate their epistemic perspectives by giving all citizens equal voice and vote. Therefore, the claim that minorities are left to the complete mercy of majorities and that their epistemic perspectives are not sufficiently

that derive from them are irrelevant by definition because of the mono-relational character of public justification. Thus, the only option left for them to criticize the imposition of a political norm through a majority vote is to reason from the epistemic perspective of the powerful majority and to show that they are not justified in imposing this norm on them through democratic decision-making.

Yet, I think it is absurd—if not cynical—if one wants to sell this as a serious possibility for minorities to criticize power. Furthermore, it is quite implausible that this option for social criticism constitutes an effective mechanism to protect minorities from the abuse of political power. Thus, the substitution of the third-personal account of public justification with a first-personal account is not acceptable for exclusivists because it reduces public justification to a mono-relational enterprise with the consequence that the epistemic perspectives of minorities are systematically excluded from the process of the public justification of political norms.

For the first-personal model of inclusivism, the fact is even worse in that it does not fail just by the external standard of exclusivism but also by its own standards. This is the case because—as we have seen above—this model is only able to reject epistemic restraint if religious citizens are willing to reject moral restraint. The principle of moral restraint has to be rejected because it presupposes a relational understanding of justification that is incompatible with a simple conception of justification on which the first-personal conception of justification rests. Yet, religious citizens have a weighty reason to *accept* moral restraint.

The argument runs like this: it is constitutive for liberal and democratic societies that their appropriately idealized citizens accept a presumption in favor of liberty:

6. Citizens possess a moral status that obliges other persons to treat them as persons who are entitled and able to choose and lead a life according to the evaluative standards of their conception of a good life.²⁶

taken into account without a public reason requirement is false. I would reply to this that my point is not that minorities are without any protection, etc., without a public reason requirement. Rather, I argue that without a public reason requirement they are not *sufficiently* protected from infringements of their liberties that imply a violation of the principle of moral restraint, which gives expression to a moral respect that liberal citizens owe each other. Thus, an objector is obliged to demonstrate either how he guarantees that the principle of moral restraint is not violated without a public reason requirement or that this principle need not be taken into account at all. Inclusivists like Eberle have indeed tried to formulate such an argument; see Eberle, *Religious Conviction in Liberal Politics*, 84–151, and “Basic Human Worth and Religious Restraint.” But authors like Zoll have shown why these and similar argumentative strategies fail; see Zoll, *Perfektionistischer Liberalismus*, 225–36, 396–403. Thanks to an anonymous reviewer for raising this worry.

26 Cf. Wall, “On Justificatory Liberalism,” 125. Wall refers here to Gaus, who in turn draws on

A commitment to the presumption in favor of liberty implies a commitment to a principle of the non-violation of moral status:

7. The justification of a political norm PN through a person A implying a coercive interference with the liberty of person B to choose and lead a life according to the evaluative standards of her own conception of a good life is solely no violation of the moral status of B if A gives B considerations that B can access as a weighty reason that justifies PN from the evaluative standards of her own conception of a good life.²⁷

Additionally, a commitment to the principle of the non-violation of moral status gives citizens of liberal democratic societies an independent reason to accept moral restraint as a necessary condition for a reasonable account of public justification:

8. The principle of moral restraint expressed in claim 3 should be accepted because it excludes the possibility of public justifications of political

Joel Feinberg to formulate this principle; cf. Gaus, *Justificatory Liberalism*, 165; and Feinberg, *Harm to Others*, 9. This formulation of the principle is taken over from Zoll, *Perfektionistischer Liberalismus*, 232.

²⁷ It could be objected that a commitment to a presumption in favor of liberty does not imply a commitment to a principle of the non-violation of moral status because of cases where a state overcomes the presumption in favor of liberty in order to prevent harm or promote justice or the common good without thereby appealing to citizens' own evaluative standards of a good life. I would reply that these cases constitute no counterexamples because a reference to the prevention of harm, etc., just illustrates that infringements of liberties are only legitimate if they can be justified with public reasons. In order to get the objection running, it needs to be assumed that those considerations are in principle not accessible as public reasons according to the evaluative standards of some conceptions of the good life. In other words, it must be assumed that these reasons are external reasons that have no connection at all to the evaluative standards of the conceptions of the good life of at least some citizens. First of all, I doubt that such an extreme externalism is a plausible account of reasons at all. If you tell me that you are forcing me to do something for my own good or for the good of the community in order to prevent harm or to foster the common good but neither I nor an appropriately idealized version of me is ever able to understand what the harm is or the common good consists in, what kind of "reason" are you giving me? I do not see how this does not constitute a serious violation of my moral status. Second, I would challenge the claim that the mentioned considerations are a good example of external reasons that do not appeal to citizens' own evaluative standards of a good life. Rather, I would maintain that in every reasonable liberal conception of a good life considerations of harm, justice, and the common good are playing a role in evaluating and answering the question of whether a certain *political* measure PN contributes to one's flourishing according to one's own conception of a good life. I owe my thanks to an anonymous reviewer for making me aware that this objection needs to be addressed.

norms that violate the moral status that citizens of a liberal and democratic society attribute to each other.

Steps 6–8 reveal what is ultimately wrong with the first-personal model of inclusivism. According to the presumption in favor of liberty, it is constitutive for liberal democratic societies that their citizens acknowledge as the moral status quo that people are free and entitled to live a life they judge good according to the evaluative standards of their particular conception of the good life. But this implies that it is constitutive for liberal societies to accept a principle of the non-violation of moral status and to treat liberty and the coercive interference with liberty in an asymmetrical manner.

Because of this asymmetry the burden of proof is on the side of that epistemic first-personal perspective that wants to coerce another epistemic first-personal perspective. In other words: the epistemic obligation to give priority to the first-personal perspective of the person I want to coerce and the obligation to refrain from advancing and enforcing demands on that person if I cannot justify them to her with reasons she can comply with from her epistemic perspective is rooted in the normative obligation to give priority to liberty over coercive interference. If I do not honor this epistemic obligation, I violate a moral obligation because I do not treat my fellow citizens as persons who are entitled and able to choose and lead a life according to their conception of a good life. Thus, the independent reason to accept moral restraint as a necessary condition for any reasonable conception of public justification derives from a prior commitment to liberty and equality as constitutive values for liberal democratic societies. Therefore, Wall's first-personal account of public justification as a substitute for the exclusivist's third-personal account has to be rejected because it ultimately contradicts the normative consequences that derive from a commitment to the values of liberty and equality.

This result is fatal to Wall's first-personal model of inclusivism because Wall's only possibility to demonstrate that the principle of the non-violation of moral status does not constitute an independent reason for embracing moral restraint consists in attacking the quite plausible presumption in favor of liberty. Nevertheless, he tries to undermine this presumption by claiming that it should be rejected for moral reasons because it implies an asymmetrical treatment of two cases that should be treated symmetrically from a moral point of view:

9. Two cases:

- a. Adam does something morally blameworthy if Adam interferes coercively with Beatrice's liberty to choose and lead a life according to the evaluative standards of Beatrice's conception of a good life.
- b. Adam does something morally blameworthy if Adam is able to pro-

mote or protect something that is an important good for Beatrice but refrains from doing so.²⁸

According to Wall, there is a strong moral intuition that Adam is to blame in both cases. This intuition indicates that the two cases should be treated symmetrically and not asymmetrically from a moral point of view. If this is true, it demonstrates that the presumption in favor of liberty is wrong because it implies that Adam is only in case 9a morally obliged to justify himself for his action but not in case 9b.²⁹ This means that liberty and the absence of coercive intervention is not the moral status quo, and that not only interference but also non-interference with liberty to promote or protect some good requires justification.³⁰

But this attack on the presumption in favor of liberty is not successful because there is an easy way to show that there is a strong reason to treat cases 9a and 9b asymmetrically. Wall's rebuttal is only successful because he omits a premise that allows him to distinguish between the following cases:

- 9b1. Adam does something morally blameworthy if Beatrice is unable to realize something that is an important good for her that Adam is able to promote or protect, but Adam refrains from doing so.
- 9b2. Adam does something morally blameworthy if Adam and Beatrice are both able to realize something that is an important good for Beatrice, but Adam refrains from doing so.

