

Chapter 12

FAITH IN AMERICA

Political Theory's Logic of Autonomy and Logic of Congruence

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POLITICAL THEORY STARTLED INTO THOUGHT

American institutions and political thought reflect the historically momentous separation of government from theology and divine revelation. We have imperfect separation of church and state. But we do not have anything like separation of religion and politics. Americans' religiosity is measurable and intense,¹ and so are the political participation of citizens qua believers, advocacy by religious groups, and constitutional litigation on behalf of religious claims. The past several decades of religious politics in the United States and abroad have startled political theorists into thought,² jogging us to contemplate the significance of politically active religion for democracy. In this chapter, I take a step back from the immediate questions asked by political scientists: whether and how religion fuels the current partisan divide, for example. Instead, I focus on the foundational questions political theorists pose. I speak of "questions" in the plural because political theorists have arrived at divergent judgments of the urgent question before us. Is it whether democracy in America is hospitable to flourishing religious pluralism? Or is it whether religion is compatible with robust democracy here? Political theorists are divided about what should be our orientation and guiding concern—making democracy safe for religion or making religion safe for democracy?

Those who think that the challenge is American democracy's will to ensure a generous, supportive environment for religion begin with the idea of autonomous religious communities and assign religious membership equal standing if not priority over citizenship. This parity is captured in the thought that Americans are "dual citizens." On these grounds, theorists justify religious exemptions from general laws and accommodation of religious activities, public funding of religious schools and programs, and full-voiced political engagement by religious activists on behalf of their causes. I call this position "the logic of autonomy." In

contrast, self-described “muscular” democratic theorists rank the obligations of citizenship over the demands of faith. They resist compromising democratic norms of fairness and equality, and they would enforce these principles and practices in every sphere and “all the way down,” regulating the internal lives of religious associations, prohibiting religious exemption from general laws, restricting government funding and support, and constraining the manner in which religious activists participate in politics. I call this the “logic of congruence.” The logic of autonomy and the comprehensive logic of congruence mark the poles of contemporary American thought on the subject. Readers will recognize the outlines of these two orientations in everyday political debates about the style, scope, and political influence of religious activists advancing their claims.

In the first half of this chapter I set out the background conditions that give rise to contemporary political theorists’ interest in religion and democracy and to their divergent judgments about whether the priority concern is insuring flourishing religious pluralism or robust democracy.³ I go on in broad brush strokes to set out the logic of autonomy and the logic of congruence, their assumptions and prescriptions. I argue that both “logics” suffer from stringency and excess. Solicitude for the ambiguity of citizenship experienced by believers as “dual citizens” concedes too much to religion, and solicitude for citizenship as an undiluted political identity concedes too little.

This chapter’s second half proposes a more modest *political congruence* as an addition to political theory’s repertoire.⁴ Political congruence means following the institutional “rules of the game,” of course. But as important as political behavior is, political congruence is a moral register. I identify two core elements of political congruence: a tempered version of the philosophic notion of “public reason” and democratic identity as a political majority or minority. When it comes to religion and democracy in America, I argue, political congruence suffices. It provides a justifiable regulative ideal, and empirical political science (including task force essays in this volume) shows that it is adhered to by religious actors in practice.

WHERE WE ARE TODAY: COMPARATIVE POLITICAL MODERATION

It is important to observe at the outset that in comparative terms religious politics in the United States today is moderate⁵ and that political theorists startled into thought are not compelled to focus anxiously on securing political peace and stability. Against the background of comparative moderation, we see that both the logic of autonomy and the logic of congruence are extravagant responses to religious politics in America; they conjure threats and magnify what is necessary to defend against

them. At the same time, moderation is almost certainly a condition for the political congruence I recommend. For my purposes, then, a brief overview of comparative moderation is helpful.

When Maurice Duverger warned that political partisanship can take on a “truly religious form” and that “the term party includes veritable churches with their clergy, their faithful, their belief, their orthodoxy, their intolerance,” he was referring to “political religions”—to Jacobinism and Bolshevism.⁶ In parts of the world, the force of the analogy has been reversed, and Islam is called “the new Marxism.”⁷ Today, “political religion” refers not to secular ideology infused with religious fervor but to the force of religious belief and authority in politics. It is marked by extremism, religious mobilization, and sometimes by violent conflict. America has been spared both full-blown Marxism and fundamentalist Islam. More generally, neither comprehensive political ideologies nor affirmations of religious integralism—the conviction that divine revelation and religious authority should guide every aspect of social and political life for the nation as a whole—define the political landscape here. In the United States, agitation by religious groups for autonomy does not amount to wholesale challenges to the obligations imposed by democracy, and it is not a prelude to claims that a particular doctrine or clerical authority should rule. Religious groups in the United States are nonviolent and unarmed. Public policy is not driven by the need to negotiate a working relationship between government and religions hostile to the basic arrangements of church and state. Indeed, no politically active religious group rejects constitutional democracy.⁸

Within the parameters of constitutional democracy, too, religious politics is comparatively moderate. The United States does not suffer the strains experienced by other democracies, in large part because religious pluralism here is not state sponsored. European mergers of church and welfare state provoke religious groups (notably Muslims and other non-Christian immigrant groups) to struggle to be included on the list of officially recognized national religions, which affords an array of state-sponsored benefits often including direct public funding of religious schools and salaries for clergy. We are spared having to confront the contentious question of whether to extend legal parity and state support to every faith. Religious groups in the United States do not agitate for guaranteed political representation and quotas either, or for differential private laws of marriage and divorce based on sacred law interpreted and enforced by religious authorities.

Last, religious politics today is moderate in comparison to other moments in American history. Religious hatred has sometimes been a driving force in U.S. political life, but at present we are spared the challenge of maintaining workable relations among groups.⁹ Religious pluralism is

viewed in approving terms overwhelmingly in surveys, and Americans' religiously diverse social networks reflect that.¹⁰ Some Americans may rue that fellow citizens of other faiths or nonbelievers are not saved, but they typically allow that they are moral, and good citizens. The crusade against a woman's right to abortion is intense and divisive, but less so than past mobilization over slavery, war, drinking, prostitution, and education.¹¹ Religion has been at the heart of political crises and movements for radical change in the United States, pressing for civil rights on one hand and resisting civil and social equality on the other,¹² a reminder that religious political goals today may be contested but that with few exceptions they are comparatively conventional and benign.

If we take our cues from contemporary theology rather than from actual politics, religion does appear in a guise that is more challenging to democracy, sometimes verging on hostile alienation. Some American theologians aggressively assert the absolute priority of faith and insist that religious citizens must be able to answer Jeffrey Stout's question in the affirmative: "is it not possible to see . . . some reflection of God's redemptive activity in modern democratic aspirations?"¹³ For theologians like Stanley Hauerwas the concern is precisely that too often the facile answer is "yes." He opposes the thought that there is a comfortable fit between religion and democracy in America. His charge to Christians is to refuse to "domesticate the Gospel" in order to make it credible to its cultural detractors; to stop trying to "fit American values into a loosely Christian frame"; to cease policing their convictions for their compatibility with social order; to reject the common view that the church's task is "running errands" for democracy and offering up faith as a "helpful if complaining prop for the state."¹⁴ For Hauerwas, the [Christian] church is "an alternative polis," and believers should accept that they live in the world as "resident aliens." That said, American theologians who question the compatibility between religion and democracy are themselves comparatively moderate. They are not radical rejectionists or quietists; the church is unalterably of and in the world, a participant in public life. And nothing in "resident alien" mandates political extremism.

I hold by moderate as a fair description of religious politics here. I mean that the basic framework of constitutional democracy is accepted as a stable commitment not just a *modus vivendi*. I mean religions' self-description, certainly the political face of religious organizations, is typically populist rather than sternly authoritarian or hierarchical. I mean that religious groups claim that their politics redounds to the benefit of nonbelievers as well as believers and cast their values and programs as the property of the nation rather than of a particular church.

In comparative historical terms, the response of contemporary democratic theorists to these moderate expressions of religion in politics is

tempered too. This deserves mention because historically political theory has often been virulent on the subject. Enlightenment thinkers promoted religious toleration, but at the same time many cast faith as inimical to reason and progressive thought and represented religious institutions and authorities as enemies of liberalism and later of democracy. Today, we rarely hear religion characterized as the opiate of the people, a product of fear or ignorance, or a device for appeasing common pain and misery. Political theorists do not represent religion as a futile, infantile, or unphilosophical quest for meaning by those who cannot endure uncertainty or the truth of meaninglessness.¹⁵ Atheism is no more avowed or applauded in democratic theory than in electoral politics.¹⁶ Noticeably absent, too, are hostile anticlericalism and the charge that a church's ability to control voters ("to arrange their obedience") is based on punitive authority.¹⁷

If religious politics is comparatively moderate and political theorists are not strident antagonists of religion as the enemy of enlightened citizens and governments, what fuels the contesting views that American democracy is insufficiently hospitable to religion and that religion is a serious challenge to democracy? What drives defenders of democracy to advocate a severe, comprehensive logic of congruence and defenders of religion to propose a logic of autonomy?

Over the course of the last several decades, demands by religious activists for greater political sustenance, both symbolic and substantive, are the background for the emergence of theorists' divergent responses. These changes in religious politics, quite apart from specific controversial crusades such as opposition to women's right to obtain an abortion or teaching creationism in public schools, are the context for the wave of political theory on the subject.

First, classic appeals by marginal groups for protection for their religious liberty and relief from the "strain of commitment" democracy imposes on believers (the Jehovah's Witnesses on symbolic issues such as the flag salute or Quaker conscientious objection) have been eclipsed by demands from powerful, mainstream religious groups for exemption from a virtually unlimited array of laws and regulations. These include, for example, civil rights laws in the area of employment, as when a religious school maintains its right to fire a pregnant teacher because she violates their belief that mothers of young children should not work outside the home, or a church asserts its right to fire a janitor working in a gym open to the public because he has lapsed from certain articles of faith. The Religious Freedom Restoration Act was Congress's attempt to address these widespread and wide-ranging demands for accommodation wholesale.

Escalation of claims for accommodation and exemption from state interference is compounded by a second change, as religious groups activate to win positive government recognition and material support. They want

to be full beneficiaries of the ever-increasing scale and scope of assistance doled out at the discretion of local, state, and national governments acting not just as sovereign but as patron. Activists on behalf of religion agitate for funding for schools and programs, for grants and loans, and for beneficial tax status. They advocate for church-state partnerships, what John DiIulio calls “government-by-proxy,”¹⁸ which requires both a tax structure designed to encourage private donations to religious associations and direct public funding. Religious groups reinforce their claims by arguing that their programs are uniquely successful because of their virtuous grounding in faith.

In all this, religious activists’ overarching aim goes beyond securing a particular item of funding or latitude for religious expression. The goal is to retrieve for religion what has been lost when prayer was eliminated from public schools and challenges to the public display of religious symbols were successful. Restoration of crèches or crosses or prayer may be impossible, but religious groups still agitate to recover the status that comes with official recognition for the unique value of religion. Their goal is to secure the generous, hospitable environment religion *is owed* in appreciation not for its “truth” (pluralism does not permit that claim) but for its contributions to the virtue and public life of the nation.

Religious activists resisting settled expectations of privatization, organizing to set political agendas, agitating for influence, and pressing new symbolic and substantive demands startled political theorists into thought. These political developments, as much as partisan politics or particular divisive issues such as abortion, provoked theorists to identify and justify what they take to be the right relation between religion and democracy in America. They have marked out divergent paths—the logic of autonomy and the logic of congruence.

THE LOGIC OF AUTONOMY: BELIEVERS AS DUAL CITIZENS

Strong defenders of religious autonomy justify “liberty-enhancing governmental accommodation,” a “unified, across-the-board deferential approach in church-state matters,” and a rejection of key elements of separation.¹⁹ They urge expanded religious accommodation for mainstream as well as minority faiths and argue for an end to Establishment Clause inhibitions on public aid. These arguments are made on behalf of religions generally, with assurance that exemption and funding should be nonsectarian, should not amount to a *de facto* national establishment, and should not lead to religious uniformity. The aim is government support for flourishing religious pluralism.

Defenders of religious autonomy are pluralists, then, but this position should not be confused with political science’s *interest group pluralism*.

In interest group theory, religious associations are one advocacy group among others. Religious groups *do* operate as ordinary interest groups in practice, of course. They organize and advocate, acquire “access” to legislators, write bills, and obtain favorable treatment. Interest group politics is not the correct framework, however, when the goal is winning public recognition and support for religion as a unique and incommensurable “interest” with special status, as the logic of religious autonomy assumes.

Often enough the case for exemption, accommodation, and funding is made in the conservative terms I described: restoring religious liberty from what is seen as unjustifiable infringements and correcting religion’s diminished public standing. But the theoretical justification is positive and assertive not defensive, and it amounts to an innovation in American political thought. I call it the logic of autonomy because it claims for religion a sort of semisovereignty. Defenders of religion’s special status characterize the United States as a community of communities, a nation comprising autonomous communities of faith. Religious communities are *constitutive* of political order in this view, and citizens are properly seen as “dual citizens” with obligations imposed by both spheres. Without accommodation and support “dual citizens” burdened by both the obligations of citizenship and demands of faith are unequal citizens. (Note that “dual citizenship” challenges both the idea of a unitary citizen identity and a more variegated notion of individuals’ identities and obligations.) From this standpoint it is wrong to see religion as just one beneficiary of discretionary government support; public recognition and accommodation of religion are not just permissible but required.

It is not hard to see what is radical in the logic of autonomy. The intrinsic importance of religious community represents a challenge to the supremacy of the state. The position is reminiscent of another tradition of pluralism, the British idealist tradition of Maitland, Figgis, and Laski, who opposed Leviathan and defined sovereignty as shared among the self-governing sources of law. This theoretical affinity is important because it shows that the logic of autonomy does not rest on a particular theology of Catholic subsidiarity or Calvinist supremacy of church over state. Instead, it is grounded in a political account of the status of religion and on a particular interpretation of American constitutionalism. From this standpoint: “The concern of the Religion clauses is with the preservation of the autonomy of religious life,” and “The First Amendment . . . undermines any claim by the state to ultimate normative authority.”²⁰

The provocation of the logic of autonomy becomes clear if we take a concrete case—government funding of religious education—and contrast the justification offered by theorists of autonomy with other reasons for urging public support for sectarian schools. Liberal egalitarians sometimes justify state aid to religious schools in order to equalize educational

opportunities for students condemned to failing public schools. In contrast, advocates of support for religious pluralism do not argue for funding for parochial schooling in terms of fair choice or as compensation for background inequalities; their standpoint is the public obligation to maintain flourishing religious communities for “dual citizens.” For their part, multiculturalists concerned to empower minority cultural groups relegated to the margins sometimes advocate public funding, arguing that groups suffering exclusion and discrimination cannot sustain themselves unless they are able to provide their members with the full range of “extensive life-cycle services.” In this view, public support for the “meat and potatoes” of welfare, security, and education is warranted.²¹ Again in contrast, advocates of the logic of autonomy are not particularly concerned with the viability of fragile groups suffering prejudice and poverty; they urge public aid to powerful religious communities as well as weak ones. The point is not survival but, to repeat, a public commitment to religious flourishing.

Theorists of religious autonomy inch in the direction of European models of state-sponsored religious corporatism, with its public agreements that government will support officially recognized churches. The difference is that American advocates of religious autonomy do not have history on their side. In Europe, government support for religion preserves a historic formula that brought public order. In addition, the European welfare state is built on mergers between church and state, and public funding is a foundation for the provision of social services. Neither condition holds for the United States, and the argument for support for religious groups is based not on institutional reasons to award material benefits but on the desire for official public acknowledgment of religion’s unique status and contributions to public life.²²

Theorists of religious autonomy are single-mindedly preoccupied with one-way protection for faith and not with the reciprocal concern whether religion is safe for democracy. Indeed, the formulation “making democracy safe for religion” is too weak to capture this position, for once again the problem is establishing what theorists see as the public obligation to secure religious autonomy and flourishing. Theorists of religious autonomy are impatient with political wariness about exemption and funding; they vigorously deny that accommodation will produce political competition among faiths for government support or conflict with opponents (including some religious opponents) of official public solicitude for religion. They do not allow that enhancing public recognition and support for faith is likely to excite hostility or unravel the “community of communities.” But if necessary, theorists of religious autonomy are willing to recommend structural changes to American democracy: alterations in the terms of federalism or devolution of programs to semiautonomous

communities. To illustrate: although the U.S. Supreme Court has opened the way for school voucher programs, many state constitutions explicitly prohibit government funding for religious schools, and in cases like these, theorists would mandate federal supremacy.

Above all, the logic of autonomy is radical in its insistence on the parity between obligations of citizenship and demands of faith and on the essential ambiguity of citizenship. "Dual citizens" are not like hyphenated Americans, with ethnicity to the left of the hyphen and civic identity to the right.²³ Rather, both religious identity and citizenship dictate political rights and obligations. That explains why theorists are at home with the thought that "dual citizenship" "dilutes the concept of citizen."²⁴ And dilution is precisely what the logic of congruence guards against.

THE LOGIC OF CONGRUENCE: FAIRNESS AND DEMOCRATIC REPRODUCTION

With its prescriptions for exemption, accommodation, and public support for religious pluralism, the logic of autonomy stands in opposition to the dominant orientation in democratic theory today: the logic of congruence, with its single-minded concern to ensure that religion is safe for democracy. Congruence theorists do not espouse the more aggressive view that American democracy must be made safe *from* religion, but they do see demands by religious activists as potentially subversive of democratic principles and robust citizenship. The bedrock of this standpoint is captured in the assertion that religious groups must "endorse a constitutional regime even when their comprehensive doctrines may not prosper under it, and indeed may decline," even if laws undermine the group's "fundamental interest in maintaining a certain degree of success and of influence for its own view."²⁵

Solicitous of strong democracy, the logic of congruence calls for the enforcement of democratic principles of fairness, due process, nondiscrimination, and democratic organization "all the way down" and in every area of the life of religious associations. Case by case, the logic of congruence rebuts arguments for religious exemption and accommodation. Religious groups should not be exempted from educational requirements, and theorists disapprove of the Supreme Court's ruling in favor of the Amish in *Yoder*. They disapprove of exemption from everything from antidiscrimination law to municipal zoning rules. Justice Scalia ruled in the 1990 Supreme Court case *Employment Division v. Smith* that accommodation of religion is not constitutionally required, and advocates of comprehensive congruence agree. But they dissent from the Court's further ruling that discretionary accommodation by federal and state legislatures is constitutionally permissible, which invites religious groups to

organize political alliances to press for concessions. The logic of congruence opposes religious exceptions to laws and regulations whether the decision is made by courts or democratic majorities.

The logic of congruence also opposes most public support for religion. For example, theorists of religious autonomy see tax exemption for religion as acknowledgment of the intrinsic value of communities of conscience. From the standpoint of theorists of congruence, in contrast, the category “nonprofit” reflects a conditional public judgment of the worthiness of the group as measured by its conformity to democratic values and its provision of public goods to the public generally. Theorists of congruence agreed with the IRS when it withheld tax exempt status for Bob Jones University because of the school’s religiously based policy against interracial dating. In the same spirit, congruence dictates prohibiting or withholding public support (licenses, tax status, grants) from the activities of religious groups if they engage in religious, much less racial or gender, selectiveness in hiring; it forbids “publicly funded discrimination.”²⁶ Rigorous advocates of comprehensive congruence challenge even the ministerial exception and would withhold tax exempt status from churches that do not admit women or gays into the ministry.²⁷

The principle of fairness is one foundation for the stern, comprehensive logic of congruence, and we can appreciate the force of this reasoning. Uniform application of general laws is a bulwark against invidious partiality and discrimination, and historical experience warns that religion has been an agent of entrenched privileges and prejudicial burdens on particular faiths. The logic of congruence also rests its case on fairness when it says that religious belief, practices, and authority should not be treated with more deference than nonreligious beliefs, practices, and authority. Where advocates of religious autonomy insist that religion is special, advocates of congruence deny that there are principled grounds to distinguish religious claims from the intense preference-based desires of nonreligious groups or the demands of faith from the obligations assumed by committed members of nonreligious associations.

Why shouldn’t fairness in the distribution of rights, obligations, and benefits be satisfied by accommodating both religious and nonreligious claims on the basis of “ultimate ethical commitments,” say, as is the case for conscientious objection to military service?²⁸ Why does the logic of congruence oppose latitudinarian exemption and accommodation in acknowledgment of the strains of commitment that arise when obligations of many kinds of membership come into conflict with particular general laws? For one thing, theorists predict a slippery slope: abandoning uniformly enforced general laws would result in arbitrariness and arrant particularism. Another answer reveals more about theorists’ assumptions about the significance of uniformity. Even if differential rights and

responsibilities are benign rather than prejudicial, and even if they are arrived at for reasons that can be justified, uniformity has independent value. It is a tutelary force, a necessary tool of public education in fairness and equality. Congruence is imperative for cultivating democratic citizens.

Undergirding the proposition that democratic principles should apply everywhere and “all the way down,” then, is the perennial concern to reproduce democratic citizens. Democracy depends on the presence of a distinct complement of dispositions and capacities, the argument goes; these are said to be cultivated in secondary associations as well as public institutions; and they must be reinforced and reiterated to have effect.²⁹ The logic of congruence sees every association as a potential boot camp of citizenship and every incongruent group as potentially corrosive. Put succinctly, “Modern liberal democracy needs the right sort of civic culture, and religious communities *of the right sort* are an important part of that culture.” The logic of congruence affirms “the supreme political importance of constituting diversity for liberal ends.”³⁰

I part company with this anxious preoccupation with making religion safe for American democracy. A lot would be lost if demands for congruence were undiluted and democratic norms were strictly enforced against religious groups (and others) in every sphere. For one thing, there are fundamental liberty grounds for opposing comprehensive congruence and for leaving the internal lives of groups undisturbed: freedom of association above all. The logic of congruence is also vulnerable on its own terms because it rests on unwarranted assumptions about both the institutions required to reproduce democracy and the dynamics of character development. It relies on the proposition that religious associations whose internal lives and practices do not conform to democratic principles cultivate errant beliefs and practices that undermine democracy and, further, that individuals are of a piece—incapable of holding different values and exhibiting different conduct in different spheres. This unitary view of moral personality finds support neither in moral psychology nor in introspection and what we know about ourselves. Prized democratic dispositions do not have to be cultivated or exhibited everywhere to be practiced in political life.

Other complications undermine the comprehensive logic of congruence. Incongruent groups do often cultivate democratic dispositions indirectly and do shape members who are also good citizens. As Clyde Wilcox shows (chapter 6, this volume), presumptively incongruent groups such as those on the Christian Right affect members in unanticipated ways and may generate positive democratic traits. Geoffrey Layman (chapter 7, this volume) notes that over time participation in party politics inclines even strident, traditionalist evangelical activists to practice compromise and reciprocity—to engage in a sort of practical liberalism.

Moreover, if we think that specifically democratic virtues are not the only valuable ones, then we should recognize that incongruent religious groups often cultivate desirable noncivic norms and dispositions. They may also circumscribe vices, serving as a safety valve for irrepressible illiberal and undemocratic dispositions. In other work I have discussed the uses of pluralism and why consistency is inimical to the full range of dispositions and capacities any modern society values.³¹

The empirical and dynamic grounds for resisting the logic of congruence as moral psychology do not detract from political theorists' principled concern for fairness and nondiscrimination. But they do undercut the logic of congruence as a program of political reproduction. Again, the logic of congruence is comprehensive, and in their single-minded anxiety to make religion safe for democracy, theorists demand too much.

POLITICAL CONGRUENCE I: PUBLIC REASON

A more modest political congruence suffices for democracy in America, I argue. I propose not only that political congruence is a sufficient regulative ideal for religion in politics but also that there is empirical evidence that these elements of political congruence are accepted practice. Political congruence entails the obvious—playing by the democratic “rules of the game”—and there are practical, institutional reasons why participation by religious activists in electoral politics, interest group politics, protest politics, and “popular constitutionalism” (organization for and against the Supreme Court’s constitutional interpretation, as around *Roe*) conforms to familiar, accepted patterns, as other task force essays show. Beyond political behavior there is the deeper matter of commitment in political life to democratic ideals and taking on democratic political identity. Political congruence plays in a moral register. In this section and the next I discuss two core elements of the moral face of political congruence: “public reason” and democratic identity as a political majority or minority.

One element of political congruence concerns the language and reasons religious groups employ in their attempts to win exemption from laws and regulations, obtain public funding, or advance or oppose public policy. Political philosophers draw a bright line between politics based on appeals to particular canons of faith, clerical pronouncements, or revelation on one hand and politics based on reasons and experiences implicit in democratic political culture on the other. “Public reason” is the term they have coined to refer to the kind of argument that is legitimate in democratic deliberation. It is the name for reasons and justifications that can be understood by men and women regardless of their particular moral or religious doctrines, reasons that other citizens could reasonably accept.³²

I place adherence to the constraints of public reason at the heart of political congruence for several reasons. For one thing, under conditions of religious pluralism, appeals to irreconcilable and mutually incomprehensible doctrines and authorities are likely to be divisive; hostilities “are bound in time to assert themselves.”³³ Public reason does not eliminate intense political conflict, much less ordinary disagreement, of course, but it does increase the chances that citizens understand why they disagree. More fundamentally, public reason is “part of the idea of democracy itself.”³⁴ When in the course of making claims, exercising influence, and coming to political decisions citizens appeal to common, mutually understandable political principles and experiences, they signal mutual respect.

Public reason is a regulative ideal, not a policy prescription, and political philosophers rarely propose gag rules or censorship. Even so, many versions of public reason are too restrictive to serve my account of political congruence. For some philosophical advocates, public reason entails stern “epistemic abstinence”; only certain kinds of reasons are legitimate, and lacking discursive and argumentative character, religious reasons in particular cannot count as rational.³⁵ As this suggests, public reason is vulnerable on its own moral terms. After all, reciprocity and respect for others are ordinarily demonstrated by respect “for another person in his or her particularity.”³⁶ In the context of democracy, respect requires giving individuals and groups “effective means for bringing their views before the public,” which may include communicating in religious terms and imagery rather than hewing to philosophers’ bright line of separation.³⁷ Otherwise, public reason is like the mandatory flag salute and risks compelling professions of political faith. It fails to take the demands of multiple memberships and obligations seriously.

Stringent public reason can be loosened, as John Rawls did with his notion of “wide public reason,” and this is the view of public reason I point to as an element of political congruence. Widened public reason allows that religious reasons and imagery are admissible in political forums provided religious activists at the same time or in “due course” (and in good faith) offer public reasons in support of their favored principles and policies. Indeed, the wide view acknowledges that appeal to what are seen as the sacred roots of public authority can motivate commitment to constitutional order and that public ideals may be defended more persuasively and obligations motivated more dependably on religious than civic grounds. To repeat the standard example, Martin Luther King’s religious appeal on behalf of civil rights was a proxy for democratic justifications of civic equality and citizens’ obligations to one another.

In making wide public reason an element of political congruence, I agree with the foundational argument that public reason exhibits respect

and reciprocity. With less confidence I concede that the constraints of public reason may improve mutual understanding and perhaps political deliberation. But I do not agree that religious language and imagery, belief and authority, are justified in public arenas only “as long as such an appeal is necessary to strengthen the ideal of public reason itself.”³⁸ I include wide public reason in my account of political congruence less out of concern to identify and police the bounds of legitimate reasons in democratic politics and still less to mandate a certain type of argument; rather, my concern is to accommodate citizens’ multiple ties and obligations. My objective is to avoid where possible asking citizens to decide (and to publicly demonstrate) where their primary obligations lie. (Note that neither the logic of autonomy nor the comprehensive logic of congruence appreciates the significance for democracy of multiple memberships and obligations; the former makes allowance only for religious identity, the latter defends undiluted civic identity.) The wide public reason I commend is latitudinarian and invites styles of argument and persuasion including a strong dose of common democratic ideas and experience. This position concedes something to the demands of faith, acknowledging that the political claims advanced by religious groups may be first, best, and necessarily expressed in religious terms. It imposes a moderate democratic obligation on religious activists to self-consciously acknowledge and adhere to some constraints in advancing their claims and, when they do not, to appreciate the significance for themselves and for others of relying exclusively on their own particularist grounds.

All this is abstract, and my assertion that political congruence suffices requires more than justifying the work public reason does and defining its wide contours. The question for any regulative ideal is whether it is possible to abide by, to reasonably try to attain, even if imperfectly. Is public reason an artifact of political philosophy or a widely recognized element of political congruence in American politics? Is public reason the practice of religious activists here?

Survey research fails to yield an answer to the first question. Polls tell us that only the most unreligious tenth of the population objects to the influence of religion on American life, but that public opinion on the influence of religion in politics specifically is more wary.³⁹ Something like 50 percent of respondents agree that “religious people should stay out of politics,” but for this response to be meaningful we need to know to whom the phrase “religious people” refers and why those polled believed they should stay away? Does the objection apply to political activity by religious authorities speaking as authorities or to religiously identified citizens broadly? Survey data do not tell us whether the imperative that “religious people should stay out of politics” amounts to a call to strip actors of their religious markers or whether avowed religious identity

and invocation of faith are acceptable if accompanied “in due course” by reasons rooted in democratic principles and experience.

What we *can* say with confidence is that public reason is well understood. To take a recent example, as Democratic presidential candidate Barack Obama articulated it plainly:

Democracy demands that the religiously motivated translate their concerns into universal, rather than religion-specific values. It requires that their proposals be subject to argument, and amenable to reason. . . . In a pluralistic democracy, we have no choice. Politics depends on our ability to persuade each other of common aims based on a common reality.⁴⁰

We can also say that public reason or its semblance is common practice on the part of religiously identified political actors. Early opposition to abortion by Catholics invoked creedal objections, but a more politically attuned opposition led by evangelical Protestants moved beyond scripture and the “sanctity of life” to the language of health and civil rights.⁴¹ These activists put abortion on the political agenda by tying it to a general conservative program of family values and acceptable sexual roles. Similarly, Kenneth Wald (chapter 11, this volume) describes a shift on this issue and others from a style that evokes religious identity and values to a focus on the regulation of health and well-being.

What should we make of moves away from arguments from within a system of religious beliefs to arguments that are generally accessible? It seems inadequate to disparage the shift as self-serving hypocrisy or self-censorship (“a theocrat in a necktie”) —as if authentic political religion must be creedal or pronouncements of clerical authority. To be sure, there are examples of the wolf in sheep’s clothing, casting “intelligent design” as a nonreligious alternative to evolution, for one.⁴² For the most part, however, it is rightly seen as a semblance of public reason rooted in understanding of the sorts of arguments that are politically effective under conditions of religious pluralism and secular institutions.

Each denominational or faith tradition . . . has, *in the very process of accepting the invitation*, modified its own self-understandings and the way it presents its beliefs to its own members and to the larger community. . . . To insist that one’s creedal or denominational theology . . . defines and occupies the entire content and space of the religious spirit is to pay high costs in a religiously pluralistic and democratic society.⁴³

Thus, the imagery used in support of causes such as prohibition of abortion or end-of-life procedures are not the Cross or the Virgin Mary, which appeal to a particular religion’s theology, but symbols that are generally

morally accessible even to nonbelievers, as in the case of Terri Schiavo.⁴⁴ True, religious activists, like others, also engage in “narrow-casting”—crafting messages in creedal terms or invoking religious authorities and addressing these messages to followers and others judged responsive on a particular issue. But religious groups typically enter politics for influence, not just self-expression, a motivation that militates in favor of public reason. This applies to the selection of issues as well as to how they are framed; as Wilcox argues (chapter 6, this volume), “parties and social movement organizations choose issues based on political opportunity, not theology.”

Almost certainly, the terms and arguments generally employed by religious groups are more than just a semblance of public reason. They reflect respect for other citizens and thus engage the moral basis of this element of political congruence. Where we disagree about religious tenets and interpretive authority, and about the political implications of belief, democratic participation obligates us to speak to others in terms that make disagreement comprehensible and agreement possible. Public reason is not just the way in which the claims of religious groups and invocations of religion are presented in political areas. It is also the way religious activists ordinarily present themselves.

We see this vividly in now familiar political references to “religion” in general. Nothing is more curious historically or more characteristic of religious politics in the United States today than references to “faith” rather than to one or another faith. Instead of religious pluralism producing appeals to creedal specificity, appeals are made by and on behalf of religion in general. We might criticize political theorists’ diffuse references to “religion” (as I have done here) as errant philosophical abstraction or blamable indifference toward the nature of religions and religious experiences. We might even see it as the equivalent of militant atheists’ tendency to view religion as all one single thing and an apology for any of its forms as “helping to sustain the whole.”⁴⁵ However, religious activists themselves commonly speak of “religion” abstracted from theology, authority, and practices. Appeals to “religion” are made by advocates of religion in politics today and are best understood as a fair reflection of the nonsectarian, nontheological self-presentation of religion in political contexts.⁴⁶ It is not the case, then, that “only social scientists believe in something called ‘religion.’”⁴⁷ (In fact, as this volume shows, political scientists employ nuanced categories; see Green, chapter 2, this volume.) It may be that “no one can coherently claim that religion in general is true,”⁴⁸ but it *is* coherent to claim that religion in general can be a serviceable political category. One reason “faith” is serviceable, of course, is the fact that religious pluralism in the United States is marked by ceaseless denominational division, the astonishing proliferation of faiths, and the

sheer voluntariness of individuals entering and exiting religions at will (one estimate is that 25 percent switch).⁴⁹

My point is not that religions in the United States have become undifferentiated—that assessment is the business of theologians and sociologists. My point is that the abstract self-designation “religion” in political life exhibits political congruence. Most obviously, “religion” in general is generally understood; it is a category inclusive enough to be accessible to most citizens; it serves the purposes of public reason. (And “faith” points beyond institutional religion to individuals as believers; in this respect too, it appeals to common American experience and conforms to the demands of public reason.) Also, by invoking “religion” in political contexts, participants disclaim any suggestion that their politics is rooted exclusively in the particulars of their own theology or practice. They disavow the political significance of denominations or sects, of religious segmentation or pillars, and demonstrate their inclusive intent. For just this reason some religious leaders self-protectively avoid political arenas; they fear the presumptive godlessness of national politics less than its ecumenical spirit.⁵⁰

POLITICAL CONGRUENCE 2: MAJORITY AND MINORITY POLITICAL IDENTITY

Public reason is a standard concept in political theory, and adherence to a wide version is common practice. A second element of political congruence is less appreciated. Majority and minority are the basic units of political life in the United States, and they are basic terms in political science, but they rarely figure in contemporary democratic theory. I propose adding them to the repertoire. Their significance is not limited to the practical fact that many political institutions require numerical majorities to reach decisions. Majoritarianism, I argue, is more than a decision rule, and minority is more than a losing count. In American democracy at least, majority and minority are political identities that shape the ways in which political actors, religious actors included, see and present themselves. And they do so in a moral register. In short, when undifferentiated “religion” is broken down by religious activists for political purposes today, it is not into this or that particular religion but into the basic democratic categories majority and minority.

Before advancing my own understanding of the significance of majority/minority identity for religion in American politics, it is useful to recall its institutional side: the “rules of the game.” Democratic institutions often require the construction of majorities in order to reach decisions. At certain moments “religion” is a resource for creating electoral majorities, and “issue entrepreneurs” build organizations and invent tactics for mobilizing religiously identified voters, as several task force essays

discuss in detail. Of course, religious identity waxes and wanes as an important predictor of political strength; other social identities are actually more stable. Nevertheless, periodically, religious identity and the social networking of religious groups provide a resource for building political majorities. We know too that religiously identified participants in party politics are more likely than participants in single-issue groups to see themselves acting as citizens rather than as advocates for a special interest.⁵¹ In any case, the practical requirements of majoritarianism explain at least in part why strategies of religious polarization and appeals to purists often give way over time to what is necessary to reach out for the 51 percent. As one interview reports:

One of the things I've learned is that there's a difference in politics between temporary and permanent coalitions. And you're building majorities for specific issues at specific times. You can have temporary coalitions with people you would not be working with under any circumstances for any reason, except that, you know, like, the feminists can often be in the same venue against obscenity and pornography.⁵²

Political scientists focus on the political behavior and attitudes that conform to democratic rules of the game in the course of influencing the political agenda, forming alliances, and constructing majorities. They are led to the sanguine conclusion that "the American political system can indeed manage and contain" the tensions that arise from religion.⁵³ I agree. But majoritarianism is more than a decision rule, and I want to draw attention to another dimension. In assuming the political identity of majority or minority, religious actors cast themselves in basic democratic terms and, as important, evoke certain widely shared moral echoes of these terms. I turn very briefly to several expressions of this deeper dimension of political congruence that comes into play when religious groups identify themselves, as they do, as a majority or minority.

The normative weight of majority stems from the fact that it resonates with "we the people." In Tocqueville's terms, the majority is "the great body of the people," whose values and projects are not those of the victors only but belong to the nation. Religious groups share this understanding and adopt this mantle. The Moral Majority, to take an obvious literal example, was "a moment of ecumenical fervor"⁵⁴ when religious activists asserted that qua believers, citizens comprise a previously silent majority of Americans. The designation brought the moral weight of majority to bear on their cause. The Religious Freedom Restoration Act, to take another example, invoked not the free exercise rights of a vulnerable religious minority but the rights of the vast majority of Americans who are believers. Adding to the significance of majority as a democratic

identity is the fact that in the United States the absence of a categorical religious majority, the fact that every faith is a minority, means that like any political majority, any religious majority has to be created. It is a political identity, not a numerical count. It has to be politically constructed and acknowledged. As such, it is bolstered by the moral resonance of the claim to represent “the great body of the people.”

Religious groups may also present themselves as a minority, and this political identity too has moral echoes. American political thought is ambivalent about majoritarianism and imposes limits on the prerogative of the greater number.⁵⁵ When religious groups charge that they are deprived of some right or benefit, they typically identify themselves as a politically powerless minority suffering unfairly at the hands of the majority. The status of political minority is more compelling than the status of a particular religious minority, and religious groups direct our attention to their diminished standing as “second-class citizens.” This is, clearly, democratic self-representation as a political identity. It is no surprise that the group most in agreement with the view that “rights of the religious people need protection” is black Protestants (see Green, chapter 2, this volume).

The fate of the Jehovah’s Witnesses’ petition for exemption from saluting the American flag captures this translation of religious minority into the democratic status of political minority. The Witnesses brought their theological objection to pledging allegiance to an inanimate object to court but lost this free exercise claim in *Gobitis*, where Justice Frankfurter ruled that the need to enforce behavior “society thinks necessary for the promotion of some great common end” outweighed their particular claim to religious free exercise.⁵⁶ Three years later, however, Justice Jackson sided with the Witnesses in *Barnette*, writing, “to sustain the compulsory flag salute we are required to say that a Bill of Rights which guards the individual’s right to speak his own mind, left it open to public authorities to compel him to utter what is not in his mind.”⁵⁷ The case does more than remind us that litigation by religious groups exhibits (and generates) commitment to constitutionalism and that they are often at the center of constitutional politics.⁵⁸ Its deeper significance is the shift in reasoning that justified this extension of civil liberty: from free exercise protection for a specific religious minority to free speech for a political minority. The case directs attention to a quintessential *democratic* right of the politically powerless.⁵⁹

“Minority” has more than one valence in the United States and plays in more than one moral register. The minority that seized the attention of the Founders was not the powerless few but the politically influential few, “aristocrats.” The notion of minority as a sinister interest, an antipopular elite subversive of the people’s own understanding of its interests,

remains standard fare. Public opinion today is overwhelmingly opposed to the idea that it is “perfectly proper for religious leaders to try to persuade people how to vote,”⁶⁰ and religious activists’ tendency to disclaim a political role for clerical hierarchy and to assert religious populism comes in part from a desire to avoid the negative historical resonance of minority. Similarly, when religious activists inveigh against “secular elites,” the “elite” part of the phrase is as important politically as the accusatory “secular.”⁶¹ The majority has religiosity in common, and “elite” evokes a sinister minority exerting undue influence.

Neither a religious nor a political majority exists spontaneously in the United States, ready to be activated or contested for. Majorities are created in the course of drawing lines of political division. The minority is not a designated corporate group either (no “titles of nobility” here). Majority and minority are labile and stand in dynamic relation to one another. Without identifying a particular majority, it is impossible to assign genuine political meaning to an “elite.” At the present moment religious majority versus “secular elite” is a common political divide. But there is little reason to think that this will be an enduring basis for claims to majority status; “secular elite” is already fading. What is certain is that, periodically, religious activists in conjunction with nonreligious ones will create not just a numerical voting majority on the side of a single issue but a majority political identity with the moral weight of “the great body of the people,” and in the process accuse some minority of exercising “undue influence.”

Consider the dynamic of majority/minority political identity in action. If every faith in the United States is a minority, and any religious majority is a pluralist amalgam of faiths, it should give us pause that so many Americans think that laws should reflect the religious views of the majority. We can understand why Jews, other non-Christians, and nonbelievers might be in the dissenting 50 percent. But who *is* agreeing with the proposition? And with what phantom religious majority are they identifying? One interpretation of the meaning of this response is consistent with minority as “sinister elite”: individuals believe the laws should *not* reflect the religious views of a religious minority. Another explanation is that each respondent is identifying with the particular majority that has formed around a political principle or policy meaningful to her, or with the imagined majority that might form. This survey response reflects how labile religious identity, and even more religious *political* identity, is here. It underscores congruence with the basic terms of democratic politics and the fact that religious groups go about shaping a majority or minority political identity for themselves.

In sum, the majority/minority distinction is important for religion in politics not only as evidence of adaptation to democratic institutions but also because it provides the terms in which religious actors assume and

act out basic democratic political identities. It confirms both the comparative moderation and the constitutional commitment of religious politics here. For in the end, majority/minority operates only if there is an implicit orientation to the cohesion of the whole and to its priority over *both* majority and minority factions.

The majority principle is psychologically binding . . . because the dissenting minority considers itself as belonging to the same community as the majority. . . . Should such a bond of unity . . . not exist, . . . then the majority principle would no longer function as a method of unifying in cooperation the wills of the citizens, but would become a mere condition of the fact of rulership.⁶²

These terms are accepted and played out over and over by religious groups in American political life.

POLITICAL CONGRUENCE: TWO-WAY INFLUENCE

As I have presented it, political congruence refers to conformity to democratic practices, adherence to regulative ideals such as wide public reason, and adoption of democratic political identities. Public reason seems to require one-way accommodation by religion to democracy; that is, “in the very process of accepting the invitation” to enter politics, religious groups must modify their arguments, self-presentation, and even self-understanding. The same holds for religious self-identification as a majority or minority. The conclusion that “democracy shapes Christianity [and other faiths] more than the other way around” seems to get the direction of influence right.⁶³ That said, the other way around operates too. In electoral politics, protest politics, and constitutional politics, religiously identified actors are not simply adaptive. They refresh democratic politics and sometimes innovate, leading the way to challenges and reforms (on behalf of civil rights, to name a beneficial example) and providing models of political organization. Precisely because religious pluralism and democratic institutions are reciprocally influential here, political congruence is particularly strong.

A simple illustration of the influence of religion on the shape of democratic politics is changing forms of political organization. As one historian observed, “what is cause and what is effect is never completely clear.”⁶⁴ The parallel between early congregationalism and expectations that political groups should be similarly organized for nonhierarchical, nonoligarchic decision making is one example. The influence of religious populism and revivalism on Jacksonian democracy is standard political history; evangelical rallies were crucial for the rise of mass party mobilization. Religious associations are also the acknowledged origin and model

of voluntary association generally, and in the Progressive Era, they were templates for burgeoning civic associations and advocacy groups. Today, the organizational innovation of megachurches is seen as a touchstone for building grassroots support for political parties. Like membership in megachurches, the thought goes, party identity is initially “thin and weak,” with a low threshold for entry, no emphasis on theology, small group meetings, and a volunteer structure—all allowing for a gradual ramp-up of commitment of time and money, and personal identification as a partisan.⁶⁵ Political congruence is importantly, if episodically, a two-way dynamic.

I have pointed to affinities between the self-presentation of religion in politics and the public norms of American democracy. I have also argued that political congruence is a sufficient answer to the questions political theory poses about whether democracy is safe for religion and religion safe for democracy. Political congruence is modest and tempered compared to both the logic of autonomy and the comprehensive logic of congruence. The logic of autonomy and the logic of congruence are platforms of principle from which to justify or oppose the outcomes of democratic politics, but each is alarmist, single-minded in its concerns, and too radical in its implications to serve as a regulatory ideal for democratic politics in practice. True, political congruence operates at a different level than the logics of autonomy and congruence. It does not provide principles for determining whether or when to grant or withhold religious exemption from general laws or to supply public funding. The principles at work are imported from a range of democratic theories and strengthened by democratic experience. But political congruence suffices if we think that the claims brought by religious groups and the brakes imposed by others will be worked out, as they have been, in ongoing democratic politics. Political congruence is assurance that we normally reach decisions in a way that demonstrates that here, at least, religion is safe for democracy, and democracy is safe for religious pluralism.

Is my account of political congruence Pollyanna-ish? No; there is empirical support for the fact that the regulative ideal of political congruence is ordinarily respected and that democratic political identity is authentic. Still, political congruence is bounded by certain conditions. The moderation of religious politics in the United States that I described earlier is almost certainly a condition, and we can imagine changes that would upset it. Advocates of religious autonomy might find “dual citizenship” intolerable and retreat to political quiescence, avowing their alien status; or they might escalate claims that depend for their force solely on theology or clerical authority and try to impose sectarianism on the nation as a whole. Advocates of comprehensive congruence might slip over into an even more defensive resistance against any compromise

of strict norms of fairness and nondiscrimination, say, and insist on safety from religion, which they portray as incongruent *per se*. Mutual provocation is certainly conceivable. But I have suggested good reasons to think political congruence is strong and will be sustained, even if—as is always the case—political outcomes are not to the satisfaction of advocates of autonomy or comprehensive congruence, or even if outcomes that are satisfactory to defenders of autonomy or congruence are not produced or justified for reasons internal to their logic.

Political congruence is not cause for triumphalism, however, and I end by observing the dark underside of the mutual reinforcement of religion and democracy in America.

FAITH IN AMERICA

“Faith in America”: the phrase is a useful double entendre and cautionary note. Moral self-confidence is characteristic of American political life. Periodically, American democracy suffers from egregious moral hubris, from complacency rooted in self-righteousness. Certainty of the moral goodness and sincerity, the innocence and virtue of Americans and their government has been called “spiritual pride.”⁶⁶ Religion in politics reinforces moral hubris.⁶⁷ Narratives of American identity are so infused with religion⁶⁸ and with echoes of a chosen people that Connor Cruise O’Brien called this country “God Land.” Moral hubris fueled by faith makes a particularly dangerous appearance when America is at war.

To be clear: not all religious politics suffers from an absence of moral doubt. Nor is self-certainty unique to religious advocacy; after all, political ideologues of all stripes are “true believers” who see political accommodation as perverse or futile, compromise as capitulation, and brand even fellow partisans as heretics and traitors if they are insufficiently enthusiastic in support of an item of political faith. Still, certainty of political rightness, which is the vice of ideologues and extremists, is not the same as confidence in goodness, which is the distinctive feature of persistently moralized American politics.⁶⁹

We have seen some of the factors that lead religion to fuel Americans’ moral hubris. Precisely because religious advocacy in the United States lauds “religion” in general and because people of faith comprise a vast majority, religion is liable to reinforce the assumption that Americans are good, their intent virtuous. It generates “true believers” in this nation of believers. Religion also reinforces moral hubris because of the democratic habit of saying that faith-based politics redounds to the benefit of the nation rather than to a particular church. More speculatively, the eclipse of theology, in particular grim doctrines of unredeemable sin, and the infusion of religion with democratic optimism may play a part in fanning moral

self-certainty. True, religious Jeremiahs see America falling from grace and characterize national trials as punishment for sin, but even here America can return to goodness. The right policies, the just war, will be redemptive.

Democratic theorists propose ways of injecting skepticism into politics in order to puncture self-certainty about the rightness of a course of action. They advocate more and better democratic deliberation or Deweyan pragmatism. But if certainty about the rightness of national action is not a matter of the correctness of a political policy but rather of unshakeable confidence in Americans' goodness and virtuous intent, skepticism is not much help. Tempering moral hubris is a matter of questioning our own good faith. Personally and individually believers may know that faith does not mean an absence of doubt, but this does not seem to translate into doubt about ourselves collectively. The only antidote to moral hubris is a genuinely harsh self-discipline, which acknowledges that "while America is an unusually fortunate nation, it is not a distinctively virtuous nation."⁷⁰

I have argued that political congruence is assurance that religious pluralism and democracy are safe for one another. In that respect, faith in American politics is warranted. Faith in our unerring goodness is not.

NOTES

I want to thank members of the task force for providing such an engaged and informed working group and for their helpful comments on this essay. Special thanks to John Green, Ira Katznelson, and Alan Wolfe for their specific suggestions.

1. See Robert D. Putnam and David E. Campbell, *American Grace: The Changing Role of Religion in American Public Life* (New York: Simon & Schuster, forthcoming).

2. A benchmark of political theory "startled into thought" is the arc of John Rawls's work. *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971) was concerned with distributive justice in a well-ordered society; *Political Liberalism* (New York: Columbia University Press, 1993) was concerned with how to reason about democratic decisions under conditions of disagreement, in particular divergent moral and religious systems of belief.

3. This is not a literature review, and the two "logics" I discuss are not as sharp in the work of any single theorist as I present it here. Still, this is a fair summary of two main principled views on the subject and their implications for politics and policy. My concern is political theory; I do not discuss contemporary American theology. These authors too were "startled into thought" at the same time, for many of the same reasons. The idea of the "public church" provoked arguments over its meaning and value.

4. See Nancy L. Rosenblum, "Religious Parties, Religious Political Identity, and the Cold Shoulder of Liberal Democratic Thought." *Ethical Theory and Moral Practice: An International Forum* 6, no. 1 (March 2003): 23–53.

5. The character of religious doctrine and authority is outside my purview, which is political congruence. It seems clear enough that there is no automatic relation between theology and authority on the one hand and political conduct and identity on the other. Indeed, the “translation” of one into the other is said by critics to be a regrettable “accommodationist” stance by “apologists” for the “public church,” giving in to the temptation to see religion as support for democracy. Documenting and countering this are the burdens of Stanley Hauerwas and William H. Willimon, *Resident Aliens* (Nashville, TN: Abingdon Press, 1989). The authors do not commend withdrawal from “the world”; instead, they urge Christians to “join a countercultural phenomenon, a new *polis* called church,” and “The church is the only community formed around the truth, which is Jesus Christ,” 30, 77. Hauerwas targets Neibuhr in particular, for “policing” Christianity to conform to the requirements of sustaining democracy, in *Dispatches from the Front* (Durham, NC: Duke University Press, 1994), 103. Hauerwas writes, “Does that mean I do not support ‘democracy’? I have to confess I have not got the slightest idea, since I do not know what it means to call this society ‘democratic,’” 105.

6. Maurice Duverger, *Political Parties: Their Organization and Activity in the Modern State* (New York: John Wiley & Sons, 1963), 61–62.

7. Islam in Europe has been taken up as “an ideology of the downtrodden,” Craig S. Smith, “Europe’s Muslims May be Headed Where the Marxists Went Before,” the *New York Times*, December 26, 2004, WK 7.

8. That is the occasional position of religious enclaves in retreat from the world.

9. When a televangelist calls the Catholic Church “the Great Whore” and “a false cult system,” it is newsworthy, and the pastor feels obliged to apologize and say his remarks are misconstrued; see the piece on Rev. John Hagee, “Sen. McCain’s Agents of Intolerance,” editorial, the *New York Times*: nytimes.com/2008/05/24/opinion/24sat2.

10. Putnam and Campbell, on file with the author.

11. *McDaniel v. Paty*, 435 U.S. 618 (1978) 43.

12. One exception is opposition to civil rights for gays, including but not limited to marriage. Occasionally democratic theorists react shrilly, too; liberal constitutional theorists demonstrate “Roe rage,” holding the Supreme Court’s decision responsible for what they see as “sweeping right wing backlash.” Robert Post and Reva Siegel, “Roe Rage: Democratic Constitutionalism and Backlash,” *Harvard Civil Rights–Civil Liberties Review*, 42, no. 2 (Summer 2007): 373–434.

13. Jeffrey Stout, *Democracy and Tradition* (Princeton, NJ: Princeton University Press, 2004), 104.

14. Hauerwas and Willimon, 17, 24, 32, 38, 46.

15. A contemporary exception among democratic theorists is George Kateb in *Patriotism and Other Mistakes* (New Haven, CT: Yale University Press, 2006), 359.

16. “Militant atheism” has recently reemerged, but with the exception cited above and a few others, not in democratic theory. For popular examples see Sam Harris, *Letter to a Christian Nation* (New York: Knopf, 2006); Richard Dawkins, *The God Delusion* (London: Bantam Press, 2006); and Christopher Hitchens, *God is Not Great: How Religion Poisons Everything* (New York: Twelve Books, 2007).

17. The exception is sermons by fundamentalist rabbis and Islamic clerics interpreted as commands for political action. See Yael Tamir, "Remember Amalek: Religious Hate Speech," in Nancy L. Rosenblum, ed., *Obligations of Citizenship and Demands of Faith* (Princeton, NJ: Princeton University Press, 2000).

18. John J. DiIulio, *Godly Republic: A Centrist Civic Blueprint for America's Faith-Based Future* (Berkeley: University of California Press, 2007).

19. Mary Ann Glendon and Raul F. Yates, "Structural Free Exercise," *Michigan Law Review* 90 (1991): 477–550 at 523, 530, and note 259.

20. Michael McConnell, "Accommodation of Religion: An Update and Response to Critics," *George Washington Law Review* 60 (March 1992): 690, 739.

21. Michael Walzer, *Politics and Passion: Toward a More Egalitarian Liberalism* (New Haven, CT: Yale University Press, 2004), 82.

22. Of course, public funding in America is complicated by entanglement of religious groups and government at the local and state levels and by the variability of accommodation. Not surprisingly, advocates of religious autonomy want *national* policies of exemption, recognition, and support. This national focus on the part of theorists of religious autonomy is the counterpart of congruence theorists' insistence that national standards of equality and due process should be applied everywhere and all the way down.

23. Jytte Klausen has collected data on self-identification: "In the predominantly Christian [European] countries, only 14–16% in Russia, France, and Spain said they were Christians first. In Germany, 33% said 'Christians first.' The US was the exception, with 42% saying Christians first." "Europe's Uneasy Marriage of Secularism and Christianity since the 1960s and the Challenge of Religious Pluralism," 10. Unpublished paper prepared for the 2007 Annual Meeting of the APSA, on file with the author.

There is other evidence that close to half of religious believers in America choose religion as a primary marker of identity over "American first," although this survey response is simply reported and not linked to either policy or a political theory of dual citizenship. Amaney Jamal reports that a national survey of Muslim Americans finds them "well-integrated even while they remain devout and committed to their identities." Asked whether they consider themselves "Muslims first" or "American first," the proportion choosing religion as a primary identity marker is similar to that among Christians in the general population: 47 percent of Muslims compared to 42 percent of Christians in the general population, 8.

24. McConnell, "Believers as Equal Citizens" in Rosenblum, ed. *Obligations of Citizenship and Demands of Faith*. 105.

25. John Rawls, "The Idea of Public Reason Revisited," in *The Law of Peoples with "The Idea of Public Reason Revisited"* (Cambridge, MA: Harvard University Press, 1999), 132, 149–50, 151.

26. For a recent overview of the state of the law, see Martha Minow, "Should Religious Groups be Exempt from Civil Rights Laws?" unpublished paper on file with the author. For an extended discussion of the preoccupation with equality and fairness in religious law interpretation, and a canvass of the multiple values that should inform constitutional debate, see Steven Shiffrin, "The Pluralistic Foundations of the Religion Clauses," *Cornell Law Review* 90 (September

2004): 9–96. Principled opposition to aid to religious schools is reinforced by the history of flight to evangelical schools as end runs around public school desegregation. Wariness is reflected in practice, for example, in the political difficulty of enacting school voucher plans even after constitutional objections have been dismissed. And voucher plans are at least potentially universal and neutral; most public funding is discretionary.

27. Of course, the scope and stringency of proposals for legislating and enforcing democratic principles and practices are variable. For example, “the logic of congruence” sees public schools as essential for democratic socialization and as symbols if not guarantors of equal opportunity, but few proponents of congruence would mandate exclusively public schooling, prohibiting sectarian private education.

28. The phrase is Amy Gutmann’s in *Identity in Democracy* (Princeton, NJ: Princeton University Press, 2003), 153.

29. We recognize this as a version of the argument, not easily dismissed, that the enforcement of morals by censorship or regulation is necessary to prevent attitudes and behavior that corrode society, to ward off the informal ways in which political society may be undermined or radically redefined. T. M. Scanlon, “The Difficulty of Tolerance,” in *The Difficulty of Tolerance* (Cambridge: Cambridge University Press, 2003).

30. Stephen Macedo, “Transformative Constitutionalism and the Case of Religion: Defending the Moderate Hegemony of Liberalism,” *Political Theory* 26, no. 1 (February 1998): 56–80 at 73.

31. Nancy L. Rosenblum, *Membership and Morals: The Personal Uses of Pluralism in America* (Princeton, NJ: Princeton University Press, 1998).

32. For Rawls’s tripartite division of the scope of public reason, see 133–34. Rawls takes pains to answer his religious critics by saying that secular comprehensive doctrines too are excluded. Arguments for congruence vary in stringency and scope. Some democratic theorists impose severe “epistemic abstinence” and admit only public reasons in public life. Some apply the constraints of public reason only to deliberation on constitutional essentials and matters of basic justice rather than all laws and policies. Some apply the constraints only to public officials and political candidates, others to citizens when they “vote or engage in political advocacy in the public political forum.”

33. “The Idea of Public Reason Revisited,” *Law of Peoples* (1999): 150, 174ff. In many parts of Europe and other democracies there are statutory and constitutional bans on appeals to religion in public life. See Nancy L. Rosenblum, “Banning Parties: Religious and Ethnic Parties in Multicultural Democracies,” *Journal of Law and Ethics of Human Rights*, 1 (2007): 17–75.

34. Rawls, 131.

35. In some accounts, public reason also marks philosophical and historical enlightenment: Habermas, for example, does not relent in the “quest to *aufheben* religion’s moral teachings within the postconventional procedures of communicative action.” Jurgen Habermas, “A Genealogical Analysis of the Cognitive Content of Morality,” in *Inclusion of the Other* (Cambridge, MA: MIT Press, 1998), 44.

36. Stout, 72–73.

37. Scanlon, 189, 198.

38. Veit Bader, "Religious Pluralism: Secularism or Priority for Democracy?" *Political Theory* 27, no. 5 (October 1999), 598. "The priority for democracy . . . should explicitly allow for all religious or theological arguments compatible with liberal democracy," 617. Presumably philosophers are the judges of compatibility.

39. Putnam and Campbell document wariness toward "religion in politics" and religious leaders persuading people how to vote but positive attitudes when it comes to elected leaders being deeply religious, as evidence of good character.

40. Barack Obama, "Call to Renewal Keynote Address," June 28, 2006: http://www.barackobama.com/2006/06/28/call_to_renewal_keynote_address.php.

41. Reva Siegel, "The New Politics of Abortion: An Equality Analysis of Women-Protective Abortion Restrictions," *Illinois Law Review* (2007): 991. Post and Siegel, 48. Ronald Dworkin argues that "sanctity" of human life is an "essentially religious" value in *Life's Dominion* (Cambridge, MA: Harvard University Press, 1971), 155.

42. Alan Wolfe notes that the movement for intelligent design argues "for revelation in the guise of liberal ideas of fairness and pluralism of viewpoints," in this case, a subterfuge, but nonetheless an example of the tabling of revelation and recourse to the terms of public reason. Is it a wolf in sheep's clothing or transformative? "Whose Christianity? Whose Democracy?" Response to Hugh Heclo, *Christianity and American Democracy* (Cambridge, MA: Harvard University Press, 2007), 204–5.

43. Eldon J. Eisenach, *The Next Religious Establishment; National Identity and Political Theology in Post-Protestant America* (New York: Rowman & Littlefield, 2000), 40. In the same vein, Wolfe argues that the chief force for secularism is American culture, which "has so thoroughly shaped religion that, rather than constituting a danger to democracy, religion in order to survive, has little choice but to adopt the trappings of modern democratic cultural life," 200.

44. Phillip Jones, Comment at the conference "Religion and Politics," sponsored by the Center for American Political Studies, Harvard University, May 2, 2008. Unpublished paper on file with the author.

45. Anthony Gottlieb, "Atheists with Attitude": www.newyorker.com/arts/critics/books/2007/05/21. This differs, of course, from theological pluralism, which is opposed by theologians like Hauerwas, who defends the label "sectarian" and a focus on the particulars of "what we believe," in Hauerwas and Willimon, 41.

46. We have passed beyond Protestant versus Protestant and Protestant versus Catholic, beyond generic Christianity and "Judeo-Christian," to generic faith. Eisenach marks the changes: Protestant (vs. Catholic) and its disestablishment, generic Christian-Judeo, and now secular or postreligious, 2–3.

47. Hugh Heclo, *Christianity and American Democracy* (Cambridge, MA: Harvard University Press, 2007), at 187.

48. Kent Greenawalt, "Five Questions about Religion Judges Are Afraid to Ask," in Nancy L. Rosenblum, ed., *Obligations of Citizenship* (Princeton, NJ: Princeton University Press, 2000), 198.

49. "Americans typically do not stay in one church long enough to learn that much about its theology and its history." Wolfe, 197.

50. Stout, 63, 72.

51. Kimberly Conger and Bryan McGraw, "Religious Conservatives and the Requirements of Citizenship," *Perspectives on Politics* 6 (2008), 261.

52. Cited in Conger and McGraw, 261.

53. Wald, 17.

54. Post and Siegel, 52.

55. Benjamin Constant, *Principles of Politics Applicable to All Government*, ed. Etienne Hofmann (Indianapolis: Liberty Fund, 2003), 32.

56. *Minersville School District v. Gobitis*, 593, 594.

57. *West Virginia v. Barnette*, 632, 634.

58. "Citizen engagement in constitutional conflict may contribute to social cohesion in a normatively heterogeneous polity," Post and Siegel, 5.

59. Gordon Silverstein, "Precedent and Popular Constitutionalism: How the Supreme Court Shapes Political Discourse," APSA, August, 2007, unpublished paper on file with the author. From Chapter 3 of Gordon Silverstein, *Law's Allure: How Law Shapes, Constrains, Saves and Kills Politics* (New York: Cambridge University Press, 2009). A host of religious claims have been reframed in terms of free speech. To take one example, religious groups used free speech claims to successfully mandate use of university facilities and financial support for religious publications.

60. Data in Putnam and Campbell *American Grace*.

61. Jeffrey Stout shows the error of defining secular as a comprehensive worldview hostile to religion. The charge assumes secularism as an ideology of disbelief, identified with liberalism, and a theory of its spread. The discourse of modern democracies is secularized in the sense that "discourse is not framed by a theological perspective taken for granted by all those who participate in it," but secularization does not reflect commitment to secularism, meaning denial of religious beliefs or their expulsion from the public sphere, 93, 97.

62. Gerhard Leibholz, *Politics and Law* (Leiden: A. W. Sythoff, 1965), 27.

63. Wolfe, 193.

64. R. L. Moore, *Selling God: American Religion in the Marketplace of Culture* (New York: Oxford University Press, 1994).

65. Putnam and Campbell.

66. The phrase "spiritual pride" is Reinhold Niebuhr's, cited in William Galston, "When in Doubt," *Journal of Democracy* (Summer 2007): 31–37, at 35.

67. Nancy L. Rosenblum, "Centrism and Extremism and an Ethic of Partisanship" in *On the Side of the Angels: An Appreciation of Parties and Partisanship* (Princeton, NJ: Princeton University Press, 2008).

68. For example, Rogers Smith, *Stories of Peoplehood: The Politics and Morals of Political Membership* (Cambridge: Cambridge University Press, 2003). "There simply is no stronger basis for making a membership seem both unquestionably intrinsic and morally worthwhile than to have it assigned by God or the gods. No purely biological, ancestral, cultural, linguistic, or historical account can provide quite the same degree of sanctification that divine authorship bestows," 66.

69. I owe this conclusion to the brilliant short essay by William Galston, "When in Doubt," *Journal of Democracy* (Summer 2007): 31–37, at 36.

70. Galston, 36.