

# FAITH AND POLITICS SEPARATION OR SYNERGY?

Religious beliefs can guide politicians while preserving the separation of church and state, says **Darryn Jensen**

**R**eligious contributions to politics arouse suspicion. The principal target of this suspicion, in recent times, has been the ‘conservative Christians’ or ‘religious fundamentalists’ who have been prominent in the public debates concerning abortion, homosexuality and embryonic stem cell research. It is wrong to think of this as always a confrontation between religious conservatives and secular progressives. Australian Christianity has spawned both a ‘religious right’ (which wants to tighten laws on abortion and pornography and preserve the institution of marriage for heterosexual couples) and a ‘religious left’ (which wants to address issues such as poverty, racism and the treatment of refugees). There are those—including the most senior member of the Roman Catholic hierarchy in Australia<sup>1</sup>—who have been both vocal opponents of liberal abortion laws *and* advocates for better treatment of asylum seekers. The Christian contribution to politics, at its best, proceeds from outside of the conventional categories of modern

politics and brings a Christian understanding of the dignity of all human life to bear upon matters of public policy, without necessarily claiming a monopoly of wisdom upon the many contingent questions relevant to public policy formulation. Our discussion of public policy would be much impoverished by the exclusion of this type of contribution.

## Two types of critique

Recent disquiet about Christian contributions to politics has embraced two distinct critiques. The first type of critique seeks to assert that religious contributions to public policy debate threaten the delicate accommodation between religious

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authority and liberal democracy. Two prominent Australian politicians—Labor’s Mark Latham and the Liberal Senator Amanda Vanstone—have articulated versions of this critique.<sup>2</sup> The weakness in this critique in the Australian context is that, while Australian constitutional law protects religious freedom, the mere use of religious reference in public policy debate or the presence of religious motivation in a person’s political activity does not contravene the relevant provision of the Constitution. Section 116 of the Federal Constitution prohibits the Commonwealth from ‘making a law’ for ‘establishing any religion’ or ‘imposing any religious observance’ or ‘prohibiting the free exercise of any religion’. The High Court has said that ‘establishing any religion’ refers to the establishment of a state church or (on the broadest interpretation of the expression) the granting to some religious bodies of advantages (such as taxation relief or financial assistance) which are not made available to all religious bodies.<sup>3</sup> Legislative measures which coincide with the preferences of one or more religious communities are not necessarily unconstitutional, even if the expression of those very preferences influenced the decision to enact those measures. Moreover, ‘free exercise’ of religion extends beyond a mere freedom to believe and worship to encompass a freedom to engage in conduct which gives effect to one’s religious belief.<sup>4</sup> The consideration of the facts of daily life in the light of one’s religious beliefs directs one’s mind to the existence of injustices and a preference for their correction through various means, which may include changing the law or government policy. Religiously motivated politicians and voters would have a legitimate grievance if they were prohibited from expressing that preference on the floor of Parliament and through the ballot box. The effect of a prohibition of that type would be to establish a rival orthodoxy—secularism—as the state religion.<sup>5</sup>

It is possible that the first type of critique is founded less upon a misinterpretation of a constitutional norm than upon a commitment to a form of political etiquette similar to the ‘duty of civility’ proposed by John Rawls.<sup>6</sup> If this is the correct understanding of the first type of critique, it would not prohibit religious reference in public policy discussion so long as the religious values

which are invoked affirm and illuminate the political values which are the subject of general acceptance within the political community. Accordingly, Rawls was prepared to acknowledge that a person such as Martin Luther King Jr, whose rhetoric was saturated with Judeo-Christian imagery, did not infringe the duty of civility.<sup>7</sup> A disciple of Rawls who does not accord the same respect to a person who calls upon the legislature to decide whether a human embryo is a human being who is entitled to legal protection against destruction would seem to be guilty of a double standard.

The second type of critique consists of an allegation that some politicians have been engaging in subterfuge to attract a conservative Christian constituency to the ‘right’ of Australian politics. The allegation is aimed mainly at some within the Liberal and National parties, but the new Family First Party is also within its sights. The most sustained exposition of this critique is found in *God Under Howard: The Rise of the Religious Right in Australian Politics* by Marion Maddox.<sup>8</sup> Maddox accused elements within the Coalition of fighting theological battles ‘in subterranean ways, not immediately obvious to this highly secularised electorate’<sup>9</sup> and of appealing to ‘the minority of conservative Christian voters’ who ‘correctly decode the associated policy agenda’ while avoiding the alienation of ‘a potentially wider secular constituency’.<sup>10</sup> Maddox seemed to dismiss any suggestion that recent advances in the social conservative agenda, such as the exclusion of single women and lesbians from access to fertility services, the overturn of the Northern Territory’s euthanasia laws and the re-emergence of opposition to legal abortion might be a response to genuine community concern. These social conservative successes were achieved ‘by introducing ideas that at the time seemed beyond the pale of serious attention, only to have them resurface with token bipartisan support from an insufficiently vigilant left after a few years’ careful cultural spade work’.<sup>11</sup>

Maddox’s aim was not to rule out the use of religious perspectives as grounds or motivations for political opinions. Her concern was directed towards attempts by political parties and factions to ‘baptise by association’ the whole of their political programme.<sup>12</sup> If Maddox’s interpretation of contemporary Australian politics is correct, this

would be a legitimate cause for concern. It would involve the subordination of religion to the ends of politics. Rather than drawing upon religious *truth* to illuminate difficult public policy issues, thereby maintaining a synergy between the ends of politics and the ends of religion, it would employ religious *allegiance* as the basis for political allegiance. Maddox's antidote is that politicians who want to draw upon their faith need to provide an explanation of where that faith fits into their political stance.<sup>13</sup> This is not an unreasonable demand. It would allow others (not least the politician's co-religionists) to determine for themselves whether the position is one which they can support *on the basis of their own religious or ethical commitments*. The contentious aspect of the Maddox thesis is the insinuation that support for socially conservative policies is largely the result of manipulation of the electorate by those on the 'right' of politics. The label 'religious right' is pejorative. It is meant to signify an anti-democratic movement. One may well ask whether the 'religious right' deserves to be demonised in this way and whether there are some elements within the 'religious right' phenomenon which represent legitimate (and even positive) developments in Australian democracy.

### What do the 'religious right' want?

Maddox appears to have identified the 'religious right' primarily with conservative Evangelical Protestant or Pentecostal churches, many of which are located in the marginal and swinging constituencies in the outer suburbs of major Australian cities. There is some evidence that these churches are an important source of support for the Coalition and for the Family First Party, although the institution of secret balloting prevents us from knowing for certain how strong or uniform that support is. Broader definitions of the 'religious right' are feasible. The Evangelicals and Pentecostals frequently find themselves allied with other groups of Christians in pursuing what might be characterised as a conservative social agenda. The conservative Evangelical sub-cultures within larger denominations such as the Anglican Church (particularly in the Diocese of Sydney) and the Uniting Church should not be overlooked. Politicians with a Roman Catholic identity (such as Minister for Health Tony Abbott and

former Labor Senator Jacinta Collins) have been particularly prominent in debates on abortion and biotechnology issues.<sup>14</sup> The energy and intensity with which particular issues are pursued varies greatly from person to person and different sub-groups of the 'religious right' become prominent in relation to different issues.

The increased energy of religious conservatives may be motivated by a perception that values which they hold dear are being dismissed by large sections of the political and intellectual elite. Those who are appalled by the high incidence of abortion observe the hostile reaction to recent comments by the Federal Minister for Health and wonder whether the supporters of the abortion licence will ever countenance an open debate on the issue. When opponents of embryonic stem-cell research are

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told to keep their religion out of politics, they may wonder whether their cherished beliefs about the dignity of all human life are being 'de-privileged'<sup>15</sup> in relation to other ethical systems. Agitation for the legal recognition of 'gay marriage' is perceived to be not merely a claim for freedom as to lifestyle choice, but an assertion that society as a whole should celebrate and respect homosexual unions in the same ways as it celebrates and respects traditional heterosexual unions.

Since political discussion can never be a completely value-free exercise, the exclusion of religion from political discussion merely leaves space for other contentious values systems to dominate the political landscape. The American Catholic priest and scholar Richard John Neuhaus has suggested that states which exclude revealed religion as a matter of principle must end up giving 'the force of religion' to other forms of reasoning.<sup>16</sup> The irony of an exclusion of religious reference from public debate is that it will ultimately lead to the displacement of relatively familiar values systems with secular philosophies which are unfamiliar to

all but the experts. Purely secular ethical systems are, as a class of philosophies, likely to be no less contentious than religious ethical systems.<sup>17</sup> Even so-called 'thin' conceptions of the common good can be controversial. John Stuart Mill's harm principle is controversial to the extent that there may be deep disagreement about what amounts to harm and whether the state's activity ought to be limited to preventing people from harming one another.

The worst imaginable consequence of the exclusion of revealed religion from public debate is that it creates a sense of grievance among religious believers. This may emerge in the form of identity politics, whereby conversation is displaced by a struggle for political domination among various politico-religious splinter groups.<sup>18</sup>

The real objective of these statements is to remind politicians who profess to be Christian of their obligation to ensure that what they do as politicians coheres with what they believe as Christians.

This is not the preferred option for many Australian Christians. Statements circulating within the hierarchical Christian churches convey a strong impression that the aim is not to rule but to be involved in the discussion. The Roman Catholic Congregation for the Doctrine of the Faith has stated its understanding of the Church's role in this way:

[T]he Church's Magisterium does not wish to exercise political power or eliminate the freedom of opinion of Catholics regarding contingent questions. Instead, it intends—as its proper function—to instruct and illuminate the consciences of the faithful, particularly those involved in political life, so that their actions may always serve the integral promotion of the human person and the common good.<sup>19</sup>

An 'opinion' published on the website of the Anglican Diocese of Sydney warned Christian politicians against overplaying their influence and urged them to support

[p]olitical moves that have respect of human life and dignity, for equality of opportunity and access to financial, natural and medical resources for all citizens, for compassionate care for the ill, the disadvantaged and the poor, and for responsible protection of the resources of the God-given environment—and for policies that are family friendly and protective of children...<sup>20</sup>

These two statements differ greatly in terms of their claim to be authoritative Church teaching. Nevertheless, it is interesting that both statements present the Christian approach to politics in very modest and general terms. The dignity of all human life and the protection of the weak are emphasised, but the question of what particular policies would best reflect these values is left open. The Christian contribution to politics is to be achieved largely through the actions of individual Christian politicians applying the torch of Christian values to particular political issues rather than through direct interventions by Church leaders or the establishment of Christian political parties. The real objective of these statements is to remind politicians who profess to be Christian of their obligation to ensure that what they do as politicians coheres with what they believe as Christians.

### Values questions and contingent questions

Not all political questions can be answered directly or completely by values or religious propositions. Many questions would be left underdetermined if religious authority were the only arbiter. It is for this reason that the Congregation for the Doctrine of the Faith drew a distinction between questions of basic morality, to which the Church can give authoritative answers which bind the consciences of Catholic politicians, and contingent questions, in respect of which the Church has no greater authority than any other person or body. Accordingly, the Church could recognise the legitimacy of 'a plurality of methodologies reflective of different sensibilities and cultures'<sup>21</sup> but affirm the 'right and duty of Catholics and all citizens to seek the truth with sincerity and defend, by legitimate means, moral truth concerning society, justice, freedom, respect for human life and the other rights of the

person'.<sup>22</sup> The critical point is that identifying an infringement of the 'moral truth' will often involve asking a host of empirical questions.

The principal argument used by opponents of embryonic stem-cell research using surplus in-vitro fertilisation (IVF) embryos provides a relatively straight-forward example of the interaction between basic moral propositions and contingent questions. This argument combined a moral proposition that human life should not be damaged or destroyed (or, at least, it should not be damaged or destroyed merely on the basis that this might produce benefits for other human beings) with a scientific (i.e. empirically-testable) proposition that the human embryo is genetically complete at the time of conception.<sup>23</sup> It followed that human embryos should not be used in scientific research which would damage or destroy them. Science supplied the empirical data concerning the characteristics of an embryo. This determined the contingency to which the moral proposition could be applied. Science could not supply us with the moral proposition. The legislature could not hope to make democratically legitimate decisions about these questions without considering the religious beliefs and other values systems to which members of the political community actually subscribe. It is difficult to see why a person should not be permitted to make this type of argument. If supporters of research involving embryos believed that the opponents had not interpreted the scientific data correctly, it would have been legitimate for them to point this out. The debate was really about whether it is morally permissible to destroy a human being (albeit one at a very early stage of development and which will probably never acquire full autonomy) on the basis that its destruction *may* lead to the creation of benefits for other people. This is a moral question to which representatives of religious traditions could and should be invited to offer answers.

Unfortunately, scientists and other technical experts sometimes allow their disciplines to perform a quasi-religious function and the guardians of religion sometimes trespass on to the territory of the technical experts. Economics is one field in which the lines have become exceedingly blurred. The Archbishop of Canterbury, Dr Rowan Williams, recently spoke of the need for

Christians to challenge a 'naïve confidence in free trade'.<sup>24</sup> *The Economist* offered its own scriptural exegesis to the effect that 'church and state should stick to their core competencies'.<sup>25</sup> While the Archbishop may deserve criticism for citing only one economist—a Dutch development economist called Jan Pronk—in support of the proposition that free trade has imposed costs on many countries, his conclusion that faith-based bodies have a role to ensure that 'the costs are clearly understood, and that those who carry the greatest costs have a voice in negotiating how those costs are to managed' fell within the remit of a religious teacher. *The Economist*, in attempting to give the Archbishop a lesson in scriptural exegesis, overplayed its hand. What are the costs and benefits of free trade and how they can be maximised and minimised are clearly within the province of economics. It is also proper for the teachers of religion and morality to remind government and international organisations of the equal dignity of all human beings and the need to avoid pursuing benefits for some while leaving others to suffer.

Nevertheless, teachers of religion should refrain from advocating particular economic programmes as 'Christian' programmes.

Nevertheless, teachers of religion should refrain from advocating particular economic programmes as 'Christian' programmes. Pope John Paul II, in his 1991 encyclical *Centesimus Annus*, emphasised that economic programmes can only emerge from 'the efforts of all those who responsibly confront concrete problems in all their social, economic, political and cultural aspects'. The teaching of the Church should acknowledge 'the positive value of the market and of enterprise' but should also draw attention to the need for these institutions to be 'oriented towards the common good'.<sup>26</sup> Leading 20th-century Protestant theologian Emil Brunner also placed Christianity outside of the conflict between rival economic systems. He spoke of a 'Christian conception of justice' which resists both 'totalitarian collectivist encroachments' and 'an individualism which has no understanding of essential social unity'.<sup>27</sup>

The equal dignity of all human life lies at the centre of a characteristically Christian approach to both economic issues and issues such as abortion and embryonic stem-cell research. Both sets of issues require the consideration of moral questions—notably as to the value placed upon human life—and contingent questions upon which the sciences and other fields of technical knowledge must be consulted. If there is a difference between the two sets of issues, it is the degree to which the moral questions are the principal matter of contention. The abortion and embryonic stem-cell research controversies are less remarkable for the disagreement over the science than for the disagreement about the moral value of lives which are not autonomous. Advocates and opponents of voluntary euthanasia have a similar disagreement about the value of lives which are affected by extreme pain and incapacity. Robert George has analysed these debates as confrontations between the Judeo-Christian view of the person as ‘a dynamic unity of body, mind and spirit’ and the orthodox secularist view of the person as ‘the conscious and desiring “self” as distinct from the body’.<sup>28</sup> No amount of empirical evidence about the characteristics of embryos—as to their lack of autonomy or susceptibility to pain—or the suffering of the terminally ill can resolve this fundamental disagreement about what makes a life valuable.

Economic questions, by way of contrast, involve very little deep disagreement about moral questions. Few people would challenge the proposition that governments should frame their economic policies so that as many citizens as possible may have the opportunity to lead dignified, useful and fulfilling lives. It is the question of the means by which this can be achieved—that is, what mix of free markets, individual enterprise, trade unionism, government intervention and social welfare measures maximises the possibilities for citizens to pursue a good life—which provokes deep disagreement. Discovering the best means involves weighing the empirical evidence. Accordingly, John Paul II could observe that ‘the historical experience of socialist countries has sadly demonstrated that collectivism does not do away with alienation but rather increases it, adding to it a lack of basic necessities and economic inefficiency’,<sup>29</sup> while providing a rebuke to ‘the *a priori* belief’ that market forces, of themselves, provide the antidote to material poverty and human

alienation.<sup>30</sup> John Paul II, in saying this, exercised the proper role of the teachers of morality, which is to remind free market and socialist fundamentalists alike that the ultimate aim of economic policy is not theoretical purity but the preservation and extension of human flourishing and dignity. Free market capitalism, where it has operated within a relatively stable and transparent legal framework, has performed well on this test. The message of John Paul II (and others) to the adherents of free markets is that they should take care to avoid indulging in the idolatry of system that has been the principal flaw of totalitarian socialism.

### Conclusion

A synergy between the claims of religious faith and those of empirical knowledge is possible where the protagonists on each side remember that their respective disciplines perform different functions. Neither set of claims can resolve any public policy question without some recourse to the other. The claims of religious faith (and, by extension, those of other values systems) resolve questions of ultimate meaning—that is, what amounts to a good life—while the claims of empirical knowledge enable us to identify the proposals which are most likely to fulfil those values and the concrete circumstances in which these values are infringed. Some issues—such as abortion—have revealed deep disagreement about values or, at least, the way conflicting values propositions are to be weighed or traded-off against one another. The state does not remain neutral by refusing to countenance discussion of these matters. That attitude gives the advantage to agnostic libertinism. Prominent legal scholar Jeremy Waldron has said that, where a public policy question provokes deep disagreement upon values questions, the solution has to be ‘forged in the heat of our disagreements’.<sup>31</sup> This requires perpetual full and frank discussion between the proponents of different values systems with a view to discovering principles which most citizens can affirm from their own perspectives and which provide a measure of coherence to the state’s exercises of power. The adherents of religious traditions, so long as they continue to be mindful of the functional distinction between values propositions and empirical knowledge, can make a valuable contribution to the discussion.

## Endnotes

- <sup>1</sup> Morgan Mellish and Laura Tingle, 'Pell's angels of influence', *The Australian Financial Review* (17 May 2005), 61.
- <sup>2</sup> Commonwealth, *Parliamentary Debates*, House of Representatives, 21 August 2002, 5343 (Mr Mark Latham, Member for Werriwa), Senate, 11 November 2002, 5860-5861 (Senator Amanda Vanstone, Senator for South Australia).
- <sup>3</sup> *Attorney-General (Vic) ex relator Black v The Commonwealth* (1981) 146 CLR 559, 604 per Gibbs J, 653 per Wilson J.
- <sup>4</sup> *The Church of the New Faith v The Commissioner for Payroll Tax* (1983) 57 ALJR 785, 787.
- <sup>5</sup> A critical analysis of 'orthodox secularism' may be found in Robert P. George, *The Clash of Orthodoxies: Law, Religion, and Morality in Crisis* (Wilmington: ISI Books, 2001), 6-15.
- <sup>6</sup> John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), 226.
- <sup>7</sup> As above, 250.
- <sup>8</sup> Marion Maddox, *God Under Howard: The Rise of the Religious Right in Australian Politics* (Sydney: Allen & Unwin, 2005).
- <sup>9</sup> As above, 24.
- <sup>10</sup> As above, 39.
- <sup>11</sup> As above, 83.
- <sup>12</sup> As above, 314.
- <sup>13</sup> As above.
- <sup>14</sup> Commonwealth, *Parliamentary Debates*, House of Representatives, 21 August 2002, 5303-5306 (Mr Tony Abbott, Members for Warringah), Senate, 12 November 2002, 6059-6062 (Senator Jacinta Collins, Senator for Victoria).
- <sup>15</sup> The expression is borrowed from Michael Perry, 'Religious Morality and Political Choice: Further Thoughts—And Second Thoughts—On *Love and Power*' (1993) 30 *San Diego Law Review* 703, 716.
- <sup>16</sup> Richard John Neuhaus, *The Naked Public Square: Religion and Democracy in America* (2nd ed)(Grand Rapids: William B Eerdmans Publishing Co, 1986), 82.
- <sup>17</sup> Perry, above n 15, 722.
- <sup>18</sup> 'The desperate poverty of our campaign discourse stands exposed. Because we exclude moral values, our political landscape contains vast tundras of unspoken thoughts and taboo subjects. By denying the importance to most Australians of moral values based on religious belief and tradition, politicians and opinion shapers make room for politico-religious splinter groups'. Frank Devine, 'Ignoring religion in politics only stifles and splinters', *The Australian* (15 October 2004), 13.
- <sup>19</sup> Congregation for the Doctrine of the Faith, *Doctrinal Note on some questions regarding The Participation of Catholics in Political Life* (2002), <[www.vatican.va/roman\\_curia/congregation\\_cfaith\\_doc20021124\\_politica\\_en.html](http://www.vatican.va/roman_curia/congregation_cfaith_doc20021124_politica_en.html)>, par 6.
- <sup>20</sup> *Christianity + Politics = Power?* (2004) <[www.sydneyanglican.com/indepth/Christianity\\_politics\\_power](http://www.sydneyanglican.com/indepth/Christianity_politics_power)>.
- <sup>21</sup> Note 20 above, par 5.
- <sup>22</sup> Note 20 above, par 6.
- <sup>23</sup> See particular Jacinta Collins, note 14 above.
- <sup>24</sup> Rowan Williams, *Sermon at the 60th Anniversary of Christian Aid*, St Paul's Cathedral, London, 26 April 2005, <[www.archbishopofcanterbury.org/sermons\\_speeches/050426.htm](http://www.archbishopofcanterbury.org/sermons_speeches/050426.htm)>.
- <sup>25</sup> *The Economist*, 30 April 2005 at 46.
- <sup>26</sup> 'The Church has no models to present; models that are real and truly effective can only arise within the framework of different historical situations, through the efforts of all those who responsibly confront concrete problems in all their social, economic, political and cultural aspects, as these interact with one another. For such a task the Church offers her social teaching as an *indispensable and ideal orientation*, a teaching which, as already mentioned, recognises the positive value of the market and of enterprise, but which at the same time points out that these need to be oriented towards the common good'. John Paul II, *Centesimus Annus*, 1 May 1991, <[www.vatican.va/holy\\_father/john\\_paul\\_ii/encyclicals\\_index.htm](http://www.vatican.va/holy_father/john_paul_ii/encyclicals_index.htm)>, par 43.
- <sup>27</sup> 'There *is* a middle road, namely the combination of personal finality and functional structure which derives its inner coherence entirely and exclusively from the Christian faith, or to be more exact, from the Christian conception of justice, based in that of creation. By this Christian conception of justice, personal life is the supreme value and is to be defended against all totalitarian collectivist encroachments. On the other hand, this highest evaluation of individual personality does not lead to an individualism which has no understanding of essential social unity'. Emil Brunner, *Christianity and Civilisation, First Part: Foundations*, (London: Nisbet & Co, 1948), 121.
- <sup>28</sup> George, note 5 above, 9.
- <sup>29</sup> John Paul II, note 28 above, par 41.
- <sup>30</sup> As above, par 42.
- <sup>31</sup> Jeremy Waldron, *Law and Disagreement*, (Oxford: Clarendon Press, 1999), 106; See also Jeremy Waldron, 'Religious Contributions in Public Deliberation' (1993) 30 *San Diego Law Review* 817, 838.