

Integrity and the Case for Restraint

Christie Hartley (Georgia State University)

Lori Watson (University of San Diego)

“Referring to citizens holding such a religious doctrine as citizens of faith, we ask: How is it possible for citizens of faith to be wholehearted members of a democratic society when they endorse an institutional structure satisfying a liberal political conception of justice with its own intrinsic political ideals and values, and when they are not simply going along with it in view of the balance of political and social forces?”¹

1. Introduction

It is increasingly common in the United States for citizens, legislators and public officials to appeal to particular religious beliefs both as justifications for laws or public policy and as grounding exemptions from generally applicable laws. For example, recently, the Indiana Legislature passed and the Governor signed a bill that permits business owners to refuse service to gays and lesbians in the name of “religious freedom.” Religious Freedom and Restoration Acts, as they are frequently called, state their aim as preventing governments from “substantially burdening” person’s free exercise of religion, including “any exercise of religion, whether or not compelled by, or central to, a system of religious belief.”² Such acts potentially allow for broad and sweeping religious exemptions from generally applicable laws, including civil rights laws that aim to protect persons from discrimination on the basis of group-membership.

Although a variety of justifications are offered for such “Religious Restoration Acts,” one prominent justification within liberal political discourse rests on the claim that religiously grounded exemptions from some laws are necessary to preserve the integrity

¹ John Rawls, *Political Liberalism*, expanded edition (New York: Columbia University Press, 2005) (hereinafter abbreviated in the text when possible as PL), xxxviii.

² *Burwell, Secretary of Health and Human Services, et al. v. Hobby Lobby Stores, Inc., et al.*, Slip Opinion, available at <https://www.law.cornell.edu/supct/pdf/13-354.pdf>

of religious believers. In fact, the Supreme Court of the United States, in its syllabus in *Burwell v. Hobby Lobby*, raises this issue, albeit in slightly different terms; the syllabus states:

The belief of the Hahns and Greens implicates a difficult and important question of religion and moral philosophy, namely, the circumstances under which it is immoral for a person to perform an act that is innocent in itself but that has the effect of enabling or facilitating the commission of an immoral act by another. It is not for the Court to say that the religious beliefs of the plaintiffs are mistaken or unreasonable.[...] The Court’s “narrow function . . . is to determine” whether the plaintiffs’ asserted religious belief reflects “an honest conviction,” and there is no dispute here that it does.³

Although the Court doesn’t use the language of “integrity,” it raises the concern that compelling, through legislation, persons of faith to engage in acts that they view as complicitous with acts regarded as immoral from the point of view of their religious doctrines is an unacceptable burden for religious persons to bear.

Indeed, a similar objection has been pressed against political liberalism, in which concerns about integrity are made explicit. The “integrity objection,” as we will call it, takes slightly different form when pressed against political liberalism, for the primary concern there is whether through its account of public justification, political liberalism unduly burdens religious persons’ ability to engage in public reason. Our concern in this paper is to examine the integrity objection in detail and to argue that it fails to present a serious challenge to political liberalism’s account of public reason. We claim that just as the idea of public reason applies to certain principles and laws and requires that such laws be justifiable on the basis of public reason, so, too, must religious exemptions be justifiable on the basis of public reason.

2. Political Liberalism and Public Reason

³ Ibid.

Before we address the integrity objection in its various formulations, we sketch the contours of our view, defended elsewhere, in a bit more detail. Political liberals aim to explain the possibility of just and stable liberal democratic society given the fact of reasonable pluralism (*PL*, 4). Persons as citizens are viewed as engaged in a cooperative enterprise and seek to create and maintain a liberal democratic state based on mutual respect. For a state to be just and stable, the coercive power of the state must be legitimate. According to Rawls, “[o]ur exercise of political power is proper only when we sincerely believe that the reasons we would offer for our political actions – were we to state them as government officials – are sufficient, and we also reasonably think that other citizens might also reasonably accept those reasons.”⁴ Satisfying the liberal principle of legitimacy requires that political liberals adopt a particular account of public reason. Rawls says this idea of public reason “arises from a conception of democratic citizenship in a constitutional democracy” and that it is “a relation of free and citizens who exercise ultimate political power as a collective body” (*IPRR*, 577).

The view of public reason that we defend for political liberals, which we call – the exclusive idea of public reason - has several components, although we will only stress some of those for our discussion here. First, with other political liberals⁵, we endorse a criterion of shareability for the public justification of certain principles and laws.⁶ It

⁴ John Rawls, “The Idea of Public Reason Revisited,” in *John Rawls: Collected Works*, edited by Samuel Freeman (Cambridge: Harvard University Press, 1999)(hereinafter abbreviated in the text when possible at *IPRR*): 573-615, 578.

⁵ Larry Solum’s work is an exception. He argues that an inclusive view of public reason entails that values and reasons from comprehensive doctrines can both be introduced in public deliberation without violating the duty of civility and that such reasons have a justificatory role to play. See his “Inclusive Public Reason,” *Pacific Philosophical Quarterly* 75 (1994): 217-231. We think that Solum is wrong about this.

⁶ Rawls limits the idea of public reason to basic principles of justice and constitutional essentials. *IPRR*, 575; Jonathon Quong thinks that public reason applies to all laws and policies for which a public justification is possible. *Liberalism without Perfectionism* (Oxford: Oxford University Press, 2011), 273-287.

requires that sufficient justifications for certain principles and laws are limited to what can be shared by persons viewed as free and equal citizens. Hence, on our view, the arguments for at least fundamental principles and laws must be freestanding from any particular worldview (PL, 10) and based on political values, understood as the values of persons as free and equal citizens. These values are drawn from the public political culture of a liberal democratic state (PL, 12-14).

Hence, legislators, judges and public officials in their official capacities are bound to limit their consideration of principles and laws and of the reasons that support them to ones that are sharable by persons understood as free and equal citizens. Citizens, too, when engaging in public political debate and when voting, have a moral duty of civility to reason in this way. As it is sometimes expressed, we endorse a principle of exclusion for public justification,⁷ which limits the reasons that can publicly justify certain principles and laws to those that can be shared by persons as free and equal citizens. Furthermore, we endorse a principle of restraint for public deliberation, in which persons as citizens or as public officials, are morally bound to refrain from appealing to principles or reasons that cannot be shared by persons as free and equal citizens. Insofar as any persons fail to live up to this moral duty, they are thereby appropriately subject to moral criticism.

Second, we take the criterion of justification to follow from the fact that political liberals take the basis of the authority of political principles to come from the fact of agreement that certain principles are suitable to govern us as free and equal persons who

⁷ We adopt Kevin Vallier's terminology for public reason of "principle of exclusion" and "principle of restraint." *Liberal Politics and Public Faith: Beyond Separation* (New York: Routledge, 2014), 49-52.

seek fair cooperation on terms of mutual respect.⁸ Third, political liberals argue public justification requires public deliberation whereby citizens engage in the exchange of reasons about the nature of their political relationship. Those who argue that public justification doesn't entail any commitment to public deliberation conceive of the nature of public justification differently than political liberals. Importantly, political liberals think public justification centrally concerns the relationship citizens have to one another and how they *stand* in relation to one another. Some other accounts of public justification simply see public justification as a matter of justifying the state's coercion. While we don't have the space to develop the argument here, we think that public justification is best understood as concerned with citizens' relations to one another, and it is this that underwrites the commitment to public deliberation.

Fourth, while all political liberals accept the same criterion of public justification, they vary on whether and to what extent persons can appeal to beliefs and values that are part of reasonable comprehensive doctrines alongside, or in conjunction with, public reasons drawn from reasonable political conceptions of justice. Hence, they offer different interpretations of what citizens are required to do to fulfill the duty of civility. Political liberals endorse a strong view of the duty of civility for judges, legislators, public officials and candidates for political office. Such persons have a strict duty to exclude appeals to beliefs which are part of reasonable comprehensive doctrines in public deliberation and restrict their public deliberation to public reasons. Where political liberals disagree is with respect to whether citizens can appeal to their reasonable comprehensive doctrines in public deliberation, not as justifications for principles and

⁸ Charles Larmore, *The Autonomy of Morality* (Cambridge: Cambridge University Press, 2008), 199; we develop this idea in our manuscript *Feminist Political Liberalism* (on file with authors).

laws but for other reasons. There are various considerations relevant to whether citizens should be permitted to appeal to their reasonable comprehensive doctrines in addition to offering public reasons. One issue is whether or not one thinks that the introduction of reasonable comprehensive doctrines into public, political debate is consistent with showing mutual respect to one's co-citizens. A second and separate issue is whether one thinks that appealing to one's reasonable comprehensive doctrine and showing its relation to public reason or a principle or law will provide assurance to other citizens of one's commitment to public reason and a reasonable political conception of justice. Hence, one can make a stability argument either for or against permitting the introduction of reasonable comprehensive doctrines into public, political debate.

Below we will call our view an exclusive idea of public reason. This marks our commitment to the view that the only reasons that can justify relevant principles or laws in public reason are those that can be shared among persons as free and equal citizens. Values and beliefs that can't be shared by persons as free and equal citizens are excluded as justifications for laws or as reasons for an exemption from a law, and both persons as citizens and public officials should refrain from appealing to their worldviews as justifications for laws or exemptions in public deliberation. The latter, again, reflects our endorsement of a principle of restraint.

3. Alienation and Integrity⁹

Some critics of political liberalism's account of public reason argue that any principle of restraint as such unduly burdens religious citizens in their participation in

⁹ In this paper we put aside one peculiar type of integrity challenge to political liberalism. Micah Schwartzman considers the possibility that the demands of public reason pressure citizens to be insincere in public deliberation. If so, one might claim that public reason violates a person's integrity. See Schwartzman's "The Sincerity of Public Reason," *The Journal of Political Philosophy* 19 (2011): 375-398.

public reason; they extend this criticism to accounts even more inclusive than ours. This criticism has been expressed in terms of the “alienation of believers” and “the integrity objection.” While these objections share a common concern, they aren’t identical; each emphasizes a different component of the supposed burden on religiously oriented citizens.

Some religious critics worry that political liberalism’s idea of public reason does not permit citizens to justify or object to proposals for basic principles on grounds they fully accept or endorse. These critics object to conceptions of public reason that place constraints on the kinds of reasons citizens can offer to justify principles, policies, or laws. Such constraints, they claim, place an undue burden on citizens of faith because rather than creating conditions for religious citizens to participate in political discourse without being alienated from their deeply held convictions, political liberalism, through the idea of public reason, requires precisely such alienation.¹⁰

Kevin Vallier, drawing on Michael Perry’s version of the objection, states the concern in terms of the integrity of believers. The concern is that public reason requires the privatization of religious beliefs (and also other beliefs grounded in comprehensive values), and such privatization “is said to require citizens of faith to repress their fundamental commitments when participating in politics, thereby forcing them to violate their integrity.”¹¹ Vallier correctly notes that this objection, if correct, would apply to all persons who hold comprehensive doctrines. So, presumably, everyone in a politically liberal state is subject to integrity concerns, believers are simply a subset. However, as stated in the literature, political liberalism is claimed to be especially burdensome for

¹⁰ See, e.g., add cites.

¹¹ Kevin Vallier, “Liberalism, Religion and Integrity,” *Australasian Journal of Philosophy* 90 (2012): 149-165, 149.

and, thereby, unfair to persons of faith, but, again, if such persons are so burdened it is as persons who wish to introduce their comprehensive values into public reason and not as persons of faith per se.

To begin, we will show that the alienation objection and the integrity objection are grounded in similar concerns, namely, the terms of participation of people of faith in a politically liberal state, but these objections are not the same. Alienation involves estrangement or detachment. To be alien is literally to be foreign. The focus of the alienation objection is that believers, as a paradigmatic example, can only participate in public, political discourse if they detach or estrange themselves from their fundamental values and beliefs and limit their discourse to public reasons. In other words, the focus of this objection is that citizens of faith (or all citizens) will have to distance themselves from their faith (or, their worldview) to comply with the demands of public reason. This distancing is a kind of problematic alienation, as the demands of public reason preclude persons from justifying laws or exemptions from laws on the basis of the whole truth as they see it. It is thought that the required restraint of public reason induces a kind of psychic strain in persons in which they must treat their most deeply held convictions as “foreign” in some way in order to participate in public reason.

This objection goes to the heart of political liberalism, for if it is successful *either* 1) it means that a commitment to public reason cannot be adequately grounded in some or all reasonable persons’ reasonable comprehensive doctrines (what Rawls calls “full justification” is not possible¹²) and, thus, will result in estrangement *or* 2) it means that

¹² Rawls defines full justification as follows: “...full justification is carried out by an individual citizen as a member of civil society. (We assume that each citizen affirms both a political conception and a comprehensive doctrine.) In this case, the citizen accepts a political conception and fills out its justification by embedding it in some way into the citizen’s comprehensive doctrine as either true or reasonable,

such an embedding of the political conception of justice within some or all reasonable persons' reasonable comprehensive doctrines will involve a kind of psychic strain to the point of inducing feelings of estrangement. Note, though, that even if there is alienation or psychic strain, its mere presence may not be unacceptable. Those who wish to push this line of criticism must show that alienation or such psychic strain is unjustifiable. To the extent that the argument focuses on such psychic strain, the suggestion seems to be that non-believers don't have similar burdens and so there is a fundamental unfairness at stake. Believers are asked to carry a burden non-believers are not, so a principle of restraint "unduly" or "substantially" burdens believers.

We might understand the worry that psychic strain can result from trying to reconcile a political conception of justice with one's comprehensive doctrine as the worry that attempting such reconciliation may, in fact, preclude what Frankfurt calls "wholeheartedness." Indeed, consider the quote at the beginning of this chapter in which Rawls asks how persons of faith can be wholehearted members of a liberal democratic society. Wholeheartedness, for Frankfurt, includes, inter alia, the elimination for agents of "inconsistent second-order desires" and of ambivalence with respect to whether "to identify with a particular desire"; wholeheartedness requires a unified self.¹³ Framed in terms of whole-heartedness, the concern can be expressed as follows: insofar as believers face greater obstacles to achieving a "unified self" under the demands of a principle of restraint, such a principle unduly burdens believers and, again, as such is unfair.

depending upon what the doctrine allows. Some may consider the political conception of justice even though it is not accepted by other people. Whether our view is endorsed by them is not given sufficient weight to suspect its full justification in our own eyes." He goes on to say, and this is important: "Thus it is left to each citizen, individually or in association with others, to say how the claims of political justice are to be ordered, or weighed, against nonpolitical values. The political conception gives no guidance in such questions, since it does not say how nonpolitical values are to be counted." PL, 386-387.

¹³ Cheshire Calhoun, "Standing for Something," *The Journal of Philosophy* 92 (1995): 235-260, 237.

Those concerned with integrity and not simply alienation may also focus on wholeheartedness, too. Wholeheartedness is central to one of three dominant conceptions of integrity that Cheshire Calhoun helpfully distinguishes in her work; indeed, we take her to have identified the important conceptions of integrity for our purpose of analyzing concerns about integrity and public reason. Calhoun says that wholeheartedness as related to integrity means “integrating competing desires into a single ordering as well as separating some desires from the self and regulating them to ‘outlaw’ status.”¹⁴ Recall that inconsistency of desires and ambivalence spoil wholeheartedness on this view. An individual who is of “two minds” doesn’t have integrity.¹⁵ Calhoun calls this the integrated-self view of integrity. Here we might understand the integrity objection as the worry that the demands of public reason create circumstances which lead to persons of faith being placed in a position of having “two minds”: on the one hand, they may want to honor the terms of public reason and, on the other hand, they may want to appeal to their worldviews to ground laws and as the basis for exemptions. Insofar as integrity demands “self-integration” and the norms of public reason prevent individuals from appealing to their worldviews, public reason’s principle of restraint could be thought to violate the integrity of persons of faith.

Putting aside whether consistency with respect to one’s desires and non-ambivalence really are central to integrity¹⁶, does the integrity objection based on this conception of integrity pose a challenge for an exclusive idea of public reason? We think it doesn’t. The notion of integrity upon which it is based can’t exclude those persons who endorse the oppression and intolerance of others from making similar integrity based

¹⁴ Ibid., 237.

¹⁵ Ibid., 238.

¹⁶ Calhoun argues that neither is needed for integrity.

objections. As Calhoun says, central to this understanding integrity is that “any person whose actions are fully determined by her own endorsements has integrity.”¹⁷ It can’t be the case that an idea of public reason must be such that all persons must be able to maintain integrity in the integrated-self sense. An account of public reason for a liberal democratic state does not have to structure political discourse to respect the integrity of those who don’t view others as free and equal citizens, of those who would use the power of the state to dominate and oppress if they could. Irrespective of the issue of how robust a principle of restraint is warranted in public reason, all public reason liberals should acknowledge that persons who would use the power of the state to dominate other citizens do not require accommodation for the sake of integrity. Even convergence views of public reason, with a very minimal notion of restraint, claim that the coercion of citizens in cases where citizens have intelligible defeaters is unjustifiable. This means that the domain of reasons that can justify laws and principles and the domain of reasons that can be grounds for exemptions from generally applicable laws should not include claims based from worldviews that endorse or seek to advance oppression and domination through the use of state power. Hence, the integrity objection, to be successful, must distinguish between the kind of integrity the state must respect and the kind it is not bound to respect. Put differently, on the self-integration view of integrity, anyone, even those who are unreasonable and who have no desire to cooperate with others on fair terms, can claim their integrity is undermined by norms of public reason that require restraint. However, all public reason liberals find it acceptable to exclude from public reason worldviews that are inherently intolerant or find domination

¹⁷ Ibid., 238.

acceptable.¹⁸ Therefore, the kind of integrity concerns that animate the integrity objection cannot be adequately grounded in such an integrated-self conception of integrity.

Consider another conception of integrity, which Calhoun calls the identity view and locates in the work of Bernard Williams. On this view, integrity is a matter of “fidelity to those projects and principles which are constitutive of one’s core identity.”¹⁹ This is distinguishable from the integrated-self view insofar as it hones in on constitutive commitments, rather than all commitments. Central to this view is an idea of character that consists of a person’s foundational commitments and projects that give meaning and value to her life; a person with integrity lives in accordance with the commitments that she takes to define who she is. Integrity, so understood, entails that an agent acts in concert with her most deeply held convictions. To the extent that any agent fails to maintain fidelity to her foundational commitments, she lacks integrity in that respect. Expressed as a concern over the integrity of believers in a politically liberal state with a norm of restraint, the claim would be that failing to express one’s foundational commitments in public reason undermines one’s integrity to the extent that it blocks agents from publicly expressing fidelity to their foundational commitments. Even more, insofar as the demands of public reason may require a kind of privileging of the norms and values of public reason and this results in laws that seem in tension with a person’s

¹⁸ One might wonder if a public reason liberal like Vallier who accepts an intelligibility requirement for public justification would exclude all such views. We think public reason liberals must. Indeed, consider Vallier on reasonableness. He says, “an agent is reasonable to the extent that (i) she complies with publicly justified principles and offers intelligible reasons for her proposals, (ii) she recognizes the burdens of judgment, (iii) she rejects repressing other reasonable points of view.” *Liberal Politics and Public Faith*, 163.

¹⁹ Calhoun, “Standing for Something,” 235.

foundational commitments, it may be claimed that the idea of public reason substantially burdens some persons' integrity.

Importantly, both the integrated-self view of integrity and the identity view of integrity are formal in the sense that there are no substantive constraints on the content of either the desires *or* the commitments and projects one has relative to assessing integrity. On either account, both a human rights activist working to help all people have basic rights and a mobster who kills his wife when he learns she is secretly a loyal member of another group may be viewed as having integrity, provided these actions either reflect their considered endorsements or cohere with their fundamental values. So, ultimately, objections to the exclusive account of public reason, and its principle of restraint, based on the identity view of integrity fail for the same reason that objections based on the integrated-self view fail: the inability of persons who have no desire or commitment to engage on fair terms of social cooperation with others and to respect the freedom and equality of others as citizens does not, and should not, trouble public reason liberals. This means that political liberals need not be concerned with developing an account of public reason that is consistent with the supposed integrity of, for example, an unreasonable person who would use the power of the state to subordinate persons on the basis of their group membership whether it be race or sex or some other feature of persons.

Consider yet another dominant conception of integrity, which Calhoun calls the clean-hands view. According to this view, integrity involves “endorsing and, should the occasion arise, standing on some bottom-line principles that define what the agent is willing to have done through her agency and thus the limits beyond which she will not

cooperate with evil.”²⁰ Integrity is fundamentally about the “importance of principle” and the “purity” of agency; those with integrity regard some actions as morally wrong independent of their results and they refuse to be complicit in the violation of their “bottom-line” principles.²¹ This way of understanding integrity resonates well with the kind of problem persons of faith are alleged to face when subject to the demands of an exclusive idea of public reason. For example, given the exclusive idea of public reason’s principle of restraint, persons of faith can be subjected to moral criticism for introducing as justifications for law or accommodations their religiously-grounded reasons in public, political debate. Yet, this understanding of integrity, too, is a formal account; the bottom-line principles of an agent are a matter of the ones that she decides are her bottom-line. And, if this is the operative notion of integrity, then while one person’s bottom-line principle may involve a refusal to harm living things if there is any way to avoid it, another person’s may involve standing up for worldview in which women are viewed as by nature properly subservient to men. Public reason liberals, broadly, and political liberals specifically are not committed to tolerating, or accommodating, the intolerant. Hence, any rendering of the integrity objection must be sensitive to the fact that some persons’ objections to the demands of public reason are unwarranted, and their framing of such concerns in terms of integrity does not in and of itself imply that accommodation is necessary. Political liberals, specifically, should reject a formal account of integrity insofar as it potentially raises integrity concerns for the unreasonable and the intolerant, and those are not persons whom the political liberal need countenance in crafting their

²⁰ Ibid., 246.

²¹ Ibid., 247.

account of public reason. It is reasonable persons with whom political liberalism is concerned.

However, surely, there is some way of better stating concerns about alienation and integrity. We might start by putting the issue as follows: the demands of public reason - insofar as they entail a principle of restraint in public deliberation - prevent (some subset of) *reasonable* persons from acting with integrity when participating in public reason and this is an unacceptable burden. But, how can we precisely state this worry when we build in the substantive requirement of reasonableness? Rawls says that reasonable persons have two characteristics. First, he says that reasonable persons “are ready to propose principles and standards as fair terms of cooperation and to abide by them willingly, given the assurance that others will likewise do so” (PL, 49). Second, he claims that reasonable persons have a “willingness to recognize the burdens of judgment and to accept their consequences for the use of public reason in directing the legitimate exercise of political power in a constitutional regime” (PL, 54). To restate the integrity objection, one might claim that the demands of public reason infringe upon the integrity of reasonable persons of faith and prevent their participation in public, political debate as equals. We still need a notion of integrity to ground these concerns. We will return to the cleans-hands picture to see if it fares any better when this qualification is added.

If principles or laws (e.g., legal abortion) that can be publicly justified given the exclusive view of public reason conflict with the moral tenets of a reasonable person’s faith or conflict with how she understands her faith to best be practiced, then it might be argued that the exclusive view of public reason precludes reasonable persons from purity of agency or “forces” them to cooperate with evil. What is worse, perhaps, is that insofar

as laws are viewed as collectively willed (and that is the grounds of their authority, too) the law is *in their name*. To maintain integrity, it might be argued that reasonable persons of faith must take a stand and assert their fundamental principles in public deliberation; however, by taking a stand with respect to their so-called “bottom-line principles,” reasonable persons of faith would violate the demands of public reason. Persons of faith, then, can either maintain integrity or respect the demands of public reason, but not both.

This way of stating the objection is a bit misguided. Importantly, political liberalism’s idea of public reason starts with the idea that “insistence on the whole truth in politics” is “incompatible with democratic citizenship and the idea of legitimate law” (IPRR, 579). Reasonable persons think that principles of basic justice and constitutional essentials must be ones that reasonable persons viewed as free and equal citizens can accept as reasonable. Furthermore, agreeing to respect the outcome of public reason does not mean that one thinks the results of public reason reflect the truth in any sense but, again, only that from the point of the view of a free and equal citizen, the outcome is reasonable to accept. In other words, the outcome is justified from the political point of view. Consider Rawls’s discussion about disagreement over the legal right to abortion:

Some may, of course, reject a decision, as Catholics may reject a decision to grant a right to abortion. They may present an argument in public reason for denying it and fail to win a majority. But they need not exercise the right of abortion in their own case. They can recognize the right as belonging to legitimate law and therefore do not resist it with force. To do that would be unreasonable; it would mean their attempting to impose their own comprehensive doctrine, which a majority of other citizens who follow public reason do not accept (PL, liv-lv).

Hence, reasonable persons of faith can’t reasonably be thought of as being made to do, or collaborating with, evil. They accept a certain procedure and norms for the determination

of legitimate law and the outcome of this procedure is regarded as reasonable to accept from the point of view of a person as a free and equal citizen. Insisting on the whole truth as one sees it from within one's comprehensive doctrine as the basis for coercive laws that govern others who reasonably reject such comprehensive values is to simply reject the foundational assumptions of political liberalism, and perhaps, public reason liberalism altogether. If one accepts the fact of *reasonable* pluralism and yet desires to find terms of social cooperation that are reasonably acceptable to those whom are subject to them, then one is at least committed to the claim that insisting upon one's own comprehensive doctrines as the basis for legitimate law for all persons, even those that reject such doctrines, is simply unreasonable. With regard to the controversial issue of abortion, it is important to remember that persons of faith need not regard abortions as morally permissible. Rather, they must simply recognize the right as a matter of legitimate law.

But, perhaps, when the issue is a religious exemption from a generally applicable law as opposed to justification for a law, concerns about the integrity of persons of faith will fare better. There may seem to be a difference between wanting to use one's worldview to ground a law for everyone when one knows that reasonable people disagree about how the world is and what is of value and wanting to use one's worldview to justify an exemption from a generally applicable law that one takes to burden one's practice of one's faith. We will address this in more detail below. Still, though, we need something other than the merely formal accounts of integrity we have considered thus far, for we need some way of distinguishing between reasonable claims for exemption and unreasonable ones, and a formal account of integrity can't do that work.

Calhoun claims that on each of the views of integrity we have discussed - the integrated-self view, the identity view and the cleans-hands view, integrity is understood as a personal virtue, and she claims that integrity is, in fact, a social virtue. Understanding integrity as a social virtue may allow us to get more purchase from integrity worries about the idea of public reason. According to Calhoun, personal virtues involve “having the proper relation to oneself” whereas social virtues involve “having the proper relation to others.”²² Integrity as a social virtue concerns “standing for principles and values that, in one’s own best judgment, are worthy of defense because they concern how *we*, as beings interested in living justly and well, can do so.”²³ She understands integrity as standing for something in the context of “viewing oneself as a member of an evaluating community” and “caring about what that community endorses.”²⁴ She claims that an agent with integrity both *regards* her judgments as valuable because it is from her point of view that the “what is worth doing” is determined and *treats her* judgments as valuable to co-deliberators also committed to “what is worth doing.”²⁵

On this view of integrity as standing for something, having one’s integrity challenged or undermined is about facing unjust pressure to forego one’s best judgment before others. So, we can develop the concern about the integrity of persons of faith, on this account, as follows: public reason, with its principle of restraint, leaves persons of faith open to moral criticism for violating the duty of civility if they advocate for what they truly stand for before others. Some have claimed that such a norm of restraint requires the privatization of religious beliefs. Stating the concern in terms of

²² Calhoun, “Standing for Something,” 252.

²³ *Ibid.*, 254.

²⁴ *Ibid.*, 254.

²⁵ *Ibid.*, 258.

privatization, however, is a mischaracterization of political liberalism. Privatization suggests that norms for all public deliberation require refraining from all appeals to religious beliefs in public discussion. Political liberals don't claim this. The public is much broader than the political. It includes the "background culture" of civil society; this includes, among other things, the media, universities, churches, various associations—scientific, clubs, teams, etc. (PL, 14, 215). Open and free discussion, unfettered by any principles of restraint, is the norm in this social and public domain of life within a liberal democracy. Pointing this out doesn't dismiss the objection altogether, of course.

Our main response to this formulation of the integrity objection when it comes justifying generally applicable laws on the basis of one's worldview has to do with the important difference between standing for what one fundamentally endorses before others (as one might do by penning an editorial, joining social activist group, or organizing a protest) and claiming what one stands for can justify the *coercion* of those others when one understands oneself to be engaged in a cooperative project with them, when one understands the authority of laws to stem from their ability to be collectively willed and when one acknowledges reasonable disagreement among reasonable persons.

Advocating for political principles, policies, or legislation isn't simply about sharing with fellow co-deliberators what one thinks matters or is of value. Political power, as Rawls says, is always coercive. Justifications must be addressed to others as engaged in a particular kind of project.

To give the integrity objection force, one would have to argue that the conditions of the use of public reason generate an unfair distribution of the benefits and burdens of social cooperation to some subset of reasonable citizens, and we address this below.

Otherwise either persons of faith (or others strongly committed to the strength of their comprehensive values) are committed to finding fair terms of cooperation for persons viewed as free and equal citizens or they are not. If they are not interested in finding fair terms of cooperation, so described, then the political liberal has nothing to say to them. Political liberals do not aim to convince skeptics of liberalism, in whatever form, to embrace liberal ideals. Rather, political liberals ask: given the fact of reason pluralism, is a just and stable society among persons viewed as free and equal citizens possible? Respecting the integrity of reasonable persons can't mean that the outcomes of public, political deliberation will track or even be consistent with a person's deliberative judgments about what matters independent of how considering how coercion can be legitimate. So, too, respecting the integrity of reasonable persons does not mean that norms for public, political deliberation must be such that persons can appeal to their deliberative judgment about what matters if there are good reasons for restricting such appeals, and political liberals think that there are.

Having argued that integrity based concerns fail to ground claims to general laws based on religiously grounded values, we now consider integrity based claims for religiously based exemptions from generally applicable laws. While one might think that this case is fundamentally different from the case of justifying generally applicable laws insofar as persons of faith are asking for an accommodation from a generally applicable law, it is not. Accommodations or exemptions from a law are simply part of a law properly understood. And, even if one doesn't accept that, accommodations or exemptions are law and backed by the state's coercive power. Political liberals think that for the state's coercive power to be legitimate certain principles and laws must ones that

can be shared by persons as free and equal citizens. And, here, again, political liberals think that there is a difference between standing for something in public deliberation where the state's coercive power is not at stake and when it is. If a matter is one to which public reason applies, then the norms of public reason hold, even if persons seek an exemption from a law as stated. This does not mean that political liberals can't recognize religious exemptions from generally applicable laws. Rather, it means that religious exemptions must be sought, ultimately, on the basis of public political values, that is, they must stem from considerations that are part of a reasonable political conception of justice. And, as we have shown that various prominent conceptions of integrity cannot by themselves ground exemptions in the right way, religious exemptions must be grounded in freedom of conscience. Moreover, religious persons have no special claim on freedom of conscience.²⁶ Hence, the claim that political liberalism's account of public reason unduly burdens persons of faith, in particular, is unfounded. However, political liberals are not without resources to address claims of freedom of conscience as grounds for exemptions for generally applicable laws. Moreover, we think that claims to exemptions based on freedom of conscience are best understood as claims about equality rather than integrity.

In the United States and in other liberal democratic states, there are a range of laws from which persons of faith have sought religious exemptions. Consider some examples. Turban-wearing Sikhs have sought exemptions from motorcycle helmet laws. Some governments have granted this exemption on the basis of freedom of expression and the free exercise of religion, but other governments, like Ontario, have denied it on

²⁶ On this point, we agree with Brian Leiter. In *Why Tolerate Religion?* (Princeton, New Jersey: Princeton University Press, 2013), Leiter argues that religious claims for exemption have no special standing, and should generally be understood as conscience based claims.

the basis of public safety considerations. Native Americans have sought accommodations from a number of generally applicable laws on the basis of the free exercise of religion, including exemptions from generally applicable drug laws in order to use certain substances as part of sacramental, religious ceremonies. In this case, again, the matter of an exemption depends on considerations of public safety and freedom of religion or freedom of conscience. In the United States, members of the Amish faith have sought exemptions from various laws including laws about mandatory education for minors and required contributions to Social Security and Medicare taxes. In the former types of cases, considerations of the welfare and autonomy of children had to be weighed against the free exercise of religious or freedom of conscience. In the latter types of cases, the welfare of dependent members of a community had to be weighed against considerations of the free exercise of religion.

In each of these cases, arguments for or against an exemption can be made in terms of – and indeed were made in terms of at least to some extent – public reasons. In many of these cases the reasons concerned equal citizenship. Hence, where the idea of public reason applies, persons of faith and nonbelievers can make claims about proposed laws and principles and exemptions on the basis of the equality of their freedom of conscience relative to other citizens. Importantly, though, freedom of conscience understood through the lens of equality is inclusive of the views that persons may have that are religious in nature and those that are not. Framed as an integrity based claim for an exemption on the “standing for something” account of integrity, one would appeal to one’s equal standing in a community of others. Rawls acknowledges the centrality of such “integrity” when he underscores that central to citizenship is that persons see

themselves as “self-authenticating sources of valid claims” (PL, 32). So we propose that claims for an exemption based on freedom of conscience or the free exercise of religion are best understood as claims of justice grounded in the value of equal citizenship.

Hence claims that generally applicable laws undermine one’s ability to act on one’s freedom of conscience are ultimately best understood as claims that one’s equality relative to other citizens is undermined. And, political liberals can certainly recognize such claims. However, such equality-based claims cannot ground the right to exemption from generally applicable laws that aim to secure the equal civil rights of others. Aiming to argue that they should, via integrity, both misunderstands the structure of the public reason argument that can ground such exemptions and, in effect, argues that freedom of conscience understood as integrity should outweigh the equal standing of others as citizens. Political liberals must reject this kind of argument.

4. Integrity and Realizing Citizenship

Paul Weithman advances a different version of the integrity objection, and we would be remiss not to address it here. He claims that an account of public reason that excludes reasons grounded in religious beliefs from the justificatory domain and that restrains person from offering such reasons as justifications in public reason will unduly burden believers in the “realization of citizenship.”²⁷ He stresses that in the United States churches helped some persons realize their citizenship by encouraging and supporting their political participation, e.g., African-Americans during the Civil Rights Era. And, for example, churches have organized political discussions and provided political education and skills. These services help persons (especially minorities and the poor)

²⁷ Paul Weithman, *Religion and the Obligations of Citizenship* (New York: Cambridge University Press, 2002), 22.

develop “a sense of self-worth” which enables participatory citizenship. An account of public reason that includes a principle of exclusion and restraint hinders this mechanism for the development of citizenship.

Of course, as Kevin Vallier points out: “no public reason liberal argues that citizens should not discuss their religious reasons or organize politically in church.” And, as he continues, “they merely require that, when voting or arguing in the public sphere, citizens should rely primarily on non-religious considerations.”²⁸ Nonetheless, Vallier thinks that a society in which numerous principles of restraint restrict public deliberation persons of faith may feel alienated from their faith due to norms of restraint.²⁹ Vallier stresses the role that religiously grounded arguments played in the political activism of Desmond Tutu; one could make similar claims about Dr. Martin Luther King Jr.’s work. Such arguments certainly help to persuade persons to work toward more just societies. Speaking of Tutu’s work for justice, Vallier says: “If the principles of restraint advocated by public reason liberals had been widely acknowledged within South African society, Tutu’s witness would have been substantially muted.”³⁰

We think that this integrity objection fails to undermine an exclusive account of public reason. Political liberals defend an exclusive idea of public reason for a well-ordered liberal democratic society, not for unjust societies plagued by human rights violations. There is no reason to think political liberals must be committed to claiming that King or Tutu had an obligation to a principle of restraint in public deliberation given the injustices present in their societies. In their societies, some persons lacked standing as free and citizens, and, hence, their societies were so far from justice that the idea of

²⁸ Vallier, “Liberalism, Religion and Integrity,” 158.

²⁹ *Ibid.*, 159.

³⁰ *Ibid.*, 150.

public reason could not yet apply. The point of view of all persons as free and equal citizens was not yet realizable. As such, there was no duty of civility operative in these societies, and making religious based arguments for equality was not morally criticizable.

We have suggested that concerns about integrity do not challenge an exclusive account of public reason, in part, because persons as free and equal citizens adopt a particular point of view for public, political deliberation. When persons adopt a particular point of view as citizens, they regard it as appropriate to respect a principle of restraint. This is similar to how persons in various professional roles put aside their particular worldviews for a certain purpose when acting in a particular domain. Consider that lawyers recognize and are bound to certain professional duties. In their professional sphere, they act in accordance with the norms of the profession, but they may not recognize these norms as appropriate for others spheres of life, associations and relationships. Pharmacists, too, recognize certain professional norms, and in their role as pharmacists act in accordance with professional norms such as dispensing medications with a valid prescription even if their personal beliefs and values are such that they do not think that persons should use certain medications. The point is that persons who have certain professional roles must be guided by the norms of their profession when they act in their professional role and not their particular beliefs and values. This is not generally thought to undermine integrity. Of course, should the exercise of professional duties be judged to be too onerous or in deep conflict with one's broader value scheme, any individual may choose to leave a profession. This is where the analogy between persons in professional roles and persons deliberating as free and equal citizens is weakest – leaving political society is not a realistic option for many. But, importantly, there is a

similarity between persons in their professional roles who must not treat their comprehensive values as definitive in executing their professional duties, but, rather, must give primacy to their defined professional ethics, *and* persons in the role of a free and equal citizen. Citizens, similarly, must not treat their comprehensive values as definitive and hence primary when the idea of public reason applies, for citizenship entails taking up a particular point of view that acknowledges the role of coercive law for all citizens, including those within whom one has reasonable disagreement.

5. Stability

The concerns that animate the various versions of the integrity objection raise questions that threaten to show that political liberalism is not possible. Political liberals, again, are concerned with the possibility of a just and stable liberal democratic state, where stability is not a mere *modus vivendi* but “stability for the right reasons.” It must be the case that some reasonable political conception of justice can structure the main institutions of society viewed as a system and such a reasonable political conception of justice can have the support of an overlapping consensus of reasonable comprehensive doctrines. A central condition for such stability is that citizens will come to judge that political values “normally outweigh” their comprehensive values, should the two come into conflict (157). Even more, stability requires that citizens endorse the political conception of justice for moral reasons, not merely as a strategic arrangement or the best they can do under the circumstances. This is “stability for the right reasons.” Thinking of concerns about integrity in terms of stability leads to important questions: 1) Are the defenders of the integrity objection denying that a basic structure organized in accordance with a reasonable political conception of justice could help to engender the moral

motivation (a sense of justice) needed so that believers will “normally” judge that political values outweigh their comprehensive values when the two conflict? 2) Or, are they denying that a political conception of justice can be a module, or find full justification, within some reasonable comprehensive doctrines? In other words, are they denying the possibility that reasonable religious or nonreligious comprehensive doctrines have the internal resources to justify, on moral grounds, some reasonable political conception of justice? Defenders of integrity challenges could have both worries in mind.

The first question is, ultimately, an empirical question that we won't try to address here. The second question can be addressed by showing that some reasonable comprehensive doctrines have the resources to support the central tenets of any reasonable political conception of justice. Rawls aims to do this when he offers three examples of reasonable comprehensive doctrines that he thinks can support a reasonable political conception of justice. He considers a religious doctrine (with an account of free faith), a comprehensive liberal doctrine (such as found in Kant or Mill), and a pluralist view that is only partially comprehensive (PL, 145). In each case, he aims to establish that the fundamental ideas (“society as a fair system of cooperation and of citizens as reasonable and rational, free and equal”) can find support, and be endorsed, as a part of those doctrines. These illustrations are useful; however, the key to the argument lies in the claim that any reasonable comprehensive doctrine must come to recognize that cooperation with others on fair terms is only possible under a reasonable constitutional democracy. In addressing the question, Rawls writes:

How is it possible—or is it—for those of faith, as well as the nonreligious (secular), to endorse a constitutional regime even when their

comprehensive doctrines may not prosper under it, and indeed may decline? Here the answer lies in the religious or nonreligious doctrine's understanding and accepting that, except by endorsing a reasonable constitutional democracy, there is no other way fairly to ensure the liberty of its adherents consistent with the equal liberties of other reasonable free and equal citizens.

Philosophers, aiming to establish the plausibility of political liberalism, can make arguments from conjecture as to how some reasonable comprehensive doctrine can support a political conception of justice. Rawls engages in such "reasoning from conjecture" in aiming to show how various comprehensive doctrines can support a political conception of justice and become part of a reasonable overlapping consensus. Moreover, he thinks such reasoning from conjecture has an important role to play within political society, among citizens. "In this case we reason from what we believe, or conjecture, may be other people's basic doctrines, religious or philosophical, and seek to show them that despite what they may think, they can still endorse a reasonable political conception of justice" (IPRR, 591). Beyond such illustrations and arguments from conjecture, we cannot know in advance whether a reasonable overlapping consensus will emerge. At this point, the best we can do is offer arguments that it is a plausible hope, a realistic hope. Part of establishing that such a hope is reasonable, and not delusional, of course, is showing that the demands of justice and the use of public reason are not too much, too much psychic strain or too much of a burden or, even, an unfair burden. This is what the integrity objection, in some of its versions, denies.