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“Politics, Religion, and the Public Good: An Interview with Philosopher John Rawls”

John Rawls

(Interviewed by Bernard G. Prusak)

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Bernard G. Prusak: In *A Theory of Justice*, religion is not listed in the index. But in your recent work, *Political Liberalism* and [“The Idea of Public Reason Revisited”](#) [see, *The University of Chicago Law Review*, Summer 1997], religion has become, if not the central theme, at least a major focus. You’ve had a turn in your interests. What’s the motivation for this new focus?

John Rawls: Well, that’s a good question. I think the basic explanation is that I’m concerned about the survival, historically, of constitutional democracy. I live in a country where 90 or 95 percent of the people profess to be religious, and maybe they are religious, though my experience of religion suggests that very few people are actually religious in more than a conventional sense. Still, religious faith is an important aspect of American culture and a fact of American political life. So the question is: In a constitutional democracy, how can religious and secular doctrines of all kinds get on together and cooperate in running a reasonably just and effective government? What assumptions would you have to make about religious and secular doctrines, and the political sphere, for these to work together?

Prusak: Your problem in your recent work, then, is different from your problem in *A Theory of Justice*.

Rawls: Yes, I think it is. *A Theory of Justice* was a comprehensive doctrine of liberalism designed to set out a certain classical theory of justice—the theory of the social contract—so as to make it immune to various traditional objections like the conflict between individual freedom and the good of the whole. The difference is that, in *Political Liberalism*, the problem is how do you see religion and comprehensive secular doctrines as compatible with and supportive of the basic institutions of a constitutional regime.

Prusak: Keep to this new problem, to this question of how to make a liberal constitutional democracy not only receptive, but attractive to religious believers, people who wouldn’t call themselves first and foremost liberals, people who live according to a comprehensive doctrine. The distinction between a comprehensive doctrine and a political conception, in your language, has been difficult for many people

to understand. Could you clarify it?

Rawls: A comprehensive doctrine, either religious or secular, aspires to cover all of life. I mean, if it's a religious doctrine, it talks about our relation to God and the universe; it has an ordering of all the virtues, not only political virtues but moral virtues as well, including the virtues of private life, and the rest. Now we may feel philosophically that it doesn't really cover everything, but it aims to cover everything, and a secular doctrine does also. But a political conception, as I use that term, has a narrower range: it just applies to the basic structure of a society, its institutions, constitutional essentials, matters of basic justice and property, and so on. It covers the right to vote, the political virtues, and the good of political life, but it doesn't intend to cover anything else. I try to show how a political conception can be seen as self-standing, as being able to fit, as a part, into many different comprehensive doctrines.

Now the good of political life is a great political good. It is not a secular good specified by a comprehensive doctrine like those of Kant or Mill. You could characterize this political good as the good of free and equal citizens recognizing the duty of civility to one another: the duty to give citizens public reasons for one's political actions.

Prusak: To make the distinction clearer and perhaps more concrete, could you discuss a particular example, like physician-assisted suicide? You cosigned the "Philosophers' Brief," submitted to the Supreme Court last year. In the brief, you argue that people have different ways of understanding suffering and that, in a constitutional democracy, no philosophical or religious authority should be able to say how a person should live his or her last days. How, on the question of physician-assisted suicide, does your argument play out?

Rawls: We wanted the Court to decide the cases in terms of what we thought was a basic constitutional right. That's not a matter of religious right, one way or the other; it's a constitutional principle. It's said to be part of American liberties that you should be able to decide these fundamental questions as a free citizen. Of course, we know that not everyone agrees with assisted suicide, but people might agree that one has the right to it, even if they're not themselves going to exercise it.

Now I think a good argument against this view would be one like Cass Sunstein's [see, "From Theory to Practice," *Arizona State Law Journal*, Summer 1997]. What he says is that it would be very unwise for the Court to establish a right like this which is so controversial. The Court's decision would depend on a philosophical argument of constitutional law and allow a right that a lot of people would object to. This would be my candidate for a good political argument against the "Philosophers' Brief." The way to argue against the brief is that the Supreme Court should not, at this stage, take sides either way. It should say—as I think the Court can be interpreted as saying—that, no, we're not going to decide this question, it's being discussed, it may be tried in the states, different states can take different views, and we ought not to preempt the constitutional question when we don't have to. Partly, I think, the Court had in mind the issue of *Roe v. Wade*. Now that's a complicated matter on which I don't have an opinion as to whether things would have gone better or worse if the Court had not made that decision. Some people say they would have gone better, some people say they would have gone worse. Sunstein is somebody who thinks things would have gone better, because the decision established a right in a really controversial matter when it need not have done that. The Court should have let the debate play out a bit more.

Prusak: Your overall argument, then, has to do really with the kinds of arguments that should be made within a constitutional democracy. So "public reason"—your technical term for these kinds of arguments—is not monolithic, as if it gave all the answers once and for all.

Rawls: Exactly: the idea of public reason has to do with how questions should be decided, but it doesn't tell you what are the good reasons or correct decisions. You see, the argument in the "Philosophers' Brief," as I understand it, was a political argument. The argument by Sunstein is also a political argument. But his is based on the nature of courts: they're not good at philosophical arguments, they

ought not try to get engaged in them, they ought to go by lower-level, less-broad decisions if possible. Otherwise, the Court opens itself to very great controversy.

Prusak: Now another argument against physician-assisted suicide would be like Michael Walzer's: that the vulnerable population—the elderly, the poor, the abandoned—would be too large, at least at this time, for this right to be granted [see, "Feed the Face," *The New Republic*, June 9, 1997]. This right is fine and well for people with the means to use the law as an instrument of freedom, but for other people it would actually be quite dangerous. Now that would be yet another example of an argument within public reason.

Rawls: Absolutely. I'm not sure that it's a good argument, but that's another question. Public reason arguments can be good or bad just like other arguments. There are many arguments within public reason, and that's the thing to emphasize. I didn't emphasize it enough, you see. I'm now revising *Political Liberalism* so that it fits "The Idea of Public Reason Revisited," where this is perfectly clear.

I want to say something here about what in that article I call the "proviso," because I think it's important. It's this: any comprehensive doctrine, religious or secular, can be introduced into any political argument at any time, but I argue that people who do this should also present what they believe are public reasons for their argument. So their opinion is no longer just that of one particular party, but an opinion that all members of a society might reasonably agree to, not necessarily that they would agree to. What's important is that people give the kinds of reasons that can be understood and appraised apart from their particular comprehensive doctrines: for example, that they argue against physician-assisted suicide not just by speculating about God's wrath or the afterlife, but by talking about what they see as assisted suicide's potential injustices. So the idea of public reason isn't about the right answers to all these questions, but about the kinds of reasons that they ought to be answered by.

Prusak: A critique of your work is that, really, even though you're open to religiously grounded arguments that could be translated, let's say, into public terms, terms all people could understand, nonetheless you're making a veiled argument for secularism. Now this is something you deny.

Rawls: Yes, I emphatically deny it. Suppose I said that it is not a veiled argument for secularism any more than it is a veiled argument for religion. Consider: there are two kinds of comprehensive doctrines, religious and secular. Those of religious faith will say I give a veiled argument for secularism, and the latter will say I give a veiled argument for religion. I deny both. Each side presumes the basic ideas of constitutional democracy, so my suggestion is that we can make our political arguments in terms of public reason. Then we stand on common ground. That's how we can understand each other and cooperate.

Prusak: Let me restate this: the question would be who determines the terms of public reason. A religious believer might say, well, revelation isn't only private—it's here in this book. How come I can't make an argument from this background? Or more to the point, how come I have to argue in terms everybody agrees with, or might agree with? Given who I have to argue with, it seems that those terms slide into secularism. Take the argument for the sacredness of life. The believer might say that this has been revealed. But by having to make arguments in terms everybody recognizes, I'm being asked to renounce the truth as I know it....

Rawls: No, you're not being asked to renounce it! Of course not. The question is, we have a particular problem. How many religions are there in the United States? How are they going to get on together? One way, which has been the usual way historically, is to fight it out, as in France in the sixteenth century. That's a possibility. But how do you avoid that?

See, what I should do is to turn around and say, What's the better suggestion, what's your solution to it? And I can't see any other solution. This solution has been followed in the United States since the First Amendment. As you know, until then, we had establishment in New England with the Congregational church, and we had it in the South with the Anglican church. How did Madison get separation through

Virginia and later Congress? The Baptists, the Presbyterians, and the smaller sects hated Jefferson; to them he was a secularist of the worst kind. But Madison could get Jefferson's bill passed because the Baptists, the Presbyterians, and smaller sects who were excluded in New England and in the South got together for their own protection.

People can make arguments from the Bible if they want to. But I want them to see that they should also give arguments that all reasonable citizens might agree to. Again, what's the alternative? How are you going to get along in a constitutional regime with all these other comprehensive doctrines? And just put it in those terms.

Prusak: Can religion flourish, can religion survive in this kind of society?

Rawls: I would say the answer is clear: the answer's yes. If you compare the United States with Europe, my view is that what happened in Europe is that the church became deeply distrusted by people, because it sided with the monarchs. It instituted the Inquisition and became part of the repressive state apparatus. That never happened here. We don't have that history. Our history confirms, if anything does, that the answer's yes. I give an historical answer, I don't give a theoretical answer; but I think you can ask whether Catholicism, for example, flourishes better here than in Brazil, or in France. Tocqueville says the same thing. He traveled around this country and talked to a lot of Catholic priests, who were then very much in a minority. When he asked them why they thought religion was so free and flourishing in this country, they told him because of the separation between church and state.

Prusak: You say, well, what's your alternative, what do you want? In a way, it almost sounds as if what you're saying is, look, this is the best way of getting along, this is the best *modus vivendi*. But you want to argue for more than that as well: you want "stability for the right reasons." What would those reasons be besides peace—which I think would be a very good reason?

Rawls: Peace surely is a good reason, yes. But there are other reasons too. I already mentioned the good of political life: the good of free and equal citizens recognizing the duty of civility to one another and supporting the institutions of a constitutional regime. I assume that, in line with Vatican II, Roman Catholics affirm these political institutions. So do many Protestants, Jews, and Muslims.

Prusak: It sounds as if you're really arguing for the dignity of the individual. I'll turn it back: it almost sounds like, in another way, a religious argument.

Rawls: All right. Why should I deny that? If you want to say that comes down from the sacredness of the individual in the Bible, fine, I don't have to deny that.

Prusak: But at the same time you don't want to argue for this on any traditional basis. Instead, your argument for respecting the dignity of the individual follows from the functioning of liberal constitutional democracy.

Rawls: Liberal constitutional democracy is supposed to ensure that each citizen is free and equal and protected by basic rights and liberties. You see, I don't use other arguments since for my purposes I don't really need them and it would cause division from the start. Citizens can have their own grounding in their comprehensive doctrines, whatever they happen to be. I make a point in *Political Liberalism* of really not discussing anything, as far as I can help it, that will put me at odds with any theologian, or any philosopher.

Prusak: How do you think, in your work, the idea of the common good is revised? Is there still a common good? How would we speak of it in a liberal constitutional democracy where pluralism is a fact? Is it thrown out, or is it reconceived?

Rawls: Different political views, even if they're all liberal, in the sense of supporting liberal constitutional democracy, undoubtedly have some notion of the common good in the form of the means

provided to assure that people can make use of their liberties, and the like. There are various ways you might define the common good, but that would be one way you could do it.

Prusak: So the common good would be the good that is common to each citizen, each citizen's good, rather than an overarching good.

Rawls: The point I would stress is this: You hear that liberalism lacks an idea of the common good, but I think that's a mistake. For example, you might say that, if citizens are acting for the right reasons in a constitutional regime, then regardless of their comprehensive doctrines they want every other citizen to have justice. So you might say they're all working together to do one thing, namely to make sure every citizen has justice. Now that's not the only interest they all have, but it's the single thing they're all trying to do. In my language, they're striving toward one single end, the end of justice for all citizens.

Prusak: What you're trying to do is bring together the practice of constitutional democracy and present it in a way that's compelling.

Rawls: Yes—I hope it's compelling. I try to show that this form of regime, under certain circumstances, is possible and has its own public form of discourse. This doesn't answer any particular question, but only says how political questions should be discussed. I am really explaining what I think should be the public philosophy in a reasonably just constitutional regime.

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