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Source: *Journal of Business Ethics*, Feb., 1997, Vol. 16, No. 3 (Feb., 1997), pp. 263-273

Published by: Springer

Stable URL: <https://www.jstor.org/stable/25072890>

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Religion and Business Ethics: The Lessons from Political Morality¹

Timothy L. Fort

ABSTRACT. The issue of whether religious belief should be an appropriate grounding for business ethics raises issues very similar to those raised in asking whether religious belief should be an appropriate grounding for political morality. In light of that fact that writings in political morality have been a common resource for contemporary business ethics, this paper presents contemporary arguments about the role of religion in political morality while noting the relevance of these debates for business ethics.

The paper takes the position that rather than excluding religion from public morality, political morality (and business ethics) ought to take an inclusive, ecumenical approach. To argue this position and to present fully a range of literature normally not studied in business ethics circles, the paper presents and critiques the major contemporary authors in the field of political morality and contrasts them with the inclusionists who seek to keep public grounds open for all moral perspectives.

Introduction

In 1993, management guru Tom Peters wrote an article in which he drew a distinction between a kind of empowerment-spirited management which is good and a kind of spiritually-informed management that seems "to cross a line, to blur the borders between church and corporation." For Peters,

... when talk turns to the spiritual side of leadership, I mostly want to run. It should be enough

if I would like hell, respect my peers, customers and suppliers, and perform with verve, imagination, efficiency and good humor. Please don't ask me to join the Gregorian Chant Club, too.³

Although it is not clear why a spiritual orientation should necessitate singing Gregorian Chant, Peters' comment does reflect a wariness toward the integration of theology and business. Business ethics surveys, such as that of Arlow *et al.*,⁴ indicate that business people do not see the active involvement of religious leaders as a particularly helpful way to improve the ethical nature of business activity. If it is true that there is a deep reluctance to admit religious ethics to public life generally, the prospects for a theologically-grounded business ethic are dim indeed.

To date, the field of business ethics has not taken the harsh exclusionary approach of much of political moral theory. Even the more challenging critiques of theologically-informed business ethics⁵ have not been epistemological, but question its practical engagement with the field of business. Others have responded to such objections.⁶

Instead, this paper takes a different tack. It incorporates the substantive writing about the role of religion in political morality. While business and politics are different (usually), the debates over political morality are significant because they bypass the constitutional church-state issues. Instead, as a matter of morality, not law, the political/religious debate can shed light on the extent to which religious commentary on public affairs (including those of business) is relevant and legitimate.

The primary purpose of this article, then, is to review the literature that addresses the

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question of whether people (in various political roles) should rely upon religious grounds in public debate. I will side with those who argue that there should generally be no restrictions on the grounds one uses to justify political choice.⁷ In order to do justice to the political theories, and so that business ethicists can profit from studying another field that confronts similar issues, the paper will deal primarily with matters of political morality. The significance of these debates for business ethics will be noted as well. Thus, this paper presents a condensed history of the religion-and-politics debate, describes the position that excludes religion from political argument, explores the reasons why an inclusionist approach is more attractive than an exclusionary one, and briefly relates this literature to business ethics.

A condensed history of the debate

Whether individuals should rely upon religious beliefs in their political decisions and in their political advocacy are questions that have existed (in some form) throughout the history of the United States. The American experiment of separating religious and political institutions inevitably promotes confusion as to whether one's religious views should be kept out of political affairs. The culture of the founders certainly expected and encouraged religion to undergird public morality which was symbolically and substantively translated into political actions, but *The Federalist Papers* also warned about religious factions.⁸

The questions arising out of this confusion have sparked a new version of the debate over the last half of the twentieth century on church-state jurisprudence, and in the last fifteen years on grounds of political morality. This has coincided with the conservative religious movement that challenges a perception that religion is to be removed from the public square and a cultural understanding of religion as a private affair. Scholars such as Philip Kurland,⁹ Leo Pfeffer,¹⁰ and Leonard Levy¹¹ as well as justices of the Supreme Court, political and religious leaders have argued over the impact of

court cases in the latter part of the twentieth century. Establishment Clause cases that have overturned cherished, culturally-sanctioned associations such as the elimination of bible-reading from the schools,¹² removal of mandated school prayer,¹³ and the battle over teaching of evolution and/or creation¹⁴ have significantly contributed to a perception that religious belief should not be part of the public square.

Significant academic literature has attempted to define what role, if any, religion should play in politics, both in terms of individuals relying on religion to make political decisions and justifying such choices. Much of this literature comes from scholars who argue that religion and politics are inevitably intertwined in American cultural history and that court decisions cannot simply remove religion from public life.

Harold Berman, for instance, writes of the inevitable and necessary linkage of religion and law so that there would be both a just social order to avoid sentimentality and a merciful compassion to temper the harshness of law.¹⁵ He also demonstrates how secular laws of the western legal tradition were grounded in the Papal Revolution of the Middle Ages. Western tradition, he argues, derives from a religious, Catholic defining of the structure of the world, including specific conceptions of the legal theories of property, procedure, and contracts. Canon law, he claims, is the first modern legal Western system that provides the structure for Western legal systems, even today.¹⁶

In 1984, Richard John Neuhaus published an influential book in which he argued that no state can be devoid of a guiding morality. Stripping the public square of religion, he argued, created a "naked public square" that would be filled by some other comprehensive morality. The idea of neutrality in politics, he argued, is an illusion.¹⁷ A year later, A. James Reichley continued this argument in specifically American terms, arguing that American cultural history was imbued with the interaction of politics and religion until the courts attempted to remove religion from the public square.¹⁸ These arguments, of course, were being pushed in political terms since the mid 1970s by the increasing activism of "the religious right."

The movement has drawn a response from those who wish to keep religion out of the political realm. Those who do I will call “exclusionists,” because they seek to exclude religion from politics in some way as opposed to “inclusionists” who for a variety of reasons (including liberal, conservative, or no political agendas) wish to allow religion to contribute to political life.

The exclusivist position

The beginning positions: Nagel and Ackerman

Two of the early exclusionists in this revived debate are Thomas Nagel and Bruce Ackerman. Nagel argues that a “highest order impartiality” in politics (an argument for fairness in creating laws that have coercive elements) requires a “common critical rationality.”¹⁹ This rationality is a language of shared values that political participants use to debate issues. In developing that rationality, Nagel argues, one should not justify any conviction based on faith and revelation for fairness reasons: one should not coerce others on grounds that others can reasonably reject.²⁰

Religion is ruled out because there is no way a religious believer (relying upon religious insight to make an argument) can share the experience with her interlocutor. She retains something that the listener cannot share. Thus Nagel offers a rule of impartiality in which one should not advance reasons that rely upon religious conviction unless the other party can reasonably accept them.

Michael Perry argues that Nagel’s criteria of the consideration of the evidence that can be shared by a reasonable interlocutor is itself problematic. Perry asks, for instance, if personal/direct evidence of being a drug user can be shared with the vicarious/indirect evidence of being the spouse of a drug user.²¹ More troubling, Perry argues, is the determination of a common critical rationality. Ultimately, privileging political arguments on such “shared premises” is deeply problematic and probably “impossibly restrictive.”²²

Bruce Ackerman also proposes to restrain citizens from using religious beliefs when acting

in politics. Ackerman insists on a three-step process for establishing the legitimacy of political argument. First, one must present reasons for the exercise of power; second, one’s reasons must be consistent with the reasons one uses to justify other exercises of power; and third, some kinds of conversations should be excluded from debate.²³

The conversations that are excluded are those whose moral premises are not neutral. By neutrality, he means

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 citizen.²⁴

Ackerman’s strategy is to establish the ground rules for authentic dialogue that can resolve political issues without any participant claiming to be superior to another.

My principle of conversational restraint does not apply to the questions citizens may ask, but to the answers they may legitimately give to each others’ questions: whenever one citizen is confronted by another’s question, he cannot suppress the questioner nor can he respond by appealing to (his understanding of) the moral truth; he must instead be prepared, in principle, to engage in a restrained dialogic effort to locate normative premises both sides find reasonable.²⁵

Like Nagel, Ackerman’s approach requires a notion of the sole legitimacy of shared values in conducting political debate. If one argues in non-shared terms – a language that is likely to indicate that the user of such non-shared language is morally superior to the other – one sets up a power relationship against one’s interlocutor. Ackerman’s approach, however, may hide as many power dominations and oppressions as it seeks to avoid. Perry points out two further problems with Ackerman’s approach. First, Perry argues that Americans are too pluralistic to settle upon a set of shared values. Thus, one cannot find a common language with which to conduct a debate. Second, to privilege only certain (i.e.,

shared) premises creates an unfairness against those who are outside of the cultural norm.²⁶ While America may not be too pluralistic to find a set of shared beliefs on a great many significant issues, Perry is correct that Ackerman's methodology is itself hardly neutral. Ackerman and Nagel propose neither neutral nor impartial methodologies. Each privileges some views and discriminates against others who do not "share" their approach.

The later positions: Dworkin, Rawls and Marshall

Several theorists provide new variations for excluding religion and other comprehensive views from politics. For instance, John Rawls argues for the exclusion of comprehensive epistemologies in grounding constitutional and political fundamentals in favor of a "public reason" derived from the "overlapping consensus" found among various comprehensive views.²⁷ Ronald Dworkin attempts to create a space for various religious to pursue their own idea of the sacred (on issues such as abortion and euthanasia) while grounding political discussions on secular ideas, even secular ideas of the sacredness of life.²⁸ William Marshall recognizes an epistemological equivalence of religion to other moral philosophies, but because he fears religion's "dark side," he wishes to exclude religion from public life.²⁹ These variations of the exclusivist position are more sensitive to the reality that religion does play a part in a person's decisions than the positions of Ackerman and Nagel. But they will attempt to restrict religion from significant political engagement.

Religion as a non-public affair. Ronald Dworkin acknowledges the reality of the sacred in making political decisions, but he excludes non-consensual religious belief from them. For instance, Dworkin writes that in the issues of life at the margins (abortion and euthanasia) there is a consensus about the sacredness of life. Nearly everyone agrees that a life – whether that of a fetus or a comatose patient – is valuable. The disagreement comes in determining the measure for the sacredness of that life. He proposes that

at such margins, individuals be allowed to pursue their belief of the sacred separately rather than mandating a national moral policy. In doing this, he draws upon notions of religious freedom to argue that we should allow a space for such activity.

This argument has some merit, but it raises the question of the definition of what is religious and the amount of space that ought to be allowed. Dworkin relies on the *Gillette*³⁰ case in which the Supreme Court recognized that religious belief (or beliefs similar to religious beliefs) could be considered in conscientious exemption cases. With this kind of analysis, the test of what is religious comes down to sincerity. That test is not particularly helpful for evaluating the claims of Branch Davidians for whom the allowance of space for sincerely-held beliefs threatens civilized life. While Dworkin is correct to allow religious belief a good deal of space exempt from government interference, one needs more than a sincerity test to ground it.

John Rawls argues that no comprehensive (religious or controversial normative belief) moral philosophy is adequate for a political theory in late twentieth-century American democratic society. Positing values of the necessity of free and equal citizenry, Rawls argues that America is too diverse to ground political normativity on comprehensive moral views. Further, he argues, such philosophies are too insufficient theoretically to ground political order. Yet, out of these comprehensive views are certain overlaps; certain points of agreement. These overlaps are a repository of normative values out of which a free-standing political theory can emerge. The theory becomes grounded in the overlaps, not on the underlying comprehensive doctrines that give rise to the overlaps. One can create a constitution that free and equal people can consent to that is not dependent upon a religious or comprehensive moral philosophy.

More specifically, once recognizing these overlaps, Rawls believes that one can establish a public reason. That reason is the reason of citizens whose subject is public, political life. It is the reason persons must use when engaged in public, political affairs. For Rawls, political life is a public activity. The public nature of politics

mandates the use of reason appropriate for the constituency that makes up the public. Non-public politics (such as within a church or family) does not require public reason. Rawls is careful in defining the subject matter of his approach. It applies, he argues (at least for the purposes of the particular argument Rawls addresses in the book) only to Constitutional principles and fundamental principles of political life, such as who will have the right to vote and who will be tolerated under principles of religious freedom.

Rawls argues that those individuals in public life (including judges, legislators, and citizens in their public advocacy) must rely upon and make arguments based on public reason rather than comprehensive moral views. He is willing to allow the "background culture" (citizens in private lives and associations) to argue more freely. To the extent one participates in public life, however, one should consult only public reasons in making political decisions, and then advocate for political issues in that public reason.

At one level, Rawls' argument is the simple knowledge that every political operative knows. That is, to do something politically, one should mobilize a coalition of forces that agree on what to do, although the reasons for what they believe may be quite distinct. Rawls' idea of an overlapping consensus is a philosophically-distinguished version of this most basic political knowledge.

The problems with this approach, however, come in (at least) four areas. The first problem had already been raised by Perry. One cannot simply bracket religious belief because "contests over human good have been and remain central to politics, not marginal (however repressed such contests may sometimes be.)"³¹ Political activity will often have an element of religious motivation in it.

Second, one must ask whether Rawls guts the heart of his overlapping consensus by canonizing it in terms of a public reason. Reducing a set of overlapping ideas to a common reason provides grounds for solving some political questions, but it separates the reason from the evolving, underlying dialogue that gives rise to the overlap. The problem is not so much with overlapping consensus as a solution to political problems as it is

with excluding those who are not in the public reason on a rather permanent basis. Rawls' public reason is not better prescription for political thinking, but for political negotiating. While there may be something to be said for reaching agreements on the basis of shared values, there is no reason that those values ought to be the only language according to which persons develop their thinking and express themselves.

Third, this raises the question of whether public reason is an issue of political morality or political strategy. One may well build coalitions that are politically effective. Such strategic efficacy is not the same as a moral requirement to ignore religious wisdom in making or advocating political change. If Rawls and the shared-values school wish to make an argument on a normative basis, it must win on epistemological or consequentialist grounds. But if the problem with religious advocacy is one of strategic efficacy, then the normative aspect drops out.

Fourth, Rawls' public reason underdetermines political issues. Perry has argued that a major problem with the common-language approach is that it does not always provide the resources to solve an issue. The agony over doctor-assisted suicide is an example of this. The public reason of political theory and jurisprudence simply has not addressed this issue in contemporary realities. A judge (or jury) making a decision is bound to be guided by non-public rationales if a decision must be made and the "stuff" of public reason is not available.

Now clearly there is a wisdom to the shared-values school of thought as described by all these theorists. One must find shared values out of an overlapping consensus in order to take political action in a democratic society. To the extent one can do so without resort to a rationale that claims that one is a mouthpiece of God, one is more likely to have a successful political strategy. The universe of religious people who argue in terms of being God's mouthpiece, however, is relatively small. Generally excluding religious beliefs rules out of bounds many quite thoughtful individuals who rely on a religiously-based wisdom. Engaging those thinker is likely to produce significant overlaps with other religions and with non-religious thinking. Religious belief ought

not be excluded from public life, but ought to be included in order to recognize the public claims of religion. Those claims then ought to be engaged, not ignored.

The consequentialist argument. The Constitutional limitation on religious participation in public affairs came from a context in which such participation caused very real dangers. Does engaging the public claims of religious belief risk inflaming those dangers? William Marshall, for instance, acknowledges Larry Alexander's claim that religious belief is not epistemologically different from other moral philosophies.³² Marshall argues that religion should be kept separate from politics, not on epistemological grounds, but on the practical reality that religion has a history of practising potentially dangerous intolerance even when its leaders are motivated by love of humanity. Drawing upon Dostoyevsky's *The Brothers Karamazov*, Marshall claims that the danger of religion is that out of this love of humanity, the Grand Inquisitor practices intolerance and persecution. The reason for this is that humanity shrinks from embracing freedom in favor of following religious doctrines and rituals. Such doctrines and rituals replace God, but because human beings cling to (often-meaningless) doctrines and ritual, they can only assist their authority, not justify them. When such passionate adherence is brought into public, political conflict with similar beliefs, the danger for a modern round of Inquisitorial intolerance is realized.³³

Marshall's approach reinforces the opinion that religion should be a private, not a public, affair. The use of religious language in justifying political decisions is largely eliminated for anyone who is politically significant. Richard Jones, however, has argued that the attempt to split the public from the private aspect of religion is simply impossible and to do so distorts what religion is.

In sum, religion creates a framework providing meaning for a person's whole life. It is therefore unrealistic to hope to relegate religious faith to the realm of purely private opinion which should have no consequences for one's public action in

particular. Religion does not govern only limited areas in the life of the religious – it is not reducible to something exclusively personal or private. Instead, religion is *comprehensive* in the sense that all aspects of one's life are related in one degree or another to this fundamental framework.³⁴

Religion may be a very personal matter, but the results of those personal matters are not private because they have an impact on how one determines one's obligations to others, even when one is a politically significant person. Such obligations are political matters. Not only does Marshall's argument prevent a full discussion of political issues by not allowing politically – significant persons to rely on whatever benefits motivate them, but it distorts religion in the process. This is an even more serious charge, for it is one thing (bad enough) to discriminate against a person's ability to speak. It is another to misrepresent what religion does, even if we have historically made that obfuscation. Stephen Carter argues

The practical difficulty is that when one encounters the big questions – questions, literally of life and death – one may well ask the impossible when one asks citizens not to consult with the entirety of their moral convictions.³⁵

While Marshall may rightly worry about religious conflict, it is not clear that peace and stability are best served by restraining candor and marginalizing the ethical demands of religious belief.

This is not to discount the danger Marshall raises in the use of religion in political dialogue. But, as the rise of the religious right demonstrates, the attempt to exclude a point of view of an independently powerful social force – i.e., a force that has power and influence independent of legal power – does not mute its voice, but causes it to express it in some other way. In short, religious or comprehensive beliefs (even those of liberalism) will play some public role. The question is whether dialogue will be the method for discussing differences or whether a politically silenced social power will be forced to grasp more aggressively for its public expression.

This approach risks religious conflict, but it

also promotes religious understanding. The danger to peace and stability comes from prejudicial ignorance of the beliefs of others leading to misrepresentation of one's opponent. Rather than fostering peace and stability, Marshall's approach sows the seeds for greater cultural ignorance. It is more likely than dialogue to erupt into conflict. Preserving peace, stability and freedom are better served by honest dialogue that provides a way for the social force of religion to be publicly expressed.

The danger of shared values. Whether grounded in a belief in the superiority of non-religious epistemology or in the fear of hostile consequences, the exclusionist position rests on some version of an argument that we should make public moral decisions only on the basis of shared values. Shared values rely upon a common language of communication: That is at the heart of the exclusionists' argument. One needs a "public reason" (Rawls), a "secular notion of the sacred" (Dworkin), a "common critical rationality of impartiality" (Nagel), or "neutrality" (Ackerman) to make and justify political judgments. But as Jurgen Habermas argues:

The metainstitution of language as tradition is evidently dependent in turn on social processes that are not reducible to normative relationships. Language is also a medium of domination and social power; it serves to legitimate relations of organized force.³⁶

Dialogue requires the openness to convictions beyond those that are shared because shared values can hide oppressive social structures. If a shared-value approach does not provide a role for a non-shared, "depth-hermeneutic"³⁷ that unmasks social prejudice, it threatens to perpetuate oppressive dominations. Breaking out of such oppression requires the depth-hermeneutic of critical rationality – even of prophetic critique – provided by religion and other comprehensive, non-accessible views.

This methodology makes a very big difference to the consequentialist concerns latent (explicit in Marshall) in the exclusionist position. The methodological insistence upon the types of arguments that are fair leads to practical judgments

about what will happen if other kinds of arguments are used. If one can only make political judgments on shared truths, one will inevitably find non-shared truth disruptive. If reliance on religious belief is presumed to lead to disruptive social consequences, then any prophetic voice will be a threat to stability and could lead to conflict.

Stephen Carter has argued, however, that it is precisely religion's ability to thumb its nose at political society that is its virtue.

A religion is, at its heart, a way of denying the authority of the rest of the world; it is a way of saying to fellow human beings and to the state those fellow human beings have erected, "No, I will not accede to your will." This is a radically destabilizing position, central not only to the civil resistance of Martin Luther King, Jr., and Mohandas Gandhi, but also to Operation Rescue, the activist anti-abortion group whose confrontational tactics are rejected by such moderate pro-life groups as the National Right to Life Committee.³⁸

Any vision of the good will be based essentially on a ground that is accepted for reasons of some kind of faith that may be disruptive. Business ethics itself is a discipline that often thumbs its nose at economic self-interest. Such disruptiveness is necessary for just social structures, but the resource for the disruptiveness may be based on an element of faith as well as clarifying logic. For instance, one may wish to claim that peacefulness is superior to violence. Why? Presumably, the effects of violence horrify us because of the devastation it wreaks on people. But why should we care about human beings? Ultimately, the rationale will come down to a belief that human beings are important for some unprovable (but perhaps very persuasive) reason. If no public morality is free-standing, honesty should compel one to present and defend one's vision of the good, not privilege it by ruling other conceptions as being out-of-bounds.

The inclusionists, in fact, have the much better argument when it comes to points about truth. Restricting debate so that one cannot rely upon moral convictions denies a significant resource for coming to know what may be true, and unfairly prevents a person from speaking freely

and from articulating what moves the person. Similarly, if we do believe that truth is more likely to be found in the process of open debate, an exclusionary process operates against the discovery of truth.

Positive benefits of inclusionism

The inclusionists' criticisms of the exclusionist school should be fairly clear by now. There is a concern that the exclusionist approach is unfair, that it is too restrictive, that it is inconsistent with liberal philosophy itself because it restricts one from advocating what one believes, that it provides too little (it underdetermines) questions of political choice, and that it does not promote the goals of freedom and equality.

But are there any reasons for a person to support inclusionism on grounds other than those that identify the weaknesses of exclusionism? Other than the very important point that a prophetic voice can overcome the oppressive dimensions of shared values (including religiously-shared values) do the inclusionists have something positive to offer other than the avoidance of exclusionism's faults? There are six such positive features.

First, inclusionism fosters the authentic response of the individual to the mystery of creation. This is the argument of John Paul in *Centesimus Annus*.³⁹ In that encyclical, he critiqued socialism in its failure to allow for the most basic freedom: religious freedom. Now one may wonder exactly how much freedom the Pope himself is willing to allow, but his positive point for our purposes is that the freedom to act upon one's religion – even in political terms – provides the individual with the opportunity to respond to God's creation. The non-believer may find such an opportunity irrelevant, and is free to act accordingly. But the believer should be free to act in response to the mystery of creation.

Second, inclusionism enhances human creativity. As Michael Novak argues, not only may creativity be a divine-like action, but inclusionism allows an individual to be free to be a creative participant in social and political life.⁴⁰ One is not prevented from being politically active

because of one's religious belief. Two obvious twentieth century examples are Martin Luther King, Jr. and (to look outside of the United States) Mohandas Gandhi. Not only did both base their political actions on religious beliefs, but their methods of achieving them were also grounded in religious beliefs. This creative expression of political action in the face of oppression was helpful in securing the ultimate goal.

Third, inclusionism fosters constructive dialogue rather than intolerant religiosity. Richard John Neuhaus, recognizing the religious impulse as a natural human instinct, argues that if one excludes that impulse from political life, then a significant alternative for its expression becomes the coercive seizing of power in a non-dialogical manner.⁴¹ Thus, exclusionism leads to the kind of militant fundamentalism that poses a threat to religious tolerance and political divisiveness.

Inclusionism, on the other hand, demands that theological insight be debated. This is Perry's point as well.⁴² It provides the opportunity for discussion and increased knowledge so that the religious impulse is expressed. The theology expressed may vary in its ecumenism, but inclusionism provides a political safety valve for its expression as opposed to a lockout that can likely lead to social withdrawal or political takeover.

Thus, inclusionism can promote peace. Absent an ecumenical understanding among philosophical and religious worldviews, it is easy for mistrust, ignorance, and contention for power to lead to warfare. Only by having authentic dialogue – the inclusionist approach – to public matters can there develop the understanding that fosters peace instead of war.

Fourth, the "clash" of moralities leads to a deeper morality. Hayek argued that the interaction of morality through trade leads to larger, more sophisticated civilizations and morality.⁴³ Similarly, the interaction of cultures can deepen moral wisdom. To build on the old Chinese proverb of blind persons feeling parts of the elephant, the sharing of religiously-pluralistic insight gives a better description of the entire elephant.

Fifth, religiously-based public action is a reality of American life, and probably the reality of life generally. More specifically, there is a consensus that there has been a significant religious dimension of American life. The content of that religious belief from the founding of the country to civil religion may have varied, but our public movements have been nourished on religious belief. Including religious belief in our actions has historical, cultural legitimacy. Recognizing religion's role in public life simply identifies an historical reality of American life.

Sixth, inclusionism helps restrain self-interest. As DeToqueville noted, most religions contain a notion of self-restraint in one's political and economic activities.⁴⁴ Thus, inclusionism allows for the development of the kind of restraint of individual self-aggrandizement that DeToqueville saw as the central way in which an egalitarian democracy could survive.

Implications for business ethics

The debates over political morality raise the attempt to restrict religion from public debate to a level of exclusion much higher than seen to date in business ethics. But given the way in which prominent business ethicists have (helpfully) borrowed from political theory to ground business ethics, one needs to be wary that the exclusionist argument might also be borrowed. Given the business ethics appropriations of the influence of social-contract thinking,⁴⁵ rights-based business ethics theory,⁴⁶ and attempts to create a single theory of ethics,⁴⁷ it is not a far step to conclude that a Rawlsian, free-standing morality could provide a rationale for excluding religion from corporate as well as political morality. The debates presented in this paper are not simply those from an unrelated field, but pose a challenge that ultimately must be confronted by any theologically-based public ethic.

More specifically, the question of whether a theologically-informed business ethic is an appropriate normative resource for a pluralistic business economy poses the same issues addressed by these debates of political morality. As exemplified in the opening Tom Peters vignette, there is a

similar fear that the introduction of religion into a public ground (here, the corporation) leads to a slippery slope of indoctrination, maybe even of singing Gregorian Chant. So, just as religious influence in politics is worrisome, it is worrisome in business as well. The answer, however, is not a strict exclusionism that is not only not neutral, but which hides oppressive structures, inhibits creativity and moral growth, and which fosters religious ignorance rather than enlightenment. The better answer is a wide-ranging inclusiveness.

Conclusion

The heart of the exclusionist position is the assumption that the sharing of religious viewpoints is not productively possible and is likely to lead to strife. Since liberal theory values human life, dignity, and autonomy, such strife is dangerous. But while defenders of exclusionary policies are quite right in being concerned with such consequential problems, they have neither shown why strife is worse than oppression, why exclusion promotes long-term stability, nor why religious dialogue is impossible.

Moreover, by embracing a cultural understanding of religion as a private concern, the exclusionists assert an understanding that distorts the essential elements of religion and is an understanding that itself is very much in dispute today. In fact, to confine religion as a non-public matter perpetuates a grievous historical mistake that (at least in America) partially originated in religion's failure to address the quasi-public ethical issues of nineteenth-century capitalism. That error cripples the search for truth. Inclusionism keeps the Rawlsian overlapping consensus framework open for contributions from religious morality without shutting off an evolving morality that accompanies any society (political or economic) through its history.

The inclusionists provide a fairer, more truthful theory and one that may be more peaceful than that of the exclusionists. The exclusion of religion from public debate can lead to increased ignorance that itself can cause even more difficult conflict. Further, shared values

hide oppressive social structures and distort the character of religion. Thus, the exclusionists provide a less fair, less truthful, and more discriminatory system without necessarily assuring the long-term peace and stability they seek.

There is no good reason for us to restrict persons from relying upon religion in making and justifying political and economic judgments. This means that theology ought to be a participant in debates about public matters, including business ethics. Theology's contributions will be as varied as the philosophical alternatives for business ethics. But that is exactly the kind of inclusiveness that should be the mark of the dialogue.

Notes

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² I would like to acknowledge Professor Michael Perry of the Northwestern University School of Law who directed the portion of my Ph.D. work related to questions of religion and political morality.

³ Peters, Tom, April 5, 1993, 'Business leaders should be spirited, not spiritual,' *Chicago Tribune*.

⁴ Arlow, Peter and Ulrich, Thomas A.: 1988, 'A Longitudinal Survey of Business School Graduates' Assessments of Business Ethics', *Journal of Business Ethics* 7, 295–302.

⁵ See e.g. DeGeorge, Richard T.: 1986, 'Theological Ethics and Business Ethics', *Journal of Business Ethics* 5, 421–432.

⁶ See e.g. Camenisch, Paul F.: 1986, 'On Monopoly in Business Ethics: Can Philosophy Do It All?', *Journal of Business Ethics* 5, 433–443; McCann, Dennis P.: 1986, 'Umpire and Batsman: Is It Cricket to Be Both', *Journal of Business Ethics* 5, 445–451; McMahon, Thomas F.: 1986, 'Creed, Cult, Code and Business Ethics', *Journal of Business Ethics* 5, 453–463; Williams, Oliver F., C. S. C.: 1986, 'Can Business Ethics be Theological? What Athens Can Learn from Jerusalem', *Journal of Business Ethics* 5, 473–484; and Goodchild, Lester F.: 1986, 'Toward a Foundational Normative Method in Business Ethics', *Journal of Business Ethics* 5, 485–499.

⁷ I need to recognize two limitations of the scope of this paper. First, in issues of political decisions, there is an important issue of whether citizens should even rely upon religious views in making political judgments. Since I argue that one may justify one's position in publicly-religious rationales, I obviously

assume that one may rely upon religion to make such judgments. Thus, I will not address the reliance issue. Second, my primary concern is with religious beliefs. I do not consider non-religious comprehensive views, or controversial moral convictions, although I think the rules for religion ought to apply with equal force to these other "non-accessible" positions.

⁸ *The Federalist Papers* #10, 1961 (New American Library: New York).

⁹ Kurland, Philip B.: 1962, *Religion and the Law of Church and State and the Supreme Court* (Aldine Publishing Company: Chