AN UNBRIDGEABLE CHASM

Jean Bethke Elshtain

I have learned much reading Edmund Santurri over the years and this essay is typical of his work: thoughtful, carefully argued, eminently reasonable. But I must demur, at least somewhat. Augustinian "liberalism" is a complex thing indeed. Santurri associates this "liberalism" with "a Rawlsian conception of liberally neutral arrangements as politically or pragmatically grounded," that is, these arrangements require no comprehensive vision of the good by way of justification and defense. Certainly it is the case that Augustine could care less—let's be blunt—about the particular form a political regime takes. A political order might be a monarchy, a mixed regime (in the Aristotelian sense), an empire. All are subject to similar temptations, hence the famous riposte (cited by Santurri) that what a pirate does with one boat, an emperor does with many. We describe these activities differently but they are driven by the same thing—a lust to dominate; the urgent temptations of power; a desire to be sovereign in all things.

So the most important matter at hand, for Augustine, is not the nature of the constitution per se but the ways in which all-too-human propensities may be chastened or unleashed depending upon a wider cultural surround. Is it one in which we honor and celebrate the aggrandizer? Or are the gentler virtues and the nobler ones, including self-discipline, recognized and respected? How are we formed and shaped to the way of life of which we are a part? These are central Augustinian questions. A central Augustinian recognition is that human affairs are murky and bound to remain so. We are social by nature but quarrelsome by temperament. How are such social but quarrelsome creatures to conduct themselves? For it is conduct—habits—that lie at the heart of Augustine's account of social life. Look at what people love in common, Augustine insists, look at the direction of their desires.

How does this comport with the Rawlsian project? Here I think Santurri overassimilates Augustine's position to Rawls's in several senses. First, Augustine's relative indifference as to the precise structure of regimes would probably deny the status of neutral to those arrangements Rawls endorses as neutral. Being devoid of an overarching world-view isn't the same as being neutral. (It is hard to figure out what being neutral could possibly be, on some
I think Augustine would detect that the Rawlsian project, despite the distance that Santurri puts between Rawls and Kant and Mill, respectively, does in fact secrete or exude a far more comprehensive view of persons, politics, and the goods of both than fits with so-called Rawlsian neutrality. Rawls's project is deeply infused with dimensions or aspects of the Kantian/Millian imperatives, with their larger normative visions of human existence.

Let me explain. The Rawlsian project begins with a choice, with One Very Big Choice, namely, the one rational agents would make behind a veil of ignorance and that launches his project. We literally do not know who we are and not knowing this we decide what would be in everyone's best interest more or less indifferently. But, for Augustine, we are always in the Empire, so to speak, always historically shaped to and for a way of life: his—Augustine's—is a profoundly historicist project, one entirely consistent with a non-relativistic commitment to certain theological and normative givens. We are compelled to exercise our free will—never untrammeled—through and on the entangled and encumbered selves that we are. There is no way out; no Archimedian point from which to judge; no veil behind which we choose. The scrim is always pulled back. So I would argue, were I to really flesh this out, that Augustinian and Rawlsian anthropological presuppositions are so far apart that we cannot presume they are talking about the same thing even when certain of these commitments seem to overlap or to cohere.

Take, for example, Augustine on peace, dear to the hearts of humankind, and of all God's creatures, for that matter. Augustine's peace is a fragile, hard-won achievement, one that often spurs people into war and into doing damage. They want peace and they equate that with a kind of order in which they are not confronted with wills that conflict with their own. So Augustine is always insistent that we must evaluate that which we call by the name of peace, for there can be such a thing as a false peace, like the Pax Romana in which "Peace and War had a contest in cruelty and Peace won the prize." Order is, for Augustine, not so much that which emerges from our political and social arrangements as an ordo that is God-given, the way things are.

I do agree with Santurri that Rawls's claim that political liberalism abstracts from truth altogether is finally implausible. But why try to squeeze Rawls into a frame he himself seems deeply to resist, that of moral realism? Might not Rawls and any compelling and coherent understanding of moral realism be compromised in the process? I suppose the upshot of my comments is: Let Rawls be Rawls and Augustine, Augustine. I admire very much Santurri's care in drawing them into a conversation but I think this conversation has Rawls and Augustine seeing more eye-to-eye than is warranted. Augustine's is at once a far darker and more hopeful project than Rawls's. This is the sort of
(apparent) paradox that is itself Augustinian. For, finally, Augustine is about love—love of God and love of neighbor—and this is where justice enters as well. Augustine’s definition of a people starts with love. A people is the association of a multitude of rational beings united by a common agreement on the objects of their love. It follows that to observe the character of a particular people we must examine the objects of its love. Between Augustinian love and Rawlsian neutrality there is an unbridgeable chasm.

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PRIMA CARITAS, INDE JUS:  
WHY AUGUSTINIANS SHOULDN'T BAPTIZE JOHN RAWLS

Timothy P. Jackson

“We see then that the two cities were created by two kinds of love: the earthly city was created by self-love reaching the point of contempt for God, the Heavenly City by the love of God carried as far as contempt of self. . . . In the former, the lust for domination lords it over its princes as over the nations it subjugates; in the other both those put in authority and those subject to them serve one another in love, the rulers by their counsel, the subjects by obedience.” (St. Augustine, City of God, Bk. XIV, Ch. 28)

Introduction

As a wary but willing champion of the liberal state, I welcome Edmund Santurri’s Augustinian defense of same. The devil, of course, is in the details. My fundamental objection to Professor Santurri’s excellent piece is that it equates political liberalism with Rawlsian “neutrality.” In order to make John Rawls’s theory of justice fit with a religiously defensible liberalism, Santurri bends that theory to the breaking point. Santurri is to be commended for being neither sectarian nor accommodationist: he does not retreat to a merely adversarial stance toward “profane” culture, but he makes it clear that his Christian faith governs his liberal social commitments, not the other way round. In articulating his Augustinian faith, however, he deploys the kinds of metaphysical and moral theses that Rawls aims to rule out of court. Thus I am perplexed by Santurri’s proposal “that an Augustinian liberalism inclines toward aRawlsian conception of liberally neutral arrangements as politically or pragmatically grounded” (2).

For Rawlsians, the veil of ignorance compels one to prescind as much as possible from judgments about truth, goodness, the meaning of life, and the proper object of love. For Augustinians, in contrast, “taking the veil” leads one to delimit temporal political institutions because one sees God, self, and others more intimately, rather than less. (To see oneself more clearly means to espy one’s limits.) The state is constrained out of love itself, not some “neutral” public rationality. So what can it mean for an Augustinian like Santurri to say

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that the normative justification for liberal arrangements "abstracts from 'comprehensive' visions of the good as well as from certain 'metaphysical' commitments" (2)?

Augustine generally recommends what Gary Wills has called a "convenient state," i.e., a coming together of otherwise diverse persons for mutually beneficial relations.¹ Wills observes that, for Augustine, "[t]he earthly political community must concentrate on a limited agreement to ensure tranquility, a state of truce in which citizens of both eternal Cities work out the mystery of their salvation or damnation."² In the Order of Convenience, moreover:

The state is necessary because the other, overlapping social forms extend across a field of human activity that no one of them can circumscribe. Thus the end of the state is the orderly advancement and discipline of society as the necessary ground of human activity. . . . The state, as extending throughout all other levels of social solidarity, must have a certain neutrality toward them all, and as the order-enforcing agent, it must take upon itself a certain negative, punitive function.³

This all may sound rather Rawlsian, but it is crucial to note that the "convening" that Augustine recommends is far from metaphysically neutral for believers. There can be interaction between the City of God (all those who love God even to the contempt of self) and the City of Man (all those who love self even to the contempt of God). Indeed, the former city "uses" the latter and participates in such coercive political practices as police protection and just war, from which both the faithful and the faithless benefit. But the City of God is defined in all its aspects by the primacy of its love for God and neighbor: "Prima caritas, inde jus," to coin a phrase.⁴ The just state is of circumscribed competence within the social order, being mainly life-preserving rather than life-giving.⁵ And Santurri rightly emphasizes Rawls's claim that his own liberalism "consists in a conception of politics not the whole of life" (3). Nevertheless, to attempt even for political purposes to bracket the subjects or objects of human love in favor of purely procedural rules of cooperation or a thin conception of the human good is to leave Augustine's social reflection behind.

Any liberal worth her salt will aim at consensus and compromise with respect to public policy, as well as at tolerance for abiding differences of opinion. Upright people can disagree about many important matters, and the coercive power of the state should seldom short-circuit autonomous personal choices. But for an Augustinian, goods such as respect for individual conscience are the fruit of basic theological convictions, not the seed, and these fruits require rich nutrients. The question is one of priority. What Rawls would guarantee a priori by distancing comprehensive doctrines and largely
privatizing theological virtues, the Augustinian promotes as the *a fortiori* upshot of true doctrines and right loves. In short, Augustinian liberalism is morally robust, not morally empty or even morally minimalist; as Santurri himself insists (e.g., 8), it depends on a thick conception of the nature of God, human beings, and the created world, even when it is most respectful of those who do not share this conception and most wary of the omniscient state.

Given his defining sympathy for Augustine, Santurri offers what Stanley Fish calls “a self-consuming artifact.” Santurri’s major success is his minor failure: what he presents as a defense of Rawlsian neutrality winds up being a brilliant critique. The moral of the story that Santurri himself tells is that Augustinians should *refuse* to baptize Rawls. To substantiate this, let me isolate and briefly discuss three related issues: (1) moral realism vs. Kantian constructivism, (2) personal conscience vs. social expediency, and (3) genuine pluralism vs. Rawlsian public reason.

**I. Moral Realism vs. Kantian Constructivism**

Santurri’s discussion of moral truth and justification is superb; it helps us see that the challenge of much contemporary political thought is to steer a middle way between foundationalism, on the one hand, and nihilism, on the other. One giant step in this direction, I believe, is to distinguish between tests for truth (epistemology), the nature of truth (alethiology), and the nature of reality (ontology). One can grant, that is, that all historical theses about reality are conditioned and corrigible (fallibilist epistemology), without either *defining* truth as agreement with present beliefs (coherentist alethiology) or construing reality as *nothing but* a linguistic construct (idealizing ontology). To say, for instance, that our awareness of moral goods in the world is always mediated by language and other social conventions, and that those conventions are never indubitable or self-justifying, is not to say that all we can be aware of is the mediations themselves. It is quite plausible to maintain (a) that *tests* for truth are intralinguistic and prone to error, while simultaneously contending (b) that the *nature* of truth is some form of correspondence between our words and extralinguistic reality, and (c) that reality itself is composed of a *plurality* of goods, natural and supernatural.

Santurri argues that Rawls, unlike Richard Rorty, mostly escapes coherentism and idealism (a.k.a. “radical constructivism”), but I am not so sure. Santurri himself offers a powerful defense of some version of moral realism—a fallibilist epistemology coupled with both a correspondence alethiology and a pluralist ontology—as indispensable for liberal political theory. He is on far less solid ground, however, when he goes on to claim that
“[t]here is nothing in Rawls’s view that prohibits in principle an interpretation of [liberal] values in realist rather than constructivist terms, as values, that is, reflective of a moral order transcending social construction” (11). Liberal citizens can be moral realists in private, perhaps, but what Rawls calls “the duty of civility” originally precluded them from understanding and acting on values realistically in public, at least when basic matters of justice were at stake in a well-ordered society. Rawls has recently amended his view of civility, as I note in more detail below, but problems remain. Pace Santurri (12), it is still unclear that Augustinian Christians can openly advocate their political commitments as required by the way persons and things really are, while Rortian pragmatists, say, are at liberty to see anyone’s investment in fairness and equality as fully contingent and constructed. For the Augustinians would thereby prescind insufficiently from their comprehensive doctrines, being metaphysical not political about essential Constitutional topics. As Rawls writes, “in making [political] justifications we are to appeal only to presently accepted general beliefs and forms of reasoning found in common sense, and the methods and conclusions of science when these are not controversial.”

Admittedly, Rawls wants, and at times claims, to be neutral with respect to the ontological status of values and the alethiological meaning of truth. He does occasionally seem to think of his views as neither realist nor anti-realist, floating above divisive metaphysical and moral disputes. But to see that this is an impossible neutrality, one need only look at Rawls’s defense of early elective abortion and physician assisted suicide. In the name of “a balance of political values” and of protecting the “liberty interest” of individuals to decide ambiguous life and death questions, Rawls judges first-trimester fetuses to be nonpersons and suffering patients to have the right to be killed by (willing) doctors. These judgments may be eminently defensible, but they are not neutral. They involve controversial claims about how to weigh autonomy, the sanctity of life, the goods internal to professional practices, duties to oneself and others, etc. It is not the case, in other words, that political life can be equated with a consensual sphere of rights based on reasonable liberty and equality, while private life is where irreconcilable (if not irrational) judgments about God and intrinsic goodness must be made. Rightness and goodness are not that separable. Either one believes, all things considered, that the human fetus is worthy of respect and legal protection or that medical professionals ought not to aim directly at death, or one does not. There is no escaping “the metaphysical”; one can avoid the law of excluded middle here only, a la Rorty, by changing the subject. In that case, however, political debate has been rendered impossible rather than civil.
How, then, does a just society approach “controversial” political claims, such as that an African-American is a human being and thus ought not to be enslaved; that women are moral agents deserving of property rights and the vote; that gays and lesbians are capable of conjugal love and therefore eligible for marriage contracts; that capital felons ought not to be executed, etc.? True pluralism, I believe, implies not moral minimalism regarding these matters but openness (both personally and politically) to thicker and thicker accounts of the natures and experiences of the relevant parties. Letting many distinctive but recognizably human voices be heard is the means to real democracy, not manufacturing a single artificial voice with little ethical timbre. We need better sociology and deeper sympathy, in short, not Rawlsian neutrality.

Rawls holds that his contractors are to “affirm liberal neutrality for reasons specific to the [comprehensive] world views held,” as Santurri puts it (12). Yet this is in profound tension with an additional Rawlsian thesis paraphrased by Santurri: “[comprehensive] doctrines themselves cannot form the basis of the larger social agreement about basic political structures” (12). Rawls never makes clear, in my estimation, the relation between the comprehensive worldviews that are to motivate individuals to embrace political Liberalism and the principles of justice embodied in that liberalism. Are the principles deductively implied by the doctrines, inductively supported by them, merely logically compatible with them, utterly unrelated to them, or what? At times a rather strong implication is suggested, at other times mere noncontradiction (or even less) is called for. In fact, Rawls’s considered opinion seems to be that one accepts such liberal ideals as the freedom and equality of persons, not because one actually believes all persons to be free and equal, but because these are the regnant shibboleths of Western democracies. It makes a world of difference, however, if I accept justice as fairness because I think it captures the way the world is and thus has a claim on my personal conscience, or, alternatively, because I value public peace and am afraid of speaking controversial truths lest this prejudice my rational self-interest or my reciprocal expectations of others.

II. Personal Conscience vs. Social Expediency

Abstract epistemology aside, the key issue in evaluating Rawls is that of moral motivation—not Rawls’s own but that which he would assign to liberal citizens. Santurri is correct to emphasize that Rawls wants his normative proposals to escape mere egocentric expediency; Rawls’s good moral intentions are not in question, any more than is his widespread and frequently beneficial influence. The question is whether his comments on “truth,”
"neutrality," "civility," and "liberty" permit these intentions coherent fulfillment and thus long-term beneficent effect. More specifically, the issue for Rawls (and Rawlsians) is why liberal political arrangements are endorsed in the first place.

What is the tail and what the dog, so to speak? If one has judged that all persons are both capable of freedom and equal in intrinsic dignity, and thus that they are the rightful beneficiaries of the social harmony that liberalism helps make possible, then one has indeed gone beyond a Hobbesian modus vivendi. But one has also gone beyond the comprehensively "neutral" anthropology and historically "constructed" justice that Rawls usually insists is insuperable in a pluralistic context. If, on the other hand, one treats close persons as if they are free and equal, and thus fellow democratic citizens, because one has antecedently judged that such conventional treatment is most likely to contribute to the public harmony that one craves as a rational agent, then one is pretty much back with a moral minimalism where Christian love has little or no civic place.

Santurri (21) quotes the following pregnant passage from Rawls:

Political liberalism does not question that many political and moral judgments of certain specified kinds are correct and it views many of them as reasonable. Nor does it question the possible truth of affirmations of faith. Above all, it does not argue that we should be hesitant and uncertain, much less skeptical, about our own beliefs. Rather we are to recognize the practical impossibility of reaching reasonable and workable political agreement in judgment on the truth of comprehensive doctrines, especially an agreement that might serve the political purpose, say, of achieving peace and concord in a society characterized by religious and philosophical differences. The limited scope of this conclusion is of special importance. A constitutional regime does not require an agreement on a comprehensive doctrine: the basis of social unity lies elsewhere.15

Now, earthly peace and epistemic humility are admirable values; Augustine himself extols "the delightfulness of peace, which is dear to the heart of all mankind." Yet Santurri parses the lines from Rawls with: "in Rawlsian liberalism neutrality commends itself because it advances a limited political objective, namely, it affords the only reasonable hope of securing ‘peace and concord’ in a society marked by radical divergences in comprehensive vision" (22). This certainly sounds like the tail of cooperation and conflict-avoidance is wagging the dog of truth, goodness, and respect for others. For Augustinian Christians, in any case, worldly peace is not so much an end in itself as a byproduct of the Pax Christi which commands primary loyalty.
As Santurri points out, Rawls is striving for a political order "that all reasonable persons might affirm" (21), and one might assume that this amounts to a substantive moral commitment to something like the common good. Rawls undeniably wants it to. But, in reality, his account of "the priority of the right" and "the fact of pluralism" leaves him little room for the common good, at least in the public political forum.¹⁷ Unwilling or unable to defend the theoretical truth of human dignity (much less divine sovereignty), Rawls largely replaces the common good, for political purposes, with the practical ability to get along with our peers. This is not a crude egotism—Rawls calls it "civic friendship"¹⁸—but it trades on such a thin conception of goodness and such a narrow sense of justice that it is virtually indistinguishable from the kind of (nonmoral) prudence that Christianity has always declined to recommend for its own sake.

III. Genuine Pluralism vs. Rawlsian Public Reason

One of the most frequently commented upon aspects of Rawls's recent work is what he calls "public reason." I have already alluded to this notion, but let me now explore it in more depth. In Political Liberalism, Rawls writes:

... since the exercise of political power itself must be legitimate, the ideal of citizenship imposes a moral, not a legal, duty—the duty of civility—to be able to explain to one another on ... fundamental questions how the principles and policies [citizens] advocate and vote for can be supported by the political values of public reason.

The point of the ideal of public reason is that citizens are to conduct their fundamental discussions within the framework of what each regards as a political conception of justice based on values that the others can reasonably be expected to endorse and each is, in good faith, prepared to defend that conception so understood.¹⁹

But why try to determine, in advance, what values and vocabularies will be convincing to others in a free and open conversation? Why, moreover, should "public" reason be different from any other kind, especially if this means valorizing liberty over charity? Compare Rawls's sentiments with those of Constitutional scholar, Michael Perry:

Because of the role that religiously based moral arguments inevitably play in the political process, ... it is important that such arguments, no less than secular moral arguments, be presented in public political debate so that they can be tested there.²⁰

Perry drives home the point that giving a public voice to religion need not be motivated by dogmatism or the desire for political hegemony. On the contrary,
keeping religious faith in civic discourse is the best way to challenge and temper both. (The modulating influence runs both ways.) Both Rawls and Rorty need to be reminded that "rational" or "scientific" forms of intolerance can just as readily be "conversation stoppers" as pious fundamentalism.

Rawls has recently endorsed what he calls "the wide view of public reason," wherein "reasonable [comprehensive] doctrines may be introduced in public reason at any time, provided that in due course public reasons, given by a reasonable political conception, are presented sufficient to support whatever the comprehensive doctrines are introduced to support." But what makes Rawls so confident that there will always be such a "political" argument in addition to possible religious or philosophical ones? It is all too easy to imagine a popular culture so morally bankrupt that there is no longer any lingua franca with which to express or enjoin basic human decency. One thinks of any number of "disordered" societies in which the idea of a shared rationality or common human nature has been lost. Indeed, we arguably live in such a society right now. The Nazis, at any rate, saw the Jews as inhuman, a "Scheinvolk" properly subject to enslavement and execution. How do we call such a nightmare world back even to justice without reference to something more than shared convention or overlapping consensus?

My point can be put in terms of a genuine either/or: either there is a plausible political argument for a particular moral conclusion, in addition to possible religious or philosophical ones, or there is not. If there is a plausible noncomprehensive argument, then why object to appealing to the comprehensive ones, for they affirm "the same conclusion" in some sense? If, on the other hand, there is no plausible political argument, then to forbid appeal to the metaphysical ones is effectively to judge them incapable of being uniquely true. That is to disadvantage religious and philosophical discourse; it borders on favoring moral nihilism in Constitutional and other governmental deliberations. (By allowing exclusively "commonsensical" or "scientific" reasons for legal regulations, Rawls is presuming that "political" arguments can be uniquely true: a double standard.)

Why not let a thousand languages bloom with respect to all social issues, subject to constraints on force and fraud? That, what Rawls calls "the open view," would be genuine pluralism, and it would itself be an expression of fair-mindedness. My hunch is that many liberal democrats cling to an Enlightenment faith in reason as providing at least minimal moral principles recognized by (or at least recognizable to) all uncontroversially. This faith has been called into question by both recent history and postmodernist philosophy, of course, hence various efforts (like Rorty's and at times Rawls's) to replace catholic faith and/or universal reason with local convention. The turn to
convention is at least as problematic as what it would replace, however. With the collapse of Enlightenment ideals of reason and humanity, in fact, it is Nietzsche rather than Constantine about whom we should be most worried. It is unclear that liberal democracy can now be justified less well in metaphysical terms than in nonmetaphysical ones. Hence, I think it vital to recapture the distinctively religious and philosophical foundations of Western liberalism.24 For Augustinians, these foundations include (a) our common sinfulness, as well as our common dignity as Images of God, and (b) our inequality with God, as well as our equality with one another. Non-Christians will find these notions unpersuasive, to be sure, but why should that move Christians to mute themselves? Much of contemporary political discourse is offensive to both religious believers and old-fashioned secular humanists, so why not be frank about what divides (and unites) us?

How then should an Augustinian liberal conceive of the anti-establishment clause of the U.S. Constitution? I interpret this idea to say nothing at all about the type of terminology or metaphysic that can be introduced into the public domain, by either supreme court justices, elected officials, or average Joes and Janes. It precludes, instead, the formation of a state church, membership in which is required for citizenship, say. Anti-establishment is opposed, in other words, to the privileging of a particular body of doctrines or ritual forms or institutional affiliations as the national creed; it says nothing, a priori, about the types of reasons that might be brought to bear in deciding a public policy that forbids or disfavors particular forms of behavior. To insist that a government official always couch her political reflections in “neutral” terms would be, in contrast, to establish relativism as the state faith. Rawls now rejects this extreme view, but he does require a political reason based on science and common sense for public policies. This reason is to be given in due time and in addition to any religious or philosophical ones, but, again, this is uncomfortably close to establishing “neutral justice” rather than “proper love” as the defining metaphor of liberal society.

In my view, there is neither a neutral vocabulary nor a mandatory perspective—secular or religious, comprehensive or noncomprehensive—on the basis of which to carry on normative social deliberation. The claim to have found one leads to no end of mischief; vide the sham agnosticism of Justice Blackmun’s majority opinion in Roe v. Wade, an opinion defended by Rawls in Political Liberalism. The fact that Rawls does not insist on a persuasive comprehensive argument as a valid check on members of a political society suggests, again, a double standard. Traditional religion and philosophy are systematically disadvantaged. It is not just that Rawls at times replaces theory with practice—though, to repeat, this tends to undermine moral motivation—but
rather that he often fails to acknowledge the theoretical biases actually at work in his own writing. Rawls is not requiring exclusively secular argument by officials in the public sphere, but he does require some persuasive political argument and does permit an exclusively political one. Here I can only reiterate that I do not share Rawls's optimism about the constant availability of a "political" rationale for all normative social judgments. Sometimes a prophetic voice appealing unabashedly to love is indispensable.

So how, in this multicultural age, do we sustain liberal tolerance and democratic equality? Better for an Augustinian to be unapologetically religious in making a case for not coercing individual conscience, for respecting the Imago in us all, for limiting the state's use of violence, etc., than to endorse a blanket prohibition on uniquely metaphysical reasons in public policy-making. Love is inevitably metaphysical, precisely because it attends to what is other than oneself and as such has a claim on one's "autonomy." My overarching concern is to preserve the possibility of the prophetic in public discourse. I fear the loss of "the voice crying in the wilderness," a voice not merely interpreting the conventions of an extant community but indicting those conventions based on the perceived will of God and/or the integrity of the neighbor (cf. Martin Luther King, Jr.). I share with all liberals a loathing of the overweaning pride and intolerance of unself-critical God-talk, but "scientific" lexicons can be equally prideful. Why place the burden of proof on "metaphysics," when "science" and "consensus" can be just as subject to abuse (vide Nazi Germany and aspects of modern America)? It is always wise to reign in fanaticism and hubris, but what was most threatening during the 16th and 17th century wars of religion is no longer so after the 20th century world wars of secular nationalism. I for one now fear romantic nihilism and tribal relativism at least as much as I fear religious fundamentalism. This is not to say that Rawls himself is a nihilist or relativist, but it is to say that his approach leaves one ill-equipped to cope with present political crises. In fact, religious faith may currently be our best hope for the survival of liberal democracy—not because democracy is the Summum Bonum, rather precisely because faith lets us see that all politics is fallen.

Santurri notes that a liberal society does not compel assent "to any particular one of the comprehensive visions held" (15, emphasis added)—e.g., the state does not establish a national church with a compulsory creed—but this sort of pluralism is distinct from requiring the absence of all comprehensive doctrines from the public sphere as such. Such meta-neutrality is humanly impossible, however well-intentioned. When Santurri writes that "Rawls admits that some principled or moral commitment to equality and neutrality is necessary for the stability of liberal arrangements whatever the comprehensive views of the
parties involved” (15), he is numbering Rawls among those who would justify liberalism as morally basic—a kind of lowest common denominator view that grounds an overlapping consensus in morally realistic judgments after all. This sort of language is not alien to Rawls, as we have seen, and it has an honored place among Roman Catholic theologians under the rubric “natural law.” But this diction is more Rawls-early than Rawls-late, for it amounts to the failure of his recent efforts “to apply the principle of tolerance to philosophy itself.” When Santurri writes that “liberalism, whatever particular form it takes, must privilege certain normative and/or philosophical views over others” (17), he sounds very unRawlsian indeed. When Santurri quotes Rawls’s claim that “political liberalism 'does without the concept of truth' altogether,” the ethical game would seem to be up.

**Conclusion**

I am unsure, ultimately, how much Professor Santurri and I disagree. In many places, he offers the kind of telling criticisms of Rawls’s project that must lead a believer in the Pax Christi to refuse to rely on the Pax Americanum. In any event, an abiding element in Rawl’s work moves me to see him, malgré lui, as chiefly a pragmatist rather than an ethicist: persons in the original position take the veil of ignorance and agree to Rawls’s two principles of justice, not because they empathize with those potentially less well off than themselves, but because they fear that they themselves will be among the unfortunate or victimized. This is a fundamental avoidance, not to say denial, of charity as other-regard; it must deeply trouble an orthodox Christian who would see the social order ideally delivered from anxiety and self-seeking. Rational self-interest and social reciprocity are genuine goods in proportion, but when they are the central political motivation, justice itself atrophies. The surest way to secure peace may be to work for justice, but the surest way to promote justice is not to value it too highly or to aim at it to the neglect of other virtues, such as love. (One who would gain his life, Augustinians hold, must lose it.) Otherwise we forget those human ties that bind—compassion, mercy, forgiveness—and reduce our life together to contractual obligation or historical convention.

If Augustinian Christians believe in anything, it is in the priority of love. A liveable society is made possible by love of God and neighbor precisely because such love expresses the truth of our creaturely situation, not the whole truth but an essential part. More specifically, Augustinians consider themselves indebted to God and called to serve one another politically and legally beyond anything that reciprocity or self-interest can express or enjoin.
(Think of parents and children, elected officials and illegal aliens, even soldiers and noncombatants.) If citizens are merely just—whether defined negatively as not harming others or positively as giving others their distributive due—they are less than human. To affirm "Prima caritas" is to aver that we all live by the grace of God and the kindness of strangers, whether we acknowledge this or not. In leaving so little room for the fallible (yet public) expression of these truths, Rawls parts company with anything I can square with specifically Augustinian political thought or even broadly Christian moral motivation.

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Notes

1 Gary Wills, "The Convenient State," in Did You Ever See a Dream Walking?: American Conservative Thought in the Twentieth Century, ed. by William F. Buckley, Jr. (Indianapolis and New York: Bobbs-Merrill, 1970). Wills quotes Augustine’s City of God, Bk. XIX, Ch. 24: “A political community is a gathering of rational creatures united by the things for which they have a shared love” (p. 25).

2 Ibid., p. 15.

3 Ibid., p. 25.

4 It is tempting to say "Prima caritas, inde civitas," but in Augustinian contexts it is best to reserve "civitas" for those united by a similar love of whatever kind, and "civilitas" or "status" for the more limited political structures employed in some measure by both "cities," though rendered necessary by the earthly. John M. Rist captures nicely the priority, for the Saint, of what is loved to how justice is (or is not) enacted:

Augustine declines to follow the classical philosophers in arguing that justice is yet the basic building block of human society and a key to the understanding of the state. . . . In so far as cities in the world are "earthly cities"—and all are earthly cities more or less—it is not their justice which sets them apart, but the variations in degree of their will to power. Love of power, a lust for domination, drives them on.


8 In the first edition of Political Liberalism, Rawls endorsed an “inclusive view” of “public reason,” which limited political appeals to comprehensive doctrines to “disordered” situations. In the later paperback edition, in contrast, he defends a “wide

Rawls, Political Liberalism, p. 224.

9 Rawls instructs us that "to attain . . . a shared reason, the conception of justice should be, as far as possible, independent of the opposing and conflicting philosophical and religious doctrines that citizens affirm." See Political Liberalism, p. 10.

10 See Rawls, Political Liberalism, pp. 243-244, fnnt. #32; and Dworkin, Rawls, et al., "Assisted Suicide: The Philosophers' Brief," in The New York Review (March 27, 1997): 43-47. Rawls has emphasized that he was not mounting in Political Liberalism an "argument" for the right to abortion, but he was still voicing a highly freighted "opinion" about a basic matter of justice. See Rawls, "The Idea of Public Reason Revisited," p. 798, fnnt. #80.

11 "[T]here are many nonpublic reasons but one public reason," according to Rawls. See Political Liberalism, p. 220. Rawls does acknowledge that the content of public reason will vary across reasonable political conceptions of justice.

12 See Rawls, Political Liberalism, p. 218: "Citizens affirm the ideal of public reason, not as a result of political compromise, as in a modus vivendi, but from within their own reasonable doctrines."

13 A typical statement from Political Liberalism is:

The central idea is that political liberalism moves within the category of the political and leaves philosophy as it is. It leaves untouched all kinds of doctrines—religious, metaphysical, and moral—with their long traditions of development and interpretation. Political philosophy proceeds apart from all such doctrines, and presents itself on its own terms as freestanding. Hence, it cannot argue its case by invoking any comprehensive doctrines, or by criticizing or rejecting them, so long of course as those doctrines are reasonable, politically speaking. (p. 375)


14 See Rawls, Political Liberalism, p. 63.


17 Ibid., p. 771.

18 Rawls, Political Liberalism, pp. 217 and 226.


22 Rawls now approximates the position defended by Michael Perry in Religion in Politics: Constitutional and Moral Perspectives (Oxford: Oxford University Press, 1997), p. 6. Some of my reservations about Rawls’s confidence in the availability (indeed, the definability) of “political” reasons also apply to Perry’s comments on “secular” arguments. Comprehensive vs. noncomprehensive doctrines, political vs. nonpolitical values, and public reason vs. background culture are much more artificial and porous distinctions than Rawls allows—even as the religious vs. secular divide is more elusive than Perry seems to suggest.


PEACE OR JUSTICE?

Michael J. White

In his essay Professor Santurri makes a strong case for what he terms the “liberal reading of Augustine’s politics” (n. 1). Following R. A. Markus and others, he argues that Augustine’s mature conception of the proper function of the political order is that of a provider of “philosophically and religiously neutral political arrangements” (1) by means of which each person can pursue his or her ultimate concerns. Thus, the political order properly provides “neutral” means; it refrains from explicitly advancing a particular conception of the end(s) of human existence. In Santurri’s words,

As for the Augustinian liberal, for Rawls the principal normative concern that launches political liberalism is the concern for peace, the aversion to large-scale communal conflict and strife, the project of enlisting social cooperation in spite of fundamental disagreements about ultimate matters. The specific problem addressed here arises as a consequence of the fact that adherents of competitive world views characteristic of modern society are typically committed to defending those views at great cost to themselves and others.” (13)

According to Santurri, both Augustine and Rawls see the stance of neutrality with respect to issues of ultimate value or “comprehensive conceptions of the good” as the distinctively political means for furthering peace and achieving civitas in contexts of serious and irresolvable value-pluralism. However, Santurri claims that, although both Augustine and Rawls are committed to a political conception of neutrality with respect to comprehensive visions of the good, both are also committed to a moral concern for peace “if [such concern] is to sustain neutral political arrangements over the long haul” (22).

I certainly would not disagree with Professor Santurri that, in a particular social context of irreconcilable value-pluralism, Augustine and a contemporary theoretical liberal in the style of Rawls might well come to the same concrete conclusions concerning political neutrality. And it is certainly true that in the mature political thought of Augustine the principal métier of the state is to provide for peace (or as he often more negatively characterizes it, “to restrain wickedness”). It is also true that Augustine holds that the citizens of the earthly as well as of the heavenly city can benefit from the state’s fulfilling
this function. However, I should argue that the theoretical commitments, with respect to the political sphere, of Augustine and of a contemporary liberal such as Rawls are virtually antithetical. The point that I shall attempt to make may be summarized by the following claim: from a purely political perspective, what is of principal concern for Augustine is peace (or the restraint of the wicked and of wickedness), while what is of principal concern for Rawls is justice—indeed, justice conceptualized in a way that is quite foreign to Augustine's thought.

At the conclusion of De civitate Dei 19.17 Augustine states his pragmatic attitude toward earthly peace:

Therefore this heavenly city, while it sojourns on earth, calls citizens from all nationalities and all tongues and collects them into one pilgrim society, unconcerned with whatever diversity may exist in customs, laws, and institutions, by which earthly peace is sought and maintained. It rescinds and destroys nothing of whatever happens to be diverse among different nations that tends toward one and the same end of earthly peace—but indeed serves and follows it—so long as it does not impede the religion through which is taught the worship of one, most high, true God. Thus the heavenly city also uses the earthly peace in this its pilgrimage and is concerned with and desires the ordering of human wills—to the degree that such ordering recognizes sound piety and religion—concerning those matters pertaining to the mortal nature of human beings. And it directs this earthly peace to the heavenly peace, which is so truly peace that it must be believed and said that the only peace, at least of the rational creature, is certainly that most ordered and most harmonious society consisting in the enjoyment of God and of one another in God.

Earthly peace, then, is quite obviously an instrumental means for Augustine. The fact that achieving and maintaining it may, in a sense, be 'neutral' with respect to the ultimate concerns of the elect and of the reprobate is a contingent, empirical matter—that is, a modus vivendi.

For Rawls, however, what really matters politically is justice—not peace. This point is perhaps obscured by the prominence accorded by Rawls to the notion of stability in his recent book Political Liberalism. Although "stability" may seem to be another term for "peace," it turns out that Rawls is much less interested in stability/peace as an empirical social phenomenon than he is with stability as a normative notion. Underlying this normative notion is a distinctive liberal doctrine: distributive justice demands, as a categorical moral matter, that the state not 'privilege' any particular comprehensive conception of the (human) good. It appears to be merely a pious hope on
Rawls's part that stability in his richly normative, theoretical sense will yield stability/peace in the empirical (i.e., real) sense.

The normative conception of justice that undergirds Rawlsian stability and that mandates the stance of political neutrality with respect to conceptions of the good is a distinctively liberal one: the 'right' is sharply distinguished from the 'good', over which it takes priority. I believe that Peter Jones is surely correct is maintaining that a "neutralist theory" such as Rawls's "has to make a sharp distinction between the right and the good; that is, between the rules of right (or principles of justice) within which conceptions of the good are to be pursued, and conceptions of the good themselves." Rawls's principal reason for advocating political neutrality with respect to conceptions of the good is not the empirical claim that such a stance is necessary for achieving actual "earthly peace" in a context of value-pluralism; rather, it is that any other stance would be categorically immoral—a violation of the demands of justice. And to sustain such a position he requires a conception of sociopolitical morality that is separable from and independent of any comprehensive conception of the good—i.e., independent of any determinate account of what human existence, at the most important level, is all about.

Such a de-teleologized conception of morality, or at least of sociopolitical morality, is fundamental to the Rawlsian commitment to neutrality—as well as to similar commitments on the part of many other contemporary liberal thinkers. Kant famously develops one important philosophical version of the separation of the right from the good. Of course, there are other versions of the doctrine. However, there seem to me to be no signs of such a doctrine of moral truth in Augustine. Insofar as Augustine is—or, in certain social contexts, might be—committed to neutrality as a means to earthly peace (which is itself a means to other, more ultimate means), this is a prudential, pragmatic commitment. As such, it is a qualified commitment, contingent on particular sociopolitical (and other empirical) factors. Therefore, it is not surprising to find—as in some of his dealings with the Donatists—a singular lack of appreciation on Augustine's part of a morally categorical commitment to liberal neutrality as enshrined, say, in something like a liberal principle of religious freedom or (political) liberty of conscience.

For Rawls and many other theoretical liberals, such a principle will be a mandate of distributive justice—a justice supposedly separate from any comprehensive conception of the good. Augustine's conception of justice, however, is deeply embedded in a specifically Christian, theistic conception of the human telos. In a well-known passage from De civitate Dei (19.21) Augustine goes so far as to argue that the pagan Roman state was not really a res publica because of its deficiency with respect to the distinctive political
virtue of justice—specifically, the justice owed to God. Augustine certainly is as concerned with justice as Rawls. But Augustine's justice is not a matter of 'right', divorced from 'good', which gives rise to the principled political stance of neutrality, and the liberal consequences of that stance.

Although I believe that there is abundant textual evidence for the distinction between Augustine's political thought and that of contemporary theoretical liberals that I have been attempting to spell out, I certainly do not have the space to make the case here. So I conclude with what seems to me one striking piece of evidence from one of Augustine's letters to Macedonius (Ep. 153). Augustine suggests that bad use of wealth amounts to the unjust possession of that wealth: Omne igitur quod male possidet, alienum est; male autem possidet, qui male uitur (Ep. 153.6.26). He then proceeds to a singular characterization of civil law: In this mortal life, he says, "the iniquity of those who possess badly is tolerated and certain laws are set up among them, which are called civil, not so that they may become good users from them, but so that those who use badly may be less troublesome" (ibid.).

A conceptual precursor of the liberal divorce of the right from the good is a distinction—almost common-sensical, some would say—between possessing something justly, licitly, or rightly and using it well or virtuously. One might also claim that this distinction is at the very heart of the civil law insofar as the civil law's 'commands' are to be distinguished from the 'counsel' of virtue. But in this passage Augustine appears to be rejecting any suggestion that the 'right' can adequately be separated from the 'good'.

For a contemporary political liberal such as Rawls, such a passage will be hyperbole, folly, or scandal. At the very least, the Augustinian refusal to countenance, even in the political sphere, a notion of right that can prescind from the good must overthrow the Rawlsian foundation of neutralism in distributive justice. Professor Santurri concludes his provocative essay with the suggestion that "the Augustinian will say with the Rawlsian: Liberalism is political, not metaphysical" (29). I have argued for the following, rather different conclusion: In some sociopolitical contexts (but not in others) the Augustinian will accept, as a matter of political prudence, the same concrete consequences as those mandated by principled liberal neutralism. The Rawlsian, however, will insist on such consequences—and the principled neutralism that mandates them—as a matter of categorical moral commitment to a concept of right divorced from any conception of the good. It is this principled neutrality, at the heart of Rawls's liberalism, that Augustine totally rejects.

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Notes

1I do not have the space to argue this point, which is likely to be controversial. See Thomas E. Hill, Jr., "The Stability Problem in Political Liberalism," Pacific Philosophical Quarterly 75.3-4 (1994): 333-52; Michael J. White, Partisan or Neutral? The Futility of Public Political Theory (Lanham, MD: Rowman and Littlefield Publishers, Inc., 1997), ch. 3.


3Following Augustine, Leo XIII argues (in Liberias praestantissimum 21) that the political stance of religious indifferentism constitutes an offense against the justice owed to God.