I think it is quite plausible to say that in case 9b1 Adam acts morally blameworthy but not in case 9b2. This is the case because "Samaritan duties" just arise for Adam if Beatrice is not able to realize on her own what is good for her.³¹ Therefore, it seems awkward to assume that Adam is required to justify that he does not help Beatrice to realize a good if Beatrice is able to realize it by her own efforts. Even worse, Wall's argument that noninterference requires in the same way a justification as interference reveals that he is not willing to accept that Adam's interference on behalf of Beatrice's good undermines her moral status if she is able to realize it on her own. Beatrice's moral status would be undermined through Adam's interference in 9b2 because Adam's interference implies that she is *not able* to choose and lead a good life by her own judgment. Yet, this is clearly an expression of a kind of paternalism no one can reasonably expect to endorse with all its annoying consequences.

28 Cf. Wall, "On Justificatory Liberalism," 130.

29 Cf. Wall, "On Justificatory Liberalism."

30 Cf. Wall, "On Justificatory Liberalism," 125, 129.

31 Cf. Wall, "On Justificatory Liberalism," 130.

2. WHY EXCLUSIVISM FAILS:

THE THIRD-PERSONAL ACCOUNT OF PUBLIC JUSTIFICATION

My second thesis is now that the failure of the first-personal model of inclusivism does not count in favor of exclusivism because exclusivism is not able to accommodate a strong and plausible moral intuition that speaks in favor of inclusivism. According to this intuition, the adoption of a third-personal conception of public justification is morally problematic for religious citizens because it obliges them to untie public justification from their religious first-personal perspective at the cost of moral integrity. This argument is commonly called the “integrity objection” and can be reformulated as follows.³²

10. A person leads a life of integrity if she acts in concert with the ideals and norms that are constitutive of her identity.
11. The ideals and norms that are constitutive of a person’s identity derive from their conception of a good life.
12. The ideals and norms that derive from a religious conception of a good life require that the evaluative standards of the religious tradition someone is committed to do not have important justificatory weight just in private but in all matters, including the political ones.
13. A commitment to epistemic restraint requires that religious citizens refrain from referring to the evaluative standards of their particular religious tradition in the case of the public justification of political norms.
14. If religious citizens are obliged to refrain from referring to their religious evaluative standards in the process of the public justification of political norms, their religious evaluative standards and the reasons they generate have necessarily no justificatory weight in political matters. But this means that a commitment to epistemic restraint conflicts with a commitment to a religious conception of the good life, which is constitutive for the identity of religious citizens.
15. Therefore, a religious citizen who embraces epistemic restraint is unable to have identity integrity.

32 A classical formulation of the intuition that motivates this argument is given by Wolterstorff; cf. Audi and Wolterstorff, *Religion in the Public Square*, 105. I partly follow Vallier in the reconstruction of this argument; cf. Vallier, *Liberal Politics and Public Faith: Beyond Separation*, 57–66. This version of the argument has an advantage over other formulations in that it makes clearer that the integrity objection derives its force from a combination of moral and epistemological considerations. Therefore, I disagree with classificatory schemes that interpret this argument as a species of “ethical arguments”; cf. Breul, *Religion in der politischen Öffentlichkeit*; and Neal, “Is Political Liberalism Hostile to Religion?”

If this argument is sound, a third-personal conception of public justification is in a similar way as mono-relational as a first-personal conception, and exclusivists have a prudential and a principled reason for not being content with this fact. Prudentially, it seems not to be wise to violate the integrity of religious citizens in such a systematic way because it confronts religious citizens necessarily with a conflict of loyalties: either they can be fully committed to the normative ideals of liberalism and its core idea that political coercion should be tied to public justification, or they can be fully committed to the normative ideals of their religious tradition. As Paul Weitham has argued, there is a lot of empirical evidence that this does not do justice to the important contributions of religious traditions that gave rise to and that maintain democracy.³³ Even worse, as Jeffrey Stout has convincingly shown, the demand of epistemic restraint is most probably one of the main causes that led to an alienation of religious citizens from liberal democracy. This alienation is highly problematic because it has given rise to an anti-democratic radicalization of religious traditions and a dialectical backlash in the form of the so-called new traditionalism.³⁴

But even if exclusivists are not convinced of this kind of prudential reasoning because they doubt the empirical evidence, they have to acknowledge that the integrity objection shifts the burden of proof in favor of inclusivism at least for the principled moral reason that the demand of epistemic restraint infringes significantly on the expressive freedom of religious citizens in the public realm. As we have seen above, a commitment to the presumption in favor of liberty obliges not only religious citizens but also exclusivists to justify their liberty-infringing demands to those addressed by these demands. Consequently, exclusivists owe inclusivists a justification for their demand of epistemic restraint. Otherwise religious citizens could rightly object that they are not treated as they should be treated because their moral status is violated.

3. PUBLIC JUSTIFICATION FROM THE SECOND-PERSONAL PERSPECTIVE: THE CONSTRUCTION OF AN INCLUSIVIST MODEL OF PUBLIC REASON LIBERALISM

So far, I have shown that there is an argumentative impasse between exclusivism and inclusivism because neither side can offer a conception of public justification that is able to accommodate the moral intuition that motivates the other side to embrace their account of public justification. Both parties can rightly claim that the opposing conception of public justification is in a problematic way mono-relational.

33 Cf. Weithman, *Religion and the Obligations of Citizenship*.

34 Cf. Stout, *Democracy and Tradition*.

Yet, I will argue in this third section that it is possible to construct an inclusivist model of public reason liberalism that is fully bi-relational because it neither obliges religious citizens to disregard the beliefs and values of their first-personal perspective when political norms have to be publicly justified nor permits a religious majority to coerce a minority without giving this minority accessible reasons to comply with. In short: I claim that this model breaks the impasse in favor of inclusivism because it can accommodate with its bi-relational character the moral intuitions of both sides.

The argumentative strategy of this inclusivist version of public reason liberalism is to demonstrate that there is a gap between the principle of moral restraint and the principle of epistemic restraint that is implied in a third-personal conception of public justification.³⁵ In other words: it is false to assume that the acceptance of the principle of moral restraint as a necessary condition for any reasonable conception of public justification implies a restriction of the set of possible conceptions of public justification to conceptions that demand epistemic restraint. A third-personal conception does not result necessarily from a commitment to a principle of moral restraint as an epistemic ideal for public justification because such a principle can also be respected and fulfilled by a different convergence conception of public justification that derives its normative implications from the adoption of a second-personal standpoint:³⁶

4**. Convergence conception of public justification:

- a. The imposition of a political norm through a democratic procedure is only legitimate iff it is publicly justified.
- b. A political norm is publicly justified iff
 - bi. the group of appropriately idealized citizens *A* who want to

35 Here I follow Vallier, who presents and defends this strategy in much more detail; see Vallier, *Liberal Politics and Public Faith: A Philosophical Reconciliation* and *Liberal Politics and Public Faith: Beyond Separation*. Although I agree with Vallier that this is the best strategy to defend inclusivism, I disagree with him about the exact outcome of this move because I defend a different convergence conception of public justification.

36 Therefore, as I have mentioned above, it constitutes a fallacy to infer from the need to justify to each citizen a need to justify using mutually accessible reasons. A concise summary of this point can also be found in Billingham, "Convergence Justifications within Political Liberalism," 136–38. The possibility of a convergence conception of public justification was developed and introduced independently into the debate by a couple of authors, but the most elaborated account can be found in the work of Vallier; cf. D'Agostino, *Free Public Reason*, 30–33; Gaus, "The Place of Religious Belief in Public Reason Liberalism"; Gaus and Vallier, "The Roles of Religious Conviction in a Publicly Justified Polity"; Stout, *Democracy and Tradition*, 65–85; Vallier, "Convergence and Consensus in Public Reason" and *Liberal Politics and Public Faith: Beyond Separation*.

- impose the political norm PN on the group of appropriately idealized citizens B give B a sincere and honest justification of PN , which means that they publicly and in a sincere and honest way state what the considerations CA are that motivate them to support the imposition of PN on B ;
- b2. it is intelligible for B that A is justified according to the evaluative standards ESA of their first-personal epistemic standpoint to believe that CA justifies PN ; and
- b3. A gives B a consideration CB that B can access as a weighty reason that justifies PN according to B 's evaluative standards ESB .³⁷

The difference between this convergence conception of public justification and the exclusivist's third-personal conception is that a commitment to the former does not demand that religious citizens exercise epistemic restraint. This means that the decisive advantage of a convergence conception over a third-personal conception is that a convergence conception is not vulnerable to the integrity objection of religious citizens because it does not disconnect public justification from their first-personal perspective.³⁸ Therefore, it is not mono-relational in the way that a third-personal conception is.

This is the case because a convergence conception rejects the claim that only those considerations can have justificatory weight in the process of the public justification of political norms that are *mutually* accessible. There is no need for common evaluative standards like $ESAB$ that would enable A to recognize CB as a reason that justifies PN and would enable B to acknowledge CA as a reason that justifies PN . Common evaluative standards are not necessary because PN can be

- 37 In contrast to Vallier's convergence conception of public justification, I maintain that a political norm PN is publicly justified if each appropriately idealized member of the public has a "weighty"—instead of a "sufficient"—reason to endorse PN . What I call a "weighty" reason has to meet all the criteria Vallier mentions for a "sufficient" reason (epistemic justification in the form of access internalism, adequate standards of inference and evidence, etc.) minus the requirement that this reason must also override or defeat reasons that contradict it; see Vallier, *Liberal Politics and Public Faith: Beyond Separation*, 27–28, 104–6. This makes a practical difference for situations where a political norm can only be inconclusively publicly justified, which I will spell out below in more detail. Thanks to an anonymous reviewer who made me aware that I have to clarify how my view differs from Vallier's.
- 38 To be clear, the point of my argument is not that religious citizens do not have integrity costs or conflicts of loyalty at all or that they just have fewer costs and fewer conflicts if an inclusivist model of public reason liberalism is adopted (which I think is also true). The decisive advantage of a convergence conception over a third-personal conception is that there is no *principled* disconnection between public justification and the first-personal perspectives of religious citizens. For this reason, the integrity objection does not apply to the inclusivist position I am defending. Thanks to an anonymous reviewer for pushing me here.

publicly justified through a *convergence* of the mutually inaccessible reasons CA and CB.

The mutual inaccessibility of CA and CB constitutes no problem because citizen A has fulfilled their moral obligation against B to justify their demand to B with considerations that B can access as having justificatory weight. In other words, the political norm PN is justified through a convergence of different and mutually inaccessible first-personal standpoints and there is no additional need that the arguments that serve for the public justification of PN be evaluated from a third-personal perspective. A second-personal approach that implies that the participants adopt the second first-personal standpoints of their fellow citizens is all that is needed for the public justification of political norms.

A further advantage of this model is that it can accommodate the moral intuition that motivates exclusivism by showing that the endorsement of a third-personal perspective and of mutual accessibility through common evaluative standards is not needed in public justification to rule out the problematic cases exclusivists fear most. In contrast to a first-personal conception of public justification, a convergence conception is based on a relational conception of justification and accepts that moral restraint has to be exercised if a demand to the addressed person cannot be justified. However, it is not necessary to rely only on reasons that are mutually accessible, as a third-personal conception claims, in order to fulfill this obligation. It can also be fulfilled by reasoning from different, second first-personal perspectives.

In summary, a convergence conception provides a middle course between a third-personal and a first-personal conception because inclusivists can coherently maintain with a first-personal conception of public justification but against a third-personal conception that the religious reasons of their first-personal perspective have genuine justificatory weight in the process of public justification. Yet, with a third-personal conception and against a first-personal conception, they do not have to substitute a relational conception of public justification with the problematic simple account of public justification.

If this is right, I have demonstrated that there is a gap between moral restraint and a third-personal conception of public justification because the convergence conception fulfills with its acceptance of the principle of moral restraint the necessary condition for a reasonable conception of public justification without having to accept the principle of epistemic restraint. Therefore, inclusivists who adopt this model have an advantage over exclusivists as long as they cannot show that there are independent weighty reasons for preferring a third-personal conception to a convergence conception. If epistemic restraint in terms of accessibility is not necessary to rule out the unjustified imposition of political norms

on minorities, exclusivists have to demonstrate what exactly is problematic with religious arguments in the process of the public justification of political norms.

4. A DEFENSE OF THE INCLUSIVIST MODEL OF PUBLIC REASON LIBERALISM

A full defense of the constructed inclusivist model of public reason liberalism needs to meet two requirements. The first task is to refute objections from exclusivists (e.g., the sincerity objection) against the convergence conception of public justification on which it rests.³⁹ A second task consists in putting the model to work. It needs to be shown how it can rebut exclusivist arguments that try to justify the exclusion of religious arguments from the process of the public justification of political norms. In this section, I will concentrate on the second task by rebutting an important exclusivist argument that was recently presented by Jonathan Quong.

Central to Quong's defense of exclusivism is his claim that he is able to present a new argument that justifies an asymmetrical treatment of controversial perfectionist and anti-perfectionist reasons in the process of the public justification of political norms.⁴⁰ According to Quong, reasons should be excluded from the set of public reasons if their employment leads to a problematic reasonable disagreement. Unproblematic reasonable disagreements are called "justificatory" and can be defined as follows.⁴¹ A disagreement is justificatory in nature iff

- a. the participants of the debate use evaluative standards in the premises of their reasons that are incompatible but mutually accessible as having justificatory relevance, and
- b. the disagreement is only about the justificatory weight of the evaluative standards and the conclusions that derive from these premises.

Such a disagreement is illustrated by Quong as a dispute between the liberals Sara and Tony over the question of whether it is just to allow the Catholic

39 This is an ongoing debate, but good defenses against a range of possible exclusivist objections can be found, for example, in Billingham, "Convergence Justifications within Political Liberalism"; Vallier, "In Defense of the Asymmetric Convergence Model of Public Justification" and *Liberal Politics and Public Faith: Beyond Separation*; and Zoll, *Perfektionistischer Liberalismus*.

40 As I said in note 1 above, I regard religious reasons as a kind of perfectionist reasons. Quong himself seems to agree with this, as his use of religious examples makes clear; cf. Quong, *Liberalism without Perfection*, 192–93.

41 Cf. Quong, *Liberalism without Perfection*, 194, 204–8. My presentation of Quong's original formulation of "justificatory disagreements" is slightly revised in order to adapt it better to the purposes of this article.

Church to discriminate on the basis of gender when employing priests.⁴² Tony argues that the Catholic Church is entitled to hire exclusively male priests because it is a private institution and that a prohibition to do so would infringe on the religious liberty of Catholics.⁴³ Sara disagrees and responds with two arguments. First, private institutions are not exempt from laws against rape, theft, and murder and should therefore also be not exempt from laws that prohibit gender discrimination in employment. Second, if there is a compelling egalitarian reason to interfere, the right to religious liberty can be violated because it is not meant to insulate religious groups against all interference.⁴⁴

Such a disagreement is “justificatory” because the reasons Sara and Tony give each other are derived from the fundamental normative framework they share as liberals. This means that they can reject the reasons the other gives as inconclusive, but they cannot complain that they are not addressed with reasons they can access as having justificatory relevance for them.⁴⁵

Problematic reasonable disagreements in contrast are called “foundational” and can be defined as follows.⁴⁶ A disagreement is foundational in nature iff

- a. the participants of the debate use evaluative standards in the premises of their reasons that are incompatible and not mutually accessible as having justificatory relevance, and
- b. the disagreement is about the justificatory relevance of the evaluative standards themselves.

Quong’s example for such a disagreement is a dispute between the liberals Mike and Sara over the question of the immorality of recreational drug use. Mike believes that the use of drugs is immoral because it constitutes an action that conflicts with what God commands.⁴⁷ Sara, in contrast, has a hedonistic conception of the good life and believes that there is nothing morally wrong with the use of drugs for recreational purposes. First of all, she rejects Mike’s argument because she does not believe in the existence of God and therefore has no reason to believe that a reference to God as a moral authority is relevant to determine whether private drug consumption is morally permissible or not. Second, she herself adheres to a conception of morality according to which an action is only

42 Cf. Quong, *Liberalism without Perfection*, 205–6.

43 Cf. Quong, *Liberalism without Perfection*, 205.

44 Cf. Quong, *Liberalism without Perfection*.

45 Cf. Quong, *Liberalism without Perfection*, 204–7.

46 Cf. Quong, *Liberalism without Perfection*. Again, I have revised Quong’s formulation to bring into focus some aspects I am interested in for this article.

47 Cf. Quong, *Liberalism without Perfection*, 204–5.

immoral if it does damage to another person. So, the use of drugs for one's own recreation and pleasure is simply not a matter of morality for her and consequently there is nothing morally wrong with it.⁴⁸

This means that the conflict between Mike and Sara is somehow deeper than the conflict between Sara and Tony because they even disagree about the justificatory relevance of the evaluative standards the other party is using. Consequently, they cannot evaluate the reasons the other is giving because they disagree about the standards that evaluate reasons as good or bad. Thus, it is characteristic for foundational disagreements that there is no shared normative framework, no deeper standard of justification that could serve as the basis for adjudicating the dispute.⁴⁹

Quong's argument for exclusivism now runs as follows:

16. Reasonable disagreements about the good life are not necessarily justificatory and will almost certainly be foundational.
17. Reasonable disagreements about justice are necessarily justificatory and not foundational.
18. The liberal principle of legitimacy is not violated when the state imposes a view that arises out of justificatory disagreement.
19. The liberal principle of legitimacy is violated when the state imposes a view that arises out of a foundational disagreement.
20. Therefore, arguments that refer in their premises to controversial evaluative standards about the good life—including religious standards—should be excluded from the set of reasons that can play a role in the process of the public justification of political norms, and there is nothing wrong in admitting arguments that refer in their premises to controversial evaluative standards about justice.⁵⁰

I have my doubts concerning premises 16 and 17.⁵¹ But for the sake of argument, I will grant their truth and concentrate my critique on claim 19. This claim is central to Quong's argument because its function is to explain why it is problematic when the state imposes a political norm that is justified *solely* with arguments about the good life about which a foundational disagreement exists. Quong argues that such cases are problematic because they violate the liberal principle of legitimacy:

48 Cf. Quong, *Liberalism without Perfection*, 205.

49 Cf. Quong, *Liberalism without Perfection*.

50 Cf. Quong, *Liberalism without Perfection*, 204. I have adapted Quong's argument slightly for the purposes of this article.

51 Critical remarks in this sense are offered for example by Fowler and Stemplowska, "The Asymmetry Objection Rides Again"; and Zoll, *Perfektionistischer Liberalismus*, 179–83.

21. The standard of liberal legitimacy is not reasonable rejection, but it asserts that the state should not act on grounds that citizens cannot reasonably be expected to endorse.⁵²

Yet, the problem with claim 21 is that it only shows that inclusivists violate the standard of liberal legitimacy if they rely on a first-personal conception of public justification. A reliance on a first-personal conception of public justification constitutes a violation of the standard of liberal legitimacy because it even permits cases when a political norm is publicly justified though it cannot be reasonably expected that all citizens have a weighty reason to endorse this norm. But inclusivism is compatible with the standard of liberal legitimacy if inclusivists rely on the convergence conception of public justification formulated by claim 4**.

According to this conception it is true that a political norm is only publicly justified if this norm is justified to each citizen with a weighty reason he can reasonably be expected to endorse.⁵³ But this conception allows for cases when a political norm is publicly justified through a convergence of mutually inaccessible reasons. This gives room for the employment of arguments that rely on controversial evaluative standards about the good life. This means that Quong's attempt to justify an asymmetrical treatment of controversial perfectionist and anti-perfectionist reasons in the process of public justification fails. Yet, if there is no justification of an asymmetrical treatment of religious reasons, the mono-relational character of a third-personal conception of public justification remains problematic and a bi-relational inclusivism is preferable to exclusivism.

I will return to Quong's example of the conflict between Mike and Sara to illustrate *how* my inclusivist model of public reason liberalism can counter Quong's argument by accommodating the moral intuition that motivates exclusivism without thereby having to accept epistemic constraint.⁵⁴ According to Quong, we have a scenario here that can be characterized in the following way:

22. Mike has a religious and non-hedonistic conception of the good life that is controversial, because it is rejected by Sara who has a non-religious and hedonistic conception of the good life. According to the evaluative standards of Mike's conception of the good life (ESM),

52 Cf. Quong, *Liberalism without Perfection*, 209.

53 In contrast, on Vallier's account it would be necessary that each citizen has a *sufficient* reason to endorse the political norm. This means that each citizen would need to have a reason that overrides all the reasons he might have for rejecting the political norm; see Vallier, *Liberal Politics and Public Faith: Beyond Separation*, 27–28.

54 Due to his emphasis on sufficient reasons, it is not possible for Vallier to rebut Quong's argument as I will do in the following. I regard this as an advantage of my model of inclusivist public reason liberalism over Vallier's.

Mike's consideration (α) that drug abuse is against God's will because it is a vice according to biblical teaching (e.g., Gal. 5:19–21 or Eph. 5:18) constitutes a weighty reason RM that justifies the political norm $NOPE$ that prohibits recreational drug use.

23. Sara has a nonreligious and hedonistic conception of the good life that is controversial, because it is rejected by Mike who has a religious and non-hedonistic conception of the good life. According to the evaluative standards of Sara's conception of the good life (ESS), Sara's consideration (β) that recreational drug use is permissible because it does no harm to others and produces a considerable amount of pleasure constitutes a weighty reason RS that justifies the political norm $DOPE$ that allows recreational drug use.

From this follows a foundational disagreement between Mike and Sara:

24. Because of the mutual rejection of their conceptions of the good life, they also reject the evaluative standards of each other as justificatorily relevant with the following consequences:
- 24a. Mike cannot reasonably expect from Sara that consideration (α) constitutes a reason for her that justifies $NOPE$; and
- 24b. Sara cannot reasonably expect from Mike that consideration (β) constitutes a reason for him that justifies $DOPE$.

An imposition of $NOPE$ or $DOPE$ through the state via a democratic decision procedure would be problematic, because either Sara or Mike could object that they have not been addressed with a consideration that they can reasonably be expected to endorse as a reason that justifies $NOPE$ or $DOPE$. Quong and other exclusivists follow from scenarios like this that this supports their view that only reasons that are mutually accessible can play a role in the process of public justification.

But this inference is wrong, as I will show with the following case:

25. Mike addresses Sara with the consideration (δ) that there are empirical studies that show that frequent and continuous drug abuse leads to a decrease in personal well-being and pleasure in the long run, which means that even by her own evaluative standards ESS she has a weighty reason RS' that justifies $NOPE$.
26. Sara addresses Mike with the consideration (ϕ) that his own religious tradition acknowledges that it is not the purpose of the state to eliminate all vices and to make its citizens holy, which means that even by

his own evaluative standards *ESM* he has a weighty reason *RM'* that justifies *DOPE*.⁵⁵

In this scenario, *NOPE* can for example be publicly justified through a convergence of the reasons *RM* (religious reason for *NOPE*) and *RS'* (hedonistic reason for *NOPE*), which are not mutually accessible for Mike and Sara. *RS'* (hedonistic reason for *NOPE*) is no reason Mike accepts because he rejects the hedonistic evaluative standards of Sara as having justificatory relevance, but he fulfills his obligation to address Sara with a reason he can reasonably expect Sara to endorse. And his own reason *RM* (religious reason for *NOPE*) can enter the process of the public justification of *NOPE* because a convergence conception does not demand from him to refrain from arguing for his preferred political options with controversial reasons that derive from his particular first-personal epistemic standpoint and their evaluative standards.

In contrast to the first-personal model of inclusivism proposed by Wall, the problematic cases exclusivists fear most are ruled out by this inclusivist model of public reason liberalism because religious reasons can never justify a political norm *alone* in a plural society.⁵⁶ It is not the democratic procedure that legitimizes *NOPE* in this case. In this example *NOPE* is legitimately imposed through a democratic procedure because beforehand it was publicly justified to each citizen with reasons these citizens can be reasonably expected to endorse. Once citizens have fulfilled their duty to address each other with considerations they can reasonably expect the other to endorse as reasons, a democratic decision procedure is no more problematic than in the case of the justificatory disagreement between Tony and Sara.

What remains between Sara and Mike is a disagreement about the weighting of *RM* (religious reason for *NOPE*) against *RM'* (religious reason for *DOPE*) and *RS* (hedonistic reason for *DOPE*) against *RS'* (hedonistic reason for *NOPE*). Therefore, the public justification of *NOPE* or *DOPE* is necessarily inconclusive. But this inconclusiveness, as Quong himself explicitly admits, does not make it

55 If Mike is a Catholic, Sara could, for example, refer to Augustine, *De Lib. Arb.* I, 5, 6 or Thomas Aquinas, *ST I-II*, q. 91, a. 4., corp.

56 This is not in contradiction to the inclusivist's claim that religious citizens do not have to exercise restraint if they have only religious reasons that can justify a political norm. They have to exercise restraint if they cannot give their fellow citizens weighty reasons for the acceptance of the norm these can access from their epistemic standpoints. But religious citizens themselves are not obliged to accept these reasons as reasons for themselves. Therefore, inclusivists can maintain that there are cases where they do not have to exercise restraint even if they have only religious reasons to justify their preferred political norms. This is the decisive difference to the Rawlsian *proviso* model of religious reasoning in a liberal public or other variants of "weak inclusivism."

illegitimate for the state to act on the basis of either the combination of RM and RS' or RS and RM' because the standard of liberal legitimacy is not reasonable rejectability but that the state should not act on grounds that citizens cannot reasonably be expected to endorse.⁵⁷ In either case, Sara and Mike are addressed with a weighty reason they can access from their epistemic standpoint so that neither Mike nor Sara can make a reasonable complaint against the outcome of the democratic procedure that decides on the prohibition or permissiveness of recreational drug use.

Against this outcome Quong could object that the scenario I described with the claims 25 and 26 still constitutes a violation of the standard of liberal legitimacy expressed in claim 21 for the following reason: if it is a combination of RM and RS' or RS and RM' that publicly justifies NOPE or DOPE, either Mike could object that Sara justifies DOPE to him with a reason RS (hedonistic reason for DOPE) he cannot reasonably be expected to endorse or Sara could object that Mike justifies NOPE to her with a reason RM (religious reason for NOPE) she cannot reasonably be expected to endorse.

But this objection fails because it does not acknowledge that reasons have a different function in the process of public justification according to a convergence conception. In the case that a combination of RM and RS' justifies NOPE, it is RM (religious reason for NOPE) that justifies Mike's support for NOPE. A convergence conception of public justification just demands from Sara with regard to RM that it should be intelligible for her that consideration (a) constitutes a weighty reason for Mike according to his evaluative standards that justify NOPE. It is reason RS' (hedonistic reason for NOPE) that has the function to justify NOPE to Sara. Likewise a convergence conception just demands from Mike with re-

57 Cf. Quong, *Liberalism without Perfection*, 209. Vallier is developing his "principle of convergent restraint" in the same direction when he substitutes the criteria of reasonable rejectability with reasonable expectability; cf. Vallier, *Liberal Politics and Public Faith: Beyond Separation*, 185–88. But this case illustrates nicely to what extent our different convergence conceptions of public justification lead to different practical results in situations where a political norm is not conclusively publicly justified. For example, according to Vallier, DOPE would not be publicly justified through the fact that both Sara and Mike have a weighty reason to endorse DOPE. This is the case because RM' (religious reason for DOPE) is not necessarily a sufficient reason for Mike to endorse DOPE. According to the evaluative standards he is committed to, he has to acknowledge that RM' is a weighty reason for DOPE. But he may be justified in regarding RM (religious reason for NOPE) or other reasons as overriding RM' with the consequence that RM' is not a sufficient reason for him to endorse DOPE. Thus, according to Vallier, it would be illegitimate for the state to act on a combination of RS (hedonistic reason for DOPE) and RM' (religious reason for DOPE). This is not the case on my account of convergence justification. Therefore, I think that my approach is better suited to rebut the challenge formulated by Quong. I owe my thanks to an anonymous reviewer for making me aware that I should exemplify how Vallier's and my convergence conception of public justification differ.

gard to RS' that it should be intelligible for him that consideration (δ) constitutes a weighty reason for Sara according to her evaluative standards that justify NOPE.

To reiterate that RM (religious reason for NOPE) cannot play a role in the public justification because RM is not accessible to Sara is to beg the question because the application of the convergence conception of public justification to the case of Sara and Mike has demonstrated that the rejection of epistemic restraint in terms of accessibility does not necessarily imply a violation of the liberal principle of legitimacy expressed by claim 21. The lack of common evaluative standards and the resulting foundational disagreements can make the process of the public justification of political norms more complicated, but this fact does not justify the exclusion of a significant number of reasons as justificatorily irrelevant with the rationale that they do not fulfill the equally demanding formal norm of being mutually accessible.

Therefore, the upshot of this fourth section is that my inclusivist version of public reason liberalism is able to rebut Quong's attempt to justify the claim that the employment of religious reasons is problematic and that religious citizens are therefore obliged to accept epistemic restraint. Thus, if the argument of this paper is sound, the burden of proof is on the exclusivist's side. This is the case for two reasons. First of all, I have demonstrated that inclusivists can accommodate the valid moral intuition that motivates exclusivism without thereby accepting epistemic restraint by relying on a convergence conception of public justification. Second, I have shown in a case study how my inclusivist model of public reason liberalism can be defended against an exclusivist attempt to justify the exclusion of religious reasons from the set of public reasons. Therefore, the answer to the question "Are citizens obliged to refrain from using religious arguments for the public justification of political norms in a liberal democracy (e.g., a law) if these are the *only* justificatory reasons *they* have to embrace this norm?" is no unless exclusivists present new arguments that suggest otherwise.

5. HOW MY INCLUSIVIST PROPOSAL DIFFERS FROM OTHER MODERATE INCLUSIVIST ACCOUNTS OF RELIGIOUS REASONING IN THE LIBERAL PUBLIC

This leaves me with the task to clarify how my proposal for acceptable religious discourse in the liberal public differs from other "moderate" inclusivist accounts advanced in the literature, i.e., accounts that have in common that they try to reconcile an inclusivism with the normative demands that derive from a commitment to liberal core values like freedom and equality.⁵⁸ I will address this task in two steps. First of all, I will explain in a summary fashion how my position differs

58 I am thankful to an anonymous reviewer for making me aware of the need to address this issue.

from the exclusivist and inclusivist positions I have discussed in detail up to this point. Second, I will compare two weak inclusivist accounts recently advanced in the academic literature with my strong inclusivist account, according to which there is no principled reason to exclude religious reasons from the process of public justification, i.e., religious reasons that cannot be translated into a secular language or evaluated based on common evaluative standards because their soundness depends on the acceptance of revealed knowledge or religious authority. Different from the strong inclusivism I am advocating for, the relevant authors defend a weak inclusivism according to which not all religious reasons have to be excluded from public justification but certainly those religious arguments that refer to revelation and are therefore in principle inaccessible for nonreligious citizens. I will limit myself to the discussion of two weak inclusivist accounts not only for reasons of space but also because they exemplify two of the most promising strategies to justify the exclusion of this specific type of religious argument. And the comparison with these inclusivist variants is sufficient to sharpen the specific contours and conditions of acceptable religious discourse I am proposing. According to the first weak inclusivist strategy, religious arguments referring to revelation have to be excluded in virtue of a moral consideration, namely, that they violate certain moral obligations such as respect that we owe to each other in a liberal society. The second strategy justifies the exclusion of these reasons on the basis of an epistemic criterion, namely, their lack of accessibility.

5.1. The Difference My Inclusivist Public Reason Liberalism Makes to the Exclusivist and Inclusivist Positions Discussed So Far

My inclusivist version of public reason liberalism makes a practical difference to the alternative positions discussed so far in three respects. First of all, in agreement with an exclusivist position and Vallier but against Wall's first-personal model of inclusivism I accept that the epistemic perspectives of those addressed by demands are relevant for a successful public justification of political norms. In consequence, I agree that religious citizens should exercise *moral restraint* if they cannot justify their demand to their fellow citizens with considerations that these citizens can access as a weighty reason to comply with the demand.

Second, I part company with exclusivists like Quong and side with the inclusivist models presented by Wall and Vallier in their rejection of *epistemic restraint*. Religious citizens are obliged to exercise moral restraint but not epistemic restraint. There is no reason to exclude reasons that derive from particular first-personal epistemic perspectives and are not mutually accessible, like religious reasons that refer to revelation from the process of the public justification of political norms. Citizens are just demanded to fulfill their duty to address

their fellow citizens with different considerations they can access from their different epistemic standpoints as having justificatory relevance.

Finally, I part company with Vallier's inclusivist model of public reason liberalism in proposing that public justification just demands that each appropriately idealized citizen has a weighty—instead of a “sufficient”—reason to endorse a political norm. As a consequence, religious reasons lose some force as *defeaters* against the imposition of political norms that conflict with the respective religious conceptions of a good life. However, religious reasons do not only enter the process of public justification as justificatory reasons to determine whether each person has sufficient reason to endorse a proposed political norm.⁵⁹ Rather, the state may permissibly act on religious reasons in combination with other, nonreligious reasons in situations of inconclusiveness. In these cases, the inconclusiveness can be resolved by a democratic procedure like voting as is possible in Quong's model of exclusivism.

5.2. *The Difference from Andrew March's Weak Inclusivist Proposal for Acceptable Religious Discourse in the Liberal Public*

Central to March's weak inclusivist proposal for acceptable religious discourse is the presentation and defense of a typology of different kinds of religious reasons and a typology of different areas of political and social life that coercive laws regulate or about which political communities deliberate.⁶⁰ On the basis of these typologies he argues that religious reasons should be excluded from public reasoning if two criteria are met. First, a religious argument refers to a scriptural, revealed, or clerical command, i.e., a command that is extracted from a revealed text, religious authority, or personal mystical or revelatory experience.⁶¹ Second, such an argument is given to justify a law that restricts the personal freedoms of others to make decisions about their bodies and property.⁶² Put simply: religious arguments that do not appeal to revelation are welcome in political areas like social justice but not in areas that deal with issues like sexuality or marriage.⁶³ Thus, he defends a weak inclusivist model for acceptable religious discourse.

In comparison to March, my strong inclusivist model for acceptable religious discourse is more liberal in two respects. First, it does not exclude religious arguments that refer to revelation from public deliberations. Second, religious reasoning is not restricted to specific political areas like social justice. For this

59 Cf. Vallier, *Liberal Politics and Public Faith: Beyond Separation*, 106.

60 Cf. March, “Rethinking Religious Reasons in Public Justification,” 523–24, 527, 530.

61 Cf. March, “Rethinking Religious Reasons in Public Justification,” 529, 527.

62 Cf. March, “Rethinking Religious Reasons in Public Justification,” 532.

63 Cf. March, “Rethinking Religious Reasons in Public Justification,” 532–37.

reason, it exemplifies a strong inclusivist position. This more liberal stance of my strong inclusivism has two advantages. First, it imposes fewer integrity costs upon religious citizens (see section 3). Therefore, it is more probable that it will convince inclusivist religious critics of liberalism and thereby help to overcome the impasse between inclusivists and exclusivists. Second, March's weak inclusivist model depends on the plausibility of a couple of classificatory assumptions, for example, that marriage is a political issue that belongs to the political area that deals with the personal freedom to make decisions about one's body and that abortion is a political issue that belongs to the political area that deals with social justice. But why regard abortion as a matter of concern with the basic, uncontroversial interests of persons (including future persons) and not as a matter that has to do with the personal freedom to make decisions about one's body? And why regard the question of same-sex marriage as a matter of personal freedom and not as a political matter that has to do with marriage as a basic social institution?⁶⁴ My point is not that March does not justify his classificatory decisions or that his arguments for doing so are bad. My point is simply that his weak inclusivist model of acceptable religious discourse is dependent on his arguments for his classificatory claims, according to which a certain political issue belongs to a certain political category and not another. And since my strong inclusivist model is not dependent on such classificatory issues it is not vulnerable to counterexamples or objections that suggest otherwise. I simply do not have to distinguish between political areas where the use of religious arguments is permitted and those where it is not.

I think March's introduction of the two above-mentioned restrictions for religious reasoning in the liberal public is motivated by the fear that otherwise we end up with the possibility of cases where nonreligious citizens have to endure an objectionable paternalism and are therefore not treated with the respect that we owe each other in a liberal society because it is expected of them that they accept a coercive law as publicly justified and legitimate—especially in very sensitive political areas that involve issues of sexuality—which is justified to them with religious arguments referring to revelation.⁶⁵ So, March's weak inclusivist proposal exemplifies the first of the two most promising strategies to justify the exclusion of a subset of religious reasons, namely, those reasons that refer to revelation.

I agree with March that situations like these have to be prevented. It cannot be reasonably expected from nonreligious citizens that they accept a coercive law on the basis of religious reasons that refer to revelation. But I reject March's assumption that such cases can only be prevented if his two principled restrictions

64 Cf. March, "Rethinking Religious Reasons in Public Justification," 533–35.

65 Cf. March, "Rethinking Religious Reasons in Public Justification," 525–30, 532–33, 536–37.

for religious discourse are adopted. First, I do not find plausible March's interpretation of the function of religious arguments that refer to revelation. How could an *appropriately idealized* religious citizen reasonably expect that his arguments, whose soundness depends on the acceptance of revealed knowledge or religious authority and which are therefore by definition not accessible to citizens outside his own religious tradition, provide those citizens with reasons for accepting a coercive law? This simply does not work. I think I am able to propose a more plausible and charitable interpretation of the function of those arguments that connects with what in fact is considered by March himself, namely, that they have the more expressive and prophetic function of "not in my name," i.e., that religious citizens communicate to their fellow nonreligious citizens the reasons for their stance on a political issue, knowing that these reasons are not reasons that have justificatory weight for their fellow nonreligious citizens.⁶⁶ If one understands the function of religious arguments in this way—as I do—there is nothing inherently authoritarian, theocratic, paternalistic, disrespectful, demeaning, or humiliating about it if religious citizens use those arguments to justify their preference for a political decision from their first-personal epistemic perspective and their particular evaluative standards.⁶⁷ Second, I have shown in this article that something like the two principled restrictions for religious discourse that March proposes are not necessary in order to prevent cases where a nonreligious minority is forced to accept a coercive law imposed by a religious majority without justifying it publicly to the minority with reasons that are accessible to them as having justificatory weight. According to my strong inclusivist position and the second-personal conception of public justification on which it is based, public justification does not require that a law is justified with reasons that are accessible to all citizens from a third-personal standpoint, i.e., with reasons that have justificatory weight for all citizens. According to my second-personal account of public justification, it is just required that a law is justified to each citizen with considerations he or she can access as being justificatorily relevant and constituting a weighty reason according to his or her first-personal epistemic standpoint and particular evaluative standards. In short: what rules out the problematic cases is the requirement to exercise moral restraint that is built into the second-personal conception of public justification and that does not require the exercise of epistemic restraint. And since the exercise of epistemic restraint is not required, even religious reasons that refer to revelation can play a role in the public justification of a law because a law can be publicly justified through a convergence of mutually inaccessible reasons. The only case that is ruled out by my strong inclusivist

66 Cf. March, "Rethinking Religious Reasons in Public Justification," 528.

67 Cf. March, "Rethinking Religious Reasons in Public Justification," 529–30, 534–35.

model—given its acceptance of the fact of a reasonable pluralism and its requirement to exercise moral restraint—is that a law in a liberal society can be justified *solely* with religious reasons that refer to revelation. What my model demands from religious citizens is not that they cease to justify their political preferences with arguments that in principle are inaccessible to their fellow citizens but that they are willing to make this kind of reasoning *intelligible* to those who do not share their religious worldview and that they are willing to show that although their reasoning is derived from resources that are inaccessible without faith it is not against reason to reason in this way. But if religious citizens exercise moral restraint and address their fellow citizens with considerations they can accept as weighty reasons from their different epistemic standpoints, there is nothing disrespectful or paternalistic about a law that is publicly justified through a convergence of mutually inaccessible reasons—religious reasons that refer to revelation included—and about which a democratic procedure of decision-making decides whether it gets implemented or not.

5.3. *The Difference from Aurélia Bardon's Weak Inclusivist Proposal for Acceptable Religious Discourse in the Liberal Public*

Like Andrew March, Aurélia Bardon distinguishes between different kinds of religious arguments in order to exclude some from the process of the public justification of political decisions. And similar to March's proposal, the religious reasons that should be excluded are arguments that refer to revelation, i.e., arguments that operate with premises whose truth is in principle inaccessible to nonbelievers.⁶⁸ But Bardon's weak inclusivism is different from March's because she offers a different rationale for why at least agents in the political sphere like politicians should refrain from using such arguments to justify their preferred political options.⁶⁹ Her paradigmatic example for the kind of religious argument that should be excluded from the process of public justification is from John Locke, who justifies his support for the redistribution of wealth in favor of poor citizens with pressing needs with the religious argument that God has created the world and all its goods for the sustenance of all persons.⁷⁰ Thus, a policy tool like a wealth tax with which the state redistributes money from rich citizens to poor citizens in dire need is justified with the religious consideration that God is the creator of all goods and that it is His will that these goods are used in order to sustain all human beings. Consequently, the right to an accumulation of goods and their private use is not absolute but is relativized by the right of people to

68 Cf. Bardon, "Religious Argument and Public Justification," 274, 283–84.

69 Cf. Bardon, "Religious Argument and Public Justification," 288.

70 Cf. Bardon, "Religious Argument and Public Justification," 285–86.

make use of those goods in accordance with God's will in order to sustain their lives in situations of dire need. From Locke's religious, first-personal, epistemic standpoint, such a right derives from the fact that God as the creator of these goods has created them with a certain purpose and that human beings just exercise a kind of stewardship over these goods that they practice with some liberty as long as it accords with the purpose with which God has created them.

Now, what is wrong with such an argument? Why should it be excluded from the process of the public justification of a wealth tax? According to Bardon, Locke's religious argument should be excluded from such a political discussion because it is only a good argument for religious citizens but not for nonreligious citizens.⁷¹ Put another way: it should be excluded because it is not accessible to nonreligious citizens as an argument that has justificatory weight for them.⁷² Without the acceptance of Locke's religious evaluative standards, a nonreligious citizen cannot recognize that Locke's religious considerations constitute a reason for her that justifies the imposition of a wealth tax. But what cannot be reasonably expected of a nonreligious citizen is that she accepts the religious evaluative standards of her fellow religious citizen as justificatorily relevant for the issue at hand.

So, unlike March's proposal for acceptable religious discourse that exemplifies the strategy to justify the exclusion of certain religious arguments on the grounds that they violate certain moral obligations such as respect that we owe to each other in a liberal society, Bardon's proposal exemplifies the strategy to justify the exclusion of certain religious reasons on the basis of an epistemic criterion, namely, their lack of accessibility. Her argument runs like this: since a nonreligious citizen does not share the belief that God is the creator of all goods and that He has created these goods with the purpose to sustain all human beings, a reference to God or sacred texts like the Bible that are supposed to reveal His will are justificatorily irrelevant for her in order to evaluate and determine whether wealth should be redistributed by means of a wealth tax or whether poor citizens have the right to make use of accumulated goods of rich citizens in order to sustain their lives in situations of dire need. A nonreligious citizen cannot evaluate Locke's reason as good or bad because as a nonreligious citizen she does not share the relevant religious evaluative standards. Thus, Bardon's rationale for the exclusion of religious arguments referring to evaluative standards that are in principle inaccessible to nonreligious citizens is very similar to Quong's: the use of such arguments in a political discussion is problematic and dangerous because it leads to foundational disagreements, i.e., disagreements

71 Cf. Bardon, "Religious Argument and Public Justification," 286.

72 Cf. Bardon, "Religious Argument and Public Justification," 284.

where there is no shared normative framework, no deeper standard of justification that could serve as the basis for adjudicating the dispute.⁷³ According to Bardon, such foundational disagreements are dangerous because they can result in the imposition of evaluative standards that are not part of a shared liberal normative framework because they are too fundamental to become the object of any compromise, negotiation, or argumentation, with the consequence that the political discussion depending on the possibility to question, review, and criticize arguments breaks down.⁷⁴ In short: Bardon argues that religious arguments that refer to revelation should be excluded from public justification because their inclusion would lead to situations where it is expected of nonreligious citizens to accept religious evaluative standards as justificatorily relevant for them.

According to my proposal for acceptable religious discourse, this is not expected of nonreligious citizens. On the contrary, I fully acknowledge that religious arguments that refer to revelation are by their very nature inaccessible to nonreligious citizens and that they therefore have no justificatory weight for them. Nevertheless, I disagree with Bardon as well as with Quong that this fact justifies their exclusion from the process of the public justification of a political decision. I have shown in detail with the example of the foundational disagreement between Mike and Sara (see section 4) how one can deal with such situations in a way that accords with the requirements of moral restraint.

Foundational disagreements, i.e., disagreements that are not only about the justificatory weight of evaluative standards and the conclusions that derive from these premises but also about the justificatory relevance of the evaluative standards itself are only problematic if one is committed to a third-personal conception of public justification. According to such a conception, the public justification of a political decision with reasons not justificatorily relevant for all parties is problematic because public justification demands that a political decision is justified with reasons that are mutually accessible to the appropriately idealized members of the public from a third-personal standpoint. But such foundational disagreements are not problematic according to the second-personal conception of public justification I have advanced in this article because a political decision can be justified through a *convergence* of mutually inaccessible reasons. So, according to my model of an acceptable religious discourse, something like Locke's religious argument for a wealth tax does not have to be excluded from the political discussion. The imposition of a wealth tax through a democratic procedure is publicly justified, iff the following three conditions are fulfilled. First, an appropriately idealized version of Locke who wants to

73 Cf. Bardon, "Religious Argument and Public Justification," 284–85.

74 Cf. Bardon, "Religious Argument and Public Justification," 284, 285, 287.

impose a wealth tax *WT* on the group of appropriately idealized rich citizens *B*, gives *B* a sincere and honest justification of *WT*, which means he in a sincere and honest way states publicly the considerations that motivate him to the support the imposition of *WT* on *B*. In the case at hand, these considerations are his religious considerations *RC* that he believes that God has created all goods with the purpose to sustain all human beings. Second, my model requires that it is intelligible for *B* that Locke is justified from his own first-personal epistemic standpoint that includes certain religious evaluative standards *RES* (e.g., living in accordance with God's will as it is revealed in the Bible) to believe that *RC* justifies *WT*. Contrary to Bardon, I think there is no principled problem for *B* to understand that there is a logical relation between *RES*, *RC*, and *WT* from Locke's first-personal epistemic standpoint.⁷⁵ *B* can for example have a look at the Bible, a catechism, or a book on theology in order find out whether there is a logical relation between Locke's religious beliefs and his support for a wealth tax, i.e., if Locke's religious reasoning is sound from the epistemic perspective and the evaluative standards Locke himself is committed to. Intelligibility requires that the arguments religious citizens use for the justification of political norms have to be formulated in such a way that appropriately idealized nonreligious citizens should be able to track the soundness of the argument if they adopt the epistemic standpoint of their fellow religious citizens. Intelligibility does not require that they have to accept the truth of the religious presuppositions—for example, revealed truths—but only that they should be able to acknowledge that these arguments are sound for someone who does accept their truth. For this reason, it is not expected of nonreligious citizens to accept religious evaluative standards as justificatorily relevant for them.

The third and last condition that needs to be fulfilled to justify publicly the imposition of a wealth tax through a democratic procedure is that Locke gives *B* a consideration *CB* that *B* can access as a weighty reason that justifies *WT* according to *B*'s evaluative standards *ESB* that could be, for example, "One should do what promotes and secures one's wealth." Now, Bardon herself acknowledges that this last condition should also not be very difficult to fulfill.⁷⁶ For example, Locke could argue that, without a certain redistribution of wealth from the rich to the poor, economic inequality and mass poverty reaches a point where a democratic society becomes unstable and where a great mass of impoverished citizens is inclined to follow radical populist parties that promise to take wealth from the rich by force. So, Locke could argue that even from *B*'s nonreligious epistemic perspective and by its own evaluative standards *ESB*, there is a consideration that

75 Cf. Bardon, "Religious Argument and Public Justification," 286.

76 Bardon, "Religious Argument and Public Justification."

constitutes a weighty reason for *B* to support *WT*. This shows that what is dangerous is not so much the reality of foundational disagreements in a democratic society but rather a lack of willingness or capacity to adopt a different epistemic first-personal perspective than one's own. Again, all that is required to exclude what exclusivists most fear about a very liberal stance on religious reasoning in the public is to demand from religious citizens what is demanded of all citizens, namely, that they are committed to liberal core values like freedom and equality and the principle of moral restraint that derives from these values, i.e., that they refrain from advancing and enforcing a demand if they cannot justify this demand to their fellow nonreligious citizens by showing them that they have a weighty reason to comply with this demand. Thus, my model of acceptable religious discourse makes a difference to proposals of weak inclusivists like Bardon and March insofar as it shows that even religious arguments that refer to revelation can figure into the public justification of political decisions without making those cases possible that exclusivists most fear, namely, that a political measure counts as publicly justified without it being the case that each citizen is given a weighty reason to comply with this measure.⁷⁷

Munich School of Philosophy
patrick.zoll@hfph.de

REFERENCES

- Audi, Robert. *Religious Commitment and Secular Reason*. Cambridge: Cambridge University Press, 2000.
- Audi, Robert, and Nicholas Wolterstorff. *Religion in the Public Square: The Place of Religious Convictions in Political Debate*. Lanham, MD: Rowman and Littlefield, 1997.
- Bardon, Aurélia. "Religious Argument and Public Justification." In *Religion, Secularism and Constitutional Democracy*, edited by Jean L. Cohen and Cécile Laborde, 273–92. New York: Columbia University Press, 2016.
- Billingham, Paul. "Convergence Justifications within Political Liberalism: A Defense." *Res Publica* 22, no. 2 (May 2016): 135–53.
- Breul, Martin. *Religion in der politischen Öffentlichkeit: Zum Verhältnis von re-*

⁷⁷ I would like to thank three anonymous reviewers, Martin Breul, Godehard Brüntrup, Chad Flanders, Ralf Klein, Felix Körner, James Dominic Rooney, and Eleonore Stump for many helpful and valuable comments on previous versions of this article.

- ligiösen Überzeugungen und öffentlicher Rechtfertigung. Paderborn: Ferdinand Schöningh, 2015.
- D'Agostino, Fred. *Free Public Reason: Making It Up as We Go*. New York: Oxford University Press, 1996.
- Darwall, Stephen L. *The Second-Person Standpoint: Morality, Respect, and Accountability*. Cambridge, MA: Harvard University Press, 2006.
- Eberle, Christopher J. "Basic Human Worth and Religious Restraint." *Philosophy and Social Criticism* 35, nos. 1–2 (2009): 151–81.
- . *Religious Conviction in Liberal Politics*. Cambridge: Cambridge University Press, 2002.
- Eilan, Naomi, ed. *The Second Person: Philosophical and Psychological Perspectives*. New York: Routledge, 2015.
- Feinberg, Joel. *Harm to Others*. New York: Oxford University Press, 1984.
- Fowler, Timothy, and Zofia Stemplowska. "The Asymmetry Objection Rides Again: On the Nature and Significance of Justificatory Disagreement." *Journal of Applied Philosophy* 32, no. 2 (2015): 133–46.
- Gaus, Gerald F. *Justificatory Liberalism: An Essay on Epistemology and Political Theory*. Oxford: Oxford University Press, 1996.
- . *The Order of Public Reason: A Theory of Freedom and Morality in a Diverse and Bounded World*. Cambridge: Cambridge University Press, 2011.
- . "The Place of Religious Belief in Public Reason Liberalism." In *Multiculturalism and Moral Conflict*, edited by Dimova-Cookson and Peter M. R. Stirk, 19–37. London: Routledge, 2010.
- Gaus, Gerald F., and Kevin Vallier. "The Roles of Religious Conviction in a Publicly Justified Polity: The Implications of Convergence, Asymmetry and Political Institutions." *Philosophy and Social Criticism* 35, nos. 1–2 (January/February 2009): 51–76.
- MacIntyre, Alasdair. *Whose Justice? Which Rationality?* 3rd ed. Notre Dame, IN: Notre Dame Press, 2003.
- March, Andrew F. "Rethinking Religious Reasons in Public Justification." *American Political Science Review* 107, no. 3 (August 2013): 523–39.
- Neal, Patrick. "Is Political Liberalism Hostile to Religion?" In *Reflections on Rawls*, edited by Shaun P. Young, 153–56. Burlington, VT: Ashgate, 2009.
- Pinsent, Andrew. *The Second-Person Perspective in Aquinas's Ethics: Virtues and Gifts*. New York: Routledge, 2012.
- Quong, Jonathan. *Liberalism without Perfection*. Oxford: Oxford University Press, 2011.
- Stout, Jeffrey. *Democracy and Tradition*. Princeton, NJ: Princeton University Press, 2004.

- Talisso, Robert B. *Democracy and Moral Conflict*. Cambridge: Cambridge University Press, 2009.
- Vallier, Kevin. "Convergence and Consensus in Public Reason." *Public Affairs Quarterly* 25, no. 4 (October 2011): 261–79.
- . "In Defense of the Asymmetric Convergence Model of Public Justification: A Reply to Boettcher." *Ethical Theory and Moral Practice* 19, no. 1 (February 2016): 255–66.
- . *Liberal Politics and Public Faith: Beyond Separation*. New York: Routledge, 2014.
- . *Liberal Politics and Public Faith: A Philosophical Reconciliation*. Ann Arbor, MI: ProQuest, UMI Dissertation Publishing, 2012.
- Wall, Steven. *Liberalism, Perfectionism and Restraint*. Cambridge: Cambridge University Press, 1998.
- . "On Justificatory Liberalism." *Politics, Philosophy and Economics* 9, no. 2 (May 2010): 123–49.
- . "Perfectionism in Politics: A Defense." In *Contemporary Debates in Political Philosophy*, edited by Thomas Christiano and John Philip Christman, 99–117. Oxford: Wiley-Blackwell, 2009.
- Weithman, Paul J. *Religion and the Obligations of Citizenship*. Cambridge: Cambridge University Press, 2002.
- Zoll, Patrick. *Perfektionistischer Liberalismus: Warum Neutralität ein falsches Ideal in der Politikbegründung ist*. Freiburg im Breisgau: Alber Verlag, 2016.