

## **Discourse or Dogma: An Ethical Analysis of Religion in the Public Sphere**

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### **Introduction**

In this paper, I will examine the soundness of using religion as a foundation for public policy. I will argue that religion should not be allowed in public decision-making using the following premises, which will be further explored:

1. A “culture of life” based on Christian conservative political rhetoric is inherently contradictory. It supports the notion that *all* life is sacred, yet it is contradictory to other supported policies which stipulate the inherent value of human life.
2. Christian-influenced policy requires a metaphysical grounding which is not established. All-encompassing claims are made, such as “all life is sacred,” but such claims are grounded on faith and have illegitimate claims to authority.
3. Such an approach to public policy marginalizes conflicting beliefs by limiting the influence of others and forces people to have their private lives regulated by Christian ideals.

The premises presented will be the framework for my conclusion that Christian conservative principles are an unacceptable method for establishing public policy and normative claims of a moral and political nature, such as “culture of life.” While my focus is on Christianity and conservatism in modern American policy, if the critical reader wishes to apply my analysis to other forms of religion in America or other countries, a propos public policy, the core argument is still valid.

I will argue that if one is to come to the conclusion that a “culture of life” (or any comparable normative statement) is valid, it must be done through discourse ethics rather than Christian conservatism.

### **Culture of Life**

## I. Contradictory Nature

The concept of a “culture of life” has been heavily promoted by Christian organizations and American Christian-conservative politicians. Those who support the “culture of life” make their beliefs known most prevalently in issues such as abortion, the right to die, stem-cell research, or other matters of such controversy. A very prominent organization, The Culture of Life Foundation, notes their mission is to “provide the leadership and financial resources to promote a universal commitment to protect and nurture all human life from conception until natural death.”<sup>1</sup> This position is very similar to the statement that President George W. Bush made concerning the duty of the United States government regarding involvement in the court battles surrounding Terri Schiavo: “I urge all those who honor Terri Schiavo to continue to work to build a “culture of life,” where all Americans are welcomed and valued and protected ....”<sup>2</sup> It would appear, that a culture of life would be one in which human beings are protected from any form of death not from natural causes. Many have noted the contradictory nature of President Bush’s and many Republican legislators’ stance on a “culture of life” in light of their support the death penalty. During President Bush’s administration as the governor of Texas, there were 152 executions. Some would argue that President Bush gave Terri Schiavo more consideration, qua a living being, than he did those on death row.<sup>3</sup>

A common argument is that Terri Schiavo was innocent and death row inmates are not. However, the “culture of life” does not say “culture of all *innocent* life.” Those in support of the death penalty, by default, would not be in favor of a “culture of life,” but rather a “culture of life under the right circumstances.” Furthermore, this notion that life is only sacred under the right circumstances is echoed in American Christian conservative political views of war. The notion that Americans have a legal right to engage in activities, such as the Iraq war, is equally as contradictory to the “culture of life” as is the death penalty. Senator Sam Brownback of Kansas, a member of the U.S. Senate Foreign Relations Committee and celebrated Christian conservative echoed what he interpreted as the opinion of the United States citizens: “We’re the most dominant country in the history of humanity ... [and must act] not just for our economic and strategic interests, but for what is morally right.”<sup>4</sup> Here, the “culture of life” should again be altered to say, “culture of life so long as it coincides with our strategic and economic interests.” In the case of the war in Iraq, one could argue that strategic and economic interests went into the decision-making process as much as morality. Life, in that instance, was at least as important, and arguably *less* important than politics and money. Erring on the side of life, it would seem, is often not that simple and to make such a claim puts the claimant in danger of making serious contradictions in light of other beliefs.

This more contextualized view of a culture of life is not necessarily wrong. By qualifying a culture of life by political and economic interests or innocence would

be a more honest approach to a contention by politicians of what is truly meant by a statement such as, “culture of life.” However, by failing to qualify a culture of life in political, social, and economic context, internal contradictions occur.

## **II. Lack of Metaphysical Foundation and Oppressive Nature**

My second and third criticisms will be discussed in together because they both involve what I will call the omnipotence/omniscience principle, which I contend is the most contentious aspect of forming public policy through religious ideals. Christianity, as a foundation for public policy, is metaphysically unfounded but simultaneously declares the highest Authority. Christianity claims to have truth through God; the very nature of a God is that of a being which is omnipotent and omniscient. By claiming authority based on the support of an all knowing and all powerful being, Christian conservative politicians can claim ultimate authority by having the support of Christianity. In the eyes of Christian conservative politicians, dissenters cannot disagree with an omnipotent and omniscient being because God, and the regulations and dogma set forth by God, cannot be wrong. A Christian scholar from the University of Chicago remarks, "Evangelicals are much more ready to claim God's purposes as their own. If God calls us to be the 'righteous nation,' they act."<sup>5</sup>

The problem, however, is that this omnipotent/omniscient “support” claimed by Christians has no metaphysical underpinning, but to a significant extent, is rooted in faith. As some academics have noted, faith is a completely arbitrary as a method for creating social policy because it requires no accountability. No one can question faith because a defining characteristic of faith is that it is a “belief that does not rest on logical proof or material evidence.”<sup>6</sup> Having “faith” in the principles that support a “culture of life” says nothing of the validity of said principles. The nature of Christianity, due to the “absolute certainty” that accompanies the omnipotent/omniscient principle, and the lack of metaphysical foundation for an arbitrary cause for belief makes Christian conservative principles inadequate for formulating public policy.

## **Alternative Method**

### **I. Discourse Ethics**

The act of coming to an understanding through communicative action is crucial to the theory of discourse ethics. It is also crucial to a formulation of public policy whereas a “culture of life” can be established. I will now present the argument that such a culture can be acceptable, but only insofar as it is done through true discourse and always contains the capacity for change.

The importance of using discourse ethics to determine public policy is that it uses a method that is universally binding. Group ‘A’ may not believe a “culture of life” is a valid argument and group ‘B’ may use a “culture of life” as its framework for

social identity and the foundation for its beliefs. While A and B are separate in their normative views, the commonality of language and communication is still present. Insofar as group A or B wants to communicate within their group or with members of the other group, they all rely upon certain presuppositions.

The necessary presuppositions of argumentation are separated into three categories. In the first, the logical-semantic level, Habermas offers as “*examples*” that no speaker may contradict himself, and speakers who apply a certain predicate to an object must be willing to apply the same predicate to all objects which resemble the object.<sup>7</sup> These are logical and semantic rules about the production of “cogent arguments which we can redeem or repudiate claims to validity.”<sup>8</sup> The second set, the procedural presuppositions, are necessary in the quest for truth: every speaker puts forth what is believed. Also, a person who contests a suggestion or norm which is not being discussed must give a reason for doing so.<sup>9</sup> These presuppositions related to process are ideal speech situations which engage all participants. These ideal speech situations are an optimum communicative situation by which a “culture of life” may be argued. Every competent person who can speak and act should be in the discourse, everyone is allowed to question any assertion as well as enter any assertion into discourse and is allowed to express any feelings, requirements and attitudes.<sup>10</sup>

Habermas proves these presuppositions are necessary by demonstrating that the violation of these presuppositions results in a performative contradiction.<sup>11</sup> Such performative contradictions are the result of an actor failing to abide by the communicative and argumentative presuppositions. “Lying to convince,” is an example of the logical contradiction that results from not following the presuppositions.

The contradictory nature of using lies to convince a person of something, where “convincing” is the act of proving the truth of X, or in our case, convincing Americans that there is a culture of life, is central to Habermas’s theory. By attempting to convince an individual of X, I am engaging in a violation of argumentative presuppositions as well as “general presuppositions of communicative action.”<sup>12</sup> The heart of the issue of lying is in the nature of “convince,” which is arguably interchangeable with “prove.”

By lying to an individual, I am giving him/her a false reason to believe the validity of my speech act. The validity claim of my communication regarding X presupposes I am uttering something which they can understand, making myself understandable and coming to an understanding with recipient of my speech act.<sup>13</sup> While my utterances may be understandable, I am not coming to an understanding with the individual on the issue of X, or the culture of life. I am not expressing my intentions in a truthfully manner; in fact, I am doing quite the opposite. I am not giving the recipient a reason to trust me as a speaker because I am dishonest of my intentions to engage in a speech act as well as the truthful nature of my utterance.<sup>14</sup> The agreement of X cannot come about because the

“rightness” of my assertion of X cannot be validated because they are coming from my attempt to prove rather than the correctness of my speech act.

Likewise, removing people from discourse in order to convince the self that an action was justified is a performative contradiction. Since the removed people were going to be affected by the action resulting from said discourse, presuppositions were violated, thus making it a performative contradiction. Habermas also shows the presuppositions to be necessary because they are the foundation for discourse ethics, “D,” and approaching a universal morality, or, “U.” Without presuppositions, understanding and consensus of any interpretation or legal application of a “culture of life” cannot exist by using discourse ethics.

Habermas appeals to argumentation in general because traditional morality is too easily contested on a cultural level. As mentioned before, groups A and B, if bound by traditional morality, may never come to a consensus on any public policy decision. Habermas contends that all humans have communication in common, and furthermore, to communicate with each other requires the acceptance of “universal and necessary communicative presuppositions of argumentative speech ....”<sup>15</sup> By founding his moral and political theory in discourse, the universal constant which transcends cultural norms is established: communication. The presuppositions are things in which humans cannot avoid when engaging in moral debate. They shape the moral discourse by engaging actors in the process of reaching and understanding others.<sup>16</sup> Such a theory, when applied to moral questions surrounding a “culture of life,” provides a common ground and a platform for understanding by which opinions of such a culture can be examined.

Habermas theorizes that “legal norms...claim to *be in accord* with moral norms” and that discourse ethics is the method to reaching this symmetry.<sup>17</sup> The notion that language and speech acts can lead to morality and just laws has potential benefits because it provides a universal source for laws and morals, which I contend is the only legitimate foundation of a public policy regarding a culture of life in American democracy.

## **II. Discourse Ethics: Public Policy Decisions That Include the Entire Public**

Deliberate democracy is a form of democracy where the “conditions of association [proceed] through public argument and reasoning among equal citizens. Citizens in such an order share a commitment to the resolution of problems ....” Institutions are seen as legitimate as long as they “establish the framework for free public deliberation.”<sup>18</sup> Otherwise, such institutions would be limiting discourse and be authoritative in nature. Deliberative democracy is related to how communicative power and discourse are intertwined with the administrative and social powers.<sup>19</sup> Decisions on public policy and all-

encompassing normative cultural values, such as “all life is sacred,” must be established not just on the principle that human agency and discursive status should be respected. It must also exist as a continuous open forum by always allowing for contentions and alterations of the current social and administrative powers.

The inclusiveness of deliberations and freedom from coercion are central to democracy and the formulation of an applicable public policy by which people agree on its validity.<sup>20</sup> The rights of political participation and will-formation are public processes where “the outcome of a discourse enjoys a presumption of rational acceptability ....”<sup>21</sup> Discourse ethics, once institutionalized in a *deliberative* democracy, will develop laws and regulations which, through the open, public discourse will enjoy political and moral success. Success being defined as political and moral conclusions that are the result of open discourse and the validity constantly being challenged; this would ensure that the foundation for the political and moral conclusions is not restrictive in nature.

Such a theory of democracy is related to discourse ethics primarily because democracy is a social structure in which discourse ethics flourishes the most. Democracy is an institution which presents options to the people which must be agreed upon by constituents become policy. Discourse ethics sees constitutionalism as proving an answer for how democratic opinion can be turned into a social structure.<sup>22</sup> I contend the major similarity between discourse ethics and democracy is that the freedoms of democracy are *required* by discourse ethics. For instance, freedom of speech, assembly and petitioning the government are, in some form or another, very prevalent in democratic societies. Habermas insists that discourse theory does not “gag rule” citizens in their political argumentation. Likewise, discourse theory on a democratic system “corresponds to the image of a de-centered society, albeit a society in which the political public sphere ... [is] for identification, and treatment of problems affecting the whole society.”<sup>23</sup> The natures of discourse theory and democracy, despite the minor differences in different manifestations of democracy, are extremely compatible.

The issue of private sphere versus public sphere is crucial to agreed-upon normative public policy claims such as “all life should be protected.” One must be careful not to limit the “*range of issues*” that are available for the public discourse, while at the same time establishing procedural restraints.<sup>24</sup> To say that bringing subjects such as spousal abuse, which was once a private matter, to the public sphere does not necessitate an infringement of rights. Affairs that need regulation need to be discussed in the open, public sphere.<sup>25</sup> This “two track” theory of democracy is not only a majority-rule form of government, but also doubles as a place in which deliberations take place through argumentation. The processes of deliberation take place through argumentation and the testing of proposals from interested parties. While a majority rules, if not for the sake of

practicality (since rules must somehow be established), the minority opinions are always affecting discourse through open forum.<sup>26</sup>

The first track of discourse theory sets up parliamentary procedures, methods for decision making, and how deliberations are ordered constructions. This is the “arranged” public sphere, where citizen bodies are more structured.<sup>27</sup> The so-called “weak” public is the method for expressing the opinion of the people, where there is opportunity for free and clear dissent and influence on public policy reformation. This section of the public, the “general public sphere,” has the benefit of having unrestricted communication. The will-formation of this aspect of the two-track democracy depends on “the supply of informal public opinions that, ideally, develop in structures of an unsubverted public sphere,” because only through a continual.<sup>28</sup>

### **III. Discourse Ethics as a Means to Reaching Universality**

The principle “D,” or discourse ethics, is the “basic idea of a moral theory,” but is not a logic of argumentation. Discourse ethics requires “only those norms can claim to be valid that meet (or could meet) with the approval of all affected in their capacity as participants in a practical discourse.”<sup>29</sup> Discourse ethics requires the actor to engage in discourse all of those affected by the potential act. However, by claiming “norms can claim to be valid that meet (or could meet) ...,” Habermas acknowledges a universal discourse and agreement is an impractical and an unreasonable request.<sup>30</sup> First, one could argue that infants and the severely mentally handicapped could not engage in discourse, therefore it must conclude: a) they have a lesser moral status, or b) *true* consensus can never be achieved. Instead, the public policy maker has to ask him or herself, given the optimum discourse and presentation of all available facts, could other agents who have not engaged in discourse come to the same conclusion that a “culture of life” must be established? The addition of the “could” allows for using reason to determine the outcome of events which is efficient. The “could” clause is a solution for the situation when dialogue of all interested parties cannot occur; otherwise, such a theory would spiral into *reductio ad absurdum*. If “D” is a moral and political theory, then there must be some principle towards which “D” is working.

Let the critical reader not be mistaken. The notion of a “culture of life” is a normative one. It is a normative claim about the right of government to intrude on private decisions to as to protect life, as well as a normative claim that life is sacred and must be protected. This moral and political conclusion is a universal claim. If every person who enters the process of argumentation “must, among other things, make presuppositions whose content can be expressed in rules (3.1) to (3.3) and if we understand what it means to discuss hypothetically whether norms ought to be adopted,” then everyone who tries to deliver normative claims about a “culture of life” makes certain postulations. “Unless all of those affected can *freely* accept the consequences and the side effects ... a controversial norm

can be expected to have for the satisfaction of the interests of *each individual*.”<sup>31</sup> Habermas parenthetically adds a clause by which the universalization principle becomes as much a theoretical construct as it does a principle for gaining one hundred percent approval on a claim.

By basing the argument in the omnipotence/omniscience principle, dissenters are removed from discourse. I contend that every conclusion and public policy law that Christian conservatives create through religionism is invalid because their unfounded metaphysical foundation is intrinsically exclusionary:

Having excluded persons A, B, C ... from the discussion by silencing them or by fostering our interpretation on them, we were able to convince ourselves that N is justified.<sup>32</sup>

The silencing of “persons A, B, C” from discourse is done by claiming that questioning an all-knowing Authority is impossible because it suggests fallibility of an infallible being and such a dissent would be inherently wrong and no discourse would be possible. The norms, *N*, or in this case the matters of public policy and laws which affect private decisions, cannot be considered valid if this exclusion is present. Discourse, according to Habermas, is “particular to social contexts and [is] subject to the limitations of space and time.”<sup>33</sup> The social context is being ignored by assuming that *N* can be decided, and will forever be valid, by the conclusions of one group of people in a given time.<sup>34</sup>

To establish a legitimate foundation for a “culture of life,” one must engage in discourse. However, one may contest the notion that discourse is purely a theoretical construct with impractical applications. The criticism is that 100% acceptance can never be reached and the instance where discourse ends and a law begins is an arbitrary cessation of discourse. Nevertheless, this does not detract from the argument. Because discourse ethics is a dynamic form of moral and political practice, it never truly ends. Decisions are made through consensus, but there is always opportunity, through discourse, to alter policies in the context of culture and time. If a “culture of life” is to be administered as a public policy, it must forever be under scrutiny through discourse so it does not become a stagnant, outdated concept. This theory does not fall into the trap of a lack of metaphysical foundation because it claims no spiritual authority and does not need to account for unfounded omniscience and omnipotence. Furthermore, it does not make public any policy decision which expands or limits rights or duties without agreement from discursive parties. This position is superior to Christian conservatism because it does not alienate agents who engage in true discourse, nor does it make claims of preference regarding normative claims. Instead, discourse ethics establishes a living moral and political theory where respect for the other as a discursive agent will result in a culture, vis-à-vis the value of a life, can be universally agreed upon. I provide the following analysis of *D*, *U* and the validity of public policies (in the context of a “culture of life”):



1. *D* is “only those norms that can claim to be valid that meet (or could meet) with the approval of all affected in their capacity *as participants in a practical discourse*.”<sup>35</sup>
2. In order to be universal, the valid norms found in *D* must fulfill *U*.<sup>36</sup>
3. Religion influencing public policy is engages in lopsidedness and exclusion, which does nothing to legitimately add to *D*.
4. It must be concluded that religion and policy can never be a positive participant in getting to *U*, or any conclusion regarding public policy.

### **Criticism: Bias in Separationism**

Thus far, I have presented the argument that discourse ethics is a valid way by which any public policy, *e.g.*, “a culture of life,” can be accepted, whereas religionism cannot be such a method. Such a Habermasian method is unmistakably supportive of democracy and participatory forms of decision-making and consensus-building. However, one could note that my method is just as arbitrary as any other and one could question why democracy and a theory of democratically-based moral progress towards universality is more valid for public policy than faith. In order to support my claim that discourse ethics is a valid way of promoting public policy, I must account for the fact that discourse ethics may be exclusionary in nature when it picks a majority over a minority, thus alienating the minority. Along similar lines, a potential criticism for my position is that I am arbitrarily removing religion from public policy, thus taking away the right of the religious to engage in discourse. This criticism of the potential arbitrariness and fear of exclusion of minority parties is quite forceful and must be addressed.

I have argued that basing public policy of a “culture of life” on religious grounds is wrong. The most persuasive form of criticism of my positions is presented by Winnifred Sullivan. Sullivan contends that religious influence in public policy is no different than any other cultural influence, be it race, gender, or sexual orientation. In his article, “Neutralizing Religion,” Sullivan contends that singling out religion as an aspect of public policy that should be removed, above all others, such as race, class, or culture, would a “separationist” mentality. He argues that while separationists and religionists desire government neutrality in regards to religion, separationists hold special bias against the use of religion in formulating public policy. In his *religion-is-the-same* argument, Sullivan offers that religion is “continuous with other social and cultural phenomena [and] the academic study of religion should not, indeed cannot, with any integrity, without theologizing, distinguish religion as a category.”<sup>37</sup>

Sullivan’s analysis is done in the context of examinations of Supreme Court cases, their outcomes, and the opinions of Justices. He examines different instances

where court cases deal with free exercise and neutrality and the “dangers” of claiming a special status for religion negatively as well as positively. This approach to the issue of secularism and religionism is quite shrewd. The more an individual focuses his or her academic or legal evaluation on the necessity to remove religion from public policy, the more it looks like the subject has a bias against religion. Sullivan argues that two biases have fueled the argument for separationism: 1) there was a historical bias against Catholic values in so far as Protestantism has attempted to keep Catholic belief and dogma out of American public policy,<sup>38</sup> and 2) “separation arguably made possible the universal norms on which liberal politics still bases its claims, including that of equality,” which is inherently flawed because it is based on separationism, *i.e.*, it is biased against religion as an aspect of formulating policy.<sup>39</sup> Sullivan claims that it is fictitious to believe that law is value-free and that to establish an argument for the foundation of policy which excludes religion is removing value from, and ignoring a crucial aspect of, social agreements. He argues that liberals cling to this notion of separationism, regardless of its merit, because to admit that public policy indeed has religious roots would indicate that American political structures have a “libertarian flavor that permits devolution of state power to religious institutions.”<sup>40</sup>

The force of Sullivan’s argument lies not in his analysis of Supreme Court cases. Rather, the weight of his argument is if separationists truly want neutrality of religion in government, where religion is a neutral force in creating public policy and does not restrict other viewpoints, it must follow that liberals must consider it as having the *same import* as other social structures. Any other conclusion would be a blatant bias against religion. The fact that a public policy analyst, politician or academic would dedicate himself or herself to separationism would indicate religion has a special status; the apparent bias of the subject would detract from the argument.

In regard to the validity of discourse and to the soundness of my argument, Sullivan would argue that mine, along with many other separationist arguments, would be guilty of disallowing dissent and arbitrarily excluding Christianity without giving just cause, saying those who “take their religion seriously” are not able to engage in discourse, thus violating the very nature of discourse and my argument.<sup>41</sup>

### **Response to Sullivan**

Sullivan’s criticism of separationists is quite telling. How often does one read an article or opinion and the focus of the attack is solely on religion’s influence in public policy? Many times it does appear that the author has an agenda behind his or her criticism. A reader may also question from my thesis whether or not I have a bias against religion. If one were to take Sullivan’s argument *prima facie* and without much critical thinking, it would appear that the reader may be correct. However, a critical reader will note that there are inconsistencies in

Sullivan's contention. I am confident that my position remains valid for the following reasons, which will be further discussed:

1. The proposition that American public policy holds a "heavy Protestant bias against Catholics and Catholic institutions"<sup>42</sup> is an invalid attack on secularism.
- 2a. Discourse does not exclude those who take their religion seriously, but merely protect others in social structures from the mnipotent/omniscient principle.
- 2b. Religion is not an arbitrary aspect of policy creation because its authoritative nature restricts discourse more than any other social phenomenon.

To begin my response to Sullivan's article, it is paramount to note the example of historical bias against Catholicism is engaged by Protestants. This is an unsatisfactory method of challenging separationists because it examines conflict between two branches of Christianity, while failing to address the issue that both sects of Christianity have authoritarian codes which claim ultimate truth; this criticism is valid for addressing a possible bias against Catholicism, if one exists, but is irrelevant to my argument. Catholicism and Protestantism have minor differences when it comes to beliefs, such as biblical interpretations and dogmatic practices, but the major canons are metaphysically similar due to their inclusion under the banner of Christianity. Both groups contend they have a metaphysical foundation which posits irrefutable truth, so Sullivan fails to provide evidence to address a claim that such a metaphysical foundation is invalid. Moreover, Sullivan himself offers proof to my claim by claiming that even similar denominations of the same creed try to oppress one another when their values are not identical.

On the subject of removing Catholic influence from law, which is a historical trend that Sullivan claims is occurring by the acts of the Protestant power structure, he must concede that the true wrong being committed is that Protestants are denying the right of Christians to engage in discourse. It would be quite absurd to contend, for instance, Catholics believing they are receiving the true blood and body of Christ when they receive Communion and Protestants believing it is symbolic ceremony would be grounds for contention in shaping public policy. If religionists offer the argument that denominations' beliefs are excluded from law, it would be contradictory to say that *their* beliefs should be the foundation for public policy when said beliefs exclude secularists and even other forms of religion from discourse.

Sullivan's concern, which is certainly a compelling one, is that secularist may try to remove those who take their religion seriously for fear that secularist positions may be compromised by religious idealism. However, discourse ethics is quite

accepting of those who take religion seriously, so long as this belief does not exclude others from engaging in communicative action and does not end dialogue in public policy. However, any religion that is founded on the omnipotence/omniscience principle must be very closely criticized in dialogue because in its nature, it establishes a cessation to communicative action and moral progress. Any viewpoint that is contradictory to the religionist's beliefs must be invalid because omnipotence and omniscience denote perfection. Therefore, in response to Sullivan's criticism, he should indeed be concerned that religionists are removed from dialogue because their methods are strategic and manipulative, *qua*, not allowing others to question perfection, and do not engage in productive discourse.

The second part of my response, 2(b)., is a corollary to 2(a). because it is the outcome of religion's influence in public policy. Religionists use the omnipotence/omniscience principle to engage in authoritarian practices, stating their views are correct and should be adopted by others because their authority is the Highest Authority. Christian conservative principles do just this, and therefore, cannot be considered arbitrary. The authoritarian claims of religionists create a disproportionate relationship, through the restriction of discourse to those who share their beliefs, which is detrimental to discourse and agreement on policy. In order for a cultural or social phenomenon to be *truly* arbitrary, it must have characteristics that are morally neutral and irrelevant to the right to discourse. Arbitrary characteristics which have no moral weight could be height or weight. Such attributes may influence one's contribution to public policy because of a difference of perception and life experience, but in and of itself, weight or height do not create an asymmetry of discourse. This fundamental difference between a morally irrelevant category, such as height or weight, and Christian conservatism is that Christian conservatism *cannot* "be reduced to relations of symmetry and reciprocity presupposed in a communicative action" because, as even Sullivan would admit, they are not morally neutral. Such asymmetry does not allow for equal reciprocity.<sup>43</sup>

The relationship between Christian conservative and secularist is clearly not symmetrical because one claims metaphysical certainty and ultimate authority through faith in an omnipotent and omniscient foundation of beliefs. Furthermore, when certain segments of the population (religionists) postulate sources of authority which others do not "have," then the act of coming to an agreement over issues is again, asymmetrical. Even though religionists may not be cognizant of this lopsidedness, there is a "systematically distorted communication [where] at least one of the participants deceives *himself* about the fact that the basis of consensual action is only apparently being maintained."<sup>44</sup> The self-deluded assumption of equality is apparent in Sullivan's article due to his contention that religion is arbitrary. My position shows that this lopsided relationship is founded on metaphysical Authority and such lopsidedness systematically distorts the influx of opinions and positions which shape discourse over important issues, like the "culture of life." Therefore, the

contention that religion is an arbitrary social structure, whose removal from public policy is the result of bias, is invalid. The presence of religion in public policy derails true discourse and is an authoritative (whose authority lacks metaphysical foundation) way of reaching a conclusion on public policy because it systematically excludes alternative views from public discourse.

## **Conclusion**

A “culture of life” is a normative concept of both a moral and political nature. Ergo, said culture needs the support of a system that can validate it on a moral and political level, and by using discourse ethics, normative statements such as these can be legitimized. Moreover, this method is not in conflict with Christian conservatives who contend law cannot be stripped of value. Instead, discourse ethics is a theory of moral and political progress which binds policy and morality by not being exclusory. It is not a valid criticism to label religion as bias and unproductive in discourse. Rather, limiting Christian-based ultimate authority from dialogue on public policy is not removing of dialogue which deserves to be engaged in discourse. This is because Christian conservative viewpoints do not engage in proper dialogue, but rather practice distorted communication, which is exclusionary and is an authoritarian approach to public policy. Because Christian conservatives do not engage in proper discourse, removing their principles from public policy is not a violation of anyone’s right to engage in communicative action and discourse, but rather protects true discourse from being restricted by unsound fundamentalism.

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<sup>1</sup> The Culture of Life Foundation: Mission Statement

[http://www.christianity.com/partner/Article\\_Display\\_Page/0..PTID4211|CHID116414|CIID238502.00.html](http://www.christianity.com/partner/Article_Display_Page/0..PTID4211|CHID116414|CIID238502.00.html)

<sup>2</sup> George W. Bush. White House Press Release: “President Discusses Schiavo, WMD Commission Report.” March 31, 2005. <http://www.whitehouse.gov/news/releases/2005/03/20050331.html>

<sup>3</sup> Franks, Jeff. “In Texas, Critics Question Bush’s ‘Life’ Culture.” Reuters. March 22, 2005. [http://www.boston.com/news/nation/articles/2005/03/22/in\\_texas\\_critics\\_question\\_bushs\\_life\\_culture?mode=PF](http://www.boston.com/news/nation/articles/2005/03/22/in_texas_critics_question_bushs_life_culture?mode=PF)

<sup>4</sup> Waldman, Peter. “Evangelicals Give U.S. Foreign Policy an Activist Tinge.” Associated Press, May 26, 2004.

<http://www.hvk.org/articles/0504/127.html>

<sup>5</sup> Waldman, May 26, 2004.

<sup>6</sup> The American Heritage Dictionary of the English Language, Fourth Edition (2000: Houghton Mifflin Company)

<sup>7</sup> Habermas, *Moral Consciousness and Communicative Action* 87

<sup>8</sup> Habermas, *Moral Consciousness and Communicative Action* 87

<sup>9</sup> Habermas, *Moral Consciousness and Communicative Action* 88

<sup>10</sup> Habermas, *Moral Consciousness and Communicative Action* 89

<sup>11</sup> Habermas, *Moral Consciousness and Communicative Action* 89

<sup>12</sup> Habermas, *Communication and the Evolution of Society* 1

<sup>13</sup> Habermas, *Communication and the Evolution of Society* 2

<sup>14</sup> Habermas, *Communication and the Evolution of Society* 2-3

<sup>15</sup> Habermas, Jürgen. *Moral Consciousness and Communicative Action*. (Cambridge, Massachusetts: M.I.T. Press 1990) p. 86

<sup>16</sup> Habermas, *Moral Consciousness and Communicative Action* 87

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- <sup>17</sup> Habermas, Jurgen, *Between Facts and Norms*. (Cambridge, Massachusetts: M.I.T. Press 1998) p. 155
- <sup>18</sup> Habermas, *Between Facts and Norms* 305
- <sup>19</sup> Habermas, *Between Facts and Norms* 288
- <sup>20</sup> Habermas, *Between Facts and Norms* 305
- <sup>21</sup> Habermas, *Between Facts and Norms* 151
- <sup>22</sup> Habermas, *Between Facts and Norms* 299
- <sup>23</sup> Habermas, *Between Facts and Norms* 301
- <sup>24</sup> Habermas, *Between Facts and Norms* 313
- <sup>25</sup> Habermas, *Between Facts and Norms* 313
- <sup>26</sup> Habermas, *Between Facts and Norms* 305
- <sup>27</sup> Habermas, *Between Facts and Norms* 307
- <sup>28</sup> Habermas, *Between Facts and Norms* 307-308
- <sup>29</sup> Habermas, *Moral Consciousness and Communicative Action* 93
- <sup>30</sup> Habermas, *Moral Consciousness and Communicative Action* 93
- <sup>31</sup> Habermas, *Moral Consciousness and Communicative Action* 93
- <sup>32</sup> Habermas, *Moral Consciousness and Communicative Action* 91
- <sup>33</sup> Habermas, *Moral Consciousness and Communicative Action* 92
- <sup>34</sup> Habermas, *Moral Consciousness and Communicative Action* 89
- <sup>35</sup> Habermas, *Moral Consciousness and Communicative Action* 66
- <sup>36</sup> Habermas, *Moral Consciousness and Communicative Action* 65
- <sup>37</sup> Sullivan, Winnifred Fallers. "Neutralizing Religion; Or, What is the Opposite of "Faith Based"?" *History of Religions*, Vol. 41, No. 4, Essays on the Occasion of Frank Reynolds's Retirement (May 2002) pg. 372.
- <sup>38</sup> Much of Sullivan's article offers a contention that historic bias against Catholicism has influenced law wherein Catholic values are explicitly left out of public policy in favor of Protestant.
- <sup>39</sup> Sullivan 389
- <sup>40</sup> Sullivan 389
- <sup>41</sup> Sullivan 378
- <sup>42</sup> Sullivan 370
- <sup>43</sup> Habermas, *Moral Consciousness and Communicative Action* 201
- <sup>44</sup> Habermas, Jurgen, *Communication and the Evolution of Society*. (Boston: Beacon Press 1979) p. 210