

DEMOCRATIC PUBLIC REASON AND RELIGIOUS PUBLIC REASONS*

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ABSTRACT *According to the democratic interpretation of public reason, political justification ought to appeal to the tacit dimension or common sense of society's actual historical moment. This article claims that a consequence of this interpretation is that religious reasons can be stable public reasons. More specifically, it claims that religious reasons can be public reasons in pervasively religious communities that are democratic, even in circumstances of ongoing social secularization. Three theoretical consequences are derived from this claim: first, democratic public reason assumes more social integration than other interpretations of public reason; second, religious reasons are not always inaccessible to non-believers; and third, religious reasons, when public reasons, can have normative force upon non-believers. Additionally, the following practical implication is made explicit: while justification of state power can appeal to religious reasons only, the law cannot be written in religious terms.*

Keywords *political justification, democracy, religion, accessibility, social integration, public reason.*

RESUMO *A interpretação democrática da razão pública considera que as justificações políticas devem apelar à 'dimensão tácita' ou ao 'sentido comum' do momento histórico atual da sociedade. Neste artigo se demonstra*

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que, de acordo com essa interpretação, as razões religiosas podem ser razões públicas estáveis. Mais especificamente, que razões religiosas podem ser razões públicas em comunidades profundamente religiosas e democráticas, mesmo em circunstâncias de secularização social em andamento. Esse raciocínio traz três conclusões teóricas: primeiro, a razão pública democrática pressupõe mais integração social do que outras interpretações da razão pública; segundo, razões religiosas nem sempre são inacessíveis aos não crentes; e terceiro, razões religiosas, quando razões públicas, podem ter força normativa sobre os não crentes. Por fim, explicita-se uma implicação prática: embora a justificação do uso do poder do Estado possa apelar apenas a razões religiosas, a lei não pode ser escrita em termos religiosos.

Palavras-chave *justificação política, religião, razão pública, acessibilidade, integração social.*

According to the democratic interpretation of public reason, the ideal of democratic self-rule is attained if political justification appeals to reasons that resonate into societies' 'tacit dimension' or 'common sense' (White and Ypi, 2016, chap. 3). On this interpretation, public reason does not rely on pre-defined normative principles, political values, or normative orders, but on 'empirical', 'common sense', or 'tacit dimension' elements of actual societies, which in turn means that it has to adopt 'accessibility' as its standard for public justification. This interpretation is adopted in Jonathan White and Lea Ypi's theory of partisan justification (White and Ypi, 2011, 2016), and something similar to it is defended by Cécile Laborde's 'empirical' theory of public reason (Laborde, 2017). More generally, democratic interpretations are tracked down to John Rawls' claim that the content of a political conception of justice is 'expressed in terms of certain fundamental ideas seen as implicit in the public political culture of a democratic society' (Rawls, 2005, p. 13), a stipulation that has been interpreted to entail that public justification should not be understood as requiring reasons that all *could* accept, but in term of reasons that all *can* accept (Bohman and Richardson, 2009).

In this article, I offer an answer to the following question: does the democratic interpretation of public reason have room for religious public reasons? I answer with a—qualified—yes and make explicit three theoretical implications of this answer: that a key difference among mainstream theories of public reason

(i.e., consensus and convergence theories) is the degree of social integration they assume in society; that it is not true that religious reasons are necessarily inaccessible in contexts of diversity; and that religious reasons might have normative force upon non-religious citizens. I conclude by spelling out two further practical implications. The first one is that the democratic interpretation of public reason is compatible with political justifications advanced in religious terms only. The second is that it will hardly be the case that the law could be written in religious language.

To say that religious reasons can be public reasons is in tension with a widely assumed view that holds exactly the opposite. Religious reasons are probably the paradigmatic example of non-public reasons. It is not my intention to reject this view. I am arguing, instead, that within the democratic interpretation there is conceptual space for making the case for religious public reasons. I remain silent about whether this is a problem for the democratic interpretation of public reason.

Although the key of the argument consists of showing that religious public reasons are analytically possible, two considerations are motivated by this finding. The first one is that, in the context I will specify below, the conservative project of defending a public morality informed by a religious doctrine might not be discarded on grounds that it fails to meet standards of public reason. The second one is that progressive oriented political projects, that is, those aiming at modifying the *status quo*, might not ignore the ‘tacit dimension’ of their own society, if they desire to promote political agendas that fully meet public reason’s democratic standards. As theorists of post-secularism remind us, there is no reason to assume that the tacit dimension of a few democratic societies will not be considerably religiously loaded.

§1 determines the sort of religious reasons I am interested in analysing, namely one that is thick in its religious content. §2 presents the democratic interpretation of public reason in more detail. §3 advances the argument according to which religious reasons can be public reasons. In order to advance this claim, the idea of a pervasively religious community is introduced. §§4-5 reflect on the theoretical and practical implications mentioned above. §6 concludes.

§ 1 Religious reasons and public reason

Three clarifications about what sort of political justification in religious terms I *am not* interested to analyse are at hand. The first one is *symbolic* religious partisanship, which consists of references to religion that are not coercive. For instance, the religious reference contained in Christian Democratic

parties. Strictly speaking, these parties are not advancing the same goals of religious associations. Indeed, they can be fairly independent from them. A Christian Democratic party can be thought of as advancing claims that are in principle generalizable: they are interpretations of the common good. The ‘Christian’ in ‘Christian Democratic Party’ plays the same role that ‘Marxist’ plays in ‘Marxist Workers Party’. Although the word ‘workers’ might suggest a factional or partial interest, this is not a group representing only the interests of the workers—at least not in Karl Marx’s sense (White and Ypi, 2016, p. 60). Similarly, a secularized religious party should not be assumed to be representing exclusively the interests of members of the religious group. In both cases the argument could be done such as these are parties that advance claims that can be understood as being interpretations of the common good. If these parties are accepted as genuinely religious parties, it would turn out that the religious component is very thin, merely symbolic. My interest is in religious parties that advance a thick commitment to the preservation of a dominant religious culture. As Nancy Roseblum has put it, these are parties that ‘appeal to voters on religious grounds that draw their inspiration from religious values if not theology’ (Roseblum, 2003, p. 25).

Second, I am not analysing Rawls’ ‘inclusive view’ of public reason (Rawls, 2005, p. 25). According to Rawls, the introduction of religious reasons can be compatible with the ideal of public reason if these are parts of reasonable comprehensive religious doctrines. The reason for this is that these reasons are already compatible with the values of public reason. Historically, in non-well-ordered societies, non-public religious reasons could have been the only resources available to partisans to effectively promote the ideal of public reason—consciously or unconsciously (Rawls, 2005, p. 249; 464, footnote 54). In the United States, both abolitionists in the 1830s and civil rights movement leaders, such as Martin Luther King Jr., justified their views on what we might today call non-public religious reasons. These reasons supported nonetheless the clear conclusions of public reason (Rawls, 2005, p. 250). Similarly, in contemporary politics, Rawls considers that religious reasons ‘may be introduced in public political discussion provided that in due course proper political reasons [...] are presented that are sufficient to support whatever the comprehensive doctrines introduced are said to support’ (Rawls, 2005, p. 462). Although much has been discussed about the implications of this view of public reason, I will not consider it. My interest is in pure religious partisanship, that is, in a form of introducing religious reasons in public political justification with the purpose of advancing religious ends. I am interested in a form of partisanship that takes religious reasons alone as justificatory of state coercion and that intends to promote ends

that may not be detached from religion. I am interested in analysing whether, in a liberal democracy, religious reasons can ever be public reasons.

Third, my interest is in defining whether religious reasons can be public reasons in *liberal democracies*. I am therefore ruling out anti-liberal and anti-democratic forms of religious involvement in politics. Claims for unequal citizenship are therefore excluded. Thus I endorse Bonotti's 'weak shareability' in public reason, if it is meant to establish that public justification should not 'contravene those basic liberal political values that are widely shared in liberal democracies' (Bonotti, 2017, p. 114).

My interest in religious reasons in politics can be described in the following way: religious citizens that engage in party politics with the goal of preserving in good health the hegemonic status of the historic majority religion. They do so because they want their religion to be maintained as a source of public justification. If it is possible to demonstrate my thesis, then a secondary claim can be advanced, namely that religious reasons do not lose their status of public reasons as a consequence of processes of social secularization and pluralization. Political theorists usually assume that processes of social secularization entail the normative requirement of political secularization. This article offers a counterargument to this claim.

§2. Accessibility and the tacit dimension

According to the democratic interpretation of public reason, political justification ought to resonate into society's tacit dimension or common sense if it is to attain the ideal of collective self-rule. This is how democratic public reason fulfils public reason's requirement of acceptability by citizens. It is distinctive in that it is not too worried about introducing idealization among members of the justificatory process. This is clear in the requirement that political justification ought to appeal to the 'tacit dimension' or 'common sense' of the 'actual historical context' of a given society (White and Ypi, 2010, p. 811). A society's common sense is, according to these theorists, 'an interpretation of the immediacies of experience' (Geertz, 1983, p. 76); it is historically constructed and can be 'questioned, disputed, affirmed, developed, formalized, contemplated, even taught, and it can vary dramatically from one people to the next' (White and Ypi, 2011, p. 67, quoting Geertz). It can be concluded that under this interpretation of public reason, the coercive power of the state has to be justified by reasons that appeal to sets of beliefs that are *already* spread among members of the polity.

Proponents of the democratic interpretation of public reason contrast it with its *liberal* counterpart, which is presented as defining public reasons in relation to arguments based on general and abstract commitments ‘of the type *freedom matters* or *people should be considered equal*’ (White and Ypi, 2016, p. 66, emphasis added). Accordingly, political justification begins from a set of ideational resources (e.g., the general and abstract commitments just mentioned) from which political justification is articulated. Its deficiency, White and Ypi claim, is that it cannot make apparent the source of the ideational resources that base political justification. The democratic interpretation’s reliance on the tacit dimension, which can be understood as a reliance on society’s actual sets of beliefs, is an explicit commitment to offer such explanation. In virtue of this feature, political justification can be recognizable and potentially convincing (White and Ypi, 2016, p. 65) because it resonates into society’s actual sets of beliefs and commitments. This, liberal public reason does not do.¹

Implicit in the appeal to actual sets of beliefs and commitments in political justification is the presupposition that its subjects are empirical constituencies and not idealized publics. This means that whether reasons offered in political justification are received as meaningful or persuasive should be expected to depend on society’s ideational background, that is, on reasons’ degree ‘of correspondence with pre-existing schemes of understanding’ (White and Ypi, 2016, p. 65). Consequently, under the democratic interpretation of public reason, partisan success depends on their ability to engage with the existing ideational background of their society, otherwise ‘they will be unable to articulate themselves and their political claims, and render these meaningful to a wider audience’ (White and Ypi, 2016, p. 66). Political justification is therefore presented as involving ‘the provision of reasons *accessible* to all citizens’ (White and Ypi, 2016, p. 58, emphasis added),² which are defined as those that are ‘cognitively accessible’ and ‘[acknowledgeable] when heard’ (White and Ypi, 2016, p. 63). They must attempt to trace—and, if possible, to challenge—society’s ‘tacit dimension’ or ‘common sense’³ so they resonate with background views actually held by the constituency in a way that matches some level of

1 Hence it is unlikely to challenge the tacit dimension. On this, White and Ypi follow Charles Mills’ critique to normative justification (Mills, 2005).

2 See also: ‘The demands partisans put forward need to be *widely accessible*, involving an attempt to moving beyond a particularist viewpoint with the aim of demonstrating public appeal’ (White and Ypi, 2016, p. 61, emphasis added).

3 Agents other than parties (e.g. social movements) can perform this role. Ypi and White argue, however, that parties are the best in so doing (White and Ypi, 2010, pp. 817-821).

correspondence with ‘pre-existing schemes of understanding’ (White and Ypi, 2016, p. 65). Lacking such resonance can risk a deficit in the enterprise to attain the ideal of collective self-rule, for the people might be unable to recognise the attempted justification as political justification proper.

Although White and Ypi explicitly appeal to a conception of public reason in their view on partisan justification, they are vague in specifying the details of what they take as a democratic interpretation of public reason. It is hard to imagine what political justification entails if it is assumed to resonate in society’s tacit dimension. Fortunately, Laborde’s empirical and non-ideal theory of public reason fits with the democratic interpretation just offered. According to her, public reason requires accessible reasons for public justification. Similarly to Ypi and White, Laborde defines accessible reasons as ‘the actual reasons that are the currency of deliberation of real citizens’ (Laborde, 2018, p. 2). A reason is accessible if common evaluative standards allow two persons (the giver of the reason and its receiver) to assess and evaluate it, without necessarily endorsing it. To illustrate, Laborde presents the following two reasons that could be advanced in a pluralistic society:

- *Reason a)* ‘because life is a gift of God, no person has the right to put an end to it.’
- *Reason b)* ‘because the sick and the dying are fragile and vulnerable, their conscious determination to die cannot be ascertained with full certainty, and their vulnerability will easily be exploited by others’ (Laborde, 2017, p. 121).

Laborde says that in a pluralistic society *reason a)* is not accessible while *reason b)* is. This is because *b)* does not appeal to reasons that are either not shared or not ‘subjectable to common standards’ (Laborde, 2017, p. 121). Should assisted suicide be banned on grounds of *reason a)*, citizens of a pluralistic society would be coerced upon reasons—that life is a gift of God—they cannot understand and therefore that they cannot assess. *Reason b)* is accessible to the public because it does not depend upon evaluative standards that are not common among citizens. Citizens may disagree with *reason b)* and therefore reject legislation based on it. This rejection is, however, qualitatively different from rejection that might stem from *reason a)*. Coercion grounded on *b)* is coercion supported by reasons all agents can understand and criticise, while coercion grounded on *a)* is justified by reasons some agents cannot criticise because they cannot understand them. An agent is respected as a democratic reasoner when she is coerced by laws grounded on reasons she might disagree with, but that she can nonetheless understand and criticise. As Laborde puts it

‘it is one thing to be coerced in the name of reasons one does not understand [...] and quite another to be coerced in the name of reasons one does not agree with but can engage with’ (Laborde, 2017, p. 122).

From this analysis of Laborde’s characterisation of accessible reasons, it follows that religious reasons cannot be public reasons. This is explained by the fact of reasonable pluralism, which makes it impossible that *reason a*) resonates among all members of the polity—or that it is accessible to them. This means that *reason a*) cannot be understood and assessed by all because citizens embrace different comprehensive doctrines of the good. In other words, *reason a*) is not accessible to all. Hence public religious reasons and religious partisanship are impossible.

§3. The stability of public religious reasons

The previous section showed that the fact of pluralism of comprehensive moral doctrines anchors the impossibility for religious public reasons. This has been showed for what could be the most favourable conditions for enabling religious public reasons, namely in the case it is assumed that political justification has to appeal to society’s tacit dimension, common sense, or actually held beliefs. Under this account, religious partisanship is therefore impossible. By introducing the case of a ‘pervasively religious community,’ I argue that religious reasons can, though in very specific contexts, be public reasons—and stably so.

The argument assumes that if the tacit dimension of an actual historical context plays such an important role for the democratic interpretation of public reason, then the question of whether pervasively religious societies enable public religious reasons becomes relevant. It cannot just be assumed that religious beliefs would not have any currency in any social context. If it is conceivable that the tacit dimension of certain societies includes religiously inspired moral, social, and political beliefs, then political justification appealing to them would be meaningful to citizens and will correspond to pre-existing schemes of understanding. In contexts like these, partisan political justification could refer to religious beliefs and views as long as these are both reasonably assumed to be part of society’s tacit dimension and non-factional. The task is, therefore, to show that such contexts are possible.

Despite the mainstream view held by political theorists that liberal democracies need to ensure their institutions accommodate pluralism, it is possible to imagine contexts where religious reasons are both reasonably assumed to be part of society’s tacit dimension and non-factional. These contexts do not have to be non-western cultures such as the Zande, Navaho, or Pokot to which

Geertz (to whom Ypi and White refer when introducing the idea of common sense) refers in his analysis of common sense as a cultural system. Democratic countries where social secularization is relatively low and recent immigration incorporating cultural or religious diversity is not sizable can be cases in point, for political justifications presented in religious reasons can resonate in citizens' systems of beliefs, communal interests, and political aims. In other words, to appeal to society's tacit dimension, partisans would probably need to appeal to certain religiously-inspired social and moral norms.

Laborde does not completely disagree with these claims. Consider what she takes to be an 'intriguing implication' of her empirical theory of public reason:

'In pervasively religious communities, religious reasons *stricto sensu*—reasons that are grounded in a religious doctrine and have normative force only for those who accept that doctrine—may well provide the only currency of public reason' (Laborde, 2017, p. 128).

In these communities, religious reasons provide the common currency of argument, which means that *reason a*) is accessible to all and therefore justificatory. It follows that at least in pervasively religious communities, religious partisanship is possible. If everybody shares (embraces) the same comprehensive moral doctrine—for instance, the same religion—then religious reasons can be generalizable and assumed to be reasons that advance the goals of the polity. Since these are accessible reasons, disagreeing citizens can criticise the cogency of the reasons offered to them and either endorse or reject them. When this is the case, a religious partisan can use religious goods as instances of the common good without risk of being accused of advancing reasons that are not accessible to some members of the polity. In this case, religious reasons do not advance partial or factional interests.

Although Laborde acknowledges this as an implication of her theory of public reason, she does not take it too seriously for two reasons. First, few societies are so homogenous that religion can provide the language of public reason. Second, she speculates that even in the case such community exists, it would be unstable because disagreement and pluralism are bound to emerge (Laborde, 2017, pp. 128-129), making any form of religious partisanship alien to the appeal of accessible reasons. This is an insight common among liberal thinkers. Rawls, for instance, maintains that reasonable pluralism of comprehensive doctrines in a democratic regime 'is the normal result of its culture of free institutions' (Rawls, 2005, p. 441). In order to adequately attain the ideal of collective self-determination, a pervasively religious community cannot jeopardise the provision of public justification of coercive law. Upon

the emergence of religious and moral pluralism, the language of public reason needs to be modified in order to ensure that only public reasons are provided in political justification. Although Laborde accepts that religious reasons can be public reasons in a pervasively religious community, she does not believe they can stably be so because moral pluralism will necessarily emerge, changing the composition of society's pool of public reasons. In this context, religious parties would not be parties but factions.⁴

It is possible to resist this conclusion by showing that a consequence of pluralization—or, as I will refer to it henceforth, social secularization—is that a reason does not stop being accessible when it stops being shared. In other words, by showing that citizens might not lose their capacity to understand religious reasons even if they do not recognize normative force deriving from them.

Recall that Laborde's theory of public reason requires reasons to be accessible. If *Alex* wants to give *Charlie* accessible reasons, *Alex* needs to be sure that the reasons she gives to *Charlie* are such that both can understand them according to shared evaluative standards. This means *Charlie* can engage with them and, if so desires, criticise them. Importantly, it is not expected that *Charlie* accepts these reasons as valid to her—that is, she is not expected to acknowledge they have normative force upon her.

What does it mean that *Alex* does not understand *reason a*)? In a pluralistic society, to be unable to understand *reason a*) means that citizen *Alex*, say an atheist, cannot make sense of the idea of a God-giving-gifts and consequently will not be able to engage and eventually criticise *reason a*). In modern western societies, it cannot be expected that the religious reasons a citizen embraces and eventually offers as justification of her beliefs are accessible to her fellow citizens. This is due to the fact that citizens embrace different and surely incompatible comprehensive doctrines. Some believe in a gift-giver God; others, however, do not attribute to their God such property; and yet other ones think there is no God at all. Given that the validity of *reason a*) depends on the 'acceptance of the authority of a particular God' (Laborde, 2017, p. 126), it is not reasonable to assume that *reason a*) is a generally accessible reason in a pluralistic society. Many reasonable citizens will not be able to understand it.

Whether or not someone accepts *reason a*) as a reason she would give to herself depends at least partly on whether she accepts the religious doctrine from which such reason is derived. Yet this is not exactly what accessibility requires. Accessibility does not require that, say, *Alex* accepts *reason a*) as a

4 On the normative distinction between parties and factions see White and Ypi (2016, chap. 2).

reason she would give to herself, but to accept it as a reason she can understand. In order to understand it, she needs to endorse the evaluative standards from which *reason a*) is derived. If the evaluative standards from which *reason a*) are largely defined by a religious doctrine, then it seems natural to say that *Alex* has to embrace such doctrine in order to be able to understand, yet not necessarily to embrace, *reason a*). In a pluralist society, this is not possible.

Consider now the meaning of *Alex's* failure to understand *Charlie's reason a*) in a pervasively religious community. In such context, a religious reason can be a public reason if all members embrace the same religious doctrine, which makes religious reasons likely to be shared. Would religious reasons stop being public reasons if this community goes through a process of social secularization the outcome of which is that some members do not recognize anymore the normative moral force of the previously shared (religious) reasons? As shown above, according to Laborde, the pool of public reasons changes as social secularization occurs and therefore religious reasons cannot be assumed to be public reasons anymore. This seems to be roughly because it is assumed that the fact of religious or moral pluralism implies the non-accessibility of moral or religious reasons.

It is possible to imagine that the pervasive religious community undergoes a process of social secularization *because* its institutions do not impose a particular religious orthodoxy.⁵ Members of the community are free to revise, change, or abandon the hegemonic religion.⁶ Under such conditions, the historically hegemonic religion loses normative force among some of its members, who, nonetheless, would still be socialized in a culture that is highly influenced by the (admittedly decreasing) hegemonic religion. The fact that they stop embracing the hegemonic religious doctrine means that the sources of moral normativity they accept differ from the ones that are accepted by the majority of their fellow citizens. However, given that their socialization occurs within the system of moral and social norms of the hegemonic religious tradition, they might still be able to understand them. It is plausible to assume that they will be able to know about their history, traditions, interpretations, festivities, moral imperatives, fears, prospects, hierarchies, and so on. They will also know their fellow citizens share roughly the same knowledge. True, social secularization involves a process of diversification that probably embodies a lower availability of such knowledge and a lower disposition to acquire it. Yet it is not unreasonable to assume that

5 I exclude the possibility of diversification due to immigration, emulating Rawls' assumption of a closed society.

6 I am assuming the idea that 'a continuing shared understanding on one comprehensive religious, philosophical, or moral doctrine can be maintained only by the oppressive use of state power' (Rawls, 2005, p. 37).

citizens' social circles (i.e., family members, friends, colleagues, and neighbours); society's major social and political institutions (i.e., the political constitution, the legal system, the economy, and the family); and also, the institutions of the 'background culture' such as the media and civic associations, will *de facto* transmit such knowledge. Those who do not embrace the historically hegemonic religion will think of *reason a*) as false—that is, they will think arguments whose major premise is the existence of God are not true—yet they will maintain a capacity to engage with their interlocutors who appeal to such premise. They know whether or not such reason is cogent within the tradition and will probably know whether there are other reasons, grounded in the same religious doctrine, that might undermine the reasoning leading to *reason a*) as a justification for a law or policy. In a highly religious context like this, it is probably the case that the available evaluative standards shared by members of the population include familiarity with religiously loaded norms and even recognition of its cogency as norms that are understood to be sources of moral normativity for many members of the community. In other words, given that both interlocutors share a similar socialization, *reason a*) can be accessible and therefore public. *Alex* the atheist can understand *reason a*) even if she rejects its truth value and normative force.⁷

It could be objected that the transition just described does not reflect a move from reasons being *shared* into their being *accessible*, but into their being *intelligible*. Secularized citizens in the pervasively religious community, it might be argued, can conjecture, not understand, the religious reasons their fellow religious citizens offer. Religious reasons are, therefore, intelligible, and not accessible.⁸ A comparison with the status of science as public reason in modern societies helps to respond to this objection. The comparison is to be situated in the two sort of societies that have featured so far, namely modern societies and pervasively religious communities. Arguably, the tacit dimension of these two kinds of societies differs considerably, thereby affecting what can be counted as public reason. For instance, it has been argued that a characteristic feature of modern societies is the 'widespread belief in the value of the scientific method and its applicability to the study of the natural world' (Badano and Bonotti, 2019, p. 19). This means that the evaluative standards of science—that is, its methods and systems of inference that ensure its efficacy—are 'shared in

7 Parekh calls this the 'internal' fashion of engaging with religious arguments (Parekh, 2002, pp. 325-326). It is tempting to compare it to Rawls' description of 'reasoning from conjecture.' However, reasoning from conjecture *is not* a form of public reasoning (Rawls, 2005, p. 465). Additionally, in the case described, interlocutors share evaluative standards, which means they are not *conjecturing* what the other is saying or would say.

8 I return to this in §4.1.

modern societies' and therefore can be taken to 'provide the foundations for accessible reasons' (Badano and Bonotti, 2019, p. 29; also, in 21, 28). The fact that in modern societies citizens share science's evaluative standards is likely due to the fact that in modern societies children are socialized into science, which is part of the mandatory curriculum in a system that makes of education in the fundamentals of scientific thought and methods a fundamental right of all children. In other words, the state takes an active role in ensuring that children are socialized into the fundamental aspects of scientific thought, even if it conflicts with some religious beliefs.⁹ Science being part of the common sense or tacit dimension of modern societies is contingent to a specific trajectory of modern western liberal democracies. There are no reasons to think that other trajectories are not possible. Pervasively religious communities as described above might preserve in their tacit dimension some degree of understanding of religious beliefs, norms, and traditions. In such a context, *reason a*) might be preserved as an accessible reason, alongside to science-based reasons.

§4. Three Implications

I have argued that it is possible to conceive of political communities in which religious reasons can be public reasons. From this argument it is possible to derive three implications that make apparent some implicit assumptions in the discussions about the role of religion in liberal politics. First, democratic public reason involves a high degree of social integration, in contrast to the lower degree expected by other conceptions of public reason. Second, it is not true that a religious reason is intrinsically inaccessible, and for that reason necessarily non-public. Shared evaluative standards can be religiously loaded as an outcome of solid common socialization. And third, it is possible that religious reasons have normative force (i.e., authority) upon non-religious citizens.

§4.1. *Social integration, intelligibility, and accessibility*

The argument so far advanced serves to make apparent a difference between convergence and consensus theories of public reason and their respective standards of justification.¹⁰ According to convergence theories of public reason,

9 Eamonn Callan describes a 'minimalist common education' as including only the lowest common denominator 'in a society's understanding of what its children should learn.' Even if minimalism in education were accepted—he rejects it—it would include 'scientific competence' alongside to obedience to the law and literacy. The lowest common denominator in science might be to understand it for its technological potential. As he points out, even religious fundamentalists 'have made peace with that narrow use of science' (Callan, 1997, p. 170).

10 For a description of these views, see Quong (2018). For consensus views that defend accessibility, see Boettcher (2015), Eberle (2002), Laborde (2017), Macedo (2010), Quong (2011). Habermas does not have an

laws, policies, and constitutional essentials must be justified by intelligible reasons, which are those that the hearer can understand with reference to the evaluative standards of the speaker (Vallier, 2014, p. 106). Thus, when *Alex* does not share substantive evaluative standards with *Charlie*, she still can find the latter's reasons intelligible when she perceives them generally coherent with *Charlie's* avowed comprehensive doctrine. *Alex* knows *Charlie* is a convinced Christian and is, therefore, not surprised by the set of policy proposals *Charlie* supports. If *reason a*) is intelligible to *Alex*, she is aware of the substantive evaluative standards *Charlie* endorses. Intelligibility does not require she understands or embraces them. That *reason a*) is intelligible to *Alex* means that, although she sees why *Charlie* accepts it, she herself cannot engage with *Charlie's* reasons. In other words, *Alex* ignores the content of *Charlie's* comprehensive doctrine and, for that reason, is unable to debate *reason a*). Intelligibility means having accurate expectations about the kind of reasons *Charlie* would have in order to support the kind of policy proposals Christian citizens typically support. Thus, the requirement of intelligibility for public justification requires acquiescence with the publicly professed religion of an interlocutor—when the relevant reason is a religious reason. The degree of social integration required is therefore low.

Consensus theories adopt accessibility as their standard for public justification of laws, policies, or constitutional essentials. By definition, accessible reasons are intelligible reasons, yet the opposite is not the case. For a reason to be accessible between two interlocutors, they have to share evaluative standards, both formal and substantive. *Reason a*) is accessible to *Alex* if she is able to address questions such as: *is reason a*) sound, according to the expressed religious doctrine? Is it clear that it derives from such religious doctrine? Is it possible to find alternative reasons, also derived from the expressed religious doctrine, that override *reason a*)? Notice that *Alex* is doing more than merely assessing whether conclusions drawn from *reason a*) are faulty from an epistemic point of view. That *Alex* is able to address such kind of questions means she is engaging with the content of the religious doctrine at stake. That *Alex* is able to do this suggests that she and *Charlie* share evaluative standards and therefore that

explicit position on this debate, yet his discourse theory leans towards a consensus view which requires shared reasons: 'the consensus brought about through argument must rest on identical reasons able to convince the parties in the same way' Habermas (1996, p. 339). For convergence, see Billingham (2016, 2017), Gaus and Vallier (2009), Vallier (2011, 2014). There is textual evidence for both interpretations of public reason in Rawls' work, on this, see Gaus (2015).

reason a) is accessible to both of them. This is the case in pervasively religious communities as described in the previous section.

Accessibility of reasons suggests that to share evaluative standards involves sharing *epistemic* standards, such as ‘formal and procedural rules of argumentation and justification, including shared standards of evidence and reasoning (rules and standards of inference in deductive, inductive, and probabilistic reasoning, for example)’ (Tyndal, 2019, pp. 17-18. Note 20). These are standards that enable epistemic assessment, that is, they help out in responding whether the speaker is justified in holding the beliefs she holds from a good-reasoning perspective that is reasonably well developed. Are there plain contradictions in the premises? Does the speaker have relevant information to form a judgment about the issue she is speaking about? Is her reasoning fallacy-free? And so on.

Yet, accessibility is more demanding because it also requires shared *substantive* evaluative standards, such as common social norms, social expectations, or cultural traditions. In addition to the good-reasoning assessment, interlocutors that appeal to accessible reasons are able to assess whether the arguments they offer to each other are compelling from the point of view of their respective moral worldviews. That *reason a)* is accessible to *Alex* means that she is able to see the underlying reasons that make it a valuable reason for a person like *Charlie*. Although *Alex* is an atheist, she would be able to see that *reason a)* is not capricious or strategically made up—or, if that is the case, she will be able to spot this fallacious form of reasoning.

In a highly integrated society *Alex* does not need to be a Christian to meaningfully engage in debating the merits of *reason a)*. In contrast, in a poorly integrated society, *Alex* will fail to understand what the grounds of *reason a)* are and, consequently, she will be unable to engage with justifications that appeal to it. Thus, by adopting intelligibility, convergence theories of public reason are assuming poorly integrated societies while consensus views demand more social integration. It is beyond the scope of this article to argue what degree of social integration ensures stability for the right reasons; all that I want to highlight is that there is an unnoticed difference in this regard between convergence and consensus theories of public reason.

§4.2. *Religious reasons are not intrinsically inaccessible*

The claim that it is conceivable that in a non-homogenous society, that is, one in which not everybody endorses the same moral doctrine, religious reasons are public reasons—on account of their accessibility—goes against a widely assumed as uncontroversial opinion that in a non-homogeneous society reasons like *reason a)* are, by definition, un-accessible and therefore unsuited

for potentially legitimate political justification.¹¹ Laborde mentions two sorts of reasons that are unambiguously non-accessible, namely appeals to the authority of a particular God and appeals (religious or not) to personal revelation (Laborde, 2017, p. 119). Similarly, Aurélia Bardon identifies explicit references to the Bible in justification of legislation as ‘clearly problematic’—because of being non-accessible (Bardon, 2018, p. 4). Bonotti argues in the same direction when he affirms: ‘arguments grounded in religious beliefs are inaccessible as they cannot be evaluated on the basis of shared standards. Those standards, that is, are subjective or only shared by those who endorse the relevant system of beliefs’ (Bonotti, 2017, p. 114).¹² Although this expresses a common opinion about the inaccessibility of religious reasons, two clarificatory remarks are at hand.

First, subjective (substantive) standards can refer to beliefs formed from personal testimony or religious revelation. Reasons based on these beliefs are by definition inaccessible (Laborde, 2017, pp. 125–126). Inaccessibility of reasons, in this case, is explained by the fact that their content is exclusively determined by the holder of the belief, and any attempt to determine the accuracy or truth-value of the belief would irremediably refer to her reports. Yet not all religious beliefs are subjective in this sense. Many are based on substantive common evaluative standards and refer to identifiable traditions of thought, practices, and habits. Religious beliefs are also related to the individual holding them in the sense that they are individualized or, more controversially, Protestantized (Maclure and Taylor, 2011, p. 83). Maclure and Taylor use this terminology to explain that in the west, experiences of religiosity are defined at individual levels and not so much at communal ones. It is individuals who shape their religiosity, yet this does not mean that the content of their religious beliefs is exclusively determined by their personal religious experiences. Religious beliefs can be individualized, yet this does not entail their equivalence to testimonies of personal revelation.

Second, Bonotti claims that only ‘those who endorse the relevant system of beliefs’, that is, only co-religionaries, can access reasons based on religious beliefs. When shared, religious reasons are also accessible; but two individuals do not need to endorse the same religion for their religious reasons be public reasons. It is not necessary to endorse *religion R* in order to be able to engage

11 Convergence theories of public reason liberalism maintain that intelligibility, not accessibility, suffices for public justification. On this view, religious reasons can be justificatory, yet they are not public reasons, which is what I am exploring in the article.

12 He refers to parties that are unable to reformulate their platforms ‘grounded in inaccessible religious reasons [...] in the vocabulary of accessible public reasons’ (Bonotti, 2017, p. 117). These parties, Bonotti says, have to observe special constraints.

with reasons derived from *R*. Socialization into *R* could be enough for reasons derived from *R* being accessible to people who now reject *R*'s normative force. In the pervasively religious community—now socially secularized—*Charlie*'s religious reasons can be accessible to *Alex* even if the latter is an atheist and the former a Christian.

§4.3. *Religious reasons can have normative force upon non-religious citizens*

It could be objected to the democratic interpretation of public reason here presented that the fact that *Alex* sees no normative force in *reason a*) entails that coercing her on such grounds will constitute an arbitrary exercise of state power. Given that the normative force of *reason a*) depends on its direct derivation from a theistic religious worldview, it is not reasonable to expect *Alex* will find any normative force on it. Consequently, *reason a*) should necessarily be excluded from the pool of public reasons of a society inhabited by *Alexes* and *Charlies*. How to explain that *Alex* has a political obligation to obey a law the justification of which appeals to *reason a*)?

The democratic interpretation of public reason does not presuppose that citizens recognize the normative force of the public reason in its substantive content. This would mean that the fact of *reason a*) being a public reason means that *Alex* recognizes its normative force as a moral reason that is valid to her. This would be an implausible requirement because it would entail that *Alex* is expected to contradict her atheistic beliefs. This is something public reason cannot do, and democratic public reason does not do, because it only assumes the capacity to understand and engage with such sort of reasons. The normative force of *reason a*), when a public reason, does not rely on its substantive content but on the fact that *reason a*) is offered in a context that respects *Alex* as a democratic reasoner in so far as it offers to her reasons she can engage with and if democratic institutions and procedures are open to the possibility of effective contestation.¹³

According to Laborde, the state commits an epistemic wrong when it appeals 'to the authority of a particular God [because] nonadherents are coerced in the name of reasons that they do not understand and cannot engage with' (Laborde, 2017, p. 118). In a poorly integrated pluralistic society, *reason a*) cannot respect citizens as democratic reasoners. In contrast, the specific way in which members of the pervasively religious community have been socialized can ensure that religious reasons remain accessible to common reason (or the tacit dimension,

13 On this procedural feature of democratic public reason see White and Ypi (2016, p. 56) and Laborde (2017, pp. 156-157).

or the common sense) even if there is a process of social secularization taking place. *Alex* is respected as a democratic reasoner if coerced in the name of *reason a*) because *reason a*) is not a reason she cannot understand and engage with. Although *Alex* does not find normative force deriving from the moral content of *reason a*), it is a reason that has normative force upon her. In other words, *Alex* has a *prima facie* obligation to accept it as part of political justification. The source of the obligation is that *reason a*) is accessible and is offered to *Alex* in a way that is respectful of democratic procedures (e.g., if all points of view received a fair opportunity to influence the decision-making process and deliberations, and if opportunities to overturn the decision are open in the future.)¹⁴

§5. Two Practical Implications

I conclude this article by addressing two questions: is the conclusion to be drawn that in these contexts it is permissible to justify euthanasia—or other issues related to bio-ethical questions—by appealing to religious reasons? Does this conclusion mean that in a pervasively religious community that is undergoing a process of social secularization a law can be written in the following form: euthanasia will be banned because life is a gift of God and therefore nobody can put an end to it? According to the argument advanced in this article, the first question should be answered affirmatively, while the latter negatively—although an independent argument has to be introduced as an explanation. Let us see them in turn.

§5.1. *Justification in religious terms?*

The consequence of the argument advanced so far is that justification of euthanasia can appeal to *reason a*). The reason is that it is not unreasonable to expect *Alex* to understand what it means that someone says that no person has a right to put an end to life because life is a gift of God. *Alex* can reject such reasoning, but still, she is in a position to refute it. She can, additionally, offer other religious reasons that are in tension with *reason a*).¹⁵

14 According to Rawls, when both government officials and citizens have acted and followed public reason, 'the legal enactment expressing the opinion of the majority is legitimate law. . . [it is politically (morally) binding]... Each thinks that all have spoken and voted at least reasonably, and therefore all have followed public reason and honoured their duty of civility' (Rawls, 2005, p. 446). This suggests that what has been labelled as the 'fair value of communicative liberties' must be ensured,' see Francisquini (2015, p. 90).

15 Feminist Christian-Evangelic pastors have argued in favour of decriminalization of abortion by referring to religious reasons about the non-categoricity of the duty not to kill and about the idea of unconditional love and forgiveness that is present within Christian tradition. See Rev. Luzmarina Campos Garcia's intervention

Some qualifications are at hand, however. From the argument advanced in this article it does not follow that any religious argument can be considered as adequate for justification of coercive law—even in the pervasively religious community that undergoes a process of social secularization. I have already mentioned one case of religious reason that remains necessarily un-accessible: personal religious revelation. Furthermore, not all religious reasons that are not variations of personal revelation can be justificatory. The main reason is that accessibility is a criterion that defines which reasons can enter the pool of public reasons; not a criterion that defines which reasons are un-defeasible reasons for public justification. This is because accessibility is necessary yet not sufficient for public justification. Society's tacit dimension will constrain what can be justified in diverse ways. For instance, in liberal and democratic societies, in addition to the findings and methods of science, it is plausible to assume that some form of equal civic inclusiveness and individual moral autonomy are part of societies' tacit dimension.¹⁶ If this is the case, then public justification has to resonate into these values. Let's see them briefly, noticing that none of them is necessarily incompatible with public religious reasons as described above. The former requires that citizenship should not be defined by references to membership to a specific social group—particularly, but not exclusively, to a religious community—while the latter requires that legislation has to respect citizens' capacity to determine their plans of life as they see fit according to their own criteria and interests—provided this is compatible with their fellow citizens' equal rights. It cannot assume that a Christian or Catholic lifestyle is *preferred* to the lifestyles of Kantians or Millians, to use Rawls' favourite comprehensive doctrines, but also the more or less articulated comprehensive doctrines involved in atheistic, Islamic, Jewish, Arhuaco, Mapuche, radical ecologist, or radical feminist lifestyles. So, even if in certain contexts religious reasons can be counted as public reasons in virtue of their being generally accessible, it cannot be concluded that any religiously motivated political platform is compatible with democratic politics. There is room for it, but it has to be limited by the values that are typically endorsed in polities that give value

at the public hearing on decriminalization of abortion organized by Brazil's *Supremo Tribunal Federal* (STF) in August 8th, 2018. https://www.youtube.com/watch?v=a2_4-xvdWYc&t=6253s (last accessed: November 11, 2019).

16 Scepticism to science being part of the tacit dimension would clash with, for instance, the transition from creationism to intelligent design as an strategy of epistemic status upgrade (from a religious belief to a scientific theory—yet largely discredited and therefore non-fructiferous), see Nussbaum (2009, pp. 320-326). Similarly, recent attempts to reform the school system in Brazil by far-right wing politicians, claiming to bring back some sort of neutrality in education, reveal a—epistemically flawed—use of political values of liberal democracies. Neither of these attempts would be permissible according to the democratic interpretation of public reason in a society aiming to realize the goal of self-rule.

to the democratic ideal of self-rule—that is, to public justification of political power. In the pervasively religious society, that is, a society in which religion is embedded in the social secularization of its citizens, *reason a*) is accessible and therefore it should not be excluded from the pool of public reasons. Moral autonomy can be honoured if it is possible to conceive of a context in which *reason a*) is not uttered with the purpose to make citizens embrace the religious doctrine from which it is derived, and it is possible to assume that citizens will be able to understand and engage with *reason a*). Equal civic inclusiveness is honoured if it is possible to conceive of a context in which *reason a*) is not uttered in such a way that it presupposes that citizens are members of the same religious community and that it does not aim to define citizenship in terms of such membership.

§5.2. Law in religious terms?

It might be said that the arguments so far presented lead to the conclusion that the law can be written in religious terms. I want to argue this is not a necessary implication: in pervasively religious communities that undergo a process of social secularization the law might not be written in religious terminology.¹⁷ In order to show why this is so, it is useful to see the objection to symbolic religious establishment raised by expressive theories of the law.

According to these theories, the law does not only have to be respectful of the substantive political values to which the state is committed—for instance, moral autonomy and equal civic inclusiveness—but it also has to express adequate attitudes toward such values (Anderson and Pildes, 2000, p. 1504). For this reason, non-coercive forms of religious establishment are problematic. Expressivist theories of the law reject state symbolic displays of religious symbols because they fail to express the adequate attitudes that are expected from the state with relation to its citizens. Consider the display of Christian religious symbols on public property during Christian holidays. It might be the case—and it often is—that such display is justified as an intention to celebrate ‘nothing more than collective joy for the time of the year’ (Anderson and Pildes, 2000, p. 1550), which seems a non-sectarian justification and therefore a potentially valid one.¹⁸

According to Elizabeth Anderson and Richard Pildes, such displays are problematic because they entail a construction, by the state, of a “we” that only

17 A Habermasian institutional translation proviso might be at hand (Habermas, 2008, p. 130).

18 For an expressivist defence of non-establishment, see Nussbaum (2009, pp. 252-256). Laborde (2013) offers a sympathetic comment, while Lægaard (2017) a critical engagement. For an analysis of establishment in religious contexts, see Rudas (2020).

includes Christians and consequently sends the message that ‘non-Christians do not participate in “our” collective celebration, and thus are excluded from the legislation’s conception of who “we” are’ (Anderson and Pildes, 2000, p. 1550). The display of a Christian symbol fails to acknowledge that non-Christians are also insiders. In modern democratic states, this is problematic because when the state is involved in the construction or reproduction of a “we” it is demanded to be inclusive—that is, to include in such imaginary community both Christians and non-Christians. The religious display, Anderson and Pildes conclude, withdraws from non-Christians ‘the social status of fully-included citizens’ (Anderson and Pildes, 2000, p. 1550).

The democratic interpretation of public reason and the pervasively religious community I have been describing in this article draw a different conclusion. If social secularization has occurred within social and political institutions that integrate all members of the community into a shared social ethos, then the display might not be as exclusive as Anderson and Pildes argue. Members who eventually happen to be disenchanted from the moral and metaphysical stories they have been socialized into could nonetheless feel welcome and at home in sharing with their loved ones such celebrations—they too share the joy of the time of the year, so to speak. Symbolic religious establishment is therefore permitted in the sort of context I have described in this article.

While the expressivist objection to symbolic religious establishment does not work in the sort of case I have been analysing in this article, I think it works if what is at stake is the written law. If the law uses religious language (e.g., *reason a*), non-religious citizens are excluded from the democratic “we”. Recall that according to expressive theories, the law has to respect the polity’s substantive political values while at the same time expressing adequate attitudes towards such values. I have showed that that *reason a*) can be a public reason, which means that appealing to it in political justification honours the political values of a democratic regime and that a law inspired by it would respect a citizen like *Alex*. This means that *Alex* has a duty to accept the coercive force of a law that has been argued for in terms of *reason a*). If the written law appeals to *reason a*) as the justifying reason for it, however, the message conveyed is not only that *reason a*) is a public reason in such community, but also that it is considered to be a reason they would give to themselves. Yet this is not the case for *Alex*, who, in spite of having been respected as a democratic reasoner, ends up being identified by the law as someone he isn’t, namely a person who believes in the truth of *reason a*). The problem with the expression of this message is that *Alex* will be unable to see herself included in such statement.

Reason a) can be used to justify a law. Indeed, it can be the decisive reason for it, yet its inclusion in the written law will alienate *Alex* from her polity.¹⁹ When it comes to the written law, therefore, citizenship differentiation is unavoidable if the law is written in a moral language that only some citizens can reclaim as their own. The substantive political value of equal civic inclusiveness is therefore not honoured—nor the democratic ideal of self-rule.

§6 Conclusion

This article has advanced an argument in favour of the claim that it is possible to conceive of a scenario in which religious reasons are accessible—hence public—and in which religious partisans can justify their political views using such reasons. The following two conditions have been assumed: a democratic interpretation of public reason which endorses accessibility, and a highly integrated religious society that embraces the ideal of democratic self-rule and which undergoes an internal process of social secularization. The conclusion to be drawn from the article is that a purely religious reason can trace the common sense, or the tacit dimension, of the society’s actual historic context. In other words, that a religious reason can be accessible to all citizens to whom it is offered. This means that the reason is generally understood and that citizens can engage with it: given their socialization within a majoritarian and relatively pervasive religious social ethos, citizens generally understand what is meant when a partisan offers them a religious reason. This is true both for the *Charlies*—that is, religious citizens—and *Alexes*—that is, atheist citizens—of these societies.

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19 What about the possibility of a scenario where a religious reason is the only public reason available to justify a law or policy? I inclined to think that in such rare case the law might be written in religious terms. It is unlikely, however, that a policy that can be justified only by religious public reasons—that is, that citizens are unable to find at least one non-religious reason supporting it—is not an outright imposition of a religious doctrine, which would undermine the legitimacy of the law altogether.

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