RELIGIOUS REASONING IN POLITICS:
A DISCUSSION OF PUBLIC REASON

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ABSTRACT

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This thesis has the goal of exploring the proper place of religious reasoning in liberal politics, and the main research question of the thesis is: Should religious reasoning which means reliance on a religious ground in the decision-making process be allowed in politics? In the literature, almost all discussion of religious reasons has been carried out in relation to public reason: are religious reasons public reasons, can a religious justification be accepted as a public justification, what is the scope of public reason, and does this scope include and influence ordinary religious citizens in addition to religious public officials? The main argument in this literature is the Doctrine of Religious Restraint (DRR): citizens should not support any law for which they have only religious reasons. Collaboration of a public secular rationale is required. First argument for the DRR is the argument from respect. It claims that respect requires the restraint of religious reasons. Second argument is the epistemic argument for the DRR. It argues that the epistemic status of religious reasons is not sufficient to be counted as public justification. In the light of these discussions, the thesis argues that the arguments for the DRR have vital drawbacks for justifying the DRR which prevent them from restraining religious reasons in politics.

Keywords: Public Reason, Religious Reason, Respect, the Doctrine of Religious Restrain

ÖZ

SİYASETTE DİNSEL AKIL YÜRÜTME:
BİR KAMUSAL AKIL TARTIŞMASI

Sakarya, Sümeyye
Yüksek Lisans, Siyaset Bilimi ve Kamu Yönetimi Bölümü
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Bu tez, dinsel akıl yürütmenin liberal siyasetteki yerini tartışmayı amaçlamaktadır. Bu bağlamda tezin araştırma sorusunu şu şekilde ifade edebiliriz: dini kaynaklara dayanarak karar verme şeklinde tanımlayabileceğimiz dinsel akıl yürütmeye siyasette izin verilmeli midir? Literatürde bu tartışma kamusal akıl tartışmasıyla birlikte yürütülmektedir: dini gerekçelerin kamusal gerekçeler kabul edilip edilemeyeceği, bu bağlamda dini gerekçelendirmenin kamusal bir gerekçelendirme olup olmadığı, kamusal aklın sınırlarının dini ve dindar vatandaşı kapsayıp kapsamadığı gibi sorular bu tartışmaya örnek olarak verilebilir. Kamusal akıl literatüründe dinsel akıl yürütme tartışmasındaki temel argüman Dini Kısıtlama Doktrinidir (the Doctrine of Religious Restraint, DRR). Bu doktrine göre vatandaşlar, kamusal sayılabilecek seküler bir gerekçeye sahip olmaksızın, sadece dini bir gerekçeyle hiçbir kanunu desteklememelidir. Literatürde bu doktrini gerekçelendiren iki ana argüman vardır. Bunlardan ilki dinsel akıl yürütmenin vatandaşlar arası "saygı"nın gereği olarak kısıtlanması gerektiğini iddia etmektedir. İkincisiyse, dini gerekçelerin epistemik statüsünün kamusal gerekçe sayılmak için yeterli olmadığını iddia etmektedir ve dinsel akıl yürütmenin sınırlandırılmasını bu gerekçeyle savunmaktadır. Bu tartışmaların ışığında tezin temel iddiası, Dini Kısıtlama Doktrinini gerekçelendiren argümanların siyasette dinsel akıl yürütmenin sınırlandırılması için yetersiz kaldığıdır.

Anahtar Kelimeler: Kamusal Akıl, dinsel akıl yürütme, Dini Kısıtlama Doktrini, saygı

ACKNOWLEDGMENTS

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PART 1 : INTRODUCTION

CHAPTER 1

INTRODUCTION

1. **The Scope and Research Questions**

Religious contributions to politics has been discussed intensively for decades. Through all this discussion, secularization theory drawn a widespread attention and dominated the literature for a remarkable time period, especially in 1950s and 1960s. The main argument of secularization theory was that as societies modernize, religiosity and role of religion decline in the society, and religion gets confined to the private realm while it withdraws from the public realm. It is important to highlight that the theory was normative beyond being descriptive and claimed that modern plural life is threatened by religion and then religion should be limited to the private realm (Mills 1959; Wilson 1982; Berger and Luckmann 1966; Berger 1967). However, with the religious resurgence of recent decades, discussion of the proper role of religion in politics has reemerged with an emphasizes on the positive role of religion in public, and secularization theory has been growingly challenged -even by its some ex-proponents (Stark and Finke 2000; Berger 1999; C. Smith and Emerson 1998; Bruce 1996; Brown 1992; Hadden 1987; Habermas 2008). This means neither the collapse of secularism nor the triumph of religion. Yet, the role of religion in public life and politics have been widely acknowledged.

Discussions of "religious reasoning" in politics which means reliance on a religious ground in the political decision-making process hold the more theoretical and philosophical side of this acknowledgement. Parallel to secularization theory, political liberal view had been the common approach

toward religious reasons in the related literature until the recent decades. Liberals and some other public reason theorists such as Rawls, Larmore, Macedo, Audi and Habermas have articulated arguments for the restriction of religious reasons. Their main point is that citizens should not support any law for which they have only religious reasons. Collaboration of a secular rationale is required. This view is named The Doctrine of Religious Restraint (DRR) in the literature. The DRR has been advocated through different arguments such as the argument from divisiveness and religious warfare, theistic case argument, epistemic arguments and the argument from respect (Eberle and Cuneo 2015; Eberle 2002).

Along with the rising objections to the secularization theory in recent years, this doctrine was also begun to be challenged by political and legal theorists. Challenges have claimed that the public reason theorists have many deficiencies in justifying the DRR and that there are many arguments supporting the inclusion of religious reasons in public justification (March 2013, 523). These "inclusivists" have mostly tried to falsify the arguments for the DRR and figured out more inclusive alternatives (Eberle 2002; Perry 2001; Wolterstorff 1997; Waldron 2010; Stout 2004; Weithman 2002; Bohman 2003; Gaus and Vallier 2009). However, these critical studies are still in their germination period and carried out mostly by scholars of law, philosophy and religion or theology. The number of political scientist who embark on the topic is inadequately limited considering the importance of the topic.

Besides, the discussion is almost exclusively held in American intellectual life despite its much more widespread relevance and significance. For instance, the relation between religion and politics is an intensively studied matter in Turkey. On the other hand, I have not found any theoretical study on the religious reasoning in politics. There are remarkable works on secularization, public realm, politics and Islam (Berkes 1964; Mardin 1981; Ahmad 1991; Navaro-Yashin 2002; Yavuz 2009). Yet, these are mostly sociological, anthropological, and historical studies construing the dynamics between religion, society and state in Turkey. Political theory angle of these dynamics has been left untouched while the political aspect of them have been mostly

confined to "hard" politics and the mentality behind this politics to a very limited extent. For example, how religious citizens, particularly leading political Islamists in Turkey process their political-decision making, to what extent they rely on religious sources in their individual decision making process and to what extent they prefer to or can reveal these individual justifications in their public discourse are crucial but disregarded questions in the literature.

Recognition of this deficiency is the main motivation behind this thesis. Its scope is very limited as a humble master thesis and there is no mention of Turkish case. However, it constitutes the first step in my enthusiastic journey toward asking and answering such questions.

Then, this thesis has the goal of exploring the proper place of religious reasoning in politics, and the main research question of the thesis is: Should religious reasoning which means reliance on a religious ground in the decision-making process be allowed in politics? Some other questions to expand on are: How and through which arguments does the Doctrine of Religious Restraint restrain religious reasons? Do these arguments provide with sufficient reasons for the restraint of religion in public reason? What are their drawbacks?

2.   Methodology and Roadmap of the Study

Literature review is the main research method employed in the thesis. In the light of the initial literature review, I planned the thesis as two parts and five chapters. Two parts are Introduction and Religious Reasoning. In the first part, after the first chapter of Introduction, I provided with a literature review of Public Reason. In the literature, almost all discussion of religious reasons has been carried out in relation to public reason: are religious reasons public reasons, can a religious justification be accepted as a public justification, what is the scope of public reason, and does this scope include and influence ordinary religious citizens in addition to religious public officials? Then, a preliminary knowledge of public reason literature seems necessary for the discussion of religious reasoning in politics and I presented it in the first part.

In the second part -Religious Reasoning- I have three chapters including conclusion. Chapter 3 is the Argument from Respect for Restraint. In this chapter, I examine the argument that respect requires the restraint of religious reasons. This argumentation is almost taken for granted in the literature. However, despite its commonness, there is no detailed and explicit formulation for it. Then, I discuss arguments of Solum, Larmore and Audi on behalf of the literature as the most significant ones to my study among the arguments from respect. I argue that all these three arguments have some drawbacks. These drawbacks prevent them from providing sufficient reasons for the restriction of religion.

In chapter 4, I tackle the epistemic arguments for the restraint of religion. Here, the main argument in the literature is that epistemic status of religious reasons is not sufficient to be counted as public justification. Public reason theorists have mainly three epistemic conceptions of public justification: intelligibility, accessibility and shareability. In order to be counted as a public reason, a reason needs to be shareable, accessible or intelligible. In this chapter, all these three versions of epistemic conceptions of public justification are handled with their different interpretations in the literature. It is claimed that the epistemic desideratum that these epistemic conceptions of public justification offer do not provide sufficient tools to restrict religious reasons while allowing the other type of reasons in public reason.

3.   Limitations of the Study

While these are what the thesis includes and intends to deal with, there are some related issues which are beyond the scope of this thesis considering its limitedness as a master thesis. The first is that, only two mentioned arguments-respect and epistemic status arguments- are handled in the thesis among other arguments for the DRR. The DRR is justified through different arguments such as theistic argument (Audi 1997) and divisiveness arguments (Rorty 1994; Marshall 1992; Sullivan 1992; Audi 2000; Greene 1993) in addition to the epistemic arguments and the argument from respect. I preferred the last two

arguments over the former ones mainly because of two reasons. The first, some of these arguments are exclusionary, while others are only restrictive and I have chosen the restrictive ones. For instance, divisiveness argument is an exclusionary one and its main thesis is that religion is divisive, then it should not be allowed in public. The second, I preferred more public reason related ones. This is also the reason for my preference over restrictiveness as it much more considers public reason discussion than the exclusionary arguments. For instance, divisiveness argument is mostly grounded in historical experiences namely religion wars and does not have much to do with public reason debate. Theistic case argument also is not much about the public reason discussion and it deals with the religious people's own claims and mentality regarding religion. It argues that: "if God will ensure that citizens will have secular access to moral truths, and if we can have confidence that faith and reason will overlap to a considerable extent, should not theists *doubt* any religiously grounded moral claim for which they cannot acquire the expected secular corroboration?" (Eberle 2002, 297). Then, only the argument from respect and epistemic arguments are examined in the thesis. This is the scope of thesis' content.

When it comes to what its goal includes and excludes, the thesis does not intend to provide an alternative, religious friendly public reason theory. Convergence version of public reason occasionally tries to substitute for this throughout the thesis. Yet, such a theoretical alternative initially requires a much more sophisticated debate of existing religious friendly alternatives of the literature in addition to the criticisms of exclusivist and restrictionist public reason theories. Then, this is more than a master thesis can accomplish. In relation to this, this thesis also does not attempt to bring with *new responses* to the questions such as to what extent religious reasoning is public reasoning and what their dividing lines are if there is any, and what the place of religious reasoning *should* be in the public reasoning. These questions require to discuss the kinds of religious reasons and secular reasons, their inter-differences and categories and these also beyond this thesis. Then, these questions are discussed –not directly- in relation to the DRR's restrictionist arguments and then their

forms slightly change. For instance, the thesis directly deals with the question "to what extent public reason/justification conceptions of public reason theorists *can* exclude religious reasons and whether their dividing lines *can* successfully work as dividing lines" instead of "to what extent religious reasoning is public reasoning and what their dividing lines are". Or, the question "what the place of religious reasoning *should* be in the public reasoning" is discussed through the question "whether the arguments for the DRR can provide with sufficient reasons for the restraint of religion in public reason". Then, this thesis studies religious reasoning as a residual category in the Public Reason literature on religious reasons. It basically questions the place of religious reasoning in liberal politics through questioning the DRR of public reason theorists. And, it argues that the DRR's arguments cannot justify the restraint of religion.

CHAPTER 2

PUBLIC REASON

In this chapter, the idea of public reason is described with a discussion of its different versions. Although there is no determinate definition of it, we can consider it "as a standard for assessing rules, laws, institutions, and the behavior of individual citizens and public officials" (Quong 2013). Stability, order, disharmony, disunity, and conflict have been longstanding concerns for political philosophers, and the idea of public reason can be regarded as a modern response to these fundamental questions of coexistence. Its rise as an idea coincides with the rise of liberalism (Gaus 2015) and liberal theory which is motivated by the fact of pluralism (Solum 1990, 1088). According to the fact of pluralism, or reasonable pluralism as called by Rawls (Rawls 1996), individuals as free and equal citizens of the modern constitutional liberal democracies may have irreconcilable reasons and claims regarding the every aspect of life. And, when it comes to politics through which some coercive decisions binding the whole society have to be made, this pluralism of comprehensive doctrines has the potential to be a source of some problems such as disharmony, instability, and disorder. Then some principles are needed to manage these. Here, public reason endorses a regulative framework for a well-ordered society. For public reason theorists such as Rawls, Habermas, Larmore, Macedo, Audi, and Solum, there are two foundational principles which constitute this framework: the liberty principle and the public justification principle. Despite some differences in the interpretation, the liberty principle can be summarized as that liberty should always be a norm and then coercion as its limitation is needed to be justified (Vallier 2010, 3; Audi 2011, 41–42) . This second part of the principle also carries us to the public justification principle:

The Public Justification Principle: "A coercive law L is wrongful unless each and every member of the public P has conclusive reason(s) R to accept L"(Gaus 2009, 4).

The Public Justification Principle (PJP) with its different interpretations can be regarded as a representation of the public reason theorists (Vallier and D'Agostino 2014). Indeed, the PJP is the main principle and requirement for the public reason theorists since the very idea of public reason relates to "how the political relation to be understood" (Rawls 1997, 766) and the management of our differences and problems for which we enact laws. Here, the PJP is not a starting point but a general principle for public reason theorists, then most like an outcome of and a respond to their concerns. It is their solution or recommendation to the fundamental questions of coexistence. When it comes to the Liberty Principle, it constitutes the normative background for the PJP. It is a presumption for the liberty as a norm (Vallier and D'Agostino 1996). Then, it requires the coercion to be justified.

Although the Public Justification Principle is a common foundational principle for public reason theorists, different interpretations of its components have resulted in the different versions of the public reason theories which will be presented in this chapter. In the first part of the chapter, historical roots of the idea of public reason, contract theorists, and Kant are presented and compared to the modern idea of public reason. Rawls' and Habermas' accounts of public reason are also provided in this part. The second part discusses why we need public reason according to the theorists. Two main responses of the literature are presented there: because of the requirement of respect and reciprocity we need public reason. The third part tackles two sister concepts of public reason: stability and publicity. Although these concepts are not subtitles of public reason, without discussing them we cannot fully understand public reason. Moreover, since these sister concepts are mostly related to the question why we need public reason, I have preferred to discuss them just after this part and before the different interpretations of public reason.

Public P and reason R are the most discussed parts of the Public Justification Principle. In accordance with how you interpret them, the limit and version of public reason alter. Then, the fourth part reviews the different interpretations of the public P. Following this, in the fifth part, reason R and its publicity are addressed. The convergence version of public reason is also introduced against the mainstream consensus version since these versions are outcomes of different interpretations of reason R. Content and scope of public reason, and what law L is are covered in the sixth part before the conclusion. The proper place of religion and comprehensive views in public reason is discussed here, too.

Before passing to the parts, it is important to indicate that "public reason" and "public justification" are used interchangeable through the whole thesis. Although some nuances between them are rarely noted such as public reason being narrower (Vallier and D'Agostino 2014) , in the literature they mostly refer to the same thing. Then, they do not have different definitions in the literature. While "public reason" is mostly preferred over "public justification" with the concepts such as theory, ideal and idea, "public justification" is preferred over "public reason" when pointing the processes and cases as examples. However, these usages are not exclusively and they can be used interchangeably, too. Thus, in this thesis I have also use them interchangeably just as in the literature. Both mean the same thing. Besides, I have preferred public reason theorists and public reason liberalism over justificatory liberals and justificatory liberalism despite their frequent interchangeable usage in the literature. Especially with "Justificatory Liberalism" of Gaus (1996), people has also started to use it, sometimes even exclusively to refer to Gaus' alternative and convergence version of public reason. Even convergence version sometimes was criticized being justification without public and treated as an alternative directly to public reason, but not to the consensus version of public reason (Macedo 2010). Despite the uncommonness of this kind of objections, in order to dismiss any risk of misunderstanding, I have preferred the term public reason liberalism over justificatory liberalism. Yet, the reason why the title is not public

reason liberalism but public reason is that while the former excludes the non-liberal theorists of public reason such as some deliberative democrats and republicans, the latter includes all theorists of public reason

1.   History of Public Reason Debate

Roots of the contemporary discussions of public reason can be traced back to the very beginning of the modern political science and to the philosophers such as Hobbes, Locke, Rousseau, Kant and Mill. Despite some differences in their basic questions and responds to them, all these philosophers dwelled on some sort of public agreement and justification. Although Kant is before chronologically, I discuss him after Mill because of two reasons. Firstly, he has a more foundational influence on the discussion of public reason and then requires much more detailed discussion. Secondly, in the last section of this part, Rawls' and Habermas' accounts of public reason are provided. Presenting Kant just before them seems more proper due to his influence on them.

Hobbes can be accepted as the first figure of the problem of conflicting claims and coexistence debate. He claims that human beings are naturally equal in terms of their general capacities. That means they might have similar, even the same goals, but with different private judgments. An indispensable outcome of this situation is competition and conflict (Hobbes, n.d., 56–57). However, to live in a society, cooperation and peace are necessary. Thus, Hobbes concludes that we need a sovereign "whose voice is the voice of public reason" (Gaus 2015, 3). Judgment of the sovereign as a substitute for public reason would ensure the stability and peace in the society. Then, Hobbes comes up with an illiberal solution to the problem of coexistence (Gaus 2015, 2–5).

Following Hobbes, we have Locke in the same tradition. Yet, he abandons the illiberalism of Hobbes and seeks for a more liberal way out. Like Hobbes, he also starts from the deep disagreements in the state of nature in which human beings are equal and free and there is no authority (Locke, n.d., 3–9). However, he believes in a common conception of civil interests shared by all and he offers a solution backed by this belief. According to this solution, private

judgments regarding justice and morality should be left aside, and shared reasons should be advocated for civil interests (Gaus 2015, 6–7).

Rousseau's influence on modern public reason is mostly through his general will formation since what public reason tackles is the procedural principles of this process. Both general will and common good have republican concerns such as citizenship, and moral obligations of citizens (Aydil 2003, 43–44). According to Rousseau, man is born free and has some private interests. On the other hand, he has to live in a community which has collective interest. These interests are in conflict. To deal with this problem and for the common good, general will should be formulated through deliberation (Rousseau, n.d.).

For Mill, the idea of the priority of right over the good and the liberty principle owe Mill much. Mill's main concern is the limits of liberty without disregarding its priority. Liberty brings some utilities in terms of moral and intellectual human development. He stresses the significance of discussion and freedom of speech in this development. Hence, deliberation has a similar emphasis in Mill. Especially, considering the Rawlsian public reason with his first principle of justice which endorses equal liberty, Mill's influence seems undeniable (Aydil 2003, 54–67).

1.1. Kant on Public Reason

The most influential figure is Kant. In order to understand the proper place of public reason in Kant, initially we need to handle the Kantian reason. The importance of reason in Kant stems from its emancipatory capacity. For this, reason as an internal process of the human mind should be free from all types of external factors. Only this condition can ensure the impartiality of reasoning and the enlightenment of people. Then, the political conditions should not be oppressive and should provide people with this environment which is free from oppressive external factors. This situation is vital for the public use of reason since it can be actualized through communication among enlightened people who can freely use their reasons. Thus, the impartiality and then free use of reason are preconditions for political enlightenment which is an outcome of

public use of reason. Reason as internal and as external process are interrelated in this sense (Kant 1998).

In the light of this preliminary, we can appreciate Kant's place in the discussion of public reason. Indeed, "What is Enlightenment" of Kant is like an earlier version of public reason. In the article, he praises the one's use of her own reason as well as public use of reason as stated before. Just as modern public reason theorists, he has concerns regarding the relations between people and the state, and its regulation. Public use of reason has work to do in this regulation. However, since Kant discuses public reason in relation to the private reason, it is important to mention private reason before.

Kant considers the private use of reason as reasoning in accordance with the orders of others. "(T)he use which a scholar makes of his reason before the congregation that employs him is only a private use, for no matter how sizable, this is only a domestic audience. In view of this he, as preacher, is not free and ought not to be free, since he is carrying out the orders of others" (Kant, n.d.). Then, the private reasoning requires obeying. Although this does not seem good for the free polity and public use of reason, Kant regards it as positively when it is necessary for the good of the community:

> In some affairs affecting the interest of the community a certain [governmental] mechanism is necessary in which some members of the community remain passive. This creates an artificial unanimity which will serve the fulfillment of public objectives, or at least keep these objectives from being destroyed. Here arguing is not permitted: one must obey." (Kant, n.d.)

When it comes to public reason, for Kant, it is public use of reason for common solutions and agreements in public. Public use of reason is realized when citizens use their own reasons freely before the public. Then, in the public use of reason, there is plurality of free reasons. This can carry us to the knowledge which is required for common solutions. However, this is only possible under a free polity. The freedom is necessary for the public use of

reason at all times and in all matters. On the other hand, only public use of reason can carry us to a much better polity and enlightenment. Then, freedom and the public use of reason are reciprocally require each other. (Kant, n.d.).

Kant's account of the public use of reason has a significant impact on Rawlsian and Habermasian public reason and then the following discussions of public reason. Especially considering Rawlsian public reason, Kant's impact is not limited to the public-private reasons. The categorical imperative of Kant has its traces on Rawls' public reason which is discussed below in detail. The categorical imperative is how Kant understands moral duties and it has four different formulations. Since the universality formulation of it is the most significant one regarding Rawlsian public reason, it would be better to mention it.

According to this formulation, one should follow only that maxim[1] which can be a universal law of nature, too: "Act only on that maxim by which you can at the same time will that it should become a universal law" (Kant 2002, 222). Then, after having a maxim, we should reconsider it as a universal law. If we are okay with it as a natural law governing the world and we think we can "rationally *will* to act on your (our) maxim in such a world", our maxim is morally right (Johnson and Cureton 2017). In addition to the public use of reason, this formulation has its traces on Rawls, especially on his conception of reasonableness and the original position.

1.2. Rawls on Public Reason

Just as Kant, Rawls also concerns with the citizens' use of their reason and the reasoning process for arriving some common agreements and principles

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[1] Maxims are subjective principles on which we act. Maxims are personal in the sense that they are peculiar to cases and the will is realized through these maxims. For instance, "I ought to save my sister from this dog" is a *subjective* maxim as it only applies to the case that I think I need to save my sister (Kant 2002, 222).

in public. Rawls' starting point is ensuring a well-ordered constitutional democratic society while Kant mentions any polity. Public reason in Rawls contributes to this as "it concerns how the political relation is to be understood", in this sense it can be considered as a regulative framework (Rawls 1997, 766). Similar to Kant, he thinks that reasons are public in the sense that their subject is the public good and they are reasons of free and equal citizens, then they are reasons of the public which are expressed in public (1997, 767). Reciprocity criterion is an important part of Rawls' idea of public reason which I deal with in the following part, and this criterion has traces of Kant's universalization formulation. Reasoning and reasonableness in Rawls also follow this line of thought from Kant. Rawls understands reasonableness as other-caring and in relation to the reciprocity. "Reasonable" implies a capacity to cooperate with others with a sense of justice, and empathy in the pursuit of public good (1996, 51–54, 1997, 767). In Rawls, *reasonable* comprehensive doctrines are allowed to participate in public reason through overlapping consensus (1996, 58–65). However, overlapping consensus is the second stage of public reason after the principles are arrived in the original position and a procedural consensus on them is ensured.

Rawls designs the original position as a representation device for the attainment of the political justice. Free and equal citizens of the democratic society become parties of it through their rational autonomies.[2] For fairness and to abolish any bargaining advantage, the original position should be realized under the veil of ignorance. The veil of ignorance requires the parties to leave their social and economic backgrounds and especially their comprehensive doctrines. They are only allowed some higher-order interests with them to guide the deliberation such as sense of justice. Only this equal and fair case can guarantee the fairness of the outcome principles (Rawls 1996, 72–76). Indeed,

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[2] Rawls understands rationality and rational autonomy in terms of pursuing one's own good (1996, 72–73). However, this self-interest does not necessarily a selfish one and exclude the community. Because of this, Rawls considers rational in a complementary way with reasonable which has more to do with public, reciprocity and empathy (1996, 48–54)

his original position is a revision of the categorical imperative of Kant. The veil of ignorance corresponds to Kant universalization principle (Aydil 2003, 111). Parties think in a way that the principles they try to set will be universal principles and they do this by putting their backgrounds aside. This also enables them to think in the shoes of other.

When it comes to the content, although Rawls builds on Kant's public use of reason and universalization formula, he confines his idea of public reason to the "political". Kant's categorical imperative and public use of reason are not restricted in terms of their content. However, Rawls restricts it to the political and the "public political forum" (1997, 767). The content of public reason is provided by a family of *political* conceptions of justice. This difference is also stated by Rawls as he classifies Kant's liberalism as a comprehensive liberalism (1996, 99). According to Rawls' definition political conceptions, they "can be presented independently from comprehensive doctrines" despite we can introduce our comprehensive doctrines through giving "properly public reasons to support the principles and policies our comprehensive doctrine is said to support" (Rawls 1997, 776). This discussion of comprehensive views also relates to the debate on religion and is a point of discussion between Rawls and Habermas. Then, I leave it here to discuss in the Scope of Public Reason, especially in relation to the religion.

1.3. Habermas on Public Reason

Habermas' response to the question of coexistence is discourse ethics. Through the discourse principle of discourse ethics he tries to develop a regulative framework in democratic societies. The discourse principle is that "the only regulations and ways of acting that can claim legitimacy are those to which all who are possibly affected could assent as participants in rational discourses" (Habermas 1996a, 458). In relation to discourse ethics, Habermas' public reason mostly concerns with the procedure of public reasoning rather than its content and outcome. He sets the conditions for the realization of public reasoning. This is more apparent when comparing him to Rawls. For instance,

their initial positions for the realization of public reason are different: Rawls' original position and Habermas' ideal discourse situation. While Rawls' original literally "before" deliberation, Habermas' ideal discourse situation applies to the whole process of deliberation, then public reasoning. In the Habermasian account of public reason, parties should be allowed and able to participate in their otherness to the reasoning process. Different from Rawls, they do not leave their background, status or values while entering into the reasoning process. They are included in their otherness since they are agents with the capability of socialize and communicate. Then, the process of argumentation and public reasoning is a communicative action. They communicate through providing reasons to support or reject the proposed norms. In the process, parties are equal but not in Rawlsian sense. They have equal rights and opportunities for contribution. For this, Habermas requires the communication to be freed from all types of external and internal coercion (1998, 35–44). Then, equality is also understood and realized in relation to the procedure. As being mostly procedural, Habermas provides with a more applicable and flexible account of public reason and accuses Rawls of proposing a complete, determined public reason which is closed to an ongoing process (1995, 128).

It is claimed that these differences between Rawls and Habermas stem from their different interpretations of Kant and public use of reason (McCarthy 1994). For instance, both follow the categorical imperative' formulation of universal law of nature. However, while Rawls does this through veil of ignorance, Habermas does it through communication:

> Roughly speaking, it involves a procedural reformulation of the Categorical Imperative: rather than ascribing to others as valid those maxims I can will to be universal laws, I must submit them to others for purposes of discursively testing their claim to universal validity. The emphasis shifts from what each can will without contradiction to what all can agree to in rational discourse. (McCarthy 1994, 45–46)

Another example of Habermas' procedural reformulation of Kant is his reformulation of Kantian freedom. As freedom and public use of reason are interrelated and require each other in Kant, Habermas ensures this through the procedures which require equal participation right and freedom from all coercions (McCarthy 1994, 47).

These differences are important in the discussion of public reason since they constitute a reference point for the all upcoming discussions of public reason. Thus, in the light of all these discussions we can say that the idea of public reason is not a recent one. Its roots can be traced back to contract theories and the philosophers namely Mill and Kant. Yet, as distinct from them, contemporary public reason theorists are inclined to confine the discussion to politics. The idea of public reason, which has become popular again with Rawls, concerns the *political* relations in modern liberal constitutional democracies (Rawls 1997).

2.   Why Public Reason: Respect

In this part, some responses to the question of why we need public reason are presented. Although there are several responses, starting point of the most is the requirement of respect among free and equal citizens. The argument from respect to public reason is generally constructed through the link of coercion argument which claims that the laws we support coerce people to act in accordance with them, then respect requires us to justify these laws to them. Yet, despite the widespread acceptance of the coercion argument as a link between respect and public reason, there are some objections to this link. Then, in addition to the coercion argument, some of those criticisms with the alternative of Bird's condonation (Bird 2014) are provided.

As a common basis, the notion of respect has a central role in the discussion of public reason. Even, it is claimed to be the foundation of political liberalism (Larmore 1999, 608). However, it has a more specific meaning for public reason liberals. Their commitment to respect and public reason and the

relation they have constructed between them distinguish public reason liberals from other liberals.

According to them, human beings as different from other species care about what happens to them in a reflective manner. They form levels for their cares and commitments. Then, the policies, laws which have some impact on their life matter to people. Yet, this is a reflective mattering since people have some hierarchy for their cares and commitments in their mind (Eberle 2002, 86–88). Thus, respect requires justification of the laws to citizens since these laws matter to them and they reflect on it. At least, they need to be informed about what matters to them and influences them. However, the link from respect to justification of the laws and policies is a little bit flue here. How and why does the mattering take us from respect to the justification of laws? Answer to this question carries us to a new one: why and how do laws matter to people? Here we have two replies to discuss. First one is the coercion answer which is the mainstream one among public reason theorists. The second one is the condonation alternative of Bird.

Before embarking on the coercion and condonation, it is important to note that the lack of a clear definition of respect can be seen problematic. Yet, as the third chapter will examine the argument from respect for the restraint of religion in detail, I leave it to there and take it for granted here.

2.1. Coercion Argument

In order to have and maintain the order, stability, peace, or basically to live as a society, we need some laws and political decisions to be made. Yet, according to the followers of this argument laws and political power are coercive (Larmore 1999, 607; Rawls 1996, 68):

(P)olitical power is always coercive power backed by the government's use of sanctions, for government alone has the authority to use force in upholding its laws. In a constitutional regime the special feature of the political relation is

that political power is ultimately the power of the public, that is, the power of free and equal citizens as a collective body. (Rawls 1996, 136)

Then, when we do politics as members of public, as we use our political power, we coerce each other, force them to act in accordance with the law and political principles we advocate. However, as this is disrespectful to our fellow citizens, we need to justify these to them. Why is coercion without justification disrespectful? Here, we have several answers to support the presumption against coercion. One of them is the basic worth argument. As each human being is a moral agent with an intrinsic, and equal basic worth, we cannot coerce them to do something without reason (Eberle 2011, 282). Otherwise, we treat people as merely manipulated objects of coercion, not as ends (Nagel 1987, 238). Then, we violate their basic worth and this is disrespectful. Moreover, coercion creates inequality and negates liberty (Audi 2011, 41). It violates the foundational liberty principle of public reason liberalism which accepts the liberty as the norm and requires the coercion always to be justified (Vallier 2010, 3). Whatever the reason is, violation of basic worth, equality, liberty etc., coercion matters to people in a negative way and they have an aversion to coercion (Eberle 2002, 88–94). As laws and political power are coercive, and coercion matters to people, respect requires laws and political power to be justifiable from their points of view. Indeed, this is like an expand on "a coercive law L" part of the public justification principle. Charles Larmore and Stephen Macedo can be given as examples of this version:

> To respect another person as an end is to insist that coercive or political principles be just as justifiable to that person as they are to us. Equal respect involves treating in this way all persons to which such principles are to apply. (Larmore 1996, 137)

> In a liberal society, coercive political arrangements require the support of articulable reasons capable of meeting objections and being fairly applied.

This is, in part, because people really do disagree, and because we owe reasonable people the form of respect embodied in public justification. (Macedo 1990, 249)

2.2. Condonation Argument

The line from respect to public justification through coercion has some deficits according to Bird since it reduces public justification to coercion justification. Firstly, it does not entail a "public" justification (Bird 2014, 191). If a justification is good enough, other people can see it's good enough, too. In order to accept a "justification" as a "justification", it does not have to be compatible with someone's beliefs. It's been already justified (Bird 2014, 193). Then, it is not disrespectful since the coerced can also see the reasons behind the action. Even if the reasons are not her own reasons, as the justification is good enough to be understood by all, she knows the action is justified. Then, as what matters to her has a justification which she appreciates, she is not disrespected. The coercion link between respect and public justification is vulnerable to such kind of objections.

Besides, this approach focuses only on the coerced, the subject and this has its own drawbacks. Initially, not all politics have to be coercive despite the contrary claims. Then, non-coercive political actions need not be publicly justified. Secondly, not all people are coerced when a law is enacted. Thus, laws do not have to be publicly justified. Yet, it is sufficient to justify them to the coerced (Bird 2014, 194–98).

According to Bird, these drawbacks of coercion argument risks the link from respect to public justification. Instead, he offers his condonation alternative.

To obtain their condonation, proponents must provide a reasonable basis on which objectors might waive their complaints against the public enactment of the relevant legislation. Citizens owe each other this effort of reconciliation, not

as potential victims of legal coercion, but as its democratic co-authors (Bird 2014, 202).

Bird replaces being coerced with democratic co-authorship. If public reason is not achieved, people would suffer from alienation from the decisions, laws but not from coercion (Bird 2014, 203). Then, they matter to people as democratic co-authors rather than as subjects of coercion.

In conclusion, public reason theorists claim that respect to our compatriots whether as subjects of coercion or as democratic co-authors requires us to justify the laws we advocate to them and this is called public reason. Moreover, this discussion of democratic co-authorship reminds another important norm for public reason: reciprocity which is discussed in the following part.

3.   Sister Concepts of Public Reason

Public reason has some sister concepts which are commonly used to justify or support it. Reciprocity, stability/ disharmony, and publicity are among most important ones and in this part, I discuss them. Although these concepts are not subtitles of public reason, without discussing them we cannot fully understand public reason. Moreover, since these sister concepts mostly related to the question why we need public reason, I have preferred to discuss them just after this part and before the different interpretations of public reason.

3.1. Reciprocity

For Rawls, the criterion of reciprocity is a fundamental to be satisfied in order to establish and maintain justice in the society (1997, 767). He defines the criterion of reciprocity, at its very basic, as proposing the terms which we think "at least reasonable for others to accept them" as free and equal citizens in a constitutional democracy (Rawls 1997, 770). Hence, it qualifies the political relation between citizens as a civic friendship and plays an essential role in public reason (Rawls 1997, 771). Public reason turns into a space of reciprocity

and mutual respect and then, ensures a fair and just political association. This criterion of Rawls is almost taken for granted by other public reason theorists even it is not named as reciprocity. Indeed, the very principle of public justification is an implication of this idea. Yet, it is important to note that the term implies different levels for different theorists in spite of the common acceptance of its basics. For instance, for deliberative democrats Gutmann and Thompson, it is beyond a political concept and it includes social and economic conditions (2004, 179, 1996, 11–95). Their account of reciprocity works in an exclusionary way as a constraint against the illiberal values (Bohman 2003, 766–68). Even Rawls himself considers their account more general and work from a comprehensive view, too (1997, 770 footnote).

3.2. Stability/Disharmony

Stability is one of the most important concerns behind the idea of public reason. Although it has been a longstanding problem for political theorists, the advance of pluralism has led them to search new solutions which carry us to the current discussion of public reason. Because of pluralism, rule of one comprehensive doctrine can only be secured by the oppressive use of state power. Yet, this is not compatible with constitutional democracy. On the other hand, again because of pluralism we have an enormous number of disagreements resulted from what Rawls calls "the burdens of judgment" (1996, 54–58). However, for a stable and enduring democratic society we need to reach some agreements at least on some basic political principles. Besides the compliance to this agreement should be for the right, justified reasons (Barry 1995, 882). Then, we need a public reason. Yet, the version of stability depends on the version of public reason. For instance, Rawls' account of stability has been criticized for being too populist by Gaus who has advocated the convergence version of public reason against the consensus version (Vallier and D'Agostino 2014).

3.3. Publicity

Publicity is the second important sister concept of public reason. Just as the reciprocity, the term publicity can be exclusively associated with Rawls[3] while what it proposes is widely accepted.[4] Attainment of public reason is conditioned to realize full publicity which has three levels (Rawls 1996, 66–71). In the first level, "society is effectively regulated by public principles of justice: citizens accept and know that others likewise accept those principles, and this knowledge in turn is publicly recognized" (Rawls 1996, 66). In the second level, citizens roughly agree on general beliefs relevant to political justice. In the third level, full justification is obtained when all other concerns are included in the justification (Rawls 1996, 66–67). While on the second level, citizens are allowed to rely on only shared beliefs under the veil of ignorance in the original position (Rawls 1996, 70), at the third level other concerns' confirmation of the principles is somehow provided. "Public justification happens when all reasonable members of the political society carry out a justification of the shared political conception by embedding it in their several reasonable comprehensive views" (Rawls 1996, 387). This is also what he calls the overlapping consensus of reasonable comprehensive views (Rawls 1996, Lecture IV, 133-172). Hence, it is a necessary condition for the achievement of public reason.

4.   The Public P

The Public Justification Principle: "A coercive law L is wrongful unless each and every member of the public P has conclusive reason(s) R to accept L." (Gaus 2009, 4)

One of the questions which derive from the principle relates to the public P. Who is the public P? To whom laws need to be justified? What does "each

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[3] For a detailed discussion of publicity and its relation to public reason in Rawls see: (Larmore 2003)

[4] For instance, "common knowledge" of Macedo is conceived in a similar manner: (Vallier 2010, 21)

and every member" mean? These questions are very crucial ones since the version of public justification depends on the version of public P. Here, we have numberless variations of it from the very inclusive ones to the very exclusives. It does not sound very plausible to count everyone in the public. For instance, why we need to justify a law against rape to a rapist? Then we need an idealized public. Quong divides this into three: epistemically idealized, normatively idealized and both (2013). While epistemical idealizations are the ones with rationality and reasonableness criterion, normative ones have political values and ideas as requirements. Apart from this division, we have other types of idealizations. The first one is the rationality criterion. Because actual acceptance is too high as a standard, public reason liberals have a rationality competence requirement as a baseline, even though they do not have an undisputed definition for it. Hence, who are these rational citizens? Most citizens can be counted since each deserve respect. Yet, this argument implies a wide agreement rather than unanimity. Reasonable citizens can be the second alternative (Eberle 2002, 207–14). According to Rawls reasonableness is a moral concept and should be evaluated from the point of reciprocity and shared public culture, liberal values (1996, 48–54). Quong has a stricter approach towards this and he limits public directly to who share liberal values (Quong 2011, 181). But this is a highly criticized one since it is claimed that it runs out every citizen who does not share liberal values, it brings too high normative standards, and turns the public justification into a liberal justification without public (Mouffe 1996, 248–53; Gaus 1996, 293, 2015, 18; Habermas 1995, 126–29). Adequately informed citizens can be another definition for the public. Yet, in this case, we have the problem of the criterion of adequate information (Eberle 2002, 222–30). Then, uncertainty remains.

Contrary to these highly-idealized versions of the public, there are also less idealized ones. For Gaus, "Members of the Public" should be idealized counterparts of us with our own values. The reasoning of moderately idealized counterparts should be accessible to real-world persons (2011, 267–92). Hence, Gaus has a more inclusive account of the public. Yet, this inclusiveness is

attacked for being vulnerable to disagreement. Agreement of such a diverse public on any rules does not seem very easy and any solution to this concern is left unclear (Quong 2013). A much more inclusive one is Habermas' discourse ethics in which norms can only be decided through a proper agreement of all affected. Each participant-member of the public- should be regarded as both irreplaceable individuals and members of the community with a moral universalism sensitive to difference. Anybody who is capable of contribution should participate with an equal opportunity for contribution in their otherness (Habermas 1998, 35–41). Bohman has a similar idea to Habermas which he grounded on the principle of political egalitarianism: all citizens who are affected by laws should equally access to political influence (Bohman 2003, 768–69).

Another angle is of Gauthier. He constructs his contractarian theory based on a maximizing practical reason rather than a universalistic one. Because of this, he confines the public, bargainers to the contributors of mutual advantage. Actually, his alternative is offered against the problem of free rider (Gauthier 1996). In addition to these alternatives, the place of future generations is also discussed. Yet, there is no agreement on whether they should be included or not in public (Vallier and D'Agostino 2014). Thus, there is various definitions of the public among public reason theorists.

5.   The Reason R

The Public Justification Principle: "A coercive law L is wrongful unless each and every member of the public P has conclusive reason(s) R to accept L." (Gaus 2009, 4)

Just as the public P, its "each and every member" and the "conclusive reason(s) R" are other crucial components of the principle with important disagreements. In this part, firstly, how a justification becomes public, what sorts of reasons Rs are allowed in the public justification are delineated. Interpretation of the public justification alters in conformity with the interpretation of reason(s) R. Then, in the second subtitle, two main versions of the public reason theories

are presented: consensus as the mainstream one and convergence alternative to it.

5.1. How Public a Justification is?

According to the mainstream approach, in order to be accepted as public reasons, justificatory reasons should be accessible to all. This is the weakest criterion while the strongest one is shareability. Keeping these most common criteria of the mainstream theorists in mind, we can list some of them without dividing as mainstream or not.

The first one is intelligibility. Amid various definitions, it is one of the weakest criteria. If the public sees citizen C's reason R as justified for C according to C's evaluative standards, R is an intelligible reason (Vallier and D'Agostino 2014). Then, publicity of the reason is not ensured in a way that each and every member of the public accepts it as a reason for themselves. They do not need to share reason even standards. It is enough that they can see the reason is okay with who offers it and her evidential set. In addition to this, communicability criterion of Bird (Bird 1996) is discussed under the title of intelligibility by Eberle. In order to be communicable, reason R as a ground should be eligible to external criticism and public critical scrutiny (Eberle 2002, 252–55).

The second criterion is accessibility. To be counted as public, reasons should be justified according to shared evaluative standards (Vallier and D'Agostino 2014). Then, not the reasons but the standards need to be common. As a more rigid requirement than intelligibility, accessibility is the most common requirement among public reason theorists. As the strongest one, shareability requirement is provided in the literature, as well. According to this requirement, in order to be counted as public justification, both evaluative standards and reasons themselves should be shared. Yet, it is significant to remind that some interpret accessibility as intelligibility and views the shareability as a stronger interpretation of accessibility vis a vis the weaker intelligibility interpretation of it (Gaus and Vallier 2009, 56–58).

Besides, there are some other measures such as replicability, fallibilism, inerrancy, external criticism, independent confirmability, and reliability (Eberle 2002, 252–86) which can be considered as interpretations of accessibility. Yet, all these requirements with intelligibility, accessibility and shareability will be discussed in detail in the chapter 4 with specific reference to the religious reasons. Then, I leave them now.

5.2. Consensus vs. Convergence Views of Public Reason

The basic difference between the consensus and convergence approaches considers the reasons they regard as public justification:

> If both A and B share a reason R that makes a regime reasonable for them, then the justification of that regime is grounded in their consensus with respect to R. If A has a reason R A that makes the regime reasonable for him, and B has a reason R B that makes the regime reasonable for her, then the justification of that regime is based on convergence on it from separate points of view (D'Agostino 1996, 30).

Then, while the consensus approach necessitates shareability or at least accessibility, convergence is happy with intelligibility. Because of this, the consensus view is also called common standpoint view (Nagel 1987) while the convergence view is named plural reasons model, silos model, or iterative justification (Macedo 2010).[5]

Convergence model is praised for respecting reasonable pluralism and the liberty principle more than consensus view as it places fewer constraints and permits a wide range of reasons (Vallier 2010, 5–6). If reasons are intelligible, "all members of the public acknowledge that everyone engages in genuine reasoning such that each person's conclusions provide her or him with reasons

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[5] In this article, Macedo treats the convergence model as an alternative to public reason rather than a division of it.

to accept the law" (Gaus and Vallier 2009, 59) [6], there is no need for shared reasons and then consensus. On the other hand, convergence view is attacked for inefficiency, time consumption, and being justification without public (Macedo 2010). Since it is not the mainstream in the public reason literature and it has not much problem with different types of reasons including the religious ones, I have preferred not to use "public reason" to refer it in the thesis. Instead, "public reason" refers to the mainstream consensus model and even the convergence model is benefited against it.

6.   The Scope of Public Reason and Religious Reasons

Which areas of politics are included by public reason? Which topics can we discuss under the title of public reason? To what does and does not it apply? Rawls states that its subject is constitutional essentials and matters of basic justice. Although public reason applies to fundamental questions of political justice, it does not apply to background culture and its scope is confined to "public political forum" which has three parts in different levels: the discourse of judges in their decisions, the discourse of government officials and the discourse of candidates for public office and their campaign managers (Rawls 1997, 767–68). Yet, this proposal has led to some objections. Firstly, the distinction line between the constitutional essentials and their interpretations as well as between the constitutional essentials, basic issues of justice, and ordinary political issues are not explicitly stated (Greenawalt 1994, 686–87). Secondly, why do we have to limit the scope to these fundamentals? This limitation is accused of being too narrow. Against this "narrow view", the broad view argues that public reason should apply to all coercive political decisions (Quong 2004).[7] However, some are not happy with even this broadness. For instance, Gaus offers the whole social morality as the subject of public reason (Quong 2013).

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[6] They have a section in the article named "the error of consensus" in which they discuss the accessibility, intelligibility, shareability, consensus and convergence in detail.

[7] In this article, Quong discusses the narrow view in detail and objects to it with three arguments.

In relation to the first criticism, place of comprehensive views and religion is very problematic. Should we include them or not? If we can include, on what conditions can we? Here, we have a heated debate which ranges from the total exclusion to conditional inclusion. Rawls' overlapping consensus can be regarded as a response to such questions. Although he does not allow the inclusion of comprehensive views in the original position, he accepts the participation of reasonable comprehensive views in overlapping consensus which can be the second stage of the public reason after deciding on the principles in the original position. Considering Rawls' attitudes towards religious reasons, his reasonableness criterion matters. As long as a religious view as a comprehensive view is in the form of a *reasonable* comprehensive view, it is allowed in public reason. According to Rawls, reasonable comprehensive doctrines have some features: they have a compatible and consistent exercise of theoretical and practical reason, and they generally belong to a tradition of thought and doctrine. However, their reasonableness mainly comes from their other-caring feature. Their followers as reasonable persons are aware of their citizenship duties such as respecting others' freedom of conscience and thought (Rawls 1996, 58–65). Besides, Rawls has a proviso: "This requirement still allows us to introduce into political discussion at any time our comprehensive doctrine, religious or nonreligious, provided that, in due course, we give properly public reasons to support the principles and policies our comprehensive doctrine is said to support" (1997, 776). However, this proviso requires the "properly public reasons" to have already been provided. Here, it is not very clear to me whether Rawls accepts religious reasons as "properly public reasons" and allows their entrance without the company of a non-religious public reason. In the literature, the proviso is mostly understood as that Rawls allows the religious reasons as long as they are accompanied by a public justification or translated them into a public one. Then, he does not consider religious reasons as public ones (Chambers 2010; Gaus 2009; Gaus and Vallier 2009; Waldron 2010; Yates 2007). They support this interpretation also by Rawls' claims that Lincoln's Second Inaugural does not violate the idea of

public reason despite its religious content since its implications "could surely be supported firmly by the values of public reason" (Rawls 1996, 254; Waldron 2010, 18).

Habermas is another significant figure in the discussion of public reason and religious reasons. As recognizing the role of religion in post-secular societies, he discusses the ways how can and should religion contribute to the constitutional democracies (2008, 114–19). For their contribution to and participation in public reason, Habermas brings some conditions. Initially, religious reasons need to be translated into a "publicly intelligible language" (2008, 113). Although their religious reasons in their own religious language or way are allowed in the wild-informal public sphere, in the formal public sphere such as parliament Habermas requires them to follow this "institutional translation proviso" (2008, 130). In addition to this permission to "translated" participation of religious arguments, he calls for the self-modernization of religions. He claims that religions should not argue for the monopoly and accept the existence of different worldviews. Besides, he requires them to accept the secular neutral state and its institutions and act in accordance with this reality as mere citizens in these institutions (2008, 134–37). However, despite his translation proviso, Habermas is considered more inclusive than Rawls since his account of public reason is more open-ended, accepts the participants in their otherness-without a veil of ignorance- and does not confine the scope to the "political" forum (Yates 2007). A more detailed discussion of their attitudes on religious reasons will be provided in the following chapters in relation to their specific arguments on the issue.

In addition to these discussions, we have also convergence model as a much more inclusive one. According to the convergence model, as long as we agree on the same principles, it is not matter through which reasons we arrive to this point. The principles are justified to as public us –then publicly justified- since we have already justified them to ourselves. We do not need to have the same reasons then it is not a problem that some of us have religious reasons (Eberle 2011; Vallier 2010). Yet, we need to keep in mind that the convergence

model does not represent the majority view among public reason theorists. Even sometimes it is regarded as an alternative to public reason itself as mentioned before (Macedo 2010).

7.   Concluding Remarks

In this chapter, the idea of public reason was presented with its different interpretations. While presenting its interpretations, historical roots of public reason, the responds to why we need public reason and its sister concepts in relation to these responds were provided. Then, public P and reason R as important components of public reason were discussed through the public justification principle. Lastly, the scope of public reason was examined with a preliminary discussion of religious reasons.

The scope of public reason with the public P and reason R employ a significant place in the discussion since their different interpretations result in different and sometimes conflicting versions of public reason. Keeping this variety in mind, public reason provides with different borderlines for the discussion of many problems, especially regarding the inclusion of comprehensive views and religion. Religious reason and reasoning can be broadly understood as reliance on a religious ground in the decision-making process. Following this definition, while discussing the inclusion of religious reasons in politics, the public P and reason R matter. Depending on how these components of public reason are defined, position of religious reason in public reason alters. Besides the scope also changes since classification of religious reason as public/non-public or as public "reason" changes the borderlines of the scope. For instance, the criterion of reason R as intelligible or shareable changes the position of religious reason in public reason. While the former criterion is much more inclusive considering religious reasons, the latter is more exclusionary.

In the following chapters in part 2, these different versions of public reason's components and the mentioned drawbacks will be examined in relation to religious reasons. After introducing what "religious reason" is in the literature

and how I discuss them in the thesis, I will handle the arguments from respect for the restraint of religion and different interpretations of respect in the chapter 3. Besides, the public P will compose a significant part of the chapter. The chapter 4 will discuss the epistemic arguments in favor of religious restraint through different interpretations of the reason R.

PART 2 :
RELIGIOUS REASONING IN POLITICS

Public reason theorists' approach to religion is shaped by the Public Justification Principle. They build their argument for restraint of religion on the Public Justification Principle. An implication or a negative interpretation of the principle is the Doctrine of Restraint that requires citizens to retreat from supporting any coercion for which they do not have a public justification. However, the Doctrine of Restraint does not relate particularly to religion, but non-public justifications in general. Then, we can interfere a doctrine of religious restraint from the Doctrine of Restraint. The Doctrine of Religious Restraint necessitates citizens to restrain themselves from advocating the coercive laws for which they have mere religious reasons. In other words, they should not support any coercive law that requires a religious reason since they do not have a collaborative public secular one. Indeed, the Doctrine of Religious Restraint is not only an interpretation of the Public Justification Principle but also a summary of the arguments of public reason theorists regarding religion in the literature.

The Public Justification Principle: "A coercive law L is wrongful unless each and every member of the public P has conclusive reason(s) R to accept L." (Gaus 2009, 4)

The Doctrine of Restraint: "A citizen should not support any coercive law for which he lacks a public justification." (Eberle 2002, 68)

The Doctrine of Religious Restraint (DRR): "citizens and public officials have a moral duty to restraint themselves from endorsing state coercion that requires a religious rationale" (Eberle 2011, 285)

The DRR can be accepted as the standard view among public reason theorists such as Habermas, Rawls, Audi, Larmore and Macedo. The main assumption behind the DRR is that although some secular views can be accepted as public justification, any religious reason cannot itself justify a coercive law. Their justificatory potentials are not symmetric. Then, citizens should not

advocate laws for which they do not have any secular rationale but only a religious one (Eberle and Cuneo 2015).

For a more proper grasp of the discussion, defining the concepts of religion and "religious reasoning or rationale" seems necessary. The concept of religion has different implications for different scholars in the literature. This is also one of the reasons for the departure between the public reason theorists and more inclusivist scholars. More inclusivist or religious friendly scholars accuse public reason theorists of assuming that religion can and should be privatized. They conceive religion and religious convictions as overriding, totalizing, and identity-constituting for religious people (Eberle 2002; Perry 1990, 1991; Vallier 2012; Wolterstorff 1997), for pious people it requires subjection to God in adoration (Demiray 2015):

> It belongs to the *religious convictions* of a good many religious people in our society that *they ought to base* their decisions concerning fundamental issues of justice *on* their religious convictions. They do not view it as an option whether or not to do so. It is their conviction that they ought to strive for wholeness, integrity, integration, in their lives … etc. Their religion is not, for them, about *something other* than their social and political existence; it is *also* about their social and political existence. (Wolterstorff 1997, 105)

> Second, many theists will regard their obligation to obey God as far and away their most important obligation, such that in case of conflict between that obligation and some other (to race, family, state, ethnic group) they must opt in favor of obedience to God. That is, they'll regard their obligation to obey God as *overriding*. … Distinct from the overriding obligation to obey God held by many theists, many will also regard their obligation to obey God as *totalizing*: that is, they will take the scope of their obligation to obey God to extend to whatever they do, wherever they are, and in whatever institutional setting they find themselves. A fortiori, they'll take their obligation to obey God to extend into the political realm. (Eberle 2002, 145)

In this thesis, religion is understood and refereed in the same line with inclusivists. Their role is so fundamental that it cannot be withdrawn from political and social life since it constitutes the very identity of the self. Following this approach towards religion and religious convictions, it can be claimed that the religious reasons play a fundamental role in the life of religious citizens. Here, the concept of religious reasoning can be summarized as reliance on a religious ground or commitment in the process of decision making or justification. A religious ground or commitment is defined as "a commitment to principles about the supernatural or the practices, rituals, norms, beliefs and actions prescribed by them" (Vallier 2012, 155), or a more narrow definition is "any ground that has *theistic content*" (Eberle 2002, 71). A religiously grounded support or reasons is reason which based on such commitment or ground. For instance, while deciding on voting for a specific law, a religious citizen would apply to her religious conviction: whether the law is compatible with her religious convictions or not? It might be claimed that this way of acting contradicts her duty of civility which necessitates citizens offer reasons that they can share or the very idea of public reason (Macedo 1997; Rawls 1996). Indeed, this is the main concern behind the DRR. However, these claims have been criticized by more inclusivists for going beyond the Public Justification Principle (Gaus 2009; Gaus and Vallier 2009), self-contradicting by disrespecting and excluding religious (Wolterstorff 2012; Waldron 2010; Vallier 2012; Perry 1990; Eberle 2002; Greenawalt 1995; Stout 2004), and the impossibility of such kind of public reason considering the widespread pluralism (Weithman 2007). Since I will discuss these in detail in the following, I leave them now.

It is important to note that "religious reasoning", "religious justification", "religious rationale", "religious argumentation" and "religious reason" are used interchangeable through the thesis. Yet, "religious reason/s" also refers to the ground and "the reason" in addition to the reliance on this ground. In this respect, it is used interchangeable with "religious ground", "religious conviction/s", "religious argument/s" or directly "religion". Hence, the form and formation are at the stake rather than the literal meanings regarding "religion". Here, we can

appeal to March's typology. He suggests a typology of four forms that religious contributions often take:

1. "A command extracted from a revealed text, religious authority, or personal mystical or revelatory experience.
2. A theological or moral doctrine that is not clearly attributed to a specific claim from a revealed text, but is derived from certain theistic claims and revealed knowledge.
3. An appeal or reference to traditional religious commitments or practices.
4. An appeal to practical wisdom or moral insight found in traditions of religious thought." (March 2013, 527)

In this study, the concept of religious reason encompasses all these four forms. These distinctions have some important implications for a detailed discussion of religious reasons in politics. However, due to the scope and space limitation, they are not discussed in this study. Religion is used to refer all these forms, even further, without any distinction. Besides, the concepts of "secular" and "secular reason/rationale/ground" refer to the "non-religious" basically. Then, they can also be comprehensive or unreasonable reasons as long as they do not satisfy the criteria of publicness which will be discussed in chapter 4.

Public reason theorists construct the link from the Public Justification Principle to the Doctrine of Religious Restraint mostly through two ways: respect and epistemic status of religious reasons. Both arguments are based on the presumption that a religious reason is not a public one. In the first chapter of this part –Chapter 3- arguments from respect are presented. It is discussed why and how respect requires and does not require the Doctrine of Religious Restraint. Although the argument from respect is a popular one among public reason theorists, there is not any detailed and structured common formulation of the argument. Then, three arguments –of Solum, Larmore and Audi- are presented as the most significant ones to this study on behalf of the literature. In Chapter 4, epistemic arguments are handled. The main argument in the literature

is that epistemic status of religious reasons is not sufficient to be counted as public justification since they are not intelligible, accessible or shareable. Then, intelligibility, accessibility and shareability are examined with their different versions in the chapter.

CHAPTER 3

THE ARGUMENT FROM RESPECT FOR THE RESTRAINT OF RELIGION

While restraining the inclusion of religious justification in politics, then in public reason, the argument from respect is the most common one among public reason theorists. The main argument is that respect requires the Doctrine of Restraint and since religious justifications are non-public ones, respect requires their restraint as well. Here, the claim has two components. While the first one regards the respect-restraint link, the second one considers the epistemic status of the religious justification and then religion. In order to arrive the conclusion that respect requires the restraint of religious arguments in the lack of collaboration of public ones, both arguments must be justified separately. The first argument regarding the respect-restraint is called the argument from respect and studied in this chapter. The second one is left to the following epistemic arguments chapter as it also can be studied free from the argument from respect.

The argument from respect as follows: respect requires the Doctrine of Restraint. As all religious justifications are labelled as non-public, public justifications can be named secular justifications. Here, the secular refers to non-religious basically. Hence, a citizen should not support any coercive law for which she has *only* religious justification. Collaboration of a secular justification is necessary.

This argumentation is almost taken for granted in the literature. However, despite this commonness, there is no detailed and explicit formulation for this argument from respect to restraint. Arguments of Solum, Larmore and Audi seem the most significant ones among the arguments from respect considering the scope of this study. Then, I discus them on behalf of the literature. Since detailed formulations of the thesis would easy the work, I

attempt to formulate them while discussing. For this, I benefit from Eberle's formulations, too (Eberle 2002, 115–39).

Under each title –Solum, Larmore and Audi-, initially, arguments of scholars are presented. Then objections and potential responds to them are provided.

1.   Respect through Accessibility: Solum

Solum constructs the link from respect to restraint through the requirement of accessibility. In "Faith and Justice" (Solum 1990), he claims that decisions with publicly inaccessible grounds would be disrespectful to the freedom and equality of citizens. For him, "the giving of reasons that allow one's fellows to accept the government action as reasonable" (1990, 1093) is a requirement of respect. If officials base their decisions on their beliefs, this would be regarded as official endorsement of these beliefs and denial of the others' beliefs. This violates equality since one's belief is official while the other's is not. Besides, the citizen whose belief is not endorsed by the official can think that state uses its coercive power and his money to endorse someone's religious belief (Solum 1990, 1093). This also denigrates equality and implies the treatment of people as means rather than ends in themselves (Solum 1990, 1093–95). In addition to this, according to a liberal theory of justice and liberty principle, liberty cannot be limited without publicly accessible grounds (Solum 1990, 1102). Eberle formulates this as following:

Premise 1   : "society should respect the freedom and equality of citizens" (Solum 1990, 1092)

Premise 2   : Premise 1 requires "the giving of reasons that allow one's fellows to accept the government action as reasonable" (Solum 1990, 1093)

Conclusion   : a necessary condition of respect is justifying a decision on the basis of publicly accessible reasons. (Eberle 2002, 116)

1.1. Unbacked Stronger Interpretation of Public Justification

Solum constructs the argument from requirement of respect to acceptance. He regards acceptance as reasonableness. Accessibility is the medium of this construction. Here, the first premise seems compatible with the fundamental principles of liberal theory such as freedom, equality and respect. Even, in order to regard it as plausible, one does not have to grasp liberal values. Yet, both premise 2 and conclusion have some unclear points. They leave some "why" questions. Firstly, regarding the premise 2, it is not clear why respect requires "the giving" of reasonable reasons. Eberle differentiates between pursuing public justification and providing public justification. While pursuing implies *trying* to provide public justification, providing implies *succeeding* in it. Solum prefers providing -the giving- over pursuing without any explanation. It is not clear why respect requires more than a sincere attempt to provide reasons. In this respect, Solum offers a stronger understanding of respect and public justification but he does not show why we should follow this stronger view? (Eberle 2002, 116–20)

This situation is the same for accessibility. He equates reasonableness for acceptance with accessibility. However, there are other weaker alternatives such as intelligibility and convergence view for a citizen' acceptance an action as reasonable. For instance, according to the convergence view, reasons do not have to be accessible to all. If "all members of the public acknowledge that everyone engages in genuine reasoning such that each person's conclusions provide her or him with reasons to accept the law" (Gaus and Vallier 2009, 59), reasons do not have to be accessible or shareable. Intelligibility of reasons are enough for the acceptance of the act where intelligibility means that others regard the reasons as justified for whom articulate them (Vallier and D'Agostino 2014). Just as the preference for "the giving" over "pursuing", Solum prefers "accessibility" over intelligibility. However, these preferences towards the stronger approaches are not explained and backed. He does not say anything about why a more permissive -then less strong approach- cannot fulfill the requirement of respect. Then the first trouble is not with the requirement of respect and its requirement

of public justification, but with their interpretation in a very stronger, less permissive way without any explanation.

While this unbacked preference towards the stronger interpretation is a common problem for premise 2 and conclusion, another problem with them is that both say the very same thing due to the equation of reasonableness with accessibility in Solum. Premise 2 is that respect requires "the giving of reasons that allow one's fellows to accept the government action as reasonable", and the conclusion is that a necessary condition of respect is justifying a decision on the basis of publicly accessible reasons. (Eberle 2002, 116; Solum 1990).

Reasonableness has already been equated with accessibility in Solum's mind in "Faith and Justice". They are used interchangeably in the text. Then, there is no need for a conclusion just to add "publicly accessible". In this respect, it can be claimed that this is not Solum's own formulation but Eberle's interpretation of it. Yet, Solum does not state why and how *reasonableness corresponds to accessibility*, which may be added as the third premise for a better formulation. Thus, Eberle's interpretation seems compatible with Solum's text. Hence, we back to the same problem of unexplained parts that should have been presented as other premises indeed. For instance, a premise can, even should, be that "to accept the government's action as reasonable, reasons provided to fellows should be accessible to them". This argument is not expressed and explained by Solum.

1.2. Unfeasibility of Equality

Furthermore, the link between premise 1 and 2 has other difficulties while the premise 1 is that "society should respect the freedom and equality of citizens" (Solum 1990, 1092) and premise 2 is that premise 1 requires "the giving of reasons that allow one's fellows to accept the government action as reasonable" (Solum 1990, 1093). Unexplained preference towards "giving" over "trying" is not the sole problem. The arguments through which he constructs this link are questionable from other points, too. In order to deal with them one by one, it would be better to repeat them.

If we briefly restate Solum, the very first argument we can draw from the text is that if officials base their decisions on their beliefs, this would be regarded as official endorsement of these beliefs and denial of the others' beliefs. This violates equality according to Solum since he claims that in this case one's belief is official while the other's is not. Besides, the citizen whose belief is not endorsed by the official can think that state uses its coercive power and his money to endorse someone's religious beliefs (Solum 1990, 1093). This also denigrates equality and implies the treatment of people as means rather than ends in themselves (Solum 1990, 1093–95).

Solum believes in that the official usage of non-public (religious) reasons violates equality and he intends to advocate equality against this. Yet, as doing this, he inadvertently affirms the unfeasibility of equality. Despite all claims of "publicness" of some reasons and beliefs, always there will be some who do not share even these "publicly accessible" beliefs or have other concerns which lead them to subordinate these beliefs. For instance, let assume that in a small state, the number of thefts in the last years is very high and citizens and officials cannot prevent it effectively. Government conducts a nationwide research on the thefts. The research reveals that the percentage of thefts is very low on the streets with security cameras comparing to the ones without security cameras. Then, based on this research, a discussion starts about a potential legislation that makes security cameras compulsory on the streets. Most of the citizens support the legislation. Their reason, belief for support is obvious: security cameras will decrease the number of thefts; the research also shows that. This reason seems publicly accessible. However, there are citizens who are against the legislation. Their belief is that this legislation violates the right to privacy since it records also the private moments of people without their consent. The government should find another security precaution which does not violate individual rights. In this case, there are two different beliefs and both seem publicly accessible in a liberal polity: security concern and right to privacy. However, whether the legislation is enacted or not, the belief or reason of one party will be official and endorsed while other's is not. This is the inevitable outcome of reasonable

pluralism: always there would be citizens who do not share a belief or reason for a specific law regardless of the publicness or non-publicness of the belief.

Then, if we employ Solum's words, following the reality of pluralism, we can say that always there will be some whose beliefs are not official as an outcome of reasonable pluralism. Then always there will be some who are not treated equally, and then violation of equality is an inevitable corollary of any official decision making which is an inevitable corollary of coexistence. If equality and the prevention of its violation are already unfeasible regardless of the publicness of the reasons given for official justification, it does not seem very plausible to claim that official decisions should not base religious beliefs *because* this violates equality. Because, if we follow Solum's argumentation in the light of pluralism, we can claim that any official decision based on any belief or reason –whether religious or not- violates equality since while the decision is based on a belief it denies or is not based on *another* belief.

1.3. Im/plausibility of the Demographic Measurement of "Publicly Accessible"

Another objection to Solum's argument is about the public inaccessibility of religious reasons. What makes religious reasons publicly inaccessible and what makes claimed "publicly accessible reasons" publicly accessible? Solum does not discuss this. At the first glance, two measurements can be referred: demographic measurement and epistemic status of reasons. While the former's stress is on enumerative conception of publicness, latter's is on accessibility. As the latter is handled in the following chapter, it is not discussed here. Yet, when it comes to the demographic, enumerative definition of publicly accessible reasons, Solum's argument turns into a mere instrument which can be used against and for every reason rather than an argument against religious reasons. If publicness of a reason depends on the numbers of its advocates, any reason which has enough supporter to be counted as "public" is a public reason regardless of its religiosity and secularity. Then, Solum's argument turns into an argument against the beliefs and reasons that do not have

enough supporter to be counted public- let say at least potential supporter- in the society. It cannot be used to advocate restriction of official usage of religious reasons unless they have less supporters than other alternative secular reasons. Then, his argument cannot be used specifically against religious reasons. Content or ground of reason do not play any role in the publicity of the reason. As stated, the second measurement can be an epistemic definition. It might be claimed that the epistemic status of religious reasons is not sufficient to be counted as publicly accessible. This claim is examined in the following chapter. However, Solum does not discuss this measurement, too. He does not say anything about how and why religious reasons are not publicly accessible. He takes this for granted and the demographic measurement of the "publicly accessible" does not seem very useful to categorically restrict religious reasons.

1.4. Unfairness to Religious Citizens

Another drawback of Solum's argument is *unfairness to religious citizens*. Indeed, this drawback is in touch with the first criticism regarding the unfeasibility of equality. As stated above as well as Solum expressed deliberately, for the citizen whose beliefs are not endorsed, the claimed case is that: "(W)e are no longer equal; your belief is the official belief, while mine is not. Moreover, my freedom is constrained on the basis of grounds that I cannot accept as reasonable. The state uses its coercive power and perhaps my money to take actions advancing your religious beliefs" (1990, 1093). Why do not we think this role-reversal? Is not the religious citizen treated in exactly the same way when a secular belief is endorsed? What makes religious citizens less equal than secular ones? The very reason for the restriction -respect equality- is violated through this restriction.

Here, an objection can be about the publicness of some secular beliefs while the religious beliefs are sectarian. Yet, this objection carries us back to previous objections of unfeasibility of equality and im/plausibility of the demographic measurement of "publicly accessible". This role-reversal argument with this objection is among Audi's main arguments for the restriction of

religious reasoning. Then, I leave this drawback aside for a more detailed discussion under Audi title.

1.5. Means-end Problem:

Solum claims that official use of one's belief implies treatment of others as means rather than ends in themselves (1990, 1093–95). Indeed, this is a common rationale among public reason theorists for restriction (Larmore 1999; Nagel 1987). Yet, this means-end argument has some defects. Initially, respect does not forbid citizens to treat their fellows as means. It prohibits them from treating their fellows merely as means. As long as a citizen has the intention and afford to converge with her fellows and takes their concerns and viewpoints into consideration, she has already treated them as ends in themselves (Eberle 2002, 125).

Here, some objections can argue that respect requires more. For instance, afford is not enough to be accepted as treatment as end. It requires convincing, not mere attempt to convince. Yet, this objection carries us back to the discussion of the nature and definition of the respect and its interpretation as *trying* vs. *succeeding*.

Another deficit is its unfairness. If we follow the mentioned drawback of unfeasibility of equality for means-end argument, it is obvious that always there will be some treated as means. Since restricted reasons are religious ones, those who are treated as means will be religious citizens. Then, we come back to the unfairness objection.

2.   Respect through Rational Dialogue on Neutral Ground: Larmore

Larmore's argument does not directly deal with the restraint of religion. Rather than that, he accepts the fact of reasonable disagreement about the nature of the good life, and he states that such disagreements are mostly religious (Larmore 1990, 340). Then, in order to cope with this situation, we need a neutral ground. Although, he does not formulate his argument particularly against

religious reasons, his requirement of neutrality requires the restriction of religion.

Larmore situates equal respect at the hearth of his political liberalism and builds his political theory on this ground. As different from some other public reason theorists such as Rawls and Habermas, Larmore considers political principles, and political liberalism in general as moral conceptions (1990, 353, 1999). For this, he mentions the requirement of a minimal moral conception to serve as a common ground while carrying out rational dialogue to solve the problems. Then, Larmore lists two main norms which he ranked above all other commitments: the norm of rational dialogue and the norm of equal respect (Larmore 1990, 350–51). Indeed, requirement of a minimal moral conception as the principle of neutrality is justified on these two norms.

According to the norm of rational dialogue, in our discussions for solutions we "should respond points of disagreement by retreating to neutral ground" (Larmore 1990, 347). Hence, we need a common ground to resolve our disagreements. The second is the norm of equal respect. Larmore regards it as the most significant and crucial part of his theory. In his opinion, each person has a distinctive capacity of thinking and acting on the basis of reasons. Then coercive principles should be legitimized, justified to whom the principle is applied. Otherwise, we do not respect their capacity and we treat them as mere means rather than as ends. Hence, the norm of equal respect prohibits resting compliance merely on force and carries us to the norm of rational dialogue. Then, we see a pattern which starts with the respect to person and her capacity, then is followed by the requirement of rational discourse and concluded with neutral, common ground. Eberle formulates arguments of Larmore in such a way that:

Premise 1   : "A citizen ought to respect each of his compatriots as a person, and in particular each one's ability to construct a coherent understanding of how she should live her life."

Premise 2   : "Since a citizen ought to respect each compatriot's ability to construct a coherent understanding of how she should live her life, then

he ought to decide which laws to support on the basis of the outcome of a rational discourse with his compatriots"

Conclusion   : "Since a citizen ought to decide which laws to support on the basis of the outcome of a rational discourse with his compatriots, then he ought to justify those laws on the basis of "neutral ground."" (Eberle 2002, 120)

This argument is grasped by many theorists. For instance, Habermas' discourse ethics suggests impartiality and he also builds his argument on equal respect and rational discourse. He mentions "the unforced force of the better argument" in an impartial rational discourse (Habermas 1998, 37). In his discourse ethics, justice requires equal respect in addition to equal treatment. The process of argumentation should not exclude anybody who is capable of contribution, all participants should have equal opportunity for contribution, participants must mean what they say and the communication must be freed from internal and external coercion. This "uncoerced joint acceptance" of each individual with her-his own concerns can make a norm valid since the impartiality of the form of communication makes justification possible (Habermas 1998, 35–44). Habermas introduces a proceduralist model of democracy which gives priority to rules of discourse and forms of argumentation (Habermas 1996b).

Another supporter of this argument can be Benhabib. Despite some slight differences, her deliberative model of democracy (Benhabib 1996, 67–95) can be compared to Larmore's arguments regarding equal respect and rational discourse. She claims that legitimacy stems from the open process of public deliberation by free and equal citizens. She expands her model on two principles: the principle of universal moral respect and egalitarian reciprocity (Benhabib 2002, 105–47). Indeed, all deliberative democrats can be counted among those who grasp this argument of through rational discourse.

2.1. Contingency of the Common Ground

According to Larmore, to resolve our disagreements and to arrive at some decisions regarding these disagreements we need to retreat to a common, neutral

ground. He has two different alternatives to resolve the problems on this neutral ground:

> In discussing how to solve some problem (for example, what principles of political association they should adopt), people should respond to points of disagreement by retreating to neutral ground, to the beliefs they still share, in order either to (a) resolve the disagreement and vindicate one of the disputed positions by means of arguments which proceed from this common ground or (b) bypass the disagreement and seek a solution of the problem on the basis simply of this common ground. (Larmore 1990, 347)

Then, we can resolve the problem on this neutral ground either through argumentation and addressing to the disagreement or through seeking a simple solution without addressing to the disagreement. However, here, firstly, we need to indicate the criteria of commonness and neutrality. Yet, before discussing this and regardless of the criteria, the very first drawback of Larmore's argument is the contingency problem related to the existence of a common ground. How can we guarantee the existence of a common, neutral ground? Besides, what if there is not a common ground? How will we realize public reason when its ideal conditions are not met (Boettcher 2012)? Will we "retreat to a place that doesn't exist" (Eberle 2002, 124)? Larmore accepts the inevitability of the disagreements on fundamental issues. He deliberately states that "the more we talk, the more we disagree" (Larmore 1999, 600) on such issues. Indeed, this is the reason for his exclusion of fundamental issues from politics and seeking a minimal morality on which everyone can agree. However, even this "minimal" morality may not be reached amid this much disagreement. Then, how would we resolve our disagreements while we have to retreat to a specific ground and while the existence of this ground is contingent? Furthermore, if this is the case, why do we need to exclude our religious commitments to retreat to a contingent ground? The reason for the exclusion of religious commitments as fundamental issues is to avoid this contingency and to guarantee a common ground. They are

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restricted because they are not common and neutral. However, regardless of the inclusion or exclusion of the religious commitments, existence of this common ground has already been contingent.

Indeed, Larmore handles this potential objection of contingency indirectly. Yet, he does not provide a reply for this specific question. He deals with the potential disagreement objection regarding the basic norms of rational dialogue and equal respect, then premise 1 and 2 rather than the direct objection related to the common ground, the conclusion. As presented above, the requirement of a common neutral ground as a conclusion is based on these two norms as premises. Thus, when Larmore can ensure the agreement on these two norms, it is easier to guarantee the agreement on the neutral ground. In other words, in order to refute the argument, one does not need to directly attack to the whole argument or conclusion as it is easier to refute the premises to refute the argument. Then, since Larmore's requirement of neutral ground is corollary of these two norms, we can accept his answer to the question about the disagreement on equal respect and rational dialogue as an answer to the contingency of common ground objection. His response is that: "we will usually be unable to converge on any political (coercive) principles" (Larmore 1990, 352) in the case of disagreement on these norms. However, before discussing his answer, it would be better to handle the second objection since the answer is the same for both objections.

2.2. Overriding and Totalizing Religious Commitments and Exclusion

In order to admit the requirement of neutrality, we need to commit to the norms of equal respect and rational dialogue. Yet, what if we do not embrace these commitments as citizens or we have other commitments which are not compatible with them? Another difficult case can be that we are committed to these norms yet what if the agreement arrived on the neutral ground is not compatible with our other commitments? For such cases, Larmore requires citizens to "rank the norms of rational dialogue and equal respect above their other commitments" (Larmore 1990, 350). We should "abandon "the cult of

wholeness" and … embrace a differentiation between our role as citizens…and our other roles" (Larmore 1990, 351). Yet, this quick answer does not sound very plausible considering the influence and scope of religion and religious convictions on religious citizens. It assumes that religious citizens can act as mere "citizens" when their "religious" identity is in conflict with their citizen identity. According to this view, their citizenship commitments should override their religious commitments when they are in conflict. However, this is not the case:

> It belongs to the *religious convictions* of a good many religious people in our society that *they ought to base* their decisions concerning fundamental issues of justice *on* their religious convictions. They do not view it as an option whether or not to do so. It is their conviction that they ought to strive for wholeness, integrity, integration, in their lives … etc. Their religion is not, for them, about *something other* than their social and political existence; it is *also* about their social and political existence. (Wolterstorff 1997, 105)

> (M)any theists will regard their obligation to obey God as far and away their most important obligation, such that in case of conflict between that obligation and some other (to race, family, state, ethnic group) they must opt in favor of obedience to God. That is, they'll regard their obligation to obey God as *overriding*. … Distinct from the overriding obligation to obey God held by many theists, many will also regard their obligation to obey God as *totalizing*: that is, they will take the scope of their obligation to obey God to extend to whatever they do, wherever they are, and in whatever institutional setting they find themselves. A fortiori, they'll take their obligation to obey God to extend into the political realm. (Eberle 2002, 145)

Then, religious commitments can be overriding and totalizing. For a believer, her obligation to obey God and then her religious commitments might be ranked above everything. This everything encompasses all other norms including political ones. This also implies the totalizing trait of religion. Scope

of the obligation to obey God extend to everything. Whatever one wants to do and how she wants to do have to be determined in accordance with her religious commitments (Eberle 2002; Perry 1990, 1991; Vallier 2012; Wolterstorff 1997). Hence, for a religious citizen, it may not be an option to abandon "the cult of wholeness" due to the totalizing feature of religion. Furthermore, whatever the norm or principle is at stake, she has to rank her religious commitments above others. Thus, when the conclusion which is arrived at neutral ground is not compatible with her religious commitments, she acts in accordance with her religious norms not with the norm of equal respect or its corollary principle of neutrality. For religious citizens, when they rank these norms above their religious ones, they violate their duties to God (Vallier 2012, 156). Hence, this is not an option for them (Wolterstorff 1997, 105). This objection to public reason theorists is presented as a part of the integrity objection in the literature.

Larmore's response to the disagreement on norms is that "the argument really applies only to the ideal case in which everyone in the society already accepts the norms of rational dialogue and equal respect" (1990, 351–52). He considers this objection "less-than ideal case" and he claims that "with those who reject the norm of equal respect or rank their view of the good life above it, we will usually be unable to converge on any political (coercive) principles that are as justifiable to them as to ourselves" (Larmore 1990, 352). Then, he acknowledges the possibility that there can be some who do not rank these norms above other norms. Yet, his response is not a genuine solution. It gives the impression that there are only a few people who have overriding commitments different than the norms of equal respect and rational dialogue. If this was the case, inability to converge with them might not be a crucial problem. However, for religious citizens, their religious commitments might be overriding over all other norms and commitments including equal respect and rational dialogue. His "less-than ideal case" is the current, ongoing case. Then, his "ideal" case seems neither ideal nor feasible and in this situation his restriction argument is nullified for real life. Otherwise, insisting on the restriction with given reasons and conditions would bring other drawbacks such as incompleteness of public

reason. Exclusion of a huge number of citizens from public reason results in an incomplete public reason. Indeed, this exclusion criticism to the idea of public reason is a popular one. It is claimed that some citizens –mostly who rely on a religious ground in the deliberation- are excluded from public reason (Eberle 2002; Stout 2004; S. D. Smith 2010; Weithman 2002; Greenawalt 1995; Bohman 2003; Quong 2013). It is argued that despite its claim to the impartiality and neutrality, it favors secular reasons to religious ones: Citizens with religious concerns are excluded from public reason regardless of the content or form of their religious reason when they do not propose some sort of secular reasons with their religious one. Yet, citizens with secular reasons do not face the same treatment even in the very controversial cases. It is claimed that religious reasons do not enjoy the same status with secular reasons and this leads to the exclusion. This form of exclusion objection also called the asymmetry objection in the literature (Waldron 1999; Sandel 1998).

2.3. Means-end Problem

This objection is the same with the one to Solum. Here, it is significant to remember the difference between pursuing public justification and providing public justification.

3.   Respect as the Release of Resentment: Audi

As different from Larmore and partially from Solum, Audi directly argues for the restriction of religious reasons. Regarding this, Audi has two very significant concerns among his many other opinions: the role-reversal principle which is also called Do-Unto-Others principle and the principle of secular rationale. In this part, I tackle the role–reversal principle since it is a form of argument from respect while the other is mostly an epistemic argument that relates to the following chapter.

According to Audi, maximization of liberty, ensuring basic political equality and respect certain rights are at the hearth of a liberal democracy (2011, 9–10). Yet, since coercion negates liberty and creates inequality, it needs to be

justified adequately (Audi 2011, 41). This adequacy can be only guaranteed with adequate secular reasons since secular reasons are natural and non-exclusive (Audi 2011, 65–69). This is named the principle of secular rationale, also the principle of natural reason. On the basis of this principle, reciprocity as a universal standard available to all rational beings (Audi 2011, 101) requires the restriction of religious reasons. "Rational citizens may properly resent coercion based essentially on someone *else's* religious convictions; adequate secular reasons are not objectionable on that ground" (Audi 2011, 76) since secular reasons are neutral and natural. This is do-unto-others principle. A citizen should think role-reversal and should not coerce others on the basis of her religious beliefs.

Here, it is important to remind that secular reasons and the principle of secular rationale are non-exclusive. It does not forbid reliance on religious reasons. Religious reasons are not excluded. Even, Audi offers the principle of religious rationale for religious citizens:

> Religious citizens in a democratic society have a prima facie obligation not to advocate or support any law or public policy that restricts human conduct, unless they have, and are willing to offer, adequate religious reason for this advocacy or support (Audi 2011, 89).

This means that religious citizens are not only free to rely on their religious reasons but also should rely on them. This is a requirement of ethics of citizenship for religious citizens. Yet, he does not accept religious reason as the sole reason for justification. Collaboration of a secular reason to it is necessary for justification while the sole secular reason is adequate for justification. Then, religious citizens should follow a theo-ethical equilibrium. Theo-ethical equilibrium is a reflective equilibrium between secularly and religiously grounded moral beliefs and attitudes (Audi 2011, 22). Audi is aware of the fact that religion is overriding and totalizing to some extent. This equilibrium is an outcome of this fact:

Given the conception of God as omniscient, omnipotent, and omnibenevolent, the possibility of theo-ethical equilibrium is to be expected, and a mature, conscientious theist who cannot reach it should be reluctant or unwilling to support coercive laws or public policies on a religious basis that cannot be placed in that equilibrium (Audi 1997, 21).

Here, Audi has two different arguments for the restriction of religion: do-unto-others principle and the principle of secular rationale. While the first one is an argument from respect, the latter is mostly an epistemic argument. If we formulize do–unto-others principle of Audi:

Premise 1 : Equality, liberty and respect such basic rights require the justification of coercion which negates them.

Premise 2 : "Rational citizens may properly resent coercion based essentially on someone *else's* religious convictions." (Audi 2011, 76)

Conclusion : Then, a citizen should not support coercive laws which is justified solely on religious rationale.

3.1. Audience Dependency

In this formulation, Audi builds his argument through reciprocity. His restriction of religion depends on the resentment of citizens: "rational citizens may properly resent". It is claimed that this is a significant weakness of Audi since his argument for restraint entirely relies on the audience's willingness to allow (Eberle 2002, 139). If some rational citizens say that coercion based essentially on someone else's religious convictions is okay with them due to some specific reasons, Audi would not have nothing to say since he builds his argument on the premise that "(r)ational citizens may properly resent coercion based essentially on someone *else's* religious convictions." (Audi 2011, 76). In addition to this, his argumentation can be followed for the restriction of any commitment or justification. For instance, a secular communitarian citizen may properly resent coercion based essentially on a public reason liberal's liberal

convictions. In order to clarify, we can give an example. Let's assume that in a little village, most of the villagers earn their living from agriculture. They do not have very advanced methods of agriculture and they irrigate their lands by pouring water on them. After a while, they hear about a new automatic system of irrigation that will reduce their costs, save their times and energy, increase their profit and contribute to the development of the village. Especially, considering that most of the villagers rely on agriculture, construction of the system is good for the public interest. However, construction of the system requires the expropriation of some private lands in the village. While most of the citizens want the construction for the common good, some do not want it because of the private property rights. In this example, any law which prevents the construction and prohibits expropriation based on the liberal convictions such as right to private property and to use private property might be resented by communitarian citizens who prioritize the common good over such liberal convictions. Thus, following this example and Audi's argumentation, we may claim that rational citizens may also properly resent coercion based essentially on someone *else's* liberal convictions and then, a citizen should not support coercive laws which is justified solely on liberal rationale. The mentality in the premise 2 and conclusion can be used against any type of conviction and Audi does not provide any criterion for the argumentation that includes the religious convictions while excluding the others.

3.2. Content vs. Ground

Another drawback of Audi is his presumption that ground of a justification is necessarily determinative for the consent of the coerced. Yet, this may not be the case. Citizens may overlook the ground of justification in many cases and for many reasons. Comparing two different situations may help, here. Let assume that there is a community with some Jewish population. Jewish citizens want murder and robbery to be crimes and committers of these crimes to be punished. They support a specific legislation for this. Yet, their justification

is based on their religious commitments and they do not articulate any secular rationale for this. They support the legislation because they believe in that robbery and murder are sin. Here, Audi would not be happy with this case since they did not articulate any secular reason since he believes that coercion can only be justified adequately by secular reasons (Audi 2011, 65–69). Yet, rational citizens may, even do, support such coercive laws which punish murderer and robber. Then, why should non-Jewish citizens resent? Both support the same coercive law with different reasons. Would or should they resent coercion just because it is based essentially on someone *else's* religious convictions in addition to her own convictions? It does not seem very plausible that a rational citizen resents coercion that she favored just because the coercion based essentially on another citizens' religious convictions.

Second example can be that: Jewish citizens supports a coercive law that forbids citizens to eat pork since their religion forbids them to eat pork. In this example, rational citizens may resent this coercion: Why do I have to follow orders of your religion? Their justification is the same with the first example: they want it to be a crime as it is a sin in their belief. In the second example, Audi's argumentation for the restriction of religious reasons sounds persuasive and acceptable. However, considering the first example, it does not. Both cases are identical according to his formulation: coercion is justified on someone else's religious convictions. Yet, conclusions are not the same: while resentment can be anticipated for the second example, in the first example it is not. Then, the reason for resentment should be something other than religious ground. For this, we should look at their differences: content of the coercion. Thus, at least in these examples, reason for resentment is something about content, not about ground. This argument seems generalizable. Resentments in such circumstances are mostly because of the content of the coercive law rather than its ground (Eberle 2002, 136–38).

Here, Audi may claim that his argument is about the absence of a secular rationale. As stated before, he does not exclude religious reasons. Jewish people are allowed, even encouraged to base their justification on their religious

commitments (Audi 2011, 89). They should articulate a secular rationale as a collaborator. In the first example, even if it is not deliberately stated, it is not difficult to see a secular rationale such as respect human life and property right etc.. On the other hand, such kind of a secular rationale does not exist in the second example.

This potential response of Audi has some problems. If we assess it in detail, for the absence of a secular rationale, we can have two possible scenarios. First one is that there would be different justifications of different religions- religions A and B- for the same coercion. According to Audi, citizen with religion A should resent the coercion because citizen with religion B grounded the coercion on religion B. This does not seem very plausible. For instance, there is a community with some Muslims and Jewish. Members of both religions advocate a law that requires murderers to be punished severely. Their justifications are based on their religious convictions: murder is a sin. Should a Muslim citizen resent this coercive law just because her Jewish fellow bases it on his religious conviction or vice versa? Why should a Muslim or Jewish citizen articulate a secular rationale in addition to their own religious one? Especially, considering they need to articulate this secular rationale to prevent the resentment of a citizen who also bases her support solely on a religious ground, the situation seems more absurd.

However, Audi may claim that there are also secular citizens or citizens with a religion that does not regard murder as a sin. For these citizens, both Muslims and Jewish should articulate a secular rationale. This can be the second alternative: one citizen (A) would have a religious ground while the other citizen (B) has a secular one for the very same coercion. Should citizen B resent the coercion that she also favored just because citizen A lacks a secular rationale? This also does not sound very acceptable. Indeed, first Jewish example illustrates this. And, Audi's potential answer that it is not difficult to see a secular rationale such as respect human life and property right etc. does not change the situation. Jewish citizens still lack a secular rationale. Furthermore, if citizen B has already had a secular rationale, why should citizen A –Jewish in our example- bring a

secular one, too? The reason for secular rationale is to abolish resentment and the secular citizen B has already favored the law.

3.3. Unfairness to Religious Citizens

A third drawback of Audi's argument is unfairness to religious citizens. In the criticism to Solum, this objection is stated in relation to equality. Actually, Audi's case is the same with Solum yet with different reasons. While Solum directly relates his argument to violation of equality and respect, Audi adds the resentment factor. Since coercion violates equality and restricts her liberty, a citizen may resent this coercion in the case that it is justified through someone else's religious convictions. Then, we should think role-reversal, and should not base our justifications solely on our religious convictions. Collaboration of a secular rationale is necessary as secular rationale is natural and neutral.

We can interfere from that religious citizens will not resent coercion based on secular rationale. However, this is not the case for several reasons. First reason regards the epistemic status of religious and secular rationales. What makes religious reasons categorically unnatural and non-neutral while it makes secular ones categorically natural and neutral? Since this is the topic of the following chapter, I do not enter into it, here. However, I can briefly state the respond of the chapter: epistemic conception of public justification need to provide an epistemic criterion to restrict religion because of its epistemic status. However, public reason theorists do not provide a common epistemic desideratum to apply. In addition to arbitrariness, this situation generates vagueness. Furthermore, individual criteria of different scholars, which are discussed one by one in Chapter 4, do not offer sufficient reasons to restrict religion due to its epistemic status. Then, epistemic status of religious reasons is not lower than secular reasons to be counted as natural, neutral or public. Besides, considering the overriding and totalizing influence of religion for religious citizens, we cannot claim that religious citizens will not resent secular reasons because they are natural and neutral. Even if Audi's claim to the neutrality and naturality of secular reasons is taken for granted, religious citizens

may resent these reasons when the reasons are in conflict with their religious convictions.

Then, along with epistemic status, overriding and totalizing feature of religious reasons can lead to resentment. Audi recognizes this and suggests an equilibrium for this:

> Given the conception of God as omniscient, omnipotent, and omnibenevolent, the possibility of theo-ethical equilibrium is to be expected, and a mature, conscientious theist who cannot reach it should be reluctant or unwilling to support coercive laws or public policies on a religious basis that cannot be placed in that equilibrium (Audi 1997, 21).

However, he ranks secular rationale above religious rationale even for religious citizens in this statement. Yet, this generates unfairness. Why do not we think this role-reversal. Is not the religious citizen treated in exactly the same way when coercion is based on someone's secular reason? Cannot we claim that rational religious citizens may properly resent coercion based essentially on someone *else's* secular, non-religious convictions? Their overriding and totalizing commitments are disregarded by others while they are required to appeal to others' secular commitments. For instance, imagine a case that a secular citizen has a secular conviction that animals have right to live as human beings. As being non-religious, this is a secular conviction. Based on this conviction she advocates a law that prohibits animal killing and punishes those who kill animals. On the other hand, there is another citizen who has a religious conviction that every year, he should sacrifice animal for God; otherwise he commits sin. When the advocated law is enacted, does not religious citizens coerced based on someone else's secular conviction? Especially, considering the law coerces religious citizens to commit sin, they resent this law. What makes religious citizens less equal than secular ones? Even if their ordinary commitments were ignored, this would have been unfair against them since secular citizens were not treated in this way. Secular citizens enjoy offering their

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convictions categorically as bases for laws while religious citizens do not and are forced to articulate a secular one. For instance, in the animal sacrificing example, a secular citizen can resent the law based on a secular rationale that the animal (cow) that I bought and feed is my private property and I have the right to kill it for food or commercial purposes. Both religious and secular citizen resent the law but religious citizen is forced to articulate a secular reason in addition to the religious one. Their situation seems worse considering their disregarded commitments are overriding and totalizing and that they might not have any secular reason in which they are believe. Because, this also means that they are forced to say what they do not believe. In these cases, their integrity is violated through underestimation of their constitutive commitments and forcing them (Vallier 2012, 157–58). This violation is the case for religious citizens regardless of epistemic status of religious rationale as religious commitments are constitutive. Then, even if epistemic status of religious rationale were different from secular rationale, unfairness would have been the same.

4.   Concluding Remarks

While discussing the place of religious reasoning in politics, argument from respect is the most popular one for the restriction of religion. The main argument is that respect requires the Doctrine of Restraint and since religious justifications are non-public ones, respect requires their restraint as well. Hence, a citizen should not support any coercive law for which she has *only* religious justification. Collaboration of a secular justification is necessary. It is important to highlight that argument(s) from respect are not exclusionary arguments. They restrict the inclusion of religion in politics, but do not exclude them from politics. Despite the commonness of the argument, there is not an agreed detailed formulation of it in the literature. Then, I discussed arguments of Solum, Larmore and Audi as the most significant ones to this study. I intended to show that they have some drawbacks and these drawbacks prevent them from providing sufficient reasons for the restriction of religion.

However, the argument from respect is not the only argument from the Public Justification Principle (PJP) to the Doctrine of Religious Restraint (DRR). Public reason theorist build the link from the PJP to the DRR also through epistemic arguments which claim that the epistemic status of religious reasons is not sufficient to be counted as public reasons. Following chapter deals with these epistemic arguments for the restriction of religious reasons.

CHAPTER 4

EPISTEMIC ARGUMENTS FOR THE RESTRAINT OF RELIGION

The Public Justification Principle: "A coercive law L is wrongful unless each and every member of the public P has conclusive reason(s) R to accept L." (Gaus 2009, 4)

The Doctrine of Restraint: "A citizen should not support any coercive law for which he lacks a public justification." (Eberle 2002, 68)

Definitions of "conclusive reason(s) R" and "public justification" play a crucial role in the discussion of religious reasoning in politics. A criterion for "publicness" and an epistemic conception of public justification are required for an applicable interpretation of the doctrine of restraint. In order to measure the publicness of religious reasons and to restrain them as non-public reasons, initially we need to set the criterion for publicness and then apply it to religious reasons. In other words, epistemic conception of public justification should exclude religious justifications.

This chapter tackles epistemic arguments for the restraint of religion. How do they define publicness and public justification? What are their criteria for "publicness" and their epistemic conceptions of public justification? How can and cannot these criteria and epistemic conceptions be applicable to religious reasons and justification? To what extent can these standards and epistemic conceptions restrict the participation of religion in politics?

Different scholars have different responds to these questions. These responds stem from their individual epistemic criteria for public justification. The most common ones of these are shareability, accessibility and intelligibility. As the most flexible one, intelligibility is mostly understood in its literal meaning. It requires neither shared standards nor reasons. As the strongest one

shareability demands both shared standards and shared reasons. Accessibility is between intelligibility and shereability in terms of strongness. While shared standards are sought for accessibility, reasons need not to be shared. Furthermore, it is important to remark that accessibility is the most popular criterion (Vallier and D'Agostino 1996). This situation generates some difficulties since each proponent of accessibility comes up with his or her own definition of accessibility. First problem regarding this plenitude of definitions is difficulty of discussion. It is not easy to clarify or point out the arguments since everyone in the discussion may have a different definition, then criterion for accessibility. Before entering into the deliberation, the concept needs to be agreed on. Yet, this becomes another issue to discuss, too. Secondly, we have the difficulty of classification. Although, this problem is not as important as the first one, it results in some troubles as dealing with the topic. Should we count all different criteria such as replicability, external criticism, fallibilism, and even intelligibility in accessibility or should we treat them as individual separate definitions? While structuring this chapter, due to these concerns and for the sake of comprehensiveness and lucidity, most of these criteria are handled as interpretations of accessibility. Then, there are three main titles of the chapter: intelligibility, accessibility and shareability.

Intelligibility subtitle has two main subtitles: convergence interpretation and communicability interpretation. Communicability interpretation is composed of Colin Bird's (1996) and Habermas' interpretations. Indeed, their interpretations could also be discussed as interpretations of accessibility. Habermas' version is open to such a classification since he uses both intelligibility and accessibility and while using them, he does not say anything to differentiate them (Neal 2014). In his discourse ethics and discussion on religion and public reason he uses them interchangeably to point to the same thing (Habermas 2008). What he means by these concepts is discussed under the title of communicability interpretation of intelligibility. I preferred to discuss his interpretation under this title instead of accessibility due to the resemblance of the approaches of Bird and Habermas regarding the epistemic status of religious

reasons. However, despite their resemblance, they do not refer to each other. Then, I discuss them chronologically. As Habermas' "Religion in the Public Sphere" is later, initially I presented Bird. My second reason for discussing Habermas under the intelligibility title is that his discourse theory and position towards religious reasons are much more inclusive comparing to the position of liberals who advocate mostly accessibility (Conkle 1991; Nagel 1987; Gutmann and Thompson 1990; Fish 1996). Habermas tries to provide a position between restrictionist liberals and more inclusivists (Neal 2014). When it comes to Bird, his criterion is grounded in the experiences on which people rely while articulating reasons. Yet, accessibility requirement is mostly about reasons and their articulation rather than their ground experiences. Because of this, I have preferred to handle intelligibility of Bird in this title instead of the following accessibility title.

1.   Intelligibility Requirement for Public Justification

Intelligibility is the most flexible test for reasons in terms of stringency. The literal meaning of intelligible is being "clear enough to be understood" ("Intelligible" 2017). Its application to the discussion of public justification is the same with its dictionary meaning. If a citizen can understand a reason as a reason it can be used in a justification. However, even this very basic definition results in different interpretations, and many of these interpretations are left without any explanation. For instance, Habermas mentions the requirement of a publicly intelligible language in public justification. Yet, he does not consider religious language as an intelligible one (2008, 113) and he also states that:

> What is illegitimate is the violation of the principle of the neutrality of the exercise of political power which holds that all coercively enforceable political decisions must be *formulated* and be *justifiable* in a language that is equally intelligible to all citizens. Majority rule mutates into repression if the majority deploys religious arguments in the process of political opinion- and will-formation and refuses to offer publicly accessible justifications that the out-

voted minority, be it secular or of a different faith, can follow and evaluate in the light of shared standards. (Habermas 2008, 134)

Although he does not explicitly define intelligibility, Habermas links the unintelligibility of religion to the opaqueness of religious experience, revelation, and ritual praxis (Habermas 2008, 143). He considers this opaqueness and unintelligibility mostly as a matter of language and discourse.

Habermas' interpretation of intelligibility is only one of the many interpretations in the literature (Vallier 2011; Waldron 1999; Bird 1996; Vallier and D'Agostino 2014). These divergent interpretations are based on the responses to the questions such as "what makes a reason unintelligible" (Gaus and Vallier 2009, 57), to whom these reasons should be intelligible and so on. When it comes to religious reasons, these answers make more sense. Mainly, there are two replies in the literature. While one interpretation or definition is more permissive (Waldron 2010; Gaus and Vallier 2009; Vallier and D'Agostino 2014), the other is more restrictive considering religious reasons (Bird 1996; Habermas 2008). However, it is important to highlight that how scholars regard religious reasons also play a significant role as deciding the level of restriction.

In this part, these two interpretations of intelligibility are presented. First one can be called convergence interpretation of intelligibility. This is the most permissive one of not only intelligibility interpretations but also all other criteria for public reasons (Gaus and Vallier 2009; Vallier and D'Agostino 2014; D'Agostino 1996). I call it convergence interpretation since the convergence view of public justification is based on this approach towards reasons. Second interpretation is Bird's (1996) communicability interpretation which can be conceived in the same line with Habermas' interpretation (2008). He defines publicly intelligible as communicable. His restriction of religious reasons is on the ground that religious reasons are incommunicable. A brief mention of Habermas will also be provided in this section due to their similarity.

1.1. Convergence Interpretation of Intelligibility

According to this interpretation of intelligibility, citizens do not need to have common reasons or evaluative standards. Each citizen can have her own reason and evaluative standard to support a coercive law. Her fellows do not have to accept or support this reason. Yet, they have to see how and that it is a reason for their fellow who proposes it. They should understand how this reason fits with her evaluative standards (Gaus and Vallier 2009; D'Agostino 1996; Vallier and D'Agostino 2014). Then we can define it as follows:

> *Intelligibility*: A's reason R_A is intelligible to members of the public if and only if members of the public regard R_A as justified for A according to A's evaluative standards."
>
> "*Intelligibility Requirement*: A's reason R_A can figure in a justification for (or rejection of) a coercive law L only if it is intelligible to all members of the public. (Vallier and D'Agostino 2014)

According to intelligibility criteria, citizens neither have to share the same standards nor reasons. It is sufficient that citizens can see that their fellows' reasons are compatible with these fellows' evaluative standards. For instance, one citizen may rely on communitarian commitments in the justification while the other bases her decision on liberal commitments. Here, the liberal citizen does not have to agree with the communitarian citizen on his communitarian commitments or the process of justification. On the other hand, she needs to appreciate that his reasons and justification are in accordance with his communitarian commitments and evaluative standards. Then, intelligibility can be summarized as the application of reasonable pluralism to evaluative standards in addition to reasons (Vallier 2011).

For a discussion of religious reasons, intelligibility criterion of convergence view does not sound restrictive (Eberle 2011). Just as all other reasons, grounds and evaluative standards, religious reasons can be offered in public justification. Since other fellows do not need to share the same reasons

with religious citizens, a religious citizen can articulate her justification on a religious ground. For example, a Christian citizen can advocate a law on the basis of Bible. In this case, other citizens do not need to believe in Bible. However, they should be able to see justification of their Christian fellow is compatible with her belief in Bible. As long as they can see it, and they have their own intelligible reasons to support the same law, the law is justified according to the convergence view.

This interpretation of intelligibility can be conceived in line with rational justification. Rationality requires decision on the basis of best available evidence, and a willingness to alter decisions in the case that are contradictory to evidence (Eberle 2002, 61). Then, rational justification is perspectival. Intelligibility is that other citizens can comprehend the perspective of the other and its rationality for her. Then, if a religious justification or rationale can be understood, it can be used as a public justification.

Regarding religious justification, some may claim the impossibility of its rationality. Firstly, evidential character of religion is questionable for some. Can religion be regarded as evidence for a rational decision? Secondly, and more importantly, changing a religiously grounded decision is almost impossible according to some since religion is dogmatic, unquestionable (Conkle 1995, 1991; Nagel 1987; Gutmann and Thompson 1990). Then, because of these, religious justification is not rational. However, rationality is mostly about internal consistency as stated before. Therefore, as soon as it ensures its internal consistency which means consistent with its own religious sources and evidences, it can be counted rational according the given definition of rationality (Eberle 2002, 202–3). Besides, the second concern about religiously grounded decisions will be discussed under the accessibility part.

1.2. Communicability Interpretation of Intelligibility

Colin Bird's criterion for public justification is intelligibility as communicability. He asserts that to be accepted as a public justification, a rationale should be publicly intelligible. In order to be intelligible, an experience

or rationality ought to be communicable (Bird 1996). He divides grounds as transparent and opaque. His assumption is that human beings formulate their beliefs on the basis of experiences to which they are exposed. In this sense, experiences constitute the ground for beliefs. Then, beliefs can be based on either transparent or opaque experiences. Transparency and opaqueness depend on the availability of the experience to everyone for critical scrutiny. For instance, mathematical or natural science arguments are transparent since everyone can test their validity. However, religious conversation experiences are not communicable. Everyone is an outsider for a religious experience (Bird 1996, 71–73). Hence, religious beliefs as based on religious experiences are not communicable and intelligible. Then, a religious rationale should not be counted as a public justification.

From a similar point of view, Habermas also requires the "institutional translation proviso". According to this proviso, religious reasons should be translated from religious language to a publicly intelligible one in the institutional public realm (Habermas 2008, 130–33). They should also address the secular citizens. Just as Bird, Habermas considers religion incommunicable in its own language. Their starting points are also the same: the core of religious experience is opaque and then, "alien to discursive thought" (2008, 143). When it is presented in its own religious language with religious idioms for example, it remains unintelligible and incommunicable to the secular reason. Then, they are not qualified to be counted as a public justification. They should not be allowed in the official or institutional public realm (Habermas 2008, 131).

Although Habermas' and Bird's thoughts on religious experiences and then reasons are almost the same, they have some little differences. First one of these is their level of inclusion and exclusion of religion. While Habermas accepts the religious reasons with the condition of translation, Bird does not accept this case. Bird starts from mutual respect which requires citizens to treat their fellows as authorities in their opaque experiences and reasons. However, he states that we do not need to share these reasons and because they are not intelligible to us, they should not be included in public justification. It is enough

to approve their authority on the genuineness of this opaque experience. However, mutual respect does not require to count them as public justification. Even if their opaqueness should not prevent them from being a personal justification for their owner as a requirement of mutual respect, they should not be included in public justification. Public justification must be "purely political procedure" while the religion is not included by the political for Bird and it must be arrived through "compromise among the various moral views" (Bird 1996, 91). Since all these views should be intelligible ones, Bird does not seem any way for the inclusion of religious reasons in public justification. On the other hand, Habermas considers the "institutional translation proviso" as way for the inclusion of religious reasons. He thinks that religious reasons can be translated into an intelligible language. Yet, despite this difference, their stance on the epistemic status of religion, religious beliefs, and religious justification is the same: it is not intelligible and the criterion of "public" justification is intelligibility, then they should not be counted as public justification.

1.2.1. Stringency Objection

The first objection to Bird's definition of intelligibility is that it is too stringent to apply in public justification. Not only religious beliefs or experiences but also many other beliefs including ordinary senseperceptual beliefs and moral commitments are opaque (Eberle 2002, 288). We form our moral commitments on our experiences. Even if we construct them on the testimony of others' experiences such as parents, teachers, elders etc. or some "rational" tests, our moral commitments are opaque. Testimonies are opaque since they are based on someone's personal experiences. Rational tests regarding moral commitments are also opaque since they are based on our experiences in another way, too. Since our experiences are sheer personal experiences such as a feeling and emotion, these are opaque experiences. They do not seem "available to everyone for critical scrutiny" (Bird 1996, 71).

1.2.2. Greenawalt's Version of Stringency Objection

Here, mention of Greenawalt's "Shortfalls of Realism, Shared Social Values, and Authority: The Problem of Political Coercion" (1993) would be helpful. He deals with responsive ethics which considers judgments as responses to life situations and bases them on experiences. While handling responsive ethics, he discusses the use of insights from experience as a basis for political judgment. For this he classifies responses as generalizable, personalized and inaccessible. Only generalizable responses are counted relevant as a base in policy making (Greenawalt 1993, 550). Then, he talks about religious experiences and states that:

> (V)arious experiences of a religious kind are not generalizable or commonly accessible. When ethical conclusions rest on such experiences, they suffer the same disability. The person believes that the conclusions are objectively true but lacks reasons to convince others why that is so (Greenawalt 1993, 552).

Hence, starting points of Bird and Greenawalt are almost the same except that Bird's claim of opaqueness covers all kind of religious experiences while Greenawalt does not include all of them. However, the fundamental difference between them is about the use of insights from experience as a basis for political judgment. Here, Greenawalt mentions experiences which are believed to be generalizable and the insight from an experience is believed to be defensible. He claims that these experiences and insights can be accepted as an appropriate basis for political judgment since, in this case, this experience can be regarded as a shared social reason. This situation generates an intermediate problematic category:

> (O)ne believes that one's personal experience has yielded an objective ethical truth that applies to all people, but one thinks the force of this insight cannot be persuasive for others and that no series of external events will assure that others have the same insight (Greenawalt 1993, 555).

Indeed, religious experiences mostly fall into this category. Since religion is overriding and totalizing for a believer, a believer would believe in that her religious experience provides her with an objective ethical truth. Although her interpretation of the truth and experience is open to critical scrutiny, the truth itself –possible as a revelation or a dogmatic religious source- is not open to criticism. It is unquestionable for a believer. On the other hand, her religious experience led her to believe in the unquestionability of this truth –let say, for instance, the revelation is a revelation-. And this experience -most importantly the insight she yielded from the experience and led her to believe in this objective ethical truth- may not be persuasive for others.

Here, the question is: Should we be allowed to use the insights which fall into this category as a basis for political judgment? Both yes and no have their own shortfalls according to Greenawalt. Problems regarding the answer "yes" are the ones from discussion of the inclusion of comprehensive worldviews or religious beliefs. Difficulties with the answer "no" are mainly two. First one is that our insights from experiences are so interwoven with our other reasons that it is almost impossible to separate them. However, the second concern is much more problematic. It relates to the "radically inconclusive" arguments. Regardless of how much shared or realistic the reasons to be claimed are, some reasons, arguments and argumentations are inevitably and radically inconclusive. Any argument about the status of fetuses or animals can be considered as an example of such arguments (Greenawalt 1993, 555–56). Then, regarding such subjects, approving the intermediate category insights including religious ones seem more plausible.

The stated reason for their exclusion is their claimed incommunicability and unintelligibility which stem from their opaqueness. However, non-religious reasons regarding these subjects are also mostly based on opaque experiences. For instance, there is no scientific formula which open to critical scrutiny to measure and compare the values of the "life" of a fetus or the decision of the carrier of this fetus. However, some decisions must be made for such cases. To

arrive a decision, people need to rely on some reasons which based on their experiences. Here, reliance on the insights which are based on opaque but believed to be generalizable seems more reasonable than reliance on insights which are claimed to be shared/secular but inconclusive.

Indeed, Greenawalt's approach to the nature of religious experiences is almost the same with Bird's approach. Both claim their opaqueness. Although Greenawalt does not use the term "opaque" and prefers "inaccessible", their definitions for these two concepts coincide. Greenawalt understands accessibility in this context as being available to common human understanding. Moreover, it is important to highlight that his discussion of accessibility in this topic is about the experiences, not about the reasons or the process of reasoning. Then, considering his requirement and criticism of accessibility as a form of intelligibility which is offered by Bird rather than a sub-form of accessibility seems more appropriate. In this sense, his requirement of accessibility and objection to a higher standard of accessibility can be applied to Bird's intelligibility. To sum up Greenawalt's stance, people mostly rely on their opaque or inaccessible experiences in their reasoning. Insights from such experiences "are so fully interwoven with realist and shared social reasons that extirpating their influence is impossible" (1993, 556) and claimed realist and shared reasons are radically inconclusive in some cases. Then, "people may rely on personal insights they believe are glimpses of more general truths" (Greenawalt 1993, 557) in some cases. When applying this stance to Bird's intelligibility criterion, we may say that opaqueness and putative unintelligibility of religious experiences should not prevent them from being bases for public justifications. Then, religious reasons or beliefs which are based on religious experiences occasionally should be qualified as public justification according to Greenawalt. Their claimed unintelligibility should not be an obstacle for their inclusion.

In conclusion, we can mention two versions of stringency objection. The first one considers the over-exclusionary aspect of Bird's criterion which is advocated by Eberle (2002). Not only religious beliefs or experiences but also

many other beliefs including ordinary senseperceptual beliefs and moral commitments are opaque. Applying Bird's intelligibility to public justification may leave us without justification. The second version relates to the occasionally inevitable use of religious reasons. For this, I have benefited from Greenawalt's discussion of responsive ethics (1993).

1.2.3. Waldron's Objection

Waldron mentions two main concerns regarding the inclusion of religious reasons into the public deliberation. While one of these worries is the fear of implicit theocracy, the other relates to the civil intelligibility (Waldron 2010). The intelligibility concern is that:

> (P)eople of faith should refrain from participating in public debate in terms that reflect their religious commitments. If we are not to turn democratic politics into a Babel of mutually incomprehensible assertions, maybe we should search for a common vocabulary and a set of premises that we can all converge on in political dialogue" (Waldron 2010, 12–13).

Since Bird understands intelligibility as communicability, we can consider this concern of "a Babel of mutually incomprehensible assertion" in line with Bird.

Waldron's main objection to this kind of intelligibility concern points out its underestimation of human capacity. He claims that human beings from disparate backgrounds are able to talk with one another. Besides, he states that although people are from different backgrounds and have different convictions, they discuss in a given culture. For instance, in his case, despite their very different backgrounds, all these people somehow live in modern America. Then, the mutual intelligibility is a matter *within* a given culture, not a matter of incommensurability between cultures. In addition to these, most of the people are religious in the case of America. Hence, as their neighbors, others have some familiarity with religion. Moreover, non-religious citizens have enough sources

to learn about religion (Waldron 2010, 14–16). Taking the "communicability" definition of Bird for granted, people do not need to be religious to communicate about religion. Most of their fellow citizens are already religious and they somehow know and can learn about religion. Thus, there is not an intelligibility problem about religion from this point of view. This objection by Waldron relates to the epistemic status of religion and religious reasons.

Here, Bird may draw attention to the incommunicability of experiences and claim that his argument builds on the opaqueness of religious experiences not the religion itself as a literal entity. However, in order to be able to communicate about something, you do not need to experience it. With limited life spans, humans do not have enough time to experience everything to communicate about them. Thus, Bird's intelligibility requirement does not seem applicable to religious arguments even if we accept it as a criterion. Religious experiences are communicable and then intelligible regardless of their opaqueness.

Another issue relates to the ignorance about religion. It might be claimed that we do not have the right to demand from non-religious citizens to learn about religion. However, this response may carry us to the previous discussions of "publicness" and unfairness to religious citizens in Chapter 3. Waldron offers the two-way translation alternative which can deal with this problem of extra burden. Not merely religious citizens should try to learn the secular language, but also secular citizens should try to learn the religious language (Waldron 2010, 18–20). Despite his requirement of the institutional translation proviso, Habermas also states that:

> To be sure, this requirement of translation must be conceived as a cooperative task in which the nonreligious citizens must likewise participate if their religious fellow-citizens, who are ready and willing to participate, are not to be burdened in an asymmetrical way. Whereas citizens of faith may make public contributions in their own religious language only subject to the translation proviso, by way of compensation secular citizens must open their minds to the

possible truth content of those presentations and enter into dialogues from which religious reasons might well emerge in the transformed guise of generally accessible arguments. (2008, 131–32)

Then, Habermas assumes a two-way street alternative, too (Waldron 2010, 20). However, in his alternative, burdens on religious and secular citizens are not equal. While secular citizens are only expected to open their mind to religion, religious citizens are required to translate their religious reasons. There is no translation requirement for secular citizens. Considering this shortcoming of Habermas, Waldron's alternative seems a more fair and plausible answer to the proposed problem of intelligibility.

In conclusion, Waldron not only criticizes the intelligibility criterion but also offers his own alternative. His main objection to intelligibility considers the underestimation of human capacity in terms of communication. He states that human can communicate with each other even if they are from disparate backgrounds. Secondly, he complains about exaggeration of differences and ignorance. He claims that despite our different backgrounds, we deliberate in a given culture, and secular citizens are not that much ignorant about religion. Besides, if they want to, they have enough sources to learn about religion. In relation to this objection, Waldron brings his own alternative of two-way translation. According to this solution, both sides are better to learn about the other sides and to translate their religious or secular language.

2.   Accessibility Requirement for Public Justification

Accessibility is the most common requirement among public reason theorists. It requires shared evaluative standards for public justification. However, citizens do not have to share their reasons according to accessibility criterion. They may have different reasons with common evaluative standards (Vallier and D'Agostino 2014). Then, we can define accessibility as follows:

Accessibility: *A*'s reason R_A is accessible to the public if and only if all members of the public regard R_A as justified for A according to common evaluative standards

Accessibility Requirement: *A*'s reason R_A can figure in a justification for (or rejection of) a coercive law only if R_A is accessible to all members of the public. (Vallier and D'Agostino 2014)

Despite this general definition and popularity of it, there is not an agreed interpretation of accessibility. This situation generates some difficulties since each proponent of accessibility comes up with his or her own definition of accessibility. First problem regarding this plenitude of definitions is difficulty of discussion. It is not easy to clarify or point out the arguments since everyone in the discussion may have a different definition, then criterion for accessibility: what is this common evaluative standard? Before entering into the deliberation, the concept needs to be agreed on. Yet, this becomes another issue to discuss, too. Secondly, we have the difficulty of classification. Although, this problem is not as important as the first one, it results in some troubles as dealing with the topic. Lastly, should we consider accessibility actual or in principle for these interpretations of accessibility? Keeping these difficulties in mind, this part tackles replicability, fallibilism and inerrancy, and external criticism. While categorizing them I have benefited from Eberle (2002). I have chosen these three interpretations because of their significance to this study.

2.1. Replicability Interpretation of Accessibility

One interpretation of accessibility is replicability of Greenawalt. Although Greenawalt cannot be counted among public reason theorists in terms of his much more inclusivist approach towards religion, his interpretation of accessibility, and religious reasons are useful for the DRR.

While discussing the insights from experiences as responsive judgments he classifies them as generalizable, personalized and inaccessible. Generalizable responses are replicable ones (Greenawalt 1993, 550). He requires "replicable

means for discovering the insight on which" someone relies for the fulfilment of accessibility. Accessibility and defensibility of an insight, experience or belief depend on its being "replicable for most others in similar circumstances" (Greenawalt 1993, 554). Indeed, he uses accessible and replicable interchangeably or an explication for each other in many places.

Then, he talks about religious experiences and states that "various experiences of a religious kind are not generalizable or commonly accessible" (Greenawalt 1993, 552). He claims that "human standards" of replicability are not very applicable for religious experiences since replicability requires "certain physical and conceptual conditions" keeping constant (Eberle 2002, 262 quated in). However, this criterion does not seem very applicable due to arbitrariness. Standards of replicability are not clear enough. If we keep them weak, religious experiences can also be treated as replicable. On the other hand, if we set up more stringent standards, the criterion becomes inconsistent and rules out many other experiences (Eberle 2002, 262–63). For instance, if we understand "human standards" of replicability as the exact replication of all conditions, ordinary sense-perceptual claims also cannot be counted replicable, then accessible. This is not only because physical and conceptual conditions are not replicable but also perceptions of each person are different from each other. Even if we are able to fulfill the very same conditions for each case, different people can perceive the very same experience or case very differently even under the same conditions (Eberle 1996, 213).

Based on these, determining a specific epistemic condition or level which only rules out religious experiences while allowing other ordinary experiences seems almost impossible. Because of this, replicability criterion does not seem very applicable to exclude religious reasons from public justification as they are grounded in non-replicable religious experiences since initially we need to specify the replicability criterion and this seems almost impossible.

2.2. Fallibilism and Inerrancy Interpretations of Accessibility

While restraining religious reasons, Conkle bases his argument on their putative inerrancy.[8] He explicitly states that some religious reasons are not open to change or to accept "the possible truth of contrary positions", and then they should not be allowed as basis in political decision-making process:

> I contended that political decisions should be formulated on the basis of a deliberative, dialogic decision-making process, a process that at least permits the possibility that argument or discourse will lead to a change of mind. Because religious fundamentalism is not willing even to consider the possible truth of contrary positions, its contributions to America's public life, I argued, should be viewed with caution and skepticism (Conkle 1995, 339).

It is important to highlight that Conkle does not categorically exclusivist about religious reasons. Considering the historical and contemporary inevitable influence of religion on the society, he foresees "an inseparable connection between religion, morality, and law" (1991, 7). Based on this fact and the openness presumption in the lawmaking process, he asserts that religious reasons cannot and should not be excluded from lawmaking (Conkle 1991, 6). However, he differentiates between the permissible and impermissible religious purposes.[9] While the permissible one is a "dialogic" religion, impermissible religion is "inerrant" which is considered unquestionable, irreconsiderable and undebatable (1991, 10). In another paper, Conkle calls this religious fundamentalism. He regards religious fundamentalism as a specific type of religion which considers religious authority, and its sacred text "absolute, plain, and unchangeable" (1995, 339).

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[8] Conkle does not use the terms fallibilism or inerrancy very much. However, while discussing Conkle's argument, Eberle prefers these concepts to summarize the argument (2002, 263–67). Since this part of the chapter is in line with Eberle's categorization, I have used the titles and concepts he has used.

[9] Conkle uses the terms "purpose", "belief", and "thought" mostly interchangeably and in the way that I use the term "reason" in the text.

In this regard, one of his principles is that "Government should not act purposely on the basis of an inerrant religious belief" (Conkle 1991, 10). In a democratic system, lawmaking process should be taken place in a dialogic and open manner. On the other hand, inerrant religious beliefs are not suitable for a dialogic law making process which requires an openness of mind (Conkle 1991, 12).

The main objection to this argument is that Conkle undermines the difference between the interpretation of a religious scripture and the religious scripture itself (Eberle 2002). Religious commitments of religious people are interpretations of religious scriptures or other religious "inerrant" sources rather than the sources themselves. Hence, when people rely on their religious commitments in the political decision-making process, they rely on fallible interpretations and convictions rather than inerrant sources. Religious beliefs on which people base their decisions are their interpretations of an inerrant source. These beliefs are not the inerrant source itself. All people have different conditions leading to different interpretations and understandings of an inerrant source. Belief or conviction formation process is not free from internal and external factors such as the level of cognitive capacity, diverse cognitive styles, different personal histories and various secondary sources of information and interpretation (Waldron 2010). As a result of this, there are various forms of religious reasons and also religious disagreements which are handled through rational questioning, debate and arguments. Even direct quotations from scriptures are subject to challenges of other interpretations and passages (Chambers 2010, 18–19). To make the case clear, we can give the example of homosexuality. Biblical passages regarding homosexuality are interpreted very differently. Based on the very same passages, while some Christians believe in that homosexuality is prohibited regardless of the time and place, some other claim that we cannot infer this from the passages since they are conditioned historically. We need to understand and make sense of these passages as a part of the whole Bible which inspires the love, supportive relationships and caring (Lose 2011).

With Eberle's own words, "there is a distinction between an inerrant *source* of information and a citizen's fallible *apprehension* of that source" (2002, 265). Then, even if the source is inerrant for the citizen, her commitment to this source and its inerrancy are fallible. Particularly, her interpretation of this inerrant source has to be fallible for her, too. Since she believes in the inerrancy of a source and that its creator is perfect, and omniscient, then she believes in that she is a fallible creature (Eberle 2002, 265–67). Thus, as a fallible creature, she acknowledges that her interpretation of the inerrant source is not "beyond question, reconsideration, or debate" (Conkle 1991, 10). In this line, we can assert that the process of reliance on a religious ground is composed of two levels: a process of interpretation of an inerrant source or the formation of a belief and a process of justification based on this belief. These levels reveal the fallibilism of religious beliefs in politics. The whole process of religious justification including the religious belief itself is subject to question, reconsideration and debate. Hence, in terms of fallibilism and inerrancy, epistemic status of religious beliefs is not different from other reasons. They can be treated in the same way as other secular reasons in the process of public justification.

2.3. External Criticism Interpretation of Accessibility

Based on the previous discussion, it can be claimed that inerrancy and fallibilism conceptions of public justification do not seem adequate to restrain or rule out religious beliefs. The main reason for this is that the inerrancy and fallibilism are internal checking systems. Beliefs are fallible or inerrant for their own believers and according to their own belief systems. The mentioned religious disagreements and several interpretations of the same inerrant sources are among believers. Therefore, the questioning, reconsideration and debate are intrareligious. Still, they are not accessible to the public and religion operates as a conversation-stopper (Rorty 1994). Then, the criteria of inerrancy and fallibilism are not useful measurements for public justification. To be counted as public justification, a reason or belief should be accessible to public, and this

can be achieved through external criticism. Then, a more proper epistemic conception of public justification can be amenability to external criticism.

Nagel's requirement of common ground (1987), Gutmann's and Thompson's "reasonable interpretation" (1990), Fish's mention of liberal "neutrality" blocking the beliefs closed to "inquiry and correction" (1996, 22), and Sherry's "rational argument" (1995) can be counted among the external criticism interpretation of public justification. Here, I will handle Nagel's interpretation since it is the most comprehensive and elaborate one.

Nagel claims that the clash between the personal standpoints and the impartiality claim of liberalism is highly attacked as a paradox of liberalism. Especially considering the plurality of moral conceptions and values, the clash deepens in politics. It is claimed that liberals restrain the controversial moral and religious conceptions for the sake of impartiality. However, while and for doing this, they rely on another controversial moral conception: a higher order impartiality value. This generates a suspicion that impartiality is a sham for liberals (Nagel 1987, 215–18). In defense of liberalism, Nagel brings his own alternative to settle such concerns. He claims that we need to draw the line between justifying an individual belief and employing it in the justification of the exercise of political power. According to him, in order to appeal to a belief in public justification, this belief ought to be a *truth*. This situation carries us to the requirement of objectivity. To decide whether her belief is a truth or not, the citizen should conduct a test.[10] Initially, she should look her convictions from outside. If appealing to her truths which are truth claims indeed seems solely an appeal to her beliefs and not justifiable from more impersonal standpoints, then her truth claims are mere beliefs rather than truths. Epistemologically, they fall into the private domain instead of the public domain. Therefore, she should abstain from reliance on these beliefs (Nagel 1987, 227–30). They are not publicly accessible in terms of their epistemological status. Here, the inevitability of disagreement may be addressed to Nagel as an objection: truths

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[10] Hereafter, I will address it as the impersonal standpoint test.

are also diverse and different persons may have different truths. Then, why should we prefer truth over belief? As a response to this question, Nagel claims that "(t)he appeal to truth as opposed to belief is compatible with disagreement among parties-but it must imply the possibility of some standard to which an impersonal appeal can be made, even if it cannot settle our disagreement at the moment" (1987, 231). However, we still do not know how to deal with the disagreement. Nagel's offer for this is "common ground". While the first step of public justification is the submission of reasons to external criticism, second step is "the exercise of a common critical rationality" and the consideration of shared evidences as a common basis. Basis of religious reasons are revelation than they cannot pass this second step which he calls "common ground", too (Nagel 1987, 232).

2.3.1. Obscurity and Ignorance of Religion

The main objection to this interpretation of public justification is about its weakness, obscurity and ignorance of religion (Eberle 2002). Nagel's version of external criticism seems to assume that a citizen who supports her favored coercive laws solely on the basis of her interpretation of the inerrant religious source must be open to purely nonreligious objections to her interpretation of the source. However, it is not explicitly stated why people should test their reasons according to what they do not believe (Eberle 2002, 273–74). Answer to this why question is obscure, leaved untouched. Here, Nagel may reply that because what they believe epistemologically do not fall into the public domain, but private domain. However, if a huge part of people does not believe something, how can these beliefs be in public domain. For instance, in the case of America, while a huge number of citizens are religious, and they do not necessarily believe the non-religious beliefs, how can these secular beliefs be in public domain? According to Nagel, the epistemological status of publicness and privateness are determined through impersonality of the justification. However, it is not very clear how we can measure the impersonality of a justification. Yet, following Nagel's thought of line, we may claim that looking at a belief as an outsider may

ensure this. However, the putatively public beliefs, then truth beliefs of non-religious might not be public when we apply the impersonal standpoint test: looking one's convictions from outside.

Nagel does not consider the possibility of religious outsiders. For religious people, religion is overrider as stated before. Whatever the belief or truth belief is at stake, she has to rank her religious commitments above others (Vallier 2012, 156), and this is not an option but an inevitable case for her (Wolterstorff 1997, 105). Then, her evaluation and justification of all beliefs regardless of their religiosity are based on her religious beliefs. In the light of this fact, a non-religious citizen's appeal to his truth beliefs may seem solely an appeal to his beliefs and not justifiable from religious citizens' standpoints. Hence, there would not be any common ground to rely on in the disagreements since there would not be any belief which pass the impersonal standpoint test. Therefore, while what someone do not believe is not a truth, why should she test her religious beliefs according to this? Initially, Nagel ought to ensure us about the feasibility of the common ground.[11] Secondly, he should answer the question why secular citizens are not subject to the impersonal standpoint test. In order to respond the second question, he needs to guarantee the existence of the common ground as an exclusively secular ground. However, even if he would be able to ensure this, we can turn to the unfairness to religious citizens objection again. Yet, since this is not an epistemic objection and already discussed in the previous chapter, I will not deal with it here.

2.3.2. Religious Reasons' Openness to External Criticism

The second problem with the external criticism interpretation of public justification is a more foundational one: religious beliefs are open to external criticism. Independently of the feasibility of the common ground and the status of religious and secular citizens, the very argument that religious reasons are not

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[11] See Chapter 3-Larmore title for a more detailed discussion of contingency of the common ground.

open to external criticism seems wrong. They are open to external criticism since the source is inerrant, not the interpretation. What a religious citizen relies on in the justification is this interpretation, not the inerrant source as I mentioned in the previous part. Then, the interpretation and her justification are fallible. Although fallibilism is claimed to be an outcome of an internal checking system, this situation opens the religious belief to the external criticism, too. Religious citizen accepts the fallibilism through an internal checking system as stated before. She does not apply external checking systems- what she does not believe- to test her interpretation or justification. However, this does not mean that she closed her interpretation to external criticism. Besides, her acknowledgement of fallibilism means that her interpretation is open to external criticism. Yet, it is important to differentiate between the amenability to external criticism and employing the external criticism. To be more explicit, that the religious citizen does not employ external criticism to test her beliefs and justification does not prevent others from criticize it from non-religious standpoints. Moreover, just as any other religious and non-religious criticism, the religious citizen does not act according to this external criticism. Indeed, this is the case also for all citizens regardless of their comprehensive views. Nobody has to employ a criticism as soon as they do not think it a reasonable one. However, this does not mean they prevent others from criticism. Besides, this does not make their beliefs unamenable to external criticism.

3.   Shareability Requirement for Public Justification

Shareability is the most stringent type of justificatory reasons. This interpretation of public justification requires both shared standards and shared reasons. It is not adequate that the reason of a citizen is accessible to others. They should also have the very same reason as justification. Shareability and shareability requirement are defined in the literature mostly as it follows:

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Shareability: *A*'s reason R_A is shareable with the public if and only if members of the public regard R_A as justified for each member of the public, including A, according to common standards.

Shareability Requirement: *A*'s reason R_A can figure in a justification for (or rejection of) coercion only if R_A is shared with all (suitability idealized) members of the public. (Vallier and D'Agostino 2014)

This interpretation of justificatory reasons can be considered in the same line with the strong consensus view (Quong 2013). Although, the strong consensus view and shareability are not very popular among public reason theorists some early versions of Habermasian public reason can be counted as an example of this shareability interpretation. For instance, following statement of Habermas can be considered as shareability: "the consensus brought about through argument must rest on identical reasons able to convince the parties *in the same way*" (Habermas 1996a, 339). Just as Habermas, early version of Rawlsian public reason has the same requirement of shareability. Rawls assumes that "everyone is equally rational and similarly situated, each is convinced by the same arguments" and then we share the reasons as we reason in the same way (Rawls 1999, 120).

As the strongest interpretation of justificatory reasons, shareability is the most restrictive, even exclusivist epistemic conception of public justification. As stated before, in order to fulfill this standard, a reason should be shared as a justification by all citizens. However, it is not possible that each citizen of a society shares the very same religious reason as justification. Initially, there are non-religious citizens or citizens with different religions in a society. Secondly, there is not unanimity even among the believers of the same religion on many issues. For instance, as discussed before Bible's verses on homosexuality are interpreted very differently among believers. While some believe in that it is a sin, other believers interpret the very same verses differently and do not believe that it is a sin. Based on these different interpretations of the same scripture, religious citizens can articulate different justifications for a law regarding the

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legalization of homosexual marriages. Thus, it does not seem realistic to assume that religious reasons can be shared by all members of the society. Therefore, according to the shareability standard, religious reasons are not only restricted but also excluded in the public justification. Then, religious reasons should not be allowed as public justifications. This is how the shareability interpretation of public reasons restricts religious reasons.

As I stated before, shareability standard is not advocated much. Even Rawls and Habermas do not offer it in their later works. The first concern regarding shareability standard is about its applicability. Given the fact of reasonable pluralism, requiring each member of a society to share the very same reason for a law does not seem very realistic. Secondly, it generates a puzzle for justificatory liberals: "why would justificatory liberals, starting out with a strong commitment to reasonable pluralism as the outcome of the free use of human reason, embrace a conception of public justification that assumes we reason identically?" (Gaus and Vallier 2009, 58). Because of these basic concerns, shareability standard is not a popular one among public reason theorists. Then I will not present any specific objections to it in addition to these very basic concerns.

4.   Concluding Remarks

As dealing with the place of religious reasoning in politics, epistemic arguments are frequently benefited by public reason theorists for the restriction of religion. Public reason theorists have mainly three epistemic conceptions of public justification: intelligibility, accessibility and shareability. In order to be counted as a public reason, a reason needs to shareable, accessible or intelligible. However, it is claimed that epistemic status of religious reasons is not sufficient to be counted as public justification since they are not intelligible, accessible or shareable.

In this part, all these three versions of epistemic conceptions of public justification were handled with their different interpretations in the literature. It was claimed the epistemic standards that these epistemic conceptions of public

justification offer do not provide sufficient tools to restrict the religious reasons while allowing the other type of reasons in public reason.

CHAPTER 5

CONCLUSION

Revival of religious politics in recent decades has revitalized the discussion of religion in politics with a new angle which appreciates the inevitable role of religion in our public life (Habermas 2008; Wolterstorff 1997; Eberle 2002; Weithman 2002; S. D. Smith 2010; Berger 1999). The theoretical aspect of this discussion has been on religious reasoning in politics and taken place as a discussion of public reason. Based on this public reason debate, this thesis aimed to explore the proper place of religious reasoning in liberal politics through a discussion of the Doctrine of Religious Restraint (DRR) of public reason theorists. The main argument of the DRR is that citizens should not advocate any coercive law which requires a religious reason. That means having only a religious reason is not enough to justify a law and they should have a public secular reason as a collaborator (Eberle 2011, 285).

In the literature, there are mainly two arguments for the DRR: The Argument from Respect and Epistemic Arguments for the restrain of religion. The Argument from Respect mainly claims that respect requires the restraint of religious reasons in politics. Despite its commonness in the literature, respect argument has not an agreed argumentation in the literature. While some scholars take it for granted, some figure out their own argumentation from respect to restraint. In the thesis, I have chosen three of them as the most significant ones to the study on behalf of the literature: Solum, Larmore and Audi. I argue that all these three arguments have some vital drawbacks and these drawbacks prevent them from providing sufficient reasons for the restriction of religion.

As the second argument, I discuss the epistemic argument for the restraint of religion which is that epistemic status of religious reasons is not sufficient to be counted as public justification. Here, the criterion of being "public justification" matters. There are mainly three epistemic conceptions of

public justification in the literature: intelligibility, accessibility and shareability. In order to be counted as a public reason, a reason needs to be intelligible, accessible or shareable. However, I try to demonstrate that these epistemic conceptions of public justification do not provide proper measurements which can restrict religious reasons while allowing the other type of reasons. As a result of these discussions, I concluded that the DRR cannot justify the restriction of religious reasons sufficiently.

Therefore, this thesis has only concentrated on two main arguments for the DRR and it did not deal with other DRR arguments. Its scope is very limited considering the diversity of the arguments in the literature and the widespread significance and relevance of the issue. For instance, it did not provide with a detailed account of religious reason as a public reason or of their differentiation if there is any. Instead, it focused on how the DRR argues for non-publicness of religious reasons and excludes them from public reasoning, and to what extent it is successful. Furthermore, this thesis does not aim to come up with an alternative, religious friendly public reason theory. Also, this thesis does not offer an account of religious reason as public reason. Such attempts require reinterpretation and re-articulation of each components of the public reason in a comprehensive and consistent way in addition to the examination of the DRR. Then, they are beyond the scope of a master thesis which focuses on the DRR. In addition to this, I intentionally avoided discussing as to what extent religious or secular reasons are public ones since this discussion requires to handle their different forms, interpretations and articulation. In order to deal with such concerns, I need to respond to such questions: what kind of religious or public reasons can be included, can there be non-fundamentalist religious reasons or how should we define and differentiate a fundamentalist religious or secular reason from a non-fundamentalist one and how should we define fundamentalism? As it did not seem possible to handle them in this thesis, I have defined and discussed religious and secular reasons categorically. This can be another limitation.

This thesis tries to show that mainstream public reason theories cannot

properly deal with the fact of religion and place of religious reasoning in pluralism. It attempts to identify the drawbacks and problems of public reason theories. This is a necessary step for the articulation of more useful and functional alternatives. Departing from this thesis a future study may concern with the following question: If the DRR of public reason theorists is not a good alternative to deal with the religious reasoning in politics, what could be the alternative, how should we deal with this problem or fact?

A sophisticated articulation of convergence alternative (Vallier 2010; Gaus and Vallier 2009; Eberle 2011) or Eberle's "ideal of conscientious engagement" (2002) can bring us better solutions. However, these discussions are still in their germination period. Besides, Eberle's "ideal of conscientious engagement" does not offer much more than a critique of the DRR. Its only difference is that it is enough for a citizen to "sincerely and responsibly attempt to articulate reasons for her or his favored coercive laws that *her or his compatriots* regard as sound" (Eberle 2009, 166). Here, the difference is "attempt". For him, a sincere attempt is enough instead of the succeeding in persuasion. Yet, convergence alternative can be a good topic for future work as a promising alternative.

Another implication of this study can be about the reconsideration of liberal democracy. The mentioned two alternatives –convergence view and the ideal of conscientious engagement- are liberal critics of the mainstream view – the DRR- in the literature. They do not attack the core commitments of liberal democracy such as some basic freedoms or requirement of justification. They only interpret them in a different way (Eberle and Cuneo 2015). However, drawbacks of the DRR as the mainstream view leads to questioning of the liberal democracy by some theologians and political theorists (Milbank 2008). Their assumption is that this mainstream view is an inevitable corollary of liberal democracy rather than an interpretation of it. Then the problem lies in liberal democracy, not in its interpretations (Stout 2004). In relation to this criticism, it might be claimed that the main point to discuss is not the liberal theory's drawbacks about religion and religious reasons but its own limitations in general.

For instance, liberal theory's individualistic understanding of the citizen or its assumption of neutral state should be dealt with before its relation with religion since without discussing these fundamental issues of it discussing the place of religious reasons in liberal theory seems aloof. From this point of view, the research question of the thesis can be reformulated for future studies beyond the DRR as discussing the very fundamentals of the liberal theory more comprehensively.

On the other hand, in defense of the public reason theorists, some may also criticize the thesis for the very similar limitations. For instance, an objection might claim that despite its claim of fallibleness and openness to external criticism, religious justification is still self-enclosed at least as long as it is not translated into a secular language as Habermas offers. Otherwise, although the believer accepts the fallibility of her interpretation of the religious source, this reason as a religious one is still in the borders of the sacred. As a part of the sacred, it cannot be dialogic and included in the deliberation. Then, the religious reasoning formulation of the thesis can also imply the limitations of the thesis. However, all these discussions regarding the limitations and contributions of the thesis can turn us back to the questions for future study: How could and should we deal with the fact of religion in plural societies in the light of these discussions and what could be the alternative solutions?

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APPENDICES

A. TÜRKÇE ÖZET

Dinin siyasete olan katkısı yıllardır tartışıla gelen bir konu olmuştur. 1950'li ve 1960'lı yıllarda Sekülerleşme Teorisi bu tartışmaların ana eksenini oluşturmuştur. Bu teoriye göre, modernleşmeyle birlikte toplumlarda dindarlık sadece azalmakla kalmamış aynı zamanda kamusal alandan özel alana da çekilmiştir. Ancak sekülerleşme teorisi betimleyici olmanın ötesinde normatif de bir teori olarak modern çoğulcu hayatın dinle tehdit edildiğini ve bu yüzden dinin sadece özel alanda yaşanarak kamusal alana taşınmaması gerektiğini de iddia etmiştir (Berger 1967; Berger and Luckmann 1966; Mills 1959; Wilson 1982). Fakat son yıllarda dinin kamusal hayatta ve siyasette tekrar görünürlük kazanması ve canlanmasıyla, dinin siyasetteki yeri tartışmaları, bu sefer dinin kamusal hayattaki olumlu yönünü de vurgulayarak tekrar başlamış ve sekülerleşme teorisi büyük eleştirilere maruz kalmıştır (Stark and Finke 2000; Berger 1999; C. Smith and Emerson 1998; Bruce 1996; Brown 1992; Hadden 1987; Habermas 2008).

Siyasette "dinsel akıl yürütme" tartışması en başından beri bütün bu tartışmaların daha teorik ve felsefi tarafını oluşturmuştur. Dini kaynaklara dayanarak karar verme şeklinde tanımlayabileceğimiz dinsel akıl yürütmenin siyasetteki yerini tartışırken de Sekülerleşme Teorisine paralel bir şekilde siyasal liberalizm temel yaklaşım olmuştur. Bu bağlamda, Rawls, Larmore, Macedo, Audi ve Habermas gibi kamusal akıl teorisyenleri dinsel akıl yürütmenin siyasette sınırlandırması gerektiğine dair gerekçeler üretmişlerdir. Kamusal akıl teorisyenlerinin temel argümanı Dini Kısıtlama Doktrinidir (the Doctrine of Religious Restraint, DRR). Bu doktrine göre vatandaşlar, kamusal sayılabilecek seküler bir gerekçeye sahip olmaksızın, sadece dini bir gerekçeyle hiçbir kanunu desteklememelidir. Bu doktrin literatürde farklı argümanlarla desteklenmiştir. Din savaşları örneği üzerinden dinin toplumda bölücü bir etki yarattığı, seküler

gerekçe üretmeyen dindarların kendileriyle çelişeceği, seküler kamusal gerekçeler sunmanın saygının bir gereği olduğu ve dolayısıyla sadece dini bir gerekçe sunmanın diğer vatandaşlara saygısızlık olacağı ve son olarak da dini gerekçelerin epistemik statüsünün kamusal gerekçe sayılmak için yeterli olmadığı doktrini desteklemek için literatürde geliştirilen argümanlardandır (Eberle and Cuneo 2015; Eberle 2002).

Son yıllarda, dinin kamusal hayatta ve siyasette canlanmasıyla sekülerleşme teorisiyle birlikte bu doktrin de eleştirilere maruz kalmaya başlamıştır. Eleştiriler temel olarak kamusal akıl teorisyenlerinin doktrini savunmak için yeterli gerekçeler sunamadıklarını ve kamusal akla dini gerekçelerin de dahil edilmesi için pek çok neden olduğunu iddia etmişlerdir. Bu bağlamda da doktrini gerekçelendiren argümanları yanlışlamaya ve daha kapsayıcı alternatifler geliştirmeye çalışmışlardır alternatives (Eberle 2002; Perry 2001; Wolterstorff 1997; Waldron 2010; Stout 2004; Weithman 2002; Bohman 2003; Gaus and Vallier 2009).

Bu literatürün ışığında tez dinsel akıl yürütmenin liberal siyasetteki yerini tartışmayı amaçlamaktadır. Bu bağlamda tezin araştırma sorusunu şu şekilde ifade edebiliriz: dini kaynaklara dayanarak karar verme şeklinde tanımlayabileceğimiz dinsel akıl yürütmeye siyasette izin verilmeli midir? Literatürde bu tartışma daha önce de bahsedildiği gibi kamusal akıl tartışmasıyla birlikte yürütülmektedir: dini gerekçelerin kamusal gerekçeler kabul edilip edilemeyeceği, bu bağlamda dini gerekçelendirmenin kamusal bir gerekçelendirme olup olmadığı, kamusal aklın sınırlarının dini ve dindar vatandaşı kapsayıp kapsamadığı gibi sorular bu tartışmaya örnek olarak verilebilir. Bu durum göz önünde bulundurularak, tezin girişten sonraki ilk bölümü kamusal akıl tartışmasına ayrılmıştır. Kamusal akıl literatürü temel olarak Kamusal Gerekçelendirme Prensibiyle (The Public Justification Principle, PJP) özetlenebilir. Bu prensibe göre kamu'nun (P) her bir üyesi cebri bir kanun olan L'yi kabul etmek için kesin bir gerekçeye (R) sahip değilse L meşru değildir (Gaus 2009, 4). Bu prensipteki kamu'nun (P) ve gerekçe'nin (R) nasıl yorumlandığına göre kamusal akıl kavramı da değişiklik göstermektedir.

Bu bağlamda, Kamusal Gerekçelendirme Prensibinin literatürdeki temel yorumu Sınırlandırma Prensibidir (the Doctrine of Restraint). Bu prensibe göre vatandaşlar kamusal gerekçeleri olmayan hiçbir kanunu desteklememelidirler (Eberle 2002, 68). Kamusal akıl teorisyenlerinin dine yaklaşımını özetleyen Dini Kısıtlama Doktrini de bu iki prensibin bir çıktısıdır.

Tezin ikinci bölümünde Dini Kısıtlama Doktrinini gerekçelendiren iki ana argüman ele alınmıştır. Bunlardan ilki dinsel akıl yürütmenin vatandaşlar arası "saygı"nın gereği olarak kısıtlanması gerektiğini iddia etmektedir. İkincisiyse, dini gerekçelerin epistemik statüsünün kamusal gerekçe sayılmak için yeterli olmadığını iddia etmektedir ve dinsel akıl yürütmenin sınırlandırılmasını bu gerekçeyle savunmaktadır. Tezde bu iddialar literatürdeki farklı yorumlarıyla tartışılmıştır. Bu tartışmaların ışığında tezin temel iddiası, Dini Kısıtlama Doktrinini gerekçelendiren argümanların siyasette dinsel akıl yürütmenin sınırlandırılması için yetersiz kaldığıdır.

Dinsel akıl yürütmenin saygı gerekçesiyle kısıtlanması gerektiği yönündeki argüman kamusal akıl teorisyenleri arasındaki en popüler argümanlardan biridir. Bu argümanın temelinde vatandaşların kamusal gerekçeleri olmayan hiçbiri kanunu desteklememelerini gerektiren Kamusal Gerekçelendirme Prensibi yatmaktadır. Dinsel gerekçeler de kamusal akıl teorisyenlerine göre kamusal olmayan gerekçelendirmeler oldukları için, bir kanun için sadece dini bir gerekçesi olan vatandaşlar saygı gereği o kanunu desteklememelidir. Bu iddianın dini gerekçelerin kamusal gerekçeler olup olmamasıyla ilgili kısmı tezin epistemik argümanlar bölümünde ele alınmıştır. Saygı ile ilgili olan kısmı ise vatandaşlar arası saygının kamusal olmayan gerekçeleri kamusal akılda sınırlandırılması gerektiği şeklinde özetlenebilir. Fakat bütün popülerliğine rağmen literatürde argümanın üzerinde birlik edilmiş bir formu bulunmamaktadır. Her yazar kendi akıl yürütmesini ve gerekçelendirmesini kendisi yapmıştır. Bu durum göz önünde bulundurularak tezde dinsel akıl yürütme konusunda en önemlileri olarak Solum, Larmore ve Audi'nin argümanları tartışılmıştır.

Solum'un argümanına göre toplum vatandaşların eşitliğine ve özgürlüğüne saygı duymalıdır (Solum 1990, 1092). Bu saygının gereği olarak da vatandaşlar diğer vatandaşlara destekledikleri kanunu makul kabul etmelerini sağlayacak gerekçeler vermelidir (Solum 1990, 1093). Bu iki öncüle göre de saygının gereği olarak vatandaşlar kararlarını kamusal olarak erişilebilir (accessible) gerekçelerle savunmalıdırlar (Eberle 2002, 116). Eğer bu şekilde olmazsa, mesela bir kanun ya da resmi bir karar bir vatandaşın dini ve inançları temelinde gerekçelendirilirse devlet o inanç ve dini resmi olarak desteklemiş olur. Bu da eşitliğe aykırıdır çünkü devlet gücünün bazı vatandaşların inançlarını desteklemek ve empoze etmek için kullanırken diğer vatandaşların inançlarını resmi olarak reddetmiş olur (Solum 1990, 1093–95). Buna ek olarak özgürlük kamusal olarak erişilebilir gerekçeler sunulmaksızın sınırlandırılamaz (Solum 1990, 1102).

Tezde Solum'un bu argümanı öncelikle kamusal gerekçelendirmenin desteksiz olarak katı bir yorumu olmakla eleştirilmiştir. Solum, vatandaşların kamusal olarak erişilebilir gerekçeler vermek için çabalamasını yeterli görmeyip bunda başarılı olmalarını da şart koşmaktadır. Ancak neden saygının böyle bir çabadan daha fazlasını gerektirdiği ve vatandaşlar bütün çabalarına rağmen kamusal olarak erişilebilir bir gerekçe sunamadıklarında neden saygısızlık etmiş oldukları açıklanmamıştır (Eberle 2002, 116–20). Aynı durum erişilebilirlik şartında da söz konusudur. Kamusal gerekçenin farklı yorumları vardır ve erişilebilirlik bunlardan biridir. Mesela bir gerekçenin kamusal kabul edilebilmesi için anlaşılabilirlik (intelligibility) şartını yeterli gören yorumlar da vardır (Vallier and D'Agostino 2014). Solum neden anlaşılabilirlik gibi daha kapsayıcı bir yorumu değil de erişilebilirliği tercih ettiğini açıklamamıştır. Solum'un argümanıyla ilgili problemli görünen bir diğer nokta da eşitlik meselesidir. Bahsedildiği gibi Solum resmi kararların bir inanca dayandırılmasının o inancın resmi olarak onaylanıp diğerlerinin reddi anlamına geleceğini iddia ederek bunun eşitliğe aykırı olacağını söylemiştir. Ancak bu iddia dini gerekçeleri sınırlandırmak için yeterli gözükmemektedir zira resmi bir karar hangi inanca/gerekçeye dayandırılırsa dayandırılsın o gerekçeyi/inancı

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paylaşmayan birileri kaçınılmaz bir şekilde olacaktır. Dolayısıyla, eğer Solum'un birilerinin inançlarının diğerlerininki resmileşirken resmileşmemesi eşitliğe aykırıdır iddiasını doğru kabul edersek, eşitsizlik -gerekçelerin dini olup olmamasından bağımsız olarak- her türlü kaçınılmaz olacaktır. Öyleyse, zaten verilen her karar eşitliğe aykırı bir şekilde verilmiş olacaksa, sırf eşitliği zedeleyecek diye dini gerekçeleri sınırlandırıp diğer gerekçelere izin vermek çok tutarlı gözükmemektedir. Tezde Solum'a getirilen bir diğer eleştiri de kamusal erişilebilirliğin nasıl ölçüleceği konusunda olmuştur. Solum bir gerekçenin kamusal olarak erişilebilirliğine nasıl karar verileceği konusunda bir kıstas getirmemektedir. Dolayısıyla dini gerekçeleri kamusal olarak erişilmez ya da kamusal olarak erişil olanları erişilir yapan şeyin ne olduğu konusunda bir bilgimiz bulunmamaktadır. Bu bakımdan da Solum dini gerekçeleri dışarıda bırakıp diğerlerine izin verecek bir kriter sunamamaktadır. Bu eleştiriyle ilintili olarak Solum'un argümanında problem olabilecek bir diğer konu da dindarlara karşı adil olmama durumudur. Eşitsizlik iddiasındaki mantığı takip ederek söylersek, yasalar –kamusal erişilebilirliği iddiasıyla- seküler bir gerekçeye dayanarak yapıldığında dindar vatandaşların gerekçesi resmi olarak reddedildiği için bu sefer de dindarlara eşit davranılmamış olmayacak mıdır? Bu bakımdan Solum'un eşitsizlik argümanı tam tersi bir şekilde dindar vatandaşların lehine de işletilebilir.

Tezdeki ikinci saygı argümanı da Larmore'unkidir. Larmore her vatandaşın kendi hayatını nasıl yaşaması gerektiği konusunda kapsamlı ve tutarlı bir dünya görüşü inşaa edebilecek bir kapasitesi olduğunu ve buna saygı duyulması gerektiğini söyler. Bu kapasiteye saygı duymak da hangi kanunlara destek vereceğine diğer vatandaşlarla yapılan rasyonel bir konuşma sonrası karar vermeyi gerektirir çünkü onların da bu kapasitesi vardır. Ve bu rasyonel konuşma da ancak ortak bir zeminde mümkün olabileceği için, vatandaşlar kanunları birbirlerine "tarafsız bir zemine" dayanarak gerekçelendirmelidirler. Bu tarafsızlık şartı da dini gerekçeleri bir zemin olmaktan çıkarmaktadır (Larmore 1990). Tezde Larmore'a getirilen ilk eleştiri tarafsız zeminin tesadüfiliği olmuştur. Larmore bütün meseleleri tarafsız bir zemine dayanarak

çözmemiz gerektiğini söylese de bu zeminin varlığını garanti edememekte ve bunu sadece bir ideal olarak sunmaktadır. Dolayısıyla aslında var olmayan bir zeminden ve tarafsızlıktan söz etmektedir (Eberle 2002, 124). Dini gerekçelerin bu tarafsızlığın garantilenmesi için sınırlandığını göz önünde bulundurursak, bu sınırlandırma tesadüfi, idealize edilmiş hatta olmayan bir şey için yapılmış olur. Larmore'a getirilen ikinci bir eleştiri de dinin bir dindar için her şeyin üzerinde ve her şeyi kapsayan bir konumu olduğunu göz ardı etmesidir. Larmore'un tarafsızlık ilkesinin benimsenmesi için rasyonel diyalog ve eşit saygı ilkelerinin her şeyin üzerinde tutulması gerekmektedir. Larmore bunun için açıkça vatandaşların bu iki normu her türlü bağlılıklarının ve inançlarının üzerinde tutmaları gerektiğini söylemektedir (Larmore 1990, 350). Bu bakımdan da vatandaşlar vatandaş rolleriyle her türlü diğer rollerini birbirinden ayırt etmeli ve bütünlük kültünü (the cult of wholeness) bırakmalıdırlar (Larmore 1990, 351). Ancak Larmore'un bu şartı gerçekçi değildir zira din kavramı tanımı ve doğası gereği pek çok dindar için kimliği inşan eden, hayatın siyaset dahil her alanında belirleyici bir rol oynayan, başka her türlü normun üzerinde bir yerdedir ve dinin normlarını takip edip etmemek pek çok dindar için bir seçenek değil bilakis zorunluluktur (Eberle 2002; Perry 1990, 1991; Vallier 2012; Wolterstorff 1997). Dolayısıyla din ve benzeri normları olan vatandaşların durumu bu normlar Larmore'un normlarıyla çeliştiğinde problem olacaktır. Larmore bunun için bir çözüm sunmamaktadır.

Üçüncü ve sonuncu saygı argümanı olarak da Audi'nin argümanı ele alınmıştır. Audi, Solum ve Larmore'dan farklı olarak direkt dini gerekçeler üzerine kurmuştur argümanını. Audi'nin argümanı da eşitlik ve özgürlük normlarıyla başlamaktadır. Audi'nin ilk öncülüne göre eşitlik, özgürlük ve saygı gibi temel hakların bir şekilde sınırlandırılmasını ya da ihlal edilmesini gerektiren her şey ne olursa olsun gerekçelendirilmelidir. İkinci öncülüyse rasyonel vatandaşların bir başkasının dini inançlarına dayanarak yapılacak hiçbir cebre ve sınırlandırmaya rıza göstermeyecekleridir (Audi 2011, 76). Bu iki öncüle dayanarak Audi vatandaşların kanunları sadece dini gerekçelerle savunmamaları gerektiğini söylemektedir. Audi dindar vatandaşların dini

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gerekçelere dayanmalarını anlayışla karşılamakta hatta dindar vatandaşlar için dinsel gerekçelendirme prensibi bile sunmaktadır. Bu prensibe göre dindar vatandaşlar kendileri için dini açıdan gerekçelendirmedikleri hiçbir şeyi topluma da sunmamalıdırlar. Topluma teklif edecekleri şeyi öncelikle kendileri için gerekçelendirmelidirler (Audi 2011, 89). Bu bakımdan Audi dinin bir dindar için ne kadar belirleyici olduğunun farkındadır. Ancak buna rağmen hiçbir rasyonel vatandaş bir başkasının dini inançlarına dayanan kanunlarla muamele edilmek istemeyeceği için seküler kamusal bir gerekçelendirmeyi de şart koşmaktadır.

Tezde Audi'nin argümanı ilk olarak muhatap bağımlı olmakla eleştirilmiştir. Audi dinsel gerekçeleri, hiçbir rasyonel vatandaş bir başkasının dini inançlarına dayanan kanunlarla muamele edilmek istemeyeceği gerekçesiyle sınırlandırmaktadır. Bu durum sınırlandırmayı tamamen vatandaşların rızasına bağladığı için vatandaşların kanunlara gerekçelerine bakmaksızın rıza göstermesi durumunda Audi'nin dini gerekçeleri sınırlandırmak adına diyeceği bir şey kalmayacaktır (Eberle 2002, 139). Burada rasyonel bir vatandaşın böyle bir şeye neden rıza göstereceği de sorgulanabilir ancak bu durumda işin içine kanunun içeriği ve gerekçesi karşılaştırması girmektedir. Şöyle ki Audi'nin rıza göstermeme konusundaki öncülü gerekçenin ve gerekçenin neye dayandığının muhatabın rızasında belirleyici olacağı varsayımına dayanmaktadır. Bu varsayım da içeriğin rolünü göz ardı etmektedir. Zira vatandaş için bir kanunun içeriği o kanunun nasıl gerekçelendirildiğinden daha önemli olabilmektedir. Dolayısıyla da bir vatandaş dini gerekçeyle sunulan bir kanuna rıza göstermediğinde bu durumun kanunun gerekçesinden değil içeriğinden kaynaklanma ihtimali daha yüksektir (Eberle 2002, 136–38). Bir örnekle açıklamak gerekirse hırsızlığı cezalandıran bir kanunu bir Yahudi hırsızlık günah olduğu gerekçesiyle isterken bir seküler de güvenlik, özel mülkiyet vb. gerekçelerle isteyebilir. Yahudi vatandaşın seküler bir gerekçe sunmaması durumunda, rasyonel seküler bir vatandaş neden, sırf Yahudi vatandaş kanunu dinine dayanarak gerekçelendiriyor diye itiraz etmeli? Üstelik kendisinin de desteklediği bir kanuna. Ancak Audi'yi destekleyecek bir örnek de verilebilir. Mesela, bir Yahudi günah olduğu gerekçesiyle domuz etinin

yenmesini yasaklayan bir kanunu destekleyebilir. Bu durumda seküler bir vatandaşın bu kanuna rıza göstermemesi anlaşılabilir. Ancak burada rıza göstermemenin temel sebebi kanunun başkasının dini gerekçesine dayanması olsaydı aynı durum ilk örnekte de söz konusu olurdu çünkü ilk örnekte de Audi'nin şartları sağlanmamaktadır: dindar vatandaş hiçbir seküler gerekçe üretmeksizin sadece dini bir gerekçeyle bir kanunu savunmaktadır. Sadece dini gerekçeye sahip olmak durumu değişmeksizin sonuç değiştiğine göre, iki örnekte rıza konusunda bakmamız gereken şey farklıdır. Örneklerde değişen şey içerik ve seküler vatandaşın zaten bir gerekçeye sahip olması durumudur. Öyleyse burada rızanın belirleyicisi olan şey kanunun içeriği ve vatandaşların – dinsel veya seküler- kendi gerekçelerinin olup olmamasıdır. Bu durumda da dinsel gerekçeleri kategorik olarak dışarıda bırakmamızı gerektirecek bir argüman gözükmemektedir. Tezde Audi'ye getirilen bir diğer eleştiri de dindar vatandaşlara karşı adaletsizlik konusunda olmuştur. Solum'a getirilen eleştiriye paralel olarak rıza gösterme rıza göstermeme durumunun neden dindar vatandaşlar açısından da düşünülmediği sorgulanmaktadır. Audi'nin iddiasını takip ederek söylersek, nasıl ki hiç kimse başkasının dini inancına dayanan bir kanuna rıza göstermek istemeyecekse dindar bir vatandaş da başkasını dini olmayan/seküler gerekçesine dayanan bir kanuna rıza göstermek istemeyebilir. Ancak başkasının dini gerekçesine dayanan bir kanuna rıza göstermeme ihtimali dini gerekçelerin kategorik sınırlaması için yeterli görünürken aynı durum seküler gerekçeler için söz konusu olmamıştır. Bu da dindarlara karşı bir adaletsizliğe neden olmaktadır. Bu da eşitlik normuna çok uygun gözükmemektedir.

Bu tartışmalar ışığında tezin bu bölümünde saygı argümanlarının dini gerekçeleri sınırlandırmak için yeterli olmadığı iddia edilmiştir.

Tezin bir sonraki bölümünde ise epistemik argümanlar tartışılmıştır. Bu konuda literatürdeki argümanlar dini gerekçelerin epistemik statüsünün kamusal gerekçe sayılmak için yeterli olmadığını iddia etmekte ve dinsel akıl yürütmenin sınırlandırılmasını bu gerekçeyle savunmaktadırlar. Kamusal gerekçelendirmenin nasıl olacağı konusunda literatürde temel olarak üç farklı

yorum, kriter bulunmaktadır: anlaşılabilirlik (intelligibility), erişilebilirlik (accessibility) ve paylaşılabilirlik (shareability). Bunlara göre bir gerekçenin kamusal sayılabilmesi için ya anlaşılabilir ya erişilebilir ya da paylaşılabilir olması gerekmektedir.

Anlaşılabilirlik literatürdeki en esnek standarttır ve tezde iki alt başlık halinde ele alınmıştır. Bunlardan ilki anlaşılabilirliğin çakışma (convergence) yorumudur. Bu yoruma göre vatandaşların diğerinin gerekçesini o gerekçeyi sunan için tutarlı görmesi yeterlidir. Gerekçeler erişilebilir ya da paylaşılabilir olmak zorunda değildir. Bu şekilde her vatandaş kendi anlaşılabilir gerekçesiyle bir kanunu savunuyorsa yani gerekçeler kanun üzerinde çakışıyorsa o kanun kamusal olarak gerekçelendirilmiş demektir. Anlaşılabilirliğin ikinci versiyonu da Bird'ün ifade edilebilirlik (communicability) yorumudur. Bu yoruma göre anlaşılabilir olmak için bir tecrübenin ya da gerekçelendirmenin saydam ve ifade edilebilir olması gerekmektedir. Ancak dini tecrübeler saydam değil opaktır. Öyleyse bu opak dini tecrübelere dayanan inançlar ve gerekçelendirmeler de oparktır ve ifade edilemez, üzerine konuşulamaz. Dolayısıyla dini gerekçeler kamusal gerekçe kabul edilemez (Bird 1996). Bird'ün bu yorumuna getirilen ilk eleştiri kriterin bizi gerekçesiz bırakacak derece katı olduğu yönünde olmuştur. Çünkü sadece dini tecrübeler değil sıradan, günlük ve duyularla algıladığımız tecrübelerin ve onlara dayanan ahlaki gerekçelerin de pek çoğu opaktır (Eberle 2002). Üstelik, kürtaj gibi bazı çetrefilli ve sonuçsuz tartışmalarda insanlar çoğunlukla opak tecrübelerine ve gerekçelerine dayanmaktadır. Dolayısıyla bu gibi durumlarda dini gerekçelerin kullanımı kaçınılmazdır ve diğer dini olmayan opak gerekçeler gibi onlara da izin verilmelidir (Greenawalt 1993). Anlaşılabilirliğin ifade edilebilirlik yorumuna getirilen son eleştiri de Waldron'un bu kriterin insanların iletişimin becerilerini hafife aldığı yönündeki eleştirisidir. Bu bakımdan Waldron, insanların farklılıklarının ve birbirleri hakkındaki bilgisizliklerinin abartıldığını, bunların insanların iletişimi için ciddi engeller olmadığını ve istedikleri takdirde de dindar olmayanların din hakkında rahatlıkla öğrenebileceklerini iddia etmektedir. Bu iddiaya dayanarak Waldron'un sunduğu alternatif de tek taraflı değil karşılıklı bir tercümedir: hem

sekülerlerin hem de dindarların diğer taraf hakkında daha çok şey öğrenip kendi söylemini diğer tarafın söylemine tercüme etmesi daha iyi olacaktır (2010).

Literatürde en çok önerilen kriter ise erişilebilirlik olmuştur. En özet ve genel haliyle erişilebilirlik ortak değerlendirme standartlarına göre (common evaluative standard) gerekçelendirilmiş olmak şeklinde tanımlanabilir (Vallier and D'Agostino 2014). Ancak bu ortak değerlendirme standardının ne olduğu konusunda bir anlaşma yoktur ve farklı yorumlar bulunmaktadır. Bunlardan tekrarlanabilirlik (replicability), yanlışlanabilirlik (fallibilism) ve dış eleştiriye açık olma (external criticism) bu çalışma için en ilgilileri olarak tezde tartışılmıştır.

Tekrarlanabilirlik yorumuna göre bir inancın ya da tecrübenin erişilebilir sayılarak kamusal kabul edilebilmesi o inancın ya da gerekçenin belirli fiziki ve kavramsal şartların sürekliliği içinde tekrarlanabilmesini gerektirmektedir. Ancak bu şekilde bir tekrarlanma dini tecrübeler için mümkün değildir. Dolayısıyla dini tecrübeler ve bunlara dayanan gerekçeler genelleştirilebilir ve erişilebilir değildir (Greenawalt 1993). Tezde bu yorum gerçekçi olmamakla ve keyfilikle eleştirilmiştir. Sadece dini tecrübeleri dışarıda bırakıp diğer gündelik, sıradan tecrübelerin katılımına izin verecek bir tekrarlanabilirlik şartı sunmak mümkün gözükmemektedir çünkü belirli fiziki ve kavramsal şartların sabit tutulması sadece dini değil diğer pek çok gündelik tecrübe için de neredeyse imkansızdır.

Yanlışlanabilirlik yorumu ise Conkle tarafından getirilmiştir. Bu yoruma göre bir şeyin erişilebilir olması için yanlışlanabilir olması gerekmektedir ancak bazı dini gerekçeler sorgulanabilir, tartışılabilir ya da yanlışlanabilir değillerdir. Bu tarz dini gerekçelere kamusal akılda yer verilmemelidir zira kamusal akıl münazara ve karşılıklı fikir alışverişine dayanan bir karar-verme mekanizması gerektirmektedir (Conkle 1991). Tezde bu argüman dini yorumla dinin ana kaynakları arasındaki farkı göz ardı etmekle eleştirilmiştir. Dinin temel metinleri dogma olmaları hasebiyle sorgulanabilir değilken dini gerekçeler bu ana kaynaklarla temellendirilmiş gerekçelerdir ve dolayısıyla da bu kaynakların sorgulanabilir ve yanlışlanabilir yorumlarıdırlar. Bu bakımdan da

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yanlışlanabilirlik argümanı kamusal akılda dini gerekçeleri sınırlandırmak için yeterli gözükmemektedir.

Erişilebilirliğin ele alınan son yorumu da dış eleştiriye açık olma standardı olmuştur. Bu argümanın iddiası kamusal gerekçe kabul edilebilmek yani erişilebilir olmak için bir gerekçenin dış eleştiriye açık olması gerekmektedir ve dini gerekçeler bu şartı sağlamadıkları için kamusal gerekçe kabul edilemezler şeklinde özetlenebilir. Bu yorum erişilebilirliğin literatürde en çok kabul gören yorumlarından biridir (Fish 1996; Gutmann and Thompson 1990; Nagel 1987; Sherry 1995). Tezde en kapsayıcısı ve ayrıntılısı olarak Nagel'in argümanı bunlar adına ele alınmıştır. Bu yoruma göre bir inanca kamusal akılda yer verilebilmesi için onun sadece inanç değil aynı zamanda bir doğru olması gerekmektedir. Bir inancın doğru olmadığını test etmek için de Nagel bir kişinin inançlarına dışarıdan başka birinin gözüyle bakması gerektiğini ve bu durumda eğer bu inançlara dayanmak salt kişisel inançlara dayanmak gibi gözüküyorsa onları kullanmaması gerektiğini ancak eğer bu inançlara dayanmak kişisel olmayan bakış açılarından da uygunsa onlara dayanarak gerekçelendirme yapmasının uygun olacağını söylemektedir. Bu doğruluk testinden sonra çıkabilecek her türlü anlaşmazlığın çözümü için de ortak bir zeminde ortak bir kritik akıl kullanılması gerektiğini ifade etmektedir (Nagel 1987).

Erişilebilirliğin bu son yorumu tezde ilk olarak yeterince açık olmamakla eleştirilmiştir. İnsanların kendi inançlarını ve gerekçelerini neden inanmadıkları şeylere referansla test etmeleri gerektiği yeterince açık değildir (Eberle 2002, 273–74). İkinci olarak da argümanın dini gerekçelerin dış eleştiriye açık olmadığı yönündeki ön kabulü doğru gözükmemektedir. Öncelikle, dindar insanların kendi inançları için bahsedilen dış eleştiri testini uygulamamaları dini gerekçelerin dış eleştiriye açık olmadığı anlamına değil bu eleştiriyi dindarların kendi kendilerine uygulamadıkları anlamına gelir. Buna ek olarak, daha önce de söz edildiği gibi eleştiriye kapalı olan dini gerekçeler değil onların dayanağı olan temel dini kaynaklardır. Dolayısıyla da dini gerekçelerin dış eleştirisini engelleyen bir durum bulunmamaktadır.

Tezde ele alınan son epistemik kriter de paylaşılabilirlik kriteri olmuştur. Bu kritere göre bir gerekçenin kamusal gerekçe sayılabilmesi için o gerekçenin toplumun bütün üyeleri tarafından paylaşılması gerekmektedir (Vallier and D'Agostino 2014). Ancak bu gerekçe toplumlardaki farklılıkları düşündüğümüzde uygulanabilir gözükmemektedir. Zaten bu durumdan dolayı literatürde çok fazla destekçisi olan bir yorum da değildir. Mesela erken dönem eserlerinde Habermas (1996a) ve Rawls (1999) tarafından sunulmasına rağmen sonraki eserlerinde onlar da vazgeçmişlerdir.

Bütün bu tartışmalara dayanarak tezde Dini Kısıtlama Doktrininin (the Doctrine of Religious Restraint, DRR) dini gerekçeleri kısıtlamak için yeterli olmadığı iddia edilmiştir. Bu bakımdan da tez kamusal akılda dini gerekçeler tartışmasına yeni bir alternatif sunmaktan ziyade literatürdeki temel argümanların meseleyi ele almakta yetersiz kaldıklarını ve bir çözüm getiremediklerini göstermeye çalışmıştır.

B. TEZ FOTOKOPİSİ İZİN FORMU

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YAZARIN

Soyadı : Sakarya
Adı   : Sümeyye
Bölümü : Siyaset Bilimi ve Kamu Yönetimi

TEZİN ADI (İngilizce) : Religious Reasoning in Politics: A Discussion of Public Reason

TEZİN TÜRÜ : Yüksek Lisans ☐   Doktora ☐

1. Tezimin tamamından kaynak gösterilmek şartıyla fotokopi alınabilir. ☐

2. Tezimin içindekiler sayfası, özet, indeks sayfalarından ve/veya bir bölümünden kaynak gösterilmek şartıyla fotokopi alınabilir. ☐

3. Tezimden bir bir (1) yıl süreyle fotokopi alınamaz. ☐

TEZİN KÜTÜPHANEYE TESLİM TARİHİ: