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Liberalism: A Challenge to Religion Transcript

Date: Tuesday, 26 November 2013 - 1:00PM

Location: Barnard's Inn Hall



26 November 2013

Liberalism: A Challenge to Religion

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In this Lecture I want to set out a range of liberal approaches to the nature, scope and justification of the public realm and to consider how these rather different approaches impact upon an understanding of both citizenship and religious belief in a liberal state. There is not just one view about liberalism and citizenship and it might be best to refer to liberalisms since different types of justification can indeed lead to somewhat different types of liberalism being so justified.

In this chapter I shall consider:

- Liberalism and scepticism
- Liberalism as an historical *modus vivendi*
- Comprehensive or perfectionist liberalism
- Liberalism as a contingent order based upon the historical circumstances of a particular society

I shall look more fully into liberalism and pluralism in the next lecture and into liberalism in a later lecture.

We need to be clear about the basic issue here namely the nature of the legitimacy of liberalism and what it is that gives it some kind of privileged position in a world in which belief systems are seen often as incommensurable and based upon subjective choice. Central to the legitimacy and privileging of liberalism is the idea that it is a political order the legitimacy of which can be justified to each person subject to that order and in a way that is at least consistent with their own private points of view whether these are religious or in some other way comprehensive. Legitimacy and privilege grow out of this consensus and agreement. There is therefore a claim of a link between the public character of liberalism, the public sphere which it constitutes and the public reason which it uses to secure agreement to it. However, this has to be secured in such a way, as we saw in the passage from Nagel quoted in the first lecture, which does not do violence to the first order and thick moral beliefs of the individuals who constitute the citizenry of a liberal state and, following Williams, in a way that does not irredeemably undermine their ground projects. As we shall see, these are very difficult standards to meet.

Nevertheless there is this claim of link between public and private: the private world of commitment and an individual's own sense of the good informing these ground projects and a public world of a right order - to be justified to each of those with such a sense of the good. There has to be some kind of bridge between private belief and the public world so that I can endorse the legitimacy of the principles regulating that public world while I still have my private beliefs. Thomas Nagel is clear on this point when he argues in *Equality and Impartiality* that there have to be two aspects to the justificatory process in respect of liberalism:

- 1) The elaboration of general reasons for liberalism which are applicable to all and are neutral and impartial in respect of their attitudes to conceptions of the good such as religious conceptions.
- 2) A justification based on reasons which are salient to the beliefs of citizens and their commitments to substantial moral beliefs including the possible comprehensive doctrines underwriting such beliefs.

Bernard Williams has drawn attention to the moral importance of this issue when he points out that the perceived pluralism of modern society has created huge pressure for a "thin" approach to public justification, an approach which does not utilise the thick moral concepts used in what is seen as private morality including religiously grounded morality. Such thin approaches to justification will emphasise procedural more than substantive values, while private morality goes rather in the opposite direction. So there is in his view "a divergence between the requirements of a personal ethic and a public morality, in the sense of the discourse in which it is most natural to discuss the public regulation of ethically sensitive matters, I take this to be a genuine problem of ethical thought in the modern world, one that transcends mere ethical nostalgia for an imagined homogeneous past world." (In *The Beginning Was The Deed* page 48-9) Williams argues that modern philosophical attempts to solve this problem have not been successful. In a sense Nagel takes the same view when he says that:

"The problem is that since any system must be justified twice, it may be impossible to devise a system which is acceptable from the point of view of what would be impersonally desirable, and from the point of view of what can be reasonably demanded by individuals....the problem for political theory is to increase the degree to which both personal and impersonal values can be harmoniously satisfied."

This is essentially William's point. Nevertheless they do agree that despite the twin track of justification linking both the impersonal standpoint with what might be called agent relative points of view (such as those held by religious believers) is essential if citizens with diverse outlooks and holding to different comprehensive doctrines are to have a sense of loyalty and allegiance to a liberal order. As Nagel puts the ideal:

"A fully realised social ideal has to engage the impersonal allegiance of individuals while at the same time permitting their personal nature some free play in the consent required by the system."

Anthony Appiah commenting on the same issue argues in his *Salient Ethics and Identity* that what we need is a mixed theory of value as one that has space for project dependent and also for more objective and impartial opinions; for obligations that are moral and universal and for obligations which are ethical and relative to our

thick relations to our projects and our identities.

So unless both liberals and Christians are happy with essentially schizophrenic citizens we have to consider ways in which universal, impersonal and impartial; values in liberalism yielding ideas like fundamental equality and non-discrimination, negative liberty, state neutrality and the rule of law can draw upon and be nurtured by the strongly held religious beliefs of citizens. Or must it be the case that the liberal democratic political and legal order is always going to cut directly across values embodied in ground projects and supported by comprehensive doctrines. Can the moralitat of impersonal and egalitarian liberalism be combined with *sittlichkeit* – the thick forms of moral identity held by adherents to and proponents of comprehensive doctrines? These questions in different guises will stand at the heart of these lectures and in what follows in this lecture I want to explain both how different approaches to liberalism have been aware of this problem but have not managed to solve it which, given the nature of the liberal claim to privilege and legitimacy set out earlier is a grave defect in modern liberal moral and political thought. The place of religion in a liberal society lacking such a justification, if such is found to be the case, is a good indication of why this is such a problem of both political philosophy and indeed public policy.

In the view of a thinker like Leo Strauss the problem in relation to religion and its role in a liberal political order subject to justification by public reason is insoluble, There is no possible way in which the theologico-political problem can be solved on modern assumptions about the nature of liberalism and:

“in every attempt at harmonisation, in every synthesis however impressive, one of the two opposed elements is sacrificed, more or less subtly but in any event surely to the other: philosophy, which means to be the queen must be made the handmaid of revelation or vice versa.” (Natural Right and History pages 74-75)

However, we need to explore the justice of this verdict and in order to do so let us look in a broad way at some standard philosophical views of the justification of liberalism.

Liberalism and scepticism

Some thinkers have held that there is a link between liberalism and moral and indeed epistemological scepticism; that is to say the idea that values and principles are not capable of rational or objective demonstration. On this view, terms such as good and bad, right and wrong do not describe objective states of affairs nor do the terms denote objective moral qualities whether these are seen as natural qualities such that goodness is say identified with happiness, nor do they denote a special class of non natural properties amenable to ethical intuition and insight rather than empirical scrutiny. Rather ethical propositions about the right and the good do not describe states of affairs but instead evince attitudes or declare decisions and standpoints. They are subjective and not objective. Within philosophy there have been several main drivers of such an approach. First of all, there is the claim due to Hume that there is a logical gap between facts and values. No statement of facts, however elaborate, can entail a particular moral judgement. It is only if normative terms are included in the statements of fact (thus rendering them not wholly statements of fact) that such a set of statements can yield a normative conclusion. This is just an illustration of the general point that there can be nothing in the conclusion of a valid argument that is not already present in the premises. Given that moral and political positions cannot be sustained by purely factual claims then the moral element embedded in such positions must embody something like the evincing of an attitude towards a set of facts or a declaration of a choice in relation to such facts. The second philosophical driver in at least Anglo/American philosophy has been the argument due to G.E. Moore on the fallacy of naturalism. Moore argued in *Principia Ethica* that a moral term cannot denote a natural term such as happiness or welfare because it is always possible to put to oneself the following dilemma: “This will make me happy or maximise my welfare, but is it good?” Given this question can be asked, it then follows that “good” cannot denote happiness or welfare because if it did, that is to say if they were synonymous, then the question would be nonsensical – like asking whether all bachelors are unmarried men. The question does, however, make sense. Indeed it formulates a recurring moral problem. Moore himself thought that these terms in fact denoted non natural qualities but modern philosophers have not generally followed him down that path. They have rather taken the fallacy to strengthen the view that moral statements including moral statements about the foundations of politics are not in fact descriptive statements at all but rather evince attitudes, express emotions or declare decisions.

The same position follows from a related claim, namely that it is not possible to set out an account of how one value or principle objectively relates to another such for example that we could say that there are objective grounds for believing that equality is subordinate to liberty. No doubt political thinkers rank values in particular ways but these rankings are again subjective and cannot rest upon the idea of tracking some kind of objective firmament of values and their hierarchical relations one with another.

The third philosophical and indeed sociological influence has been what has come to be called historicism. The core idea here is that values are embedded in particular cultural forms and have meaning and validity within such forms and on more radical views the same also goes for reason. On this view reason is not some trans-cultural universal, but is closely linked to cultural norms and values such that what is rational and irrational, and indeed what is regarded as being real and unreal is internal to a particular culture. On this view we are led to cultural relativism which is not the same thing as scepticism, but nevertheless supports scepticism- at least indirectly- since a cultural relativist would regard reason and nature as non-detachable from a set of cultural and historical set of attitudes and thereby undermining the claim that there is an objective rational and or natural moral order

which could form a foundation for liberalism and undermining any claim for liberalism to be at least potentially a universal moral order.

The cultural relativists' view of reason here is very important because it blocks one important response to cultural relativism and historicism namely the Hegelian claim that while it may well be true that values are embedded in cultural identities from which they cannot be separated, nevertheless there is a rational and progressive force driving the historical process whereby and in the light of which we can say not just that one culture follows another but that a later culture embodies a more developed set of ideas and values in terms of which history progresses or to put it crudely one culture is better or more civilised than another. Historicism and relativism block this idea of the dialectical and rational development of history. Of course, it does not just block a philosophical way of trying to deal with historicist and relative views, it also blocks a religious view about any sort of historical teleology whether that teleology is progressive: the self-revelation of God in and through history (very much the Hegelian approach) or regressive: that history embodies some kind of falling away from a divine or other teleological ideal (Spengler). We shall return to some of these points later when I discuss liberalism and pluralism.

However, it is worth pointing out that the issue of historicism or cultural relativism is used by Strauss as a way of identifying the crisis of liberalism and thereby the crisis of the West.

One way of putting these points about the non-factual character of moral vocabulary would be to say that values and principles have become separated from the natural or from nature. We cannot appeal to nature as a basis for our values and this includes human nature too. We cannot derive from a factual account of our nature a conception of what we ought to do and what will make us flourish as human beings. We might think that we can do this but that is because either moral elements have entered into the attempt to specify our natures in which case we are viewing human nature from a moral and thereby subjective perspective, or we have ranked various aspects of human nature in some kind of order of priority – for example placing needs above preferences or have ranked some aspects of needs above some other aspects. In doing these things we are operating from a subjective moral perspective not one that can be derived from nature whether human or nature more generally. Again this parallels a set of religious issues to do with nature which I shall deal with more fully partly later in this lecture but more extensively in the Lecture on Natural Law. The two religious ideas of importance here are, first of all that the growth of science and secular reason have displaced the role of God in an account of the natural world on which some conceptions of moral and political thought have been based. What Max Weber called the “disenchantment of the world” poses fundamental problems for any uncritical use of the ideas of nature and the natural as some kind of foundation for morality. On this de-sacralised view of nature it does not embody any kind of moral properties in itself, nor does it have any overall telos whether divine or any other kind. On such a view a moral perspective may be taken towards natural phenomena including human drives and instincts but any such moral perspective is not entailed by any account of the natural, but is rather a matter of human individual choice or a matter of our evincing a particular attitude towards some dimension of the natural world. Secondly, given also that from the standpoint of secularising reason humans are a full part of the natural world it also follows that they have no telos – no given, as opposed to chosen, set of goals or natural ends which constitute human flourishing and fulfilment. Rather what we take to be goals is a matter of subjective choice. They are not goals which, as it were, are embedded in human life. If God is assumed to be redundant in an account of human life and the natural world within which it is situated then, on perhaps the most radical version of this position promulgated by the existentialists, existence precedes essence. If we were created by God with purposes to fulfil, then in order to flourish we would need to fulfil our essence or our essential nature. If, however, we discount the role of the divine in nature including human nature, then the only given in human life is that we exist (thrown into being in the world according to Heidegger) and we are entirely free to choose our own goals and to choose or to determine our own attitudes to features of the natural world and our own place within it. The overall point, however, is that we cannot now appeal to nature or the natural as a way supporting some sense of objective value and as such these views of nature tend to support an attitude of moral scepticism and subjectivism.

So, what might be thought to be the link between this kind of moral scepticism and liberalism?

There are perhaps two strategies involved here. The first is that liberal institutions, against a background of moral scepticism and subjectivism, can be seen as a sort of coping mechanism. Liberalism provides a framework within which individuals holding the values that they do on a subjective basis and ranking those values as they do on an equally subjective basis can in fact operate. All that is required is that individuals accept the subjective rights of others to pursue their own good in their own way. So on this basis liberalism provides us with a thin and pragmatically justified framework within which individuals can pursue their own subjectively chosen values in their own way so long as in so doing they recognise a similar right in others.

The second approach makes further claims, while no doubt accepting much of this, namely that because we have no objective or even inter-subjective standard of good and bad, right and wrong there can be no basis for judging the goals of another person in moral terms. It is worth pointing out an issue with which I shall deal more fully later namely the role of freedom- the central political virtue of liberalism- in this account. Clearly a sceptical approach to moral and political principles has to sever the link which was thought to exist both in Christian belief and in classical philosophy between freedom and virtue – the idea that freedom or real freedom consists in the

pursuit of certain kinds of goals which have either a religious or metaphysical sanction. Freedom is about the pursuit of those goals which fulfil our basic nature - whether this is conceived in religious or metaphysical terms. Inherent scepticism about ends and their moral force means that we cannot specify those ends which constitute the good for humanity whether in individual or social terms. So we are left with the position that scepticism gives a central, indeed, the central role to liberty and choice while at the same time severing the link between liberty choice and the pursuit of a specified set of values thought to be significant for human life.

This is a basis for a pragmatic approach to mutual toleration up to the point at which A's pursuit of x prevents B from pursuing y. In so far as on this standpoint we can talk about virtue in a collective sense then the liberal virtue of toleration rests upon moral non-cognitivism. This is the claim that there is no objective or natural basis for morality and therefore that in some sense the goals pursued by one individual are no better and no worse than those pursued by another except in so far as one set of goals may impair the freedom of choice of another. There can be no moral basis for imposing one set of goals on another person against his or her choice. So the only criterion for restricting choice is whether the exercise of that choice infringes the liberty of another to make those choices which that person wants to make. In addition, as Schmitt points out in *The Crisis of Parliamentary Democracy* in so far as the liberal admits the idea of truth into politics at all it has to be a discussion based account of truth - one that arises out of the clash of subjective points of view - which is why J.S. Mill is such a pivotal figure in liberalism in Schmitt's view. Political ideals cannot be taken as representing some basic or objective truth but are rather reflections of temporary accommodations made between competing subjective perspectives. So mutual toleration on this view follows as a natural consequence of thinking through the implications of moral scepticism and subjectivism.

Of course, this last point leads us onto a more complex one. This is that there is clearly a problem at the heart of the relationship between liberalism and moral scepticism, namely how can there be good moral arguments for liberalism if the morality of liberalism is a matter of choice, commitment, or just a general sense of approval rather than anything more objective? Isn't liberalism hoisted by its own petard if it is allied to scepticism/subjectivism because it makes the basis of liberalism wholly subjective. This is the force of the objection frequently made in their rather different ways by Carl Schmitt and Leo Strauss. Strauss emphasises the impossibility of grounding liberalism in the context of scepticism about values. Schmitt emphasises in his *Political Theology* the ways in which liberalism depends upon a decision in its favour rather than depending on a body of objective or compelling moral doctrine. Both of these views would strike at the heart of liberalism as I have characterised it. As I said earlier, the liberal wishes to be able to justify a liberal order to each person who is subject to it, but if Strauss and Schmitt are right, this aim cannot be attained. It cannot be attained from a Straussian perspective because scepticism has destroyed the very tools which might have enabled us to provide some objective basis for liberal values; it cannot be attained on a Schmittian perspective because the making of morality a matter of subjective choice shows that decision and not reason lies at the foundation of politics. Politics is about an existential decision and the power that may or may not be attained by the making of that decision; it is not about reason and morality.

Schmitt's point can be illustrated by looking at his own case and his position of being a supporter and intellectual defender of National Socialism- the so called crown jurist of the Third Reich- but in looking at that we can see also how taking liberalism as a way of coping with scepticism fails. The essential problem with taking liberalism as a way of coping with subjectivism and scepticism is that there are other alternatives - one of which historically has been fascism. This is not just a fanciful point because both Hitler and Mussolini developed critiques of liberalism. A common feature of their approach was to hold that we do not have to cope with scepticism we have to confront it and defeat it. This is what Hitler says on the matter:

"...one man must step forward in order with apodictic force to form granite principles from the wavering world of the imaginings of the broad masses and take up the struggle for the sole correctness of those principles, until from the shifting waves of the free world of ideas there rises up a brazen cliff of a united commitment in faith and all alike."

Granite principles have to be erected in the face of diversity and scepticism and this is done, as the passage makes clear, by will and force and predominantly the will of the political leader. This throws the problem of liberalism into relief from a Schmittian perspective because while a political stand is just that - a stand taken on the basis of decision- this is so inconsistent with liberal ideas about politics that it puts liberalism at an intrinsic disadvantage compared to those political movements like fascism which can in fact glory in the decisionistic basis of politics and the fact that it is based upon faith. Discussion and deliberation are essential to liberalism, but Schmitt says "Dictatorship is the Opposite of discussion" (*Political Theology* page 63). So the first point is that we have to recognise that liberalism is not the only possible response to scepticism and once we realise that scepticism will reveal the decisionistic basis of political institutions and the centrality of power then liberalism, far from being the only way of responding to scepticism, is put at a profound disadvantage by it to say the least. This was a point made by T.S. Eliot in 1939 when he said: "if you will not have God (and he is a jealous God) you should pay your respects to Hitler or Stalin." That is to say if liberal democracy has no objective basis other than coping with scepticism then it will be very weak in the face of political challenges which either glory in the decisionistic basis of politics as the Nazis did with their emphasis on the will of the Fuhrer or a political movement which takes itself to be grounded on an objective basis as Stalin believed in relation to dialectical materialism as adumbrated by Marx, Engels and Lenin.

All of this has an effect on how we understand the relationship between religion and the liberal political order. The

issue can be put in the following way. If I believe that my religious faith has a strong foundation based in some sense in my own experience and I believe it to be true - then why should I subordinate what I take that faith to require to the requirements of a political order which reflects basic choices which cannot be given a foundation in the context of radical scepticism and subjectivism? If my religious beliefs are my ground project and give me a sense of why life is worthwhile, then why should I subordinate basic elements of that project to liberal requirements about appropriate impersonal political and institutional ordering when these may require me to act in ways that I cannot in fact justify in terms of this ground project - given that these institutional forms are based on essentially groundless decisions?

The point can be put also in the context of scepticism and doubt. There has to be a close link between the two. If I intellectually accept that there is no compelling basis underpinning the choices that I make and the attitudes that I evince then I cannot claim that any of them are true and, as I act self consciously, I must accept the centrality of doubt as well as that of scepticism. At the most I can hold to my choices and attitudes sincerely and unflinchingly, but I cannot hold them to be true otherwise I would not be a sceptic in any of the forms distinguished earlier. However, from the religious perspective, truth claims are made. So how are we to understand the relationship between a religious believer who holds his or her beliefs to be true and the liberal political order within which that person lives which is based on decision and power and which might well require the sacrifice of some deeply held element of that belief system and also may change its nature both in the interests of maintaining the liberal order with the antinomies just mentioned? This point has been put in terms of what the Islamic theologian Subhira Akhtar calls the "fundamentalism of doubt" that lies at the basis of liberalism. On this approach to liberalism doubt and scepticism are its driving forces and clearly they have little in the way of resources when it comes to confronting the public claims of religion. The difference between a belief system based on doubt and one based on faith is very well brought out in Salman Rushdie's *The Satanic Verses*:
Gibriel
"Question: What is the opposite of faith? Not disbelief, too certain, too closed, itself a kind of belief. Doubt is the opposite of belief."

Disbelief or atheism on this view is not the opposite of faith because it shares something with faith namely they both make truth claims: one to the existence; the other to the non existence of God. If however, doubt is the opposite of faith why should the person of faith subordinate his/her judgement to a political order which is (a) based upon choice (b) set in a context of doubt.

In a way there is a parallel here with the point made by Schmitt. If liberalism is based on the fundamentalism of doubt then not only can it not justify itself but it is also at an intrinsic disadvantage in respect of those forms of religious belief which either (or both) make claims to the truth and in the light of those claims are prepared to act decisively - a prospect denied to a political faith predicated on doubt.

We now need to be a bit more specific and look at the case for toleration as the main virtue of liberalism from the perspective of scepticism on the grounds that there is an internal link between scepticism about morality and toleration. This issue might present itself to a religious believer in the following way. I hold to a religious view of the nature of the good for humanity and I hold this set of beliefs to be true. I also hold that it is in the interests of others to live in terms of this conception because it is what constitutes human flourishing. So why should I not try to get the power of the state behind my conception of the good and have it enforced in various ways both legally and also through education and so forth? On a view of liberalism supported by moral scepticism there are two responses to this. The first will be to claim that there is no way open to me to demonstrate the truth of my religious beliefs and that therefore it is unreasonable of me to seek to impose them on others. This is why the moral scepticism I have been talking about also has to involve one of two rather incompatible claims to do with the nature of reason. The first is that there are no shared or objective standards for evaluating beliefs or for justifying beliefs. In the same way as morality differs between people so too there can be different standards of rationality and these may be internal to different social practices - science and religion for example. There is no meta- standard of reason which can be invoked for determining the rationality and truth of belief systems taken as a whole. On this view moral scepticism is paralleled by a form of epistemological scepticism or at least epistemological relativism. Any such view would further exacerbate the problems involved in providing a justification for liberalism since the standards of rationality used in any such justification would be internal to liberalism itself and thus have little or no authority over the minds of those who were not already liberals. So, for example, it might be that some idea or ideal of impartiality has to be part of the justificatory framework of liberalism built upon what now seem to be the increasingly insecure foundations of moral scepticism such that the beliefs of people pursuing conceptions of the good rooted in our own choices should be treated impartially but this will not have much leverage with a person whose religious beliefs first of all may not grant any great priority to impartiality and whose beliefs may lead to the condemnation of the choices made by another person - perhaps most obviously in the context of sexual relations. This point is well made by Thomas Nagel when he says in relation to impartiality:
"Not everyone believes that political legitimacy depends on this condition and if we impose political institutions on others in our society because they meet it (and block the imposition of institutions that do not), why aren't we being as partial to our own values as someone who imposes a state religion?" (Nagel page 159)

The point is clear enough: if liberalism depends upon scepticism about the good then can there be a rational case for a central, albeit thin, liberal value such as impartiality when from a sceptical point of view the reasons for

adopting impartiality will themselves be internal to the circle of liberalism and will not have salience outside it?

The alternative position is more or less the opposite of this. It is that toleration is justified in relation to those conceptions of the good which meet minimum shared standards of rationality or better, since they are not too demanding, standards of reasonableness. This does not privilege any particular conception of the good but it may well effectively rule out of consideration for toleration those conceptions which fail to meet a standard of reasonableness. From this point of view we can maintain moral scepticism while at the same time accepting some kind of inter-subjective agreement about what is reasonable. This type of reasonableness might mean one or both of two things. The first would be that while I hold the beliefs that I do and hold them to be true nevertheless I recognise that it is reasonable for others to disagree with me. It might be thought that for some religious beliefs at least this standard of reasonableness would be difficult for the believer to accept. The second aspect of reasonableness would be that the grounds cited for the reasonableness of a belief should in some sense be public grounds and not based upon some kind of private appeal to a personal source of authority such as a personal revelation for example. Again to accept a standard of reasonableness which rules out what one might take to be the basic source of one's beliefs would again be difficult for the believer to accept. So on this basis religion may be ruled out of the range of beliefs which we think can play a role in public deliberation about policies to be followed and also ruled out on the same kinds of grounds might be beliefs about racial, gender or cultural inferiority (or superiority). What would be important here is that by default this conception of reasonableness does not become just an endorsement of scientific rationality because from what has already been said there is a complex range of issues relating to the relationship between moral points of view and scientific views which cannot just be side stepped by the liberal position in the context we are currently discussing it adopting a purely scientific approach. These more epistemological themes will be discussed in more detail in the fourth lecture.

So, taking all of these points together it has to be accepted, I think, that there is no way of defending liberal institutions from a standpoint of moral scepticism and there is no way that a strong case for a liberal public realm can be built up from a recognition of scepticism.

Liberalism as a *modus vivendi*

It might be argued that having reached this sort of impasse over the fundamental justification for a liberal order we should in fact lower our sights a great deal and look not for some philosophical justification to privilege liberalism and justify its role in relation to religion, but rather look to a much more prudential argument which might well recommend itself both to liberals and those with religious beliefs which makes them suspicious of liberalism. This is the idea that liberalism should be seen as securing a *modus vivendi* between people of fundamentally different beliefs and conceptions of the good. Indeed, defenders of liberalism as a *modus vivendi* might well point to the ways in which many thinkers have regarded liberalism as providing a political resolution to the problems posed both by religious wars in the 16th and 17th centuries and in clashes between religious and secular movements in the more modern world. While there have been disputes about the extent to which religious differences were in fact the primary occasion for the religious wars in earlier times, what Michael Oakeshott calls "the wars of the telocracies", nevertheless modern scholarship tends to favour the view that religious motivations were indeed at the heart of these wars even allowing for a range of other factors. In the 17th century the 30 years war was in fact brought to an end by the Peace of Westphalia which echoed the solution to religious conflict favoured by the Peace of Augsburg which embodied the principle of *cuius regio, eius religio* which could be regarded as a prudentially based form of *modus vivendi* between Catholic states and those that had accepted one or another version of Protestantism. Before going further it is perhaps worth pointing out why the dispute about the nature of these wars is important for the argument about liberalism. Liberalism is often portrayed as the solvent of religious disputes such as those ended by Augsburg and by the Peace of Westphalia but in fact if such wars were caused by other more material circumstances such as class struggle which a Marxist would see as lying behind the religious struggles then this historical justification for liberalism would be compromised. However, as I have said, the scholarly emphasis now seems to be firmly on the side of believing that such wars were in fact predominantly religious and hence the pro liberal narrative of this period of European history is not undermined. The basic idea here is that each party to a political conflict has in fact been looking to secure the dominance of its belief system and had sought to capture political power to further this aim. However, there may well come time at which it becomes clear to all sides that the hoped for victory will not occur since the balance of forces makes that unlikely. In these circumstances all sides have an interest in securing a settlement. This settlement does not have to be based on fundamental principles but a liberal favouring form of *modus vivendi* would in fact provide a framework within which dissenting parties who disagree about their conception of the good could in fact be provided with the space to pursue their own good in their own way so long as in doing so they do not seek to impose it on others since that would break the terms of the *modus vivendi*. All sides to the conflict have an interest in maintaining the *modus vivendi* because it provides them with the security of pursuing their own good in their own way. It also seems to have the advantage of leaving the character of all parties' conceptions of the good untouched and unchanged. One of the worries ranging from Cardinal Newman to Steven Macedo was that a liberal political order would in fact reshape the nature of belief within a liberal society. In the case of a *modus vivendi* this is not so. Each party would be able to hold to their beliefs -the only requirement is to desist from those forms of activity which create conflict and have led to the need for a *modus vivendi* in the first place. It is important to stress the prudential core of a *modus vivendi*. The parties to the agreement have not concluded the agreement because they have suddenly seen the

virtues of the other parties' positions. Rather what has led them to the agreement is a failure of each to impose its will. Of course, a prevailing and persisting arrangement of this sort may lead to a greater sense of mutual toleration of difference as each party comes to know the other more, but there is no guarantee that this will happen. A modus vivendi is not therefore predicated on a pre-existing commitment to mutual toleration.

Toleration may arise out of a modus vivendi and the relationships between the parties may become more principled but this is a contingent matter. As I have already said it seems to be in the interests of religion because it seems to leave belief as it is. It is a counsel of prudence about how to live with other beliefs while retaining ones' own integrity and not necessarily seeing value in the views of others.

There are however problems in taking modus vivendi as the most appropriate basis for liberalism in the modern world. First of all, as we have seen, it is not based on principle - so when an issue arises between previously warring communities there may be no basis for settling the matter just because the agreement is not based upon common principles or common values other than as a prudential calculation about what will bring peace in particular circumstances. This is a particularly acute problem for those with religious beliefs because they may need to subordinate beliefs, which they may well see as identity creating ground projects, to prudence which is essentially contingent/circumstantial and liable to change. To deal with this from a religious perspective might well require the religious person or in this context more likely the faith community to rank the achievement of social peace as the most fundamental imperative the achievement of which may well require the subordination of other religious beliefs and practices to this requirement. It is obvious that in the history of religion this has not happened in the sense that very frequently religions of all sorts and perhaps most obviously at the moment radical Islam have in fact ranked the internal goals of their religion above the requirements of social peace.

Indeed a theologian such as Hauerwas has argued that Christians too should in fact "live out of control" they should "take no thought for the morrow". So it is not at all clear that in acute situations the imperative to secure social peace will in fact outweigh the imperative to follow what might be seen to be much more important religious precepts. This is perhaps particularly true if there are changes in the balance of power in society which could provide an incentive to a particular party to upset the stability of the modus vivendi. As I have said, a modus vivendi is not an agreement based on common principles and common values and if the power relations between the parties to the agreement change then the party that has grown more in power has every reason from within its own moral, religious or for that matter ideological context to take the opportunity to secure public recognition and implementation of its moral or other views. There will not be the restraint of principle even that of social peace if the opportunity for the advancement of cherished ideas seems to be promising.

One of the most compelling incentives of the modus vivendi approach might seem to be that it leaves everything as it is in terms of beliefs, unlike other forms of liberalism, which, as we shall see may well require quite fundamental modifications of belief systems. This, though, is not true for reasons which are implicit in what has just been said. The requirements of social peace may well require the subordination of religious values to the prudential desire for social peace and this does not leave religion as it was, but may well rather mean reticence and indeed constraints over the pursuit of centrally important values. It may well also mean that religious people cannot witness to their beliefs in the public realm again because of the requirements of social peace. This, however, may well mean a reshaping of religious belief if such witnessing is regarded as an intrinsic part of religious faith.

It is also argued by critics that a modus vivendi will be very difficult to sustain in hard cases of public policy and therefore that something more substantial in the way of agreement on principle is necessary in such circumstances. Take, for example, the case for abortion or gay rights. It is inevitable that these are going to major areas of public policy and they are also issues about which those who adhere to comprehensive metaphysical and religious doctrines will have strong views. Indeed, it could be argued that these matters are not just about policy decisions within some sort of agreed constitutional framework, but are in fact more basic and relate to the framework itself: Who is to be the bearer of rights and the subject of justice (foetuses? Gays?) and whose rights are to have the priority (foetuses? Women?). A liberal constitutional order is likely to protect the woman's right to choose in the case of abortion, and equal rights in respect of the age of consent and marriage rights in the case of gays and lesbians. Religious groups may well object to this and may not conceptualise the issues at stake in terms of rights and equality at all. A polity based on a modus vivendi is likely to require, on prudential grounds, that such groups treat their moral and metaphysical objections to such practices as matters of private belief: that within their own religious communities such behaviour may be the subject of censure and discipline, but that these beliefs should not affect either the constitutional order or the policies promulgated within such an order. Here in the view of critics, lies the weakness of the modus vivendi arrangements. The religious believer will not want to treat his or her religious convictions as matters of private belief and as having only personal or faith community salience and will have no reason of principle to do so, since the modus vivendi has not required attachments to ideas of rights and equality as matters of principle. The only reason for constraining beliefs rests on prudence and the considerations that dictate a prudential approach to questions may change with a possible increase in power on the part of the group.

So it might be argued, despite the undoubted attraction of its not making the demand of assent to liberal principles, a modus vivendi approach will nevertheless not do. The reason lies in precisely what looks superficially to be its strength, namely its lack of demands in terms of principle. As we have seen this is likely to be a fatal flaw unless very favourable circumstances lead a modus vivendi to develop a more principled set of arrangements as a result of learning mutual respect and the positive value of toleration. However, this still leaves the point namely that there has to be an agreement of principle that is arrived at and there is no certainty

that a modus vivendi will in fact lead to that. So, we need to look elsewhere.

Perfectionist or comprehensive liberalism

Perfectionist and comprehensive forms of liberalism stand at the opposite end of the spectrum both in relation to scepticism and modus vivendi approaches. Neither the sceptical approach nor the modus vivendi position can defend liberalism as a principled position: scepticism because of its self defeating epistemological assumptions; modus vivendi because, if principles matter at all in this context, they may emerge out of modus vivendi arrangements- but such principles cannot be grounded on general considerations, they are the contingent and variable out growth of particular context and circumstances, if they emerge at all. Perfectionist and comprehensive theories of liberalism on the contrary defend liberalism as a principled doctrine the basis of which is supported by what are taken to be compelling arguments underpinning a set of substantial values.

Such a principled liberal position would provide for a central place for ideas about autonomy, individualism, rights and rationality as part of a philosophical theory in which such ideas are embedded and worked out and supported in detail. Examples of such views from the past would be Kant and Mill and in the contemporary context would include the work of Joseph Raz and Alan Gewirth. Such approaches may be rightly called perfectionist in that they have at their centre some moral ideal- usually autonomy- which is the central value for liberalism to realise. They are comprehensive in two senses: first of all such ideals are supported by quite an elaborated general moral theory; secondly they are comprehensive in the sense that from the perspective of these theories liberalism can make universal claims to legitimacy and should not be seen as a contingent result of particular circumstances. Thus liberal ideas and liberal institutions facilitate the achievement of ideals which enhance human flourishing. So, such forms of liberalism usually involve a strong defence of the idea of autonomy and its role in individual flourishing and examples of that we might cite the chapter on 'Individuality' in Mill's Essay on Liberty, Raz's Morality of Freedom, and Gewirth's Reason and Morality. There is clearly a link between such ideas and moral and political pluralism because if the achievement of individual autonomy is seen as an important or the most important good in human life, then the exercise of such autonomy and choice on the part of individuals is going to mean that different goods and goals are pursued by autonomous individuals.

This is not because of moral scepticism but rather follows from the centrality of the value of autonomy- a centrality which can be given rational support on the perfectionist position. The different goals pursued by autonomous individuals may all in some sense be regarded as objective values but some will choose to pursue values a and b, others c and d and so on. This ranking of values and the pursuit of some rather than others is an exercise of deliberative autonomy not some kind of antinomian scepticism.

The centrality of autonomy can, on analysis yield rather different prescriptions for liberal institutions. Some have argued that autonomy requires us to understand freedom and rights in negative ways. That is to say autonomy implies freedom from coercion and that rights embody such negative freedom. A right to life is a right not to be killed, a right to property is a right not to have one's property forcibly removed from one, a right to autonomy generally is a right not to be coerced or interfered with without the freely chosen consent of the individual concerned. Others have argued that while autonomy does indeed involve negative rights and the negative freedom which will result from such rights it also involves positive freedom too. Positive freedom is the freedom to, not just freedom from. It involves the idea of being able to pursue one's goals not just being free from interference in formulating and positing such goals. Such forms of positive freedom would entail rather different institutional structures for example a role for the state in securing to individuals the resources necessary to act on what they are negatively free to do - that is to say resources such as health and education. Important in this discussion though in the context of religion is that freedom of religious belief can be seen as a paradigmatic negative right- that one should be free to believe whatever you like without interference; freedom to act on that belief is a form of positive freedom - it is freedom to and because it involves action it involves others and their freedoms too. On the liberal view of autonomy and rights one should be positively free to act on one's religious beliefs so long as in so doing one does not coerce others and the fundamental form of coercion would be to act in such a way as to prevent some other people autonomously pursuing their own good in their own way.

Within perfectionist and comprehensive forms of liberalism there are different types of argument in favour of autonomy and this is not the place to review them all. It will however be useful just for a moment to review the argument put forward by Alan Gewirth. The reason for this is that Gewirth argues that autonomy if only implicitly is presupposed by any kind of moral activity including that which is religiously inspired. This is important because a standard religious argument, as we shall see, against perfectionist liberalism is in fact a rejection of the importance of autonomy.

Gewirth argues that in fact a sense of autonomy is in fact presupposed by anything resembling a moral code and this is true even of those codes which ostensibly reject the importance of autonomy. His reasoning is essentially very simple. Even in a code which rejects autonomy there will be both prohibitions on action and exhortations to do one thing rather than another. If this language has any purchase then it must presuppose a capacity for choice such that it is wrong choices or at least the potential for wrong choices which necessitates the prohibitions and the exhortations. In the same way as truth telling must be a presupposition of language because if people habitually lied how could we explain how language is transmitted from one generation to another? The habit of truth telling must be a presupposition or a necessary condition for explaining how language is transmitted. So autonomy and the capacity for choice must be a presupposition of the way in which moral vocabulary functions in prohibition, punishment and exhortation. This does not mean that autonomy has

to be seen as a desirable as a moral end as opposed to being a presupposition, but it does mean that any moral code has to be able to give an account of the autonomy which its own vocabulary and institutional structure will on this view rest upon.

Of course it is still open to liberal groups to argue that even if Gewirth's point is correct autonomy has to be exercised in the context of a set of other values which from a religious standpoint might be equally foundational.

So for example a strong, Gewirthian account of autonomy might be used to justify assisted dying or suicide whereas the Christian might argue that there are equally fundamental values at stake here: the sanctity of life, relationships and so forth and that Gewirth's argument about the presupposed role for autonomy has to be considered in relation to these other values.

In addition there are philosophical or logical concerns about the nature of the argument. It is a transcendental argument the point of which generally is to take an area of human experience and activity and ask the question what does the existence of such an activity presuppose? These will then be the transcendental conditions for the experience or activity in question. However, the immediate problem is that there is potentially an indefinitely large number of such conditions ranging from the existence of the universe to much more modest conditions. What matters is that what has to be established is the necessity of the particular cited conditions and this would require a set of arguments against the necessity of non cited conditions. This is a very complex and controversial area of philosophy. We cannot go into the detail here nor should we since the claim of perfectionist liberalism is that it can in fact provide a justification for liberal values which is not deeply controversial in logical terms. As a transcendental argument it is clear that this condition is not met by Gewirth's argument about the centrality of autonomy and as such perfectionist liberalism at least of that sort is itself enmeshed in highly controversial philosophical problems.

In the context of liberal society and religion there are two major problems with perfectionist and comprehensive accounts of liberalism. The first is that the grounds for the values espoused in such theories are going to be philosophically controversial. This is very important in relation to pluralism which is the topic of the next lecture because liberalism often presents itself as the solvent of the conflicts and divisions of a pluralist society in which people differ about conceptions of the good many of which are rooted in comprehensive doctrines which are also controversial and subject to dispute.

However, on the form of liberalism we have been investigating liberalism is being presented as a rival comprehensive doctrine which yields an account of the moral importance of autonomy, freedom and rights.

What is it about a comprehensive form of liberalism that privileges it over other comprehensive doctrines? If part of the problem of pluralism in modern society is that there is contestation over comprehensive doctrines what is it about comprehensive liberalism which gives it a privileged and arbitrating role? One answer to this is that this comprehensive doctrine is true in a way that cannot be claimed in relation to other comprehensive doctrines. This in the critics view is a claim which cannot be sustained for two reasons. The first is that it must be based on some controversial epistemological theory to the effect that the reasons underlying comprehensive liberalism have more credibility than the reasons underlying any other comprehensive doctrine. At the very least such a position is controversial and indeed has never really been carried through in any systematic and plausible way. Secondly the claim to truth in such a comprehensive doctrine fits badly with some of the consequences of how such a form of liberalism treats other comprehensive doctrines. Usually in order to deal with the clashes of comprehensive doctrines (as we shall see in the next chapter) liberals appeal to an idea of reasonableness.

These contestations between comprehensive doctrines can be managed in a liberal state if those who adhere to comprehensive doctrines do so in a reasonable way by which is usually meant recognising that it is reasonable for adherents of other comprehensive doctrines such as religious ones to disagree with one's own such doctrine. Now there may be a great deal in this but, if so, it has to apply to liberalism as a comprehensive doctrine itself and it cannot in consistency claim a kind of overarching legitimacy and privilege for its own comprehensive point of view which it is unwilling to concede to others. It might be that the comprehensive liberal will then argue that such a view can claim privilege because it provides a framework within which people can adhere to their own comprehensive doctrines so long as they do not infringe the freedom of others and that a liberal political order of this sort will leave the nature of other comprehensive doctrines untouched. However, this last point is in fact highly dubious really for the reasons stated by Newman and Macedo namely that a liberal order reshapes other comprehensive doctrines within its purview in its own image - that is to say turning them into liberal forms of such doctrines and what is the fundamental justification for its privilege in doing that? The first claim about the recognition of mutual non coercion is as we shall see later in these lectures intensely controversial. So the claim is that comprehensive forms of liberalism in the context of pluralism and contested views of the good and contested comprehensive doctrines becomes part of the problem and not part of the solution. This is centrally important in terms of the relationship between liberalism and religion. If as we have seen Klosko, Nagel and other argue liberalism has to be justified in terms of the values of all of those who live under a liberal regime, then, if the liberal insists on a substantive idea of autonomy as liberalism's central ideal, how can it justify itself to members of faith groups who may not in fact rank autonomy as highly as liberals do or who indeed might not regard autonomy as having much importance at all compared with a life of religious discipleship for example?

Liberalism as a contingent, historical ethos

There is also the view of liberalism associated with Richard Rorty and Raymond Aron that seeking some kind of philosophical foundation for liberalism is bound to fail because such foundations are not available either for

rational discovery or rational construction. What holds society together is an ethos a given set of shared values - not an Eidos - some kind of philosophically grounded constitutive ideal. Political judgement is about practical judgement within such an ethos not sophia - the acquisition of knowledge about constitutive principles. The ethos of a society might be understood or interpreted by philosophy - but this is not providing foundations - it cannot do that - we end up with a practice - this is what we do (around here)

The chain of reasons has an end

I reach bedrock and my spade is turned

I simply say 'This is what I do'

But what we do can be represented, distilled, interpreted, its ethos celebrated in many ways other than philosophy - in art, literature etc. M Heidegger argued in his letter on humanism that Sophocles gives a more profound understanding of ancient Greek/political experience than does Aristotle.

But leaving that aside who are the 'we' that Rorty includes - will not members of faith communities because he takes religion as what he calls a 'conversation stopper'. A liberal ethos is committed to the search for consensus because there are no foundations among people with different views about what gives point and meaning to life. If people insist on this wholly religious view being taken seriously when it does not depend on public shared standards as to what is to count as knowledge - then it is a "conversation stopper" according to Rorty. His problem, among others, is that if liberalism is an historical achievement which cannot be grounded and if history is a set of contingencies, as he believes it is then liberalism itself can be a conversation stopper in the following sense. As both Rorty and Aron ultimately see it liberalism is an historical existential choice - but this is quite inconsistent with the idea that liberalism has to be based on consent and as such has to be justified never mind to the stringent standards proposed by Nagel and implied by Williams. It looks as though the basis of liberalism is just historically situated power rather than rational consent. This would, of course, be rather different if liberalism as an historical achievement could be underwritten by a philosophy of history of the sort provided by Francis Fukuyama in *The End of History* (in turn heavily indebted to Hegel and to Kojève). However, those who have most stressed that liberalism should be seen as an historical achievement rather than a philosophical system have also been in the forefront of regarding history as a series of contingencies. Such a view of history can hardly provide a firm justification for the priority of liberalism in the face of dissenting comprehensive doctrines particularly when some of those doctrines-Christianity would be a prime example-may well have their own philosophies of history or theodicies underpinned by their own comprehensive doctrines.