

To be truly everyone's state¹

Religious subjectivism and the limits of modern-day democracy

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Abstract (250 words)

As a matter of *freedom of conscience*,² philosophers routinely advocate a “wall of separation” between church and state.³ Matters of conscience are not exclusively religious, though, they may be moral too.⁴ That creates a problem: While many accept that “all that concerns religion lies beyond the limits of state action”,⁵ democratic theory of the Rawlsian brand must dispute the corresponding claim for the domain of morals.⁶ Is that coherent?

The foreseeable move is to drive a wedge between morality and religion. It is anticipated in Humboldt: “All religion rests upon a need of the soul:”⁷ Religion is *subjective*, morality is not.⁸ Since, surely, the state must not engage in *arbitrary* interventions, *moral objectivism* became the cornerstone of the received view in political philosophy. It became the *bulwark* protecting Rawlsianism against the call for a strict and general *neutrality of the state*⁹ that some fear would amount to “cultural suicide”.¹⁰ Scrutinising *religious subjectivism* is apt to cast light on this.

Religious subjectivism comprises *Luther's theology of justification*¹¹ (redemption by grace alone, manifesting God's all-encompassing, unearned love)¹² and the *individual character* of this love¹³ (everyone has his *own* path to salvation; he must not judge another's)¹⁴. Assume someone adopted atheism without disputing that religious convictions can strictly oblige the believer.¹⁵ Can he any longer fend off the objection that moral convictions can strictly oblige the moral person despite the nonexistence of moral facts?¹⁶ In so challenging moral objectivism, *religious subjectivism seems to undermine the very cornerstone of modern-day democratic theory*.

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Notes

- ¹ Cf. Maclure & Taylor 2011, 13 & fn. 8 below: “In the realm of core beliefs and commitments, the state, to be truly everyone’s state, must remain ‘neutral.’”
- ² Cf. *Thomas Jefferson* on religious toleration (Jefferson 1785, 394): “The rights of conscience we never submitted, we could not submit.”
- ³ Cf. Audi 2011. The wording quoted is Jefferson’s (1802, 397). Jefferson had an important precursor in *John Locke’s* „Letter Concerning Toleration“: „I affirm, that the Magistrate’s Power extends not to the establishing of any Articles of Faith, or Forms of Worship, by the force of his Laws. [...] The care of the Salvation of Mens Souls cannot belong to the Magistrate. [The Church and the Commonwealth] are perfectly distinct and indefinitely different from each other.“ (Locke 1689, 14 & 24)
- ⁴ Kukathas 2003, 114: “Usually, we associate liberty of conscience with the idea of religious freedom, since the idea has been pressed most vigorously in defence of religious toleration. Yet one does not have to hold to any religious beliefs to possess a conscience. An atheist may have a conscience, for he may regard certain kinds of action as morally wrong—and performing them as unconscionable.” For an even broader account of the demands of conscience cf. Oliva Córdoba *forthcoming*, sec. 1.3.
- ⁵ Humboldt 1792, 70: “all that concerns religion lies beyond the sphere of the State’s activity”, anticipated in Jefferson 1777, 390–392. Jefferson 1777 became the canvas for the „Virginia Statute for Religious Freedom“ of 1786 after which the first amendment to the constitution of the United States of America was modeled. Bear in mind, though, that nothing prevents us from accepting Audi’s caveat “neutrality does not imply indifference” (Audi 2011, 48) provided it is acknowledged that in present-day political philosophy the state is seen to be at liberty, perhaps even compelled, to promote and enable the attainment of certain *moral* values or ends while not being at liberty to promote and enable the attainment of certain *religious* values or ends *as such*.
- ⁶ Cf., e.g., Rawls 1971, 516f. For a more recent version cf. Estlund 2007, 10ff. and *passim*.
- ⁷ Humboldt 1792, 57
- ⁸ This view seems implicit in Audi’s claim (2011, 152) of the priority of ethics over religion: “Ethics is epistemically autonomous relative to religion. It is, moreover, a domain of possible knowledge. Natural theology, however, is also epistemically autonomous relative to the moral domain, even if not in relation to the realm of value. A particular religion may be expected to draw its moral standards from many sources, including its theology (and possibly natural theology as well), its scriptures, and its surrounding culture, but by no means excluding reflection of a kind possible for moral agents independently of their religious commitments.” Ultimately, Audi commits to some sort of moral objectivism: “This is not the place for a theory of value, but that there is objectivity in matters of value and what sorts of things are valuable in themselves are argued for in my ‘Intrinsic Value and Reasons for Action’” (Audi 2011, 172). In that paper he distinguishes between *intrinsic* and *inherent* goodness. He declares full objectivism concerning the latter while remaining ambiguous concerning the former. Cf. Audi 2003, 96.
- ⁹ Maclure & Taylor 2011, 13: “In the realm of core beliefs and commitments, the state, to be truly everyone’s state, must remain ‘neutral.’”
- ¹⁰ Dougherty 2011, 435: “[Maclure and Taylor’s] call for ‘neutrality’ seems but a call for cultural suicide.”
- ¹¹ Cf., e.g., Härle 2002 & McGrath 2005, 233 ff.
- ¹² Cf. 1 John 4:9: “In this the love of God was manifested toward us, that God has sent His only begotten Son into the world, that we might live through Him”
- ¹³ Lewis 1952, 168: „When Christ died, He died for you individually just as much as if you had been the only man in the world“
- ¹⁴ Cf. Oliva Córdoba 2021, 24.
- ¹⁵ Cf. Maitzen 2009 & 2013.
- ¹⁶ Cf. Brink 1989, 14: “Moral realism, it seems, is committed to moral facts and truths that are objective in some way.”