

**3 Liberal Religion on Permanent Furlough to the Inter-world: Comments on Kevin  
Carnahan's *Embodied Religion and Liberal Society: the Obstacle of De Facto Established***

***Religion***

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First of all, thanks to Dr. Kevin Carnahan for a fine paper. His clear exposition of the issues in play makes it easy for his listeners to enter into the conversation. And he is surely on target on the need to clarify the term "religion" for some contemporary discussion. The suggestion that we think of religions as cultures or subcultures "in which people live their whole lives in response to a vision of the world" makes an apt replacement for religion as exclusively or even primarily beliefs or doctrines. It parallels and receives added support from David Holley's recent volume on religions as life-orienting stories. Finally, Dr. Carnahan captures the logic of liberalism for the expanded definition very well.

But it is just this logic that is troubling as it would bring even tighter restriction and exclusion from the public square. Consider the example of the Blue laws forbidding trade on Sunday. Later legislation confirmed these laws for a time on the secular justification of the need for rest. But the Blue laws retain a religious resonance from their point of origin which is familiar to most citizens, a resonance even the alternative secular justification could not eclipse. Hence Blue laws should be struck from the books for favoring biblical religion. That is, every trace of religious expression must be eliminated.

But what if Western law were more intricately and deeply related to its Christian past? Students of legal history are well aware of these formative and constitutive connections. Tracing the years from Christianity's introduction throughout Europe, one can watch the biblicization of law unfolding. And it wasn't just the replacement of pagan law with specific laws from the

Hebrew Bible. Under the pressure of an ever more widely held faith, slavery, infanticide and abortion came to a legal end. In this and other legal ways, love of neighbor was worked into the social structure. The law reflected a new frame of mind. A thorough-going attempt to purge the law of all its Christian inflection, would leave an unrecognizable residue. So we find that religion is an extraneous add-onto Western law, but is partly constitutive of it.

By contrast, on the stringent requirements of liberalism, we ordinarily wait to establish a consensus before making changes. So the liberalist might have been waiting to this day for a consensus against slavery or infanticide. Had the liberal standard been applied at these earlier times (i.e. when slavery and infanticide only violated Christian sentiments), moral progress would have stopped. Yet at the same time, liberalism would have us censor our language in public to the secular standard. Without intending to, in this way liberalism resembles the official atheism of the formerly communist states. What one is taught indirectly by the liberal law's enforced omission of religion from, say, public education, is that religion is unimportant for understanding or conducting ourselves or our societies. Open talk of God even in the halls of public elementary schools brings swift all-round suppression as "inappropriate at school."

But if Charles Taylor is right, liberalist values need the support of religion to make sense. Kant's need to postulate the existence of God and the afterlife to save the rationality of morality is another way of seeing the same dependence relation. So in its secularizing role, liberalism may be cutting itself off at the knees.

And what of those religions for which control of the political and legal powers is constitutive, such as Islam? Here a liberal regime will simply prevent such development, if it is able. That is, it will not remain neutral. Indeed, it cannot. The impossibility of neutrality is even more transparent under the widened sense of religious culture Carnahan brings into play.

To ban abortion would be to favor, say, Catholic and Evangelical Christianity. But to allow it disfavors these groups, necessarily. So neutral law-making is impossible. But with the loss of neutrality the liberal regime has lost its legitimacy. It continues to legislate as a kind of tyranny.

Epicurus, the father of Epicureanism, denied the charge of atheism. Rather, he taught that the gods lived in the inter-world--the space between worlds (i.e. not in our world) where they could affect nothing in our world, indeed were completely irrelevant to it, atheism for all practical purposes. And this appears to be the fate of religion under the widened sense of the term under the liberal regime.