

Secular Bias and Environmental Policy -- Giving Christians a Place at the Table

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by

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A. INTRODUCTION

In thinking about Christians and environmental policy, we must first be clear about what, if anything, Christians have to contribute to this important field. Second, we need think about why our contributions often are neither welcomed nor even heard in the secular arena. Biblical "nature" texts and the Christian doctrine of creation are by no means unimportant, but I shall suggest that we have much to contribute to environmental thinking in addition to these. As for the reception of Christian thinking by the secular world, I shall try to show that the bias against religious, and especially Christian, beliefs and values that is pervasive in the academy and in much of government is epistemologically and politically unwarranted. Secular beliefs and values are not *prima facie* more rational than religious beliefs and values, and thus there are no good reasons to continue to grant them a privileged in our public life. Nor are Christian views intrinsically more personal and private than secular views and thus appropriate only for the nonpublic realm.

It will be obvious to the reader that I have little to say about the environmental views of postmodernists, radical feminists, nature worshipers, deep ecologists, and others who all in various ways are heirs of romanticism. I agree with some of their criticisms of Enlightenment rationalism and of English Liberalism but not with the subjectivist and relativist features of their thinking. And, of course, many specific beliefs that can be found among these movements are directly antithetical to Christian beliefs--the blurring of self and nature, the tendency to see nature as pervaded with divinity, and others. But the main reason I largely ignore these positions is that they have not been instrumental in marginalizing religious (especially Christian) thinking and quarantining it with respect to the public square in the way that more rationalistic philosophy and political theory have.

A. CHRISTIANS MUST GO BEYOND THE NATURE TEXTS

The Bible has a fair amount to say about what today we call "nature." But nothing like the pervasive concern for the "environment" that has become common in Western thought during the last half of the 20th century can be found in the Bible or in other ancient texts. This is not surprising, for throughout most of human history nature seemed clearly to have the upper hand, and even though occasional writers mentioned environmental insults,[1] Yi-fu Tuan is probably correct that historically most cultures exploited the environment up to roughly the limits of their technical capabilities.[2] They lacked anything like our modern scientific understanding of ecology and the human impact on nature, and generally by the time a given culture became aware of how they were damaging the environment it was already too late to do much about it.

As a part of our general rethinking of Christian theology in light of modern environmental concerns, it has been fruitful to study the so-called Biblical "nature" texts and the Biblical doctrine of creation and to employ these in formulating a contemporary Christian environmental ethic. Already in the late 1960's various Christian theologians and Biblical scholars associated with the Faith-Man-Nature group were arguing that we must reinterpret Christian thinking about nature in light of modern environmental problems.[3] In a 1971 piece entitled "Ecology, Religion and the American Dream,"[4] I enunciated several important principles about how we as Christians should think about ourselves and nature: (1) "The World belongs to God. It does not belong to you. And it does not belong to me." (2) "God likes the world he has created," and "nature in its entirety has value for God." (3) "Creation as understood in the Biblical tradition involves interrelationship and wholeness, not incidentally, but fundamentally and necessarily." In a later piece entitled "Higher Education, the Church, and Environmental Values,"[5] I added a number of further principles: (4) "Unless Western man discovers a new balance in his life between work and play, production and praise, development and celebration, the useful and the useless, he will find it impossible to reach a harmonious relationship with himself, his fellows, and the world around him." (5) "The healing of nature will come about only with the healing of persons and institutions." (6) "Environmental solutions must always be undertaken within a framework of social justice and concern for all elements of society." These principles appear to me to be generally correct, although today, some two decades later, I might want to modify them in some details. Still, it strikes me now, as it did then, that it is just plain rude and impertinent to mess up God's creation as we have done, treating it however we please for our own selfish advantage.

Rather than elaborating on these principles, I would like to point to some additional Biblical and theological themes that nicely illustrate the powerful contributions Christians can make to our contemporary thinking and acting relative to our natural environment.

1. Motivation and Empowerment

Over the past 25 years, secular moralists have written a great deal about how we should think about and relate to our natural environment. Utilitarians, deontologists, social contract theorists, deep ecologists, and others have espoused a variety of positions on how humans should treat nature. Most writers castigate what they see as the anthropocentrism of Western religion's understanding of nature and agree with Aldo Leopold when he writes that "a land ethic changes the role of *Homo sapiens* from conqueror of the land-community to plain member and citizen of it."^[6] In his provocative book *Respect for Nature*, Paul Taylor makes the strong claim that when we accept a biocentric view of nature we will understand that human beings are not inherently superior to animals or even to plants. All deserve equal consideration. Even though his book ends up with major confusion and inconsistency when he tries to draw out the practical implications of such a bold claim, just the fact that he makes it is significant.^[7] Writing as a utilitarian, Peter Singer argues that a normal pig can be more valuable than a brain damaged human and accuses Christians and others of being "speciesists" because of our strong bias in favor of human over animal well being.^[8] Utilizing rights language, Tom Regan reaches similar conclusions.^[9] Other authors see humans as a form of cancer on the earth, arguing that the planet would be better off if we were not here at all. But in all of this writing about how humans should treat nature, very little is said about the issues of motivation and empowerment. By and large the Socratic position that knowledge provides an adequate basis for virtuous action is simply assumed. Taylor, Singer, Regan, and many, many others have little or nothing to say about how humans might actually be empowered to live according to the ethical insights they propound.

In sharp contrast to these secular thinkers, Christians have thought a great deal about motivation and empowerment. As Christians we find that we are able to live differently because we have been redeemed by Jesus Christ. The Holy Spirit within us is a source of motivation and energy that makes it possible to live sacrificially. We love--God, other people, nature--because God first loved us.

Because we as Christians recognize that God alone is the ultimate source of life, and because we believe that we need not and indeed cannot justify or save ourselves, we are able, ideally, to escape from the powerful temptation to exploit nature--more possessions, bigger houses, multiple cars, status vacations in far away places--as a means of justifying ourselves, of securing our own place in the sun. Over fifty years ago Reinhold Niebuhr made clear in his watershed book *The Nature and Destiny of Man* the connections between our failure to trust God and our exploitation of one another and of nature. We are all mortal, finite beings he reminds us, and thus we are insecure. But, in contrast to animals, our freedom and self-transcendence make us aware of our insecurity, and this makes us anxious. Anxiety as such is not sin but only the precondition of sin. Ideally, we can trust God to meet our needs, to secure our lives against the radically contingent nature of our existence. But we can also fail to trust God and attempt to secure our own futures, usually at the expense of other life, both human and nonhuman.^[10]

I am not suggesting that motivation is everything. Historically, ignorance of ecological realities has played a decisive role in environmental exploitation. But today we know a great deal scientifically about what effects our actions are likely to have on our natural environment, yet at the same time we find it extremely difficult to simplify our lives and to consume and pollute less. This is true of the educated as well as the uneducated, of the Christian as well as the non-Christian. Indeed, as I claimed more than 25 years ago, academics at our best universities (including ecologists and professors of environmental studies) probably place at least 50% more strain on the natural environment than the average American--mainly because our incomes are much higher than average, and we spend these incomes on large houses, summer homes, foreign travel, and other environmentally demanding activities. As members of what Neuhaus and others have referred to as "the chattering class," we like to look down our environmental noses at those slobs who throw beer cans out of car windows. But in terms of stress on the environment, that is penny ante compared with all our international travel, fine homes, and far away vacations.

To be sure, up till now we Christians have not been exemplary by any stretch of the imagination when it comes to embracing environmentally gentle ways of living. Indeed, many Christians do not yet see an environmentally gentle lifestyle as having anything much to do with their basic Christian commitments, and thus much further learning is needed. But if we once understand the importance of living more gently on the earth, we are part of a vital tradition that can both motivate and empower us, for we know both that this is God's good earth and that we need not try to justify ourselves through the abundance of our possessions and through our ability to exploit one another and nature.^[11] As Christians, we believe that the world and all that is in it is the deliberate, loving creation of God. He values it for its own sake as well as for its instrumental value to humans and to other creatures. And because he values nature, we, if we want to honor and serve him rightly, will also value it.

2. Freedom, Human Fulfillment, and Vision

Christians also are heirs to a doctrine of freedom and human fulfillment that stands in sharp contrast to liberal secular thinking with its focus on the autonomous self and its identification of rational behavior with self-interested behavior.^[12] Rather than understanding freedom and human fulfillment mainly in terms of the ability to make decisions and choices, Christians see human flourishing as that state of being that results from living in harmony with the will of God. The Christian understanding of freedom has some similarities to views of ancient philosophy. Plato believed that one found the right path for himself by discovering the nature of things and by embracing the Good, the Beautiful, and the True. Stoics taught that one ought to live "according to nature," a nature that was understood in qualitative and not just in quantitative terms. Like Christians after them, the classical philosophers emphasized the virtues, especially justice, wisdom, self-control, piety, and courage. For both Christian and classical philosopher alike, human fulfillment is related to understanding and conforming one's life to reality. This classical understanding is similar to the position propounded by some contemporary environmentalists who speak of living according to or in harmony with nature. We are told that we must honor and respect nature, refusing to violate its rhythms and disturb its complex balances.

In sharp contrast to this classical view, modern political liberalism has tended to see freedom in terms of the absence of external constraints. Such phrases as "those wise constraints that make men free" sound odd to most Westerners today. But it seems increasingly apparent that the liberal emphasis on choice and self interest is not serving us or our environment very well. Various writers accuse Christianity of being anthropocentric. The charge is to some extent true, even though Christianity, rightly understood, is theocentric. The charge of anthropocentrism, however, seems thoroughly appropriate when applied to secular humanistic thinking with its emphasis on autonomy, self-interest, and individual choice.

As Iris Murdoch points out, by seeing freedom mainly in terms of individual decisions, we have largely missed the point that much, perhaps most, of the moral life is less a matter of choice than of vision. How we see the world determines how we treat it. The person who sees the world properly, the one who is able to escape from fantasy and illusion, is well positioned to *live* properly.^[13]

3. Christians and Community

As Christians we are also well positioned to become responsible stewards of God's good creation because we are part of a living, dynamic community, the church of Jesus Christ, and also because we are not locked into the bipolar focus of traditional liberalism on the all-embracing state and the atomistic individual self. Sociologists generally concur that making lasting lifestyle changes is difficult apart from community support. The church at its best can provide such support, making it possible for us to sacrifice for the common good as a part of our service to God, helping us see that material possessions may work against the soul, and reminding us that "a man's life does not consist in the abundance of his possessions" (Luke 12:15). As members of the Body of Christ, Christians know the meaning of forgiveness, reconciliation, mutual encouragement, and truthful speech--all elements necessary for successful community.

With its emphasis on universal individual rights and its bipolar focus on the individual autonomous self and the all-encompassing state, secular liberalism tends to neglect the reality of and the important differences among actual human communities. And it overlooks the fact that living communities do not exist just on the basis of legal or even moral rights. Their well being, as Wendell Berry so persuasively argues, depends on a broad range of attitudes, informal sanctions, group pressures, etc.[14] Taking an approach very different from my own, Max Oelschlaeger concludes in his book *Caring for Creation*: "Assuming, then, that the state, the corporation, and the university are incapable of leading our culture toward [environmental] sustainability, we are left with a single alternative: the church." He claims that "the church remains the one institution where habits of the heart, the language of the community, yet exist." [15]

Although many Christians have uncritically accepted liberalism's bipolar focus on the autonomous individual and the all-embracing state, a growing number of Christian theologians, sociologists, and political theorists embrace a more differentiated view of society that stresses the importance of mediating structures such as church, family, school, business and labor organization, non profit public interest group, and others.[16] Each of these structures is more than just the sum of its individual members and should be viewed as having rights and obligations of its own. Building on the Catholic doctrine of subsidiarity and on the work of Abraham Kuypers and others, James Skillen of the Center for Public Justice, along with other writers in the reformed tradition, challenges us to develop a distinctively Christian view of politics, one that does not simply assume that government can solve all our social problems or that society and the state are synonymous.

A Christian public philosophy will go beyond the liberal and conservative variations of Liberalism. It will demand more than an updating of Aristotelian Thomism or a return to Puritan theology. It will require more than an appeal to American constitutionalism. It will begin with God's creation order and the differentiating social nature of human creatures rather than with imaginary autonomous individuals or with an undifferentiated ideal of human community.[17]

It is my experience in secular academia that most of us as "individual autonomous selves" may be able to talk the talk, but we have great difficulty in walking the walk, i.e. actually changing the way we live in environmentally significant ways. But, of course, we as Christians are also not living up to our potential when it comes to environmental matters. Far too many of us have embraced the view of some conservative economists that environmental crisis is mainly a myth and that we need not concern ourselves with world population growth and our high levels of material consumption. And many of us are experiencing only glimmers of the true meaning of membership in the Body of Christ. Our prayer needs to be that we will be more open to learning how to live in environmentally benign ways and that we will also come to experience more fully the true meaning of Christian community with its tradition of making personal sacrifices for the well being of others in obedience to Jesus Christ.

My experience of the 25 years since Earth Day One is that in spite of much student idealism and talk about saving the environment, within a very few years of graduation most students consume natural resources and pollute the environment at a rate that generally equals or exceeds that of the public at large. By and large this is also true in my own life. It is much harder to live at a low level of consumption and pollution than I would have believed to be the case 30 years ago. My wife suffers from advanced multiple sclerosis, and my 93 year old father lives with us. Both need the help of a caregiver more or less 24 hours a day. This means for me that time is at a premium, and that I often act in such a manner that trades energy and resources for time. I once thought air conditioning and large cars were unnecessary luxuries. But without central air conditioning my wife's life would be extremely precarious and limited, for, like many victims of multiple sclerosis, she is extremely heat sensitive. And trying to help a handicapped wife and an aged father (with wheelchair and much other paraphernalia) get around in a subcompact car is something I simply am not willing to do. Nonetheless, the ongoing support of fellow church members and the kind of community support I experience as a fellow in the Center for Public Justice and from people working within other mediating structures has made it possible to live far more gently in relation to the environment than probably would have been the case otherwise.

4. The Christian doctrines of Original Sin and Justification by Faith

The Christian doctrines of original sin and of justification by faith also have importance for our thinking about environmental issues. Christians believe that all humans are tainted by sin and that every area of our lives is affected. Thus, we will always be wary of scapegoating--blaming all our environmental problems on a market economy, government bureaucracies, the military, or Western technology with its preoccupation with power and control. The environmental horror stories that have come to light with the dissolution of the Soviet Union have made it abundantly clear that environmental salvation almost certainly does not depend on our switching from capitalist to socialist economic structures, something not a few academics have argued for in the past. Virtually all of us in the West--not just businessmen, the military, or government bureaucrats--are complicit in environmental pollution and overconsumption of resources. And the same pattern is repeating itself in developing countries.

This realization that we are all environmental sinners need not make us cynical about our stewardship responsibilities, but it ought to make us--in the best Niebuhr sense, realists. We must try to reform institutions--schools, universities, and economic and political structures--but we must also be willing to be changed ourselves. Niebuhr was prescient in pointing out that in our anxiety and freedom we try to secure our own futures not just by exploiting other people but also by exploiting nature. Our "lust for power," he writes, "expresses itself in terms of man's conquest of nature, in which the legitimate freedom and mastery of man in the world of nature is corrupted into a mere exploitation of nature." "Greed," Niebuhr continues, "has . . . become the besetting sin of a bourgeois culture." We are "constantly tempted to regard physical comfort and security as life's final good and to hope for its attainment to a degree which is beyond human possibilities." [18] But as Christians who experience the meaning of being "crucified with Christ," we can experience what it means to be set free from greed and the need to justify ourselves.

B. CHRISTIANS DESERVE A PLACE AT THE ENVIRONMENTAL POLICY TABLE

Obviously, neither the six principles I cited from my 1970 article nor these four additional Christian themes are exhaustive nor will they automatically or unambiguously provide us with specific environmental policies. They form instead a setting or context within which we as Christians shape our environmental thinking. They help us become a particular kind of people, motivating and empowering us to live environmentally sound lives by making necessary sacrifices and caring deeply about the well-being of both our fellow human beings and nature. They will perhaps have their greatest impact in the field of environmental education and will only indirectly impact actual environmental policy making.

But in spite of the power and insightfulness of these Christian beliefs and values, the fact remains that most secular political theorists consider them to be essentially private and inappropriate when introduced in public deliberation and debate. In discussing world population pressures, for instance, many academics assume that presenting secular reasons in favor of abortion is entirely acceptable, whereas introducing religious reasons against abortion is not acceptable. For at least ten years I attended a weekly seminar at Cornell University sponsored by our program in Science, Technology, and Society. This was a group of faculty and graduate students that met to discuss a broad range of social issues in the context of science and technology. We frequently focused on environmental questions. Perhaps every second or third week I would comment on the issue at hand, drawing upon my knowledge of Christian ethics and theology. The response I received was depressingly constant. Almost never did anyone publicly agree with me or applaud my contribution. Nor did anyone disagree with me. They simply ignored me. The analogy may be crude, but it is apt: it was as if I had farted! And when someone farts in public, people neither applaud nor boo. They simply try to ignore the event altogether, pretending that it never happened.

I am not suggesting that quoting Scripture verses is a particularly helpful way to be involved in public policy debates or in academic discussions, nor is this what I attempted. On the other hand, why is it any less acceptable to quote the Bible than to quote Marx, or Peter Singer, or some deep ecologist? Prudentially, both Christians and non-Christians are well-advised in policy discussions to appeal to reasons that are widely accepted. That is just good common sense, namely appealing to the "common sense." But citing Christian sources is no more parochial or sectarian than quoting Peter Singer or Tom Regan on animal welfare issues, or referring to Aldo Leopold or perhaps to a deep ecologist on questions concerning land use. Interestingly, most academics do not resist references to Native American or perhaps Buddhist or Taoist sources in the way they oppose Christian references. This may well be because these sources are not genuine competitors in the marketplace of ideas to the degree that Christian beliefs and values are.[19]

Resistance to specifically religious (especially Christian) beliefs and values in public discussion is seen in the writings of the majority of secular philosophers and political theorists. They claim that we must forge a public environmental ethic and fashion environmental policies in purely secular terms and on the basis of purely secular reasons. People may be religious if they so choose, but religion does not belong in public. It is essentially personal and private. Some writers argue that citing religious sources is inappropriate in any public policy discussion. Others are more permissive and want to exclude religious contributions only in those cases where an attempt is made to limit the basic freedoms of fellow citizens.[20]

One of the more extreme positions regarding religion and politics is taken by political philosopher Robert Audi. His "principle of secular rationale" states that "one should not advocate or support any law or public policy that restricts human conduct unless one has, and is willing to offer, adequate secular reason for this advocacy or support." [21] Audi goes even further in his "principle of secular motivation," which states that "one should not advocate or promote any legal or public policy restrictions on human conduct unless one not only has and is willing to offer, but is also *motivated by* adequate secular reason, where this reason (or set of reasons) is motivationally sufficient for the conduct in question." Lest the reader harbor any wrong opinions of Audi's claims, he immediately adds the comment that "this principle . . . is by no means extreme"! His comment is particularly interesting in light of the dominant, and probably essential, role that religious motivation played in the civil rights movement of the fifties and sixties.

Bruce Ackerman also takes an extreme position regarding what is politically permissible in a liberal state. Under the heading "Neutrality," he claims:

No reason is a good reason if it requires the power holder to assert:

- (a) that his conception of the good is better than that asserted by any of his fellow citizens, or
- (b) that, regardless of his conception of the good, he is intrinsically superior to one or more of his fellow citizens.[22]

The radical quality of Ackerman's position is evident in his comments on specific issues. Regarding school choice, he writes: "Thus, Friedman's plan legitimates a series of petty tyrannies in which like-minded parents club together to force-feed their children without restraint." [23] "The truth is," he claims, "that *any* system in which the elder generation uses its superior power to 'educate' the young is coercive." [24]

Neither Audi nor Ackerman, nor, for that matter, most writers who deal with the subject of religion in public life, show much if any awareness of the fact that secular views can *function* in ways that are virtually identical to religious views. Starting with Durkheim and continuing to the present day, many anthropologists and sociologists have argued that whatever provides the basic myths, stories, narratives, and explanations of what reality is like and how we ought to conduct our lives can function like religion. [25] Thus, as even the Supreme Court has recognized, it makes perfectly good sense to think of secular humanistic beliefs and values as being essentially religious in the way that they operate in a society or in the lives of individuals. [26] And, of course, belief systems like Buddhism and Taoism do not include belief in a god or gods, yet we do not hesitate to think of them as religions. John Dewey thought of his own secular, atheistic beliefs as essentially religious. In the very last paragraph of his book *A Common Faith*, he writes: "Here are all the elements for a religious faith that shall not be confined to sect, class, or race. Such a faith has always been implicitly the common faith of mankind. It remains to make it explicit and militant." Dewey's claim for the universality of his faith is extravagant, but his comment about making it explicit and militant is prescient, at least if we can judge on the basis of public education in America over the past 30 years or so.

John Rawls takes a far more moderate position, one that in some respects Christians will find attractive. He writes that "the limits imposed by public reason do not apply to all political questions but only to those involving what we may call 'constitutional essentials' and questions of basic justice." These include fundamental questions such as "who has the right to vote, or what religions are to be tolerated, or who is to be assured fair equality of opportunity, or to hold property." [27] The Supreme Court, Rawls notes, ought to be the exemplar of public reason. [28] Public reason is never justified in appealing to the particular beliefs of what Rawls terms a "comprehensive doctrine," whether this be religious or secular. When discussing constitutional essentials and matters of basic justice we are rather "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." [29] Rawls specifically writes that

the status of the natural world and our proper relation to it is not a constitutional essential or a basic question of justice, as these questions have been specified. It is a matter in regard to which citizens can vote their nonpolitical values and try to convince other citizens accordingly. The limits of public reason do not apply. [30]

Rawls seems less than clear about whether these comments about voting one's nonpolitical values and trying to convince other citizens accordingly mean that in public policy discussions it is legitimate to refer to secular and religious beliefs and values that are part of comprehensive doctrines. In a number of places he seems to imply that all *public* discussion should employ only public reason and that legislators, judges, and public officials should also limit themselves to what can be said within the limits of public reason. My own reading of Rawls suggests that the most consistent position would be that when matters of basic justice and constitutional essentials are not at stake then it would be permissible to introduce reasonable religious and secular beliefs and values in the discussion.

It is important to note that Rawls treats secular philosophies in the same way that he treats religious world views. Both are included in the category "comprehensive doctrines." Thus, classical liberalism, insofar as it is a comprehensive doctrine or worldview, falls under the same restrictions as Christianity or Judaism or other "reasonable" religions. [31] Because most environmental issues do not fall within the category of what Rawls calls "constitutional essentials and questions of basic justice," it is legitimate--if I read Rawls correctly--to argue for or against many specific policies on the basis of one's religious commitments.

Rawls sees "the Supreme Court as an Exemplar of Public Reason." [32] One of its tasks is "to give due and continuing effect to public reason by serving as its institutional exemplar." [33] Rawls continues:

Citizens and legislators may properly vote their more comprehensive views when constitutional essentials and basic justice are not at stake; they need not justify by public reason why they vote as they do or make their grounds consistent and fit them into a coherent constitutional view over the whole range of their decisions. The role of the justices is to do precisely that and in doing it they have no other reason and no other values than the political. [34]

He then notes that

[t]he justices cannot, of course, invoke their own personal morality, nor the ideals and virtues of morality generally. Those they must view as irrelevant. Equally, they cannot invoke their or other people's religious or philosophical views." [35]

How should we as Christians respond to Audi, Ackerman, Rawls, and others who want to limit or exclude religious reasons from the public square? First, we must distinguish between radical views like those of Audi and Ackerman and the more moderate position of Rawls. I believe that Christians should strongly oppose the views of Audi and Ackerman that would largely exclude Christians from the public square (unless they speak in secular terms). These positions cannot in my judgment be justified politically or morally. They either disenfranchise a large portion of the citizenry or else force them to lead intellectually schizophrenic lives.

The views of philosophers like Audi and Ackerman seem to rest on the Enlightenment conviction that secular reason is rational in a way that religious reason is not. Secular reason, according to this way of thinking, is based on evidence, common sense, science, and logic; it contrasts sharply with religious reason, which is grounded in revelation, emotion, superstition, and dogma. But I find this distinction epistemologically unconvincing. All human knowledge programs, all human research enterprises, all human attempts to understand the world in which we live and how we ought to conduct our lives--all are limited and subject to error, and all rest on beliefs about the nature of reality that may indeed be reasonable but are not compellingly rational to those who start with different reasonable beliefs and assumptions. Human thinking always starts with belief or assent and not with radical doubt, and one of the main differences between, say, a Christian worldview and most secular worldviews is that Christians generally are more up front about the role of their basic beliefs. [36] My considered judgment is that it simply is not possible to argue successfully that secular reason as such is more objective, more rational, or more universal than is religious reason as such. [37]

Bentham's utilitarian calculus is accepted by a great many thinkers, and in some situations by almost all of us, but how could one conceivably demonstrate that his view is more universal and more reasonable than such fundamental Christian convictions as the Golden Rule or the belief that Christians should imitate their Lord in living lives of sacrifice and concern for the well being of others? Beginning in the modern West, rights language has over the past 100 years spread throughout much of the world, but it is not the preferred language of most religious people, and if one asks about what justifies or grounds moral rights (as over against legal or political rights) the answers become at least as difficult and problematic as arguments for the existence of God.

Far more Americans understand their lives at the deepest levels in theistic terms than in purely secular terms. I am not a relativist or a postmodernist, and I believe that some positions are more reasonable than others. But to argue that secular moral and social views as a set are more reasonable or more public than religious moral and social views as a set makes little sense to me. Why would one think this to be so? Christianity is not a private religion that is not open to people who are not Christians. The belief that Jesus Christ is Lord is just as accessible to non-Christians as is the utilitarian belief that society ought to make decisions on the basis of maximizing human happiness or trying to achieve the greatest good for the greatest number. Christians are able to give reasons in support of their belief that it is reasonable to follow Jesus Christ no less so than secular philosophers are able to give reasons in support of secular moral and political theories.

If secularists can put forward no convincing grounds for discriminating against religiously grounded moral views concerning how we should think about and treat our natural environment, then why should they try to insulate the public square from such religious views. [38] To be sure, when Christians are able to rely on widely accepted secular grounds in favor of particular environmental policies it is usually prudent to do so. But this is not different in principle from the situation in which humanists and atheists find themselves. It would be foolish for atheists to advertise their atheism when arguing for particular environmental policies when there was no special need to do so. American socialists may draw upon the insights of Lenin and Marx, but if these insights have become widely accepted as part of our common understanding of the just society, then what could they possibly gain by advertising their atheistic parentage? To do so would serve no useful purpose, unless most of those wrestling with the issue at hand were themselves Marxists.

As we have seen, Rawls takes a far more moderate position than Audi and Ackerman. Insofar as liberalism and other secular worldviews are what Rawls terms "comprehensive doctrines," they occupy no privileged place epistemologically. When questions of basic justice and constitutional essentials are at stake, Rawls insists that we limit ourselves to public reason. One problem with Rawls' position, however, is that in many tough cases--take issues like abortion, euthanasia, animal rights/welfare, wilderness preservation, and intergenerational responsibility--public reason seems too limited in scope to help much. However strongly we may wish for it, there simply is no generally accepted public reason that can provide definitive answers to these complex issues. [39]

Virtually all Americans are committed to the concept of public reason up to a certain point. We discovered long ago that avoiding theological controversy by arguing for policy positions in a secular manner made good sense. Indeed, it is difficult to visualize what a Presbyterian view of soil conservation, a Jewish position on cleaning up toxic dumps, or a Catholic method for saving the California condor might look like--even though both Jews and Christians believe that God is Lord over all of life. [40] On the other hand, phrases like a Catholic view on abortion, an orthodox Jewish view of marriage, or an Evangelical Christian view of extra-marital sex make perfectly good sense, and we use such expressions frequently.

I would like to suggest a way for Christians to begin working for greater fairness in the public square. My recommendation might at first sound like overkill or suggest that I am being unduly sensitive, but it might just possibly provide an effective way to begin to raise society's consciousness about religious discrimination. My recommendation is this: We Christians should challenge the way in which most academics, the media, and our courts employ the term "sectarian" in relation to Christians and other religious Americans. All of these groups, including even the U.S. Supreme Court, commonly describe religious Americans and their institutions, beliefs, and activities as "sectarian," while at the same time using the term "nonsectarian" to refer to secular Americans and their institutions, beliefs, and activities. For the Supreme Court, religious = sectarian and secular = nonsectarian. [41]

This usage has become so commonplace that even most Christians hardly give it a thought. But if one takes time to recall the history of the term "sectarian," the employment of these formulas by public figures becomes highly problematic. "Sectarian" is a mean-spirited term with connotations like schismatic, unorthodox, parochial, narrow minded, rigid, heretical, and biased. Historically, the term has been used to marginalize and disenfranchise one's political and religious enemies and opponents. Sociologists and other scholars may use the term with relatively little bias (although even this is questionable), but when used by public figures, its impact is generally discriminatory and prejudicial.

The evolution of the term's usage is instructive. Jefferson employed it to refer to orthodox Christians in contrast to his own Unitarian-Deistic beliefs. He argued that Calvinists based their beliefs on dogma, revelation, and superstition, and he referred to them as parochial and sectarian. But his own religious beliefs, he thought, were grounded in reason, science, and common sense; they were universal and "nonsectarian." As McCarthy, Skillen and others have pointed out, such a distinction today seems far sooner self serving than self-evident, but it nonetheless deeply influenced the place of religion in American public life. [42]

It is important to note that while Jefferson used the term "sectarian" to refer to the wrong kind of religion (and the term "nonsectarian" to refer to the right kind of religion--i.e. his own Unitarian/Enlightenment version of Christianity), today the term "sectarian" is applied to religion in general and the term "non-sectarian" to the secular in general. And a careful reading of Supreme Court decisions clearly shows that where the formula "religious = sectarian" is employed the context usually is pejorative, and where the formula "secular = nonsectarian" is employed the context is generally positive. [43]

I find no good reasons for public figures today to continue to employ the formula "religious = sectarian," and insofar as it prejudices public discussion and debate there are many good reasons for abandoning such usage except where the formula needs to be employed for the sake of historical accuracy. It symbolizes the bigoted and unreasonable attitude of all too many Americans today towards religion, especially Christianity. By insisting--politely but firmly--that public officials, academia, and the media abandon such prejudicial terminology, we will call attention to the importance of rethinking the role religion might play in public life.

C. TRADITIONAL LIBERALISM AND ENVIRONMENTAL POLICY

Traditional political liberals make a strong case that government ought not to concern itself with particular concepts of the good life or the good society but instead should limit itself to establishing just and fair procedures and laws. Individuals, according to classical liberal thought, should be left free to pursue the good, including the religious good, according to their own consciences and beliefs.

Although this position is closely related to America's commitment to freedom of religion, it presents unusual difficulties when it comes to how we ought to deal with our natural environment, for issues such as our treatment of animals, wilderness preservation, and responsibility to future generations appear to have much more to do with competing visions of the good life than with questions of basic social justice.

Take the case of animal welfare/animal rights. Harming a pig or a raccoon or a whitetail deer in very few cases directly harms other people. It may offend them, but in liberal theory my being offended does not provide sufficient justification for the state to restrict someone else's freedom. Extending concern to animals along the lines attempted by Peter Singer, Tom Regan, Paul Taylor, and others depends on espousing a particular vision of the good life, one that includes or provides the reasonable basis for what they consider the proper treatment of animals.^[44] To try to get the state to pass laws to protect animals--perhaps pushing all of us toward a vegetarian diet or prohibiting hunting and the use of animals in medical research--is to want the state to restrict the freedom of all citizens not on the basis of traditional considerations of justice but on the basis of a vision of the good life shared by only certain citizens. This is something liberals are not supposed to do. The question of whether animals are morally considerable in roughly the same way humans are rests ultimately on metaphysical and/or religious assessments of animal and human nature (for instance, are only humans created in the image of God, and if so, what significance does this fact have for our treatment of animals?). Traditional liberal doctrines of justice give no standing to animals, and thus we ought not try to limit other people's freedom by restricting their treatment of animals.^[45]

The question of intergenerational justice also raises troublesome problems for traditional liberals. In discussing this issue, philosopher Derek Parfit asks us to envision two scenarios for the future.^[46] In the first of these, the pollution scenario, we do everything wrong, polluting our land, air, and water, and squandering our natural resources. In the second scenario, the conservation scenario, we do everything right with respect to our natural environment.

Parfit asks the question: If we today follow the pollution scenario rather than the conservation scenario, will those who live, say, 100 years from now, be able to claim that we violated their rights, and thereby acted unjustly towards them. Parfit's answer is both counterintuitive and irritating to most conservationists, but probably correct. In short, he says, "No, they would not be justified in saying we had violated their rights."

Parfit defends this conclusion as follows. If we today follow the conservation scenario rather than the pollution scenario, an entirely different set of people will be alive 100 years from now than would have been the case had we followed the pollution scenario. This is because following the conservation scenario would have had all kinds of subtle but important impacts on our reproduction. Say, for instance, that we were to ride bicycles to and from work, keep our houses cooler in winter and warmer in summer, grow our own vegetables, take fewer and colder showers, eat less red meat, and so forth. All of these particular actions would affect precisely when and under what circumstances men and women have sexual intercourse, which in turn would mean that different sperm would fertilize particular eggs (or sometimes even different eggs). But since the genetic encoding of each person depends entirely on which sperm fertilizes which egg, within a very few generations the earth would come to be populated by a totally different set of people than would have been the case had we followed the pollution scenario. If we had followed the conservation scenario, most of the people who would have resulted from our following the pollution scenario would never exist have existed at all.

So unless people who are born under the pollution scenario could say that their lives were so bad that they would have been better off never to have been born at all, they simply would have no basis for claiming that we had violated their rights. Their very existence depended on our having followed the pollution scenario.

Does Parfit's example mean that we have no responsibilities to future generations? Not at all! Rather, what it means is that we cannot argue for such responsibility on the basis of traditional liberal thinking about rights. Successful attempts to justify responsibility to future generations depend on embracing particular visions of the good life and the good society. Public policy which in good liberal fashion attempts to limit itself to fair procedures and correct principles of justice may simply be unable to deal adequately with the question of intergenerational responsibility.^[47]

In sharp contrast to the difficulties traditional liberals encounter in trying to deal with intergenerational responsibility, Christians find this issue surprisingly easy to resolve, at least in terms of determining whether or not we do have such a responsibility. This is because God transcends the generations, and he loves not just people now alive but also those who have lived in the past and those who will live in the future. Also, insofar as future people will become members of the church, the mystical body of Jesus Christ, those who are now alive who are also members of the Body of Christ would be acting irrationally if they failed to look after the interests of future people, especially fellow Christians. "If one member [of the Body of Christ] suffers," Paul reminds us, "all suffer together; if one member is honored, all rejoice together."^[48]

Wilderness preservation is also problematic within a traditional liberal context. Some preservation arguments can be made on the basis of preserving genetic diversity in the hope someday of capitalizing on these agriculturally, medically, and industrially. Wilderness also has value for recreation, maintaining ecological balance, and so forth. But the driving force behind wilderness preservation is the conviction that preserving wilderness helps us become better people and a better society, and preserves for us an essential part of the good life. Not a few individuals maintain an essentially religious attitude toward nature and toward wilderness in particular, and it is this attitude that most deeply motivates their preservation efforts. But such religious (or metaphysical) attitudes and attendant beliefs fall within the realm of what Rawls calls "comprehensive doctrines." They fall outside of the domain of "public reason," and they do not provide an adequate basis for wilderness preservation if government is permitted to limit my freedom only to prevent injustice to others.

Rather than utilizing what are at best secondary arguments for preserving wilderness such as wilderness as a treasury trove of possible medicines and wilderness as preserving genetic diversity, would it not be better for preservationists honestly to admit that they embrace a different vision of the good life than non-preservationists? Christians and secularists might find common ground in such an admission: Christians could favor wilderness preservation on the basis of wanting to maintain exemplars of God's creative activity, on the basis of the role wilderness plays in Biblical and Christian tradition, and on the basis of preserving nature as a manifestation of the power and glory of God. Non-Christian environmentalists could put forward their own religious and secular reasons for wilderness preservation. Together they might be politically strong enough to carry the day. And if not, then both Christian and non-Christian preservationists could continue the dialogue with those who do not find wilderness worth preserving, trying to persuade them to join in the effort.^[49]

It may well be that the long-term care of the environment will demand that Americans become more comfortable about publicly discussing and debating what constitutes the good life and the good society. Actually, most citizens already publicly talk about the good without great discomfort; it is mainly political philosophers and political scientists who want to limit conversation to justice talk. But, as we have seen, justice talk will probably not be adequate for dealing with some of the most important environmental problems we face today. If politics is to be anything more than using state power to force our preferences on each other, then when it comes to some very important environmental policy issues we will have to find ways to engage in civil, constructive dialogue about the nature of the good society.

D. BEARING WITNESS AND ENVIRONMENTAL POLICY

Americans face a difficult dilemma. In a world where all people shared the same fundamental assumptions and worldview commitments, the concept of public reason would not be problematic. Talk about the good as well as the just would fall within the category of public reason. But we do not live in such a world. We do not even agree fully about what constitutes justice, let alone what constitutes the good life and the good society.^[50] Where worldview commitments differ substantially, limiting public discussion and debate to justice concerns that fall within an overlapping consensus makes sense, but unfortunately it does not permit us to deal with many of the urgent social (especially environmental) problems we face.

In our highly pluralistic society, we are frequently able to reach agreement on particular environmental policies and to do so without violating our consciences. Often this means that we will have to compromise and accept less than we wanted. But, as we have seen, some critical environmental issues cannot be rationally resolved in terms of what Rawls calls our constitutional essentials and considerations of basic justice.^[51] One option is to pretend that our shared assumptions permit us to reach firm, rational, logical conclusions on a broader range of issues than is actually the case. But such a procedure is fundamentally dishonest. In the realm of constitutional interpretation, *Roe v. Wade* is, in my judgment, an example of such "dishonesty" or "bad faith."^[52] The justices in this landmark 1973 case rely neither on public reason nor on disciplined constitutional interpretation. Indeed, I would be willing to argue that in *Roe* the court was not really reading the constitution at all; instead they were unabashedly imposing their own beliefs and values on the rest of society. Such a move both silences genuine democratic political discussion and debate and also destroys confidence in the rule of law.

When our plural beliefs do not permit us to reach firm policy conclusions on environmental issues the worst thing we can do is to ignore each other and drift into a kind of sullen silence. Nor should we uncomplainingly submit to illegitimate attempts by the courts to enforce private values on the public. In this situation of disagreement we might well call upon the Christian concept of "bearing witness." In bearing witness to our beliefs and values, we might or might not discover some further degree of overlapping consensus. But even where consensus or compromise eludes us, we still might end up with a better understanding of where others are coming from and where they hope to go, and perhaps develop greater understanding and sympathy for those individuals and groups that embrace views different from our own.

The concept of bearing witness seems particularly appropriate for a pluralistic society. Rather than insisting that our opponents or their positions are rationally defective or unreasonable, we openly acknowledge both the plural nature of our society and the fact that there remains a kind of mystery about how and why we commit ourselves to ultimate beliefs and values. When Peter, in answer to Jesus' question about who he is, replies, "You are the Christ, the Son of the living God," Jesus responds, "Blessed are you, Simon Bar-Jona! For flesh and blood has not revealed this to you, but my Father who is in heaven." Peter's realization that Jesus was the Messiah was the most fundamental component of his worldview. It was the insight upon which rested his entire understanding of what it meant to be a Christian. But Jesus makes clear that Peter did not come to this deep knowledge on his own. It was given to him. There remains a mystery about knowledge at the deepest levels. We never fully understand why or how we come to our fundamental views about the nature of reality and about how we ought to live. Because of this it seems far more appropriate to "bear witness" to the truth as we have experienced it than to insist that those who disagree with us are bad people or that their arguments are "rationally defective."^[53]

As Christians who believe in a God who comes to us as a babe in a manger rather than with overwhelming force and who believe in fundamental freedom of conscience, we ought always to show respect for those who differ with us about particular environmental policies, even though at times we may support legislation that will restrict the freedom of these individuals. On the other hand, we should refuse to be marginalized by those who see us as sectarians and as unfit to participate in the public realm unless we disengage ourselves from what we truly believe and value. We have much to contribute to the fields of environmental ethics, environmental education, and environmental policy, and we should resist all attempts to keep us quarantined in a cultural and political ghetto just because we think in religious rather than secular terms.

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[1]Plato, for instance, expressed concern for deforestation in ancient Attica [reference to be filled in later].

[2] Yi-fu Tuan, "Discrepancies Between Environmental Attitudes and Behavior," *The Canadian Geographer*, (volume, year, & pagination to be filled in later); see also Yi-fu Tuan, *Topophilia*, New York: Columbia University Press, 1974 (2nd ed. 1990).

[3]See *Christians and the Good Earth*, F/M/N Papers, Number 1, Alexandria, Virginia: The Faith-Man-Nature Group, n. d.; *A New Ethic for a New Earth*, ed. Glenn C. Stone, New York: The Friendship Press, 1971; *Ethics for Environment: Three Religious Strategies* ed. Dave Steffenson, Walter J. Herscher, and Robert S. Cook, Green Bay, Wisconsin: U.W.G.B. Ecumenical Center, 1973. The driving force behind these books and the several national conferences held in the late 1960s and early 1970s was Phillip N. Joranson, a biologist and forester, who with great dedication and energy brought together scientists, theologians, Biblical scholars, and government agency personnel to talk about religion, ethics, and the environment. Joranson typically stayed behind the scenes, giving credit to others, even when he deserved most of it himself. That is one reason why his name is not well known among those working in the field of environmental ethics today. But he truly was a pioneer in the field and deserves our deepest gratitude. See references to Joranson in Roderick Frazier Nash, *The Rights of Nature: A History of Environmental Ethics*, Madison, Wisconsin: The University of Wisconsin Press, 1989, pp. 102-104.

[4]Richard A. Baer, Jr., "Ecology, Religion and the American Dream," *The American Ecclesiastical Review* Vol. CLXV, No. 1 (September 1971, pp. 43-59.

- [5]Richard A. Baer, Jr., "Higher Education, the Church, and Environmental Values," *Natural Resources Journal*, Vol. 17, No. 3 (July 1977).
- [6]Aldo Leopold, *A Sand County Almanac*, New York: Oxford University Press, 1949, p. 204.
- [7]Paul W. Taylor, *Respect for Nature: A Theory of Environmental Ethics*, Princeton, New Jersey: Princeton University Press, 1986. See especially chapters 2 and 6.
- [8]Peter Singer, *Animal Liberation*, New York: New York Review, 2nd ed. 1990, pp. 1-23.
- [9]Tom Regan, *The Case for Animal Rights* Berkeley: University of California Press, 1983.
- [10]Reinhold Niebuhr, *The Nature and Destiny of Man*, New York: Charles Scribner's Sons, 1949, pp. 178-186.
- [11]Secular philosophers not infrequently argue that it is difficult for modern man to accept the Biblical doctrines of creation and salvation. But it strikes me that what we believe makes a good deal more sense than the view of those who see the world as simply the result of chance mutations and natural selection and as utterly indifferent to human concerns. Cornell Astronomer Carl Sagan, for instance, claims that all teleological theories of life are simply religious fantasy and superstition, for we are the product of blind, meaningless chance. The cosmos is utterly indifferent to our hopes and dreams, yet, according to Sagan, we are obligated to this cosmos to survive and flourish, and to respect and even revere the world about us. I find such a view both odd and far less persuasive than the existentially compelling Christian affirmation that we ought to love God and respect what God values because he first loved us and provided this wondrous creation for our use and enjoyment. See Carl Sagan, *Cosmos*, New York: Random House, 1980; Richard A. Baer, Jr., "'Cosmos', Cosmologies, and the Public Schools," *This World*, Number 5 (Spring/Summer 1983), pp. 5-17.
- [12]I am here ignoring romantic and mystical views of human freedom and fulfillment, views that emphasize intuition, emotion, and the deliberate turning away from reason. In terms of the medieval distinction between *ratic* and *intellectus*, such views focus almost exclusively on *intellectus* and downplay *ratio*, the opposite of what was characteristic of the Enlightenment. Christianity at its best tries to achieve a balance between the two: human fulfillment does not come from suppressing the one or the other but in submitting both to the Lordship of Jesus Christ.
- [13]See discussion of Murdoch in Stanley Hauerwas, *Vision and Virtue*, Notre Dame, Indiana: University of Notre Dame Press, 1981, pp. 30-47.
- [14] Wendell Berry, *Sex, Economy, Freedom, & Community*, New York: Pantheon Books, 1993, pp. 117-173. One reason, Berry suggests, that our society today has so much trouble with the relation between the sexes is that we tend to view this issue mainly in terms of rights rather than in terms of the multitude of informal arrangements that have been typical of most actual communities throughout history. In *The Unsettling of America* (New York: Avon Books, 1977) Berry draws parallels between our treatment of our bodies and our treatment of the earth. Why do we think we will be faithful to the land when we are not even faithful in our marriages? See especially chapter seven, "The Body and the Earth," pp. 97-140.
- [15]Max Oelschlaeger, *Caring for Creation: An Ecumenical Approach to the Environmental Crisis*, New Haven: Yale University Press, 1994, pp. 199-200.
- [16]See Richard John Neuhaus and Peter L. Berger, *To Empower People: The Role of Mediating Structures in Public Policy*, Washington, D.C.: American Enterprise Institute for Public Policy Research, 1977.
- [17]James W. Skillen *The Scattered Voice*, Grand Rapids, Michigan: Zondervan Books, 1990, pp. 209-210.
- [18]Niebuhr, I, 190-191.
- [19]This is not unlike the alleged attitudes of Victorians towards human sexuality. It was not uncommon to be fairly explicit about the sexual practices of south Sea Islanders or African natives but not of Europeans or Americans. I can remember as a child in the 1930s seeing National Geographic color photos of bare-breasted, largely naked men and women from far away places. But such a respectable magazine would never have published similar photos of "civilized" Westerners!
- [20] Just what constitutes limiting another's freedom, however, is frequently anything but obvious. Many environmental regulations limit the freedom of citizens in various ways, and virtually all increases in taxes needed to pay for environmental policies tend to limit the freedom of some, even though they may increase the freedom of others. For instance, many Christian parents today are forced by high taxes to hire surrogate care for their children so that both parents can work outside the home, even though these parents may place a high priority on nurturing their own children. High taxes in this case result in a severe curtailment of the parents' freedom. The refusal of states to pay tuition for private schools is another case in point. High school taxes make it economically impossible for many parents to choose a religious education for their children, even though sending their children to government schools violates their consciences at a deep level. Thus it is clear that trying to distinguish between policies that limit people's freedom and policies that do not do so is no easy task. As often as not, it muddies rather than clarifies policy discussions.
- [21]Robert Audi, "The Separation of Church and State and the Obligations of Citizenship," *Philosophy and Public Affairs*, Vol. 18, No. 3 (Summer 1989), p. 279.
- [22]Bruce A. Ackerman, *Social Justice in the Liberal State*, New Haven: Yale University Press, 1980, p. 11.
- [23]Ackerman, p. 160.

[24]Ackerman, p. 162.

[25]See discussion in James Davison Hunter, *Culture Wars: the Struggle to Define America*, New York: Basic Books, 1991, p. 131.

[26]See *Torcaso v. Watkins*, 367 U.S. 488 at 495 in footnote; also *Schempp*, 374 U.S. 203 at 313, where Justice Stewart, dissenting, refers to "a religion of secularism."

[27]Rawls, *Political Liberalism*, New York: Columbia University Press, 1993, p. 214.

[28]Rawls, *Political Liberalism*, p. 216.

[29]Rawls, *Political Liberalism*, p. 224.

[30]Rawls, *Political Liberalism*, p. 246. It should be noted, however, that Rawls places more restrictive limits on judges, legislators, and public officials. They should limit their arguments to what can be established by public reason. But this seems highly unrealistic to me, mainly because some of the toughest environmental policy issues we face today (how we should treat animals, wilderness preservation, and intergenerational justice are good examples) simply cannot be resolved one way or another on the basis of Rawls' limited concept of public reason.

[31]See Rawls, *Political Liberalism*, pp. 58-66 for a discussion of what he means by "reasonable comprehensive doctrines."

[32]Rawls, *Political Liberalism*, p. 231.

[33]Rawls, *Political Liberalism*, p. 235.

[34]Rawls, *Political Liberalism*, p. 235.

[35]Rawls, *Political Liberalism*, p. 236.

[36]The very learning of language and thus the ability to think as a human being depends on a prior commitment on the part of those who nurture the child to tell the truth, at least most of the time. Descartes may have thought that he was radical in his doubt, but had he been genuinely radical he would have had to doubt the grammatical efficacy and the word meanings of the Latin and French in which he did his doubting--in which case he would have been totally paralyzed as far as further thinking was concerned.

[37]See discussions in Alasdair MacIntyre, *Whose Justice? Which Rationality?*, Notre Dame, Indiana: University of Notre Dame Press, 1988; Thomas A. Spragens, Jr., *The Irony of Liberal Reason*, Chicago: The University of Chicago Press, 1981; Jeffrey Stout, *Ethics After Babel: the Languages of Morals and Their Discontents*, Boston: Beacon Press, 1988.

[38]The position that religion is particularly likely to produce dissension, conflict, and oppression is not convincing, especially considering the political events of the past 75 years. Secular philosophies and atheistic states like the Soviet Union and China have degraded and destroyed human life on a scale that makes religious strife and oppression in our own (or any other) century seem trivial by comparison.

[39]Rawls' attempt in *Political Liberalism* (p. 243, n. 32) to ground a pro-choice position on abortion in public reason strikes me (and most colleagues with whom I have discussed the issue) as remarkably unsuccessful. Indeed one of the problems with Rawls writing is that he gives very few examples, and when he does give an example, as in the case of abortion, it turns out to be far from convincing.

[40]On the other hand, it also is hard to visualize what a humanist view of harbor dredging, a Kantian view of running the post office, or a Marxist view of building superhighways might look like. The oddness of such attributions seems to be more closely related to the nature of the activity than to whether it is religious or secular.

[41]See Richard A. Baer, Jr., "The Supreme Court's Discriminatory Use of the Term 'Sectarian'," *The Journal of Law and Politics*, Vol. Vi, No. 3 (Spring 1990), pp. 449-468.

[42]See Rockne McCarthy, Donald Oppewal, Walfred Peterson, and Gordon Spykman, *Society State, & Schools: A Case for Structural and Confessional Pluralism*, Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 1981, pp. 81-86; Rockne M. McCarthy, James W. Skillen, and William A. Harper, *Disestablishment a Second Time: Genuine Pluralism for American Schools*, Grand Rapids, Michigan: Christian University Press, 1982, pp. 15-29.

[43]Baer, *Supreme Court*, p. 452-454.

[44] See Peter Singer, *Animal Liberation*, New York: New York Review, 2nd ed. 1990; Tom Regan, *The Case for Animal Rights*, Berkeley, California: University of California Press, 1983; Paul W. Taylor, *Respect for Nature: A Theory of Environmental Ethics*, Princeton, New Jersey: Princeton University Press, 1986.

[45] Obviously we have already limited people's freedom to a degree by passing laws regarding the torture and other ill-treatment of animals. Such laws can be justified in part by the argument that ill-treatment of animals might predispose individuals to the ill-treatment of humans. Of course, the ill-treatment of another person's animals can be prohibited on the basis of property rights. The modern animal rights movement wants to extend basic moral considerability to sentient animals, thus including them in the realm of moral considerability, heretofore limited almost entirely to human beings. Kant saw our duties towards animals entirely in terms of indirect duties towards humans (See Immanuel Kant, "Duties to Animals and Spirits," in *Lectures on Ethics*, trans. Louis Infield, New York: Harper and Row, 1963, pp. 239-41).

[46] Derek Parfit, "Energy Policy and the Further Future: the Identity Problem," in *Energy and the Future*, ed. Douglas MacLean and Peter G. Brown, Totowa, New Jersey: Rowman and Littlefield, 1983, pp. 166-179.

[47] I am not at all convinced that Rawls' "just savings principle," which he presents in *A Theory of Justice* (Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 1971, pp. 284-293) resolves this difficulty, but the issue is too complicated to discuss here. Rawls himself recognizes the problem of extending his principles to the treatment of animals and of nature more generally. See note 30 above.

[48] I Corinthians 12:26.

[49] Insofar as some of those most deeply committed to wilderness preservation view nature in essentially religious terms, one might argue that for government to set aside wilderness areas at public expense gives aid to religion, something which some strict separationists strongly oppose on the basis of their understanding of the religion clause of the First Amendment. If we applied this line of judicial argument as strictly in the case of wilderness as the Supreme Court has done in education, then it would seem that government ought not to be in the wilderness preservation business at all. I find such a position extreme, however, whether in relation to wilderness or education.

[50] It is important to note that the kind of one-sided emphasis most liberal political philosophers place upon justice and their hesitancy to talk about traditional virtues like courage, honesty, public spiritedness, generosity, and love is anything but neutral. In their overall view of life, Christians generally view justice as a secondary virtue at best. In some cases trying to achieve a higher degree of justice, especially within the context of mediating structures like family, church, and school, might well lower the overall quality of life. Insofar as some government initiatives pertaining to sexual harassment and affirmative action have become excessively legalistic in their attempt to achieve more justice, it is arguable that the overall quality of life in colleges and universities, and perhaps also in businesses, government agencies, and elsewhere, has been degraded. And it is not always clear that excessive regulation is even beneficial to the victims of injustice.

[51] I find Rawls hard to follow on the question of how his concept of basic justice fits together with what he calls "constitutional essentials." He sometimes writes about them as if they were fully in agreement with each other, a position which I find unsatisfactory, in part because it quite overlooks the historical give and take that has contributed to both the initial formation of the constitution and its subsequent amendments.

[52] *Roe v. Wade*, 410 U.S. 113 (1973).

[53] Albert Einstein, in claiming that his most important ideas were "given" to him, seems to have recognized and accepted this element of mystery in the quest for understanding. Too many philosophers and moralists today too quickly speak of reason "compelling" the reader to accept this or that conclusion. But what they generally do not make nearly as clear is the extent to which their arguments rely on hidden or poorly defended assumptions. In their thinking about how we should treat animals, Peter Singer and Tom Regan both rely on the belief, widespread in the Western world, that people are of equal inherent value (Regan) and deserve equal moral consideration (Singer) in spite of the fact that humans are clearly unequal in many observable respects--people are more or less intelligent, stronger or weaker physically, possess or do not possess genes that predispose to diabetes, etc. In passing, Singer and Regan note that the belief in equality has something to do with the Biblical view that human beings possess a soul or were created in the image of God. Thus they cannot help but understand that in its origin the belief in human equality was much more than just a moral ideal, which is what they claim it is today. It was rather based on the judgment that what was most essentially human and that which most clearly separated us from animals was indeed the same in all human beings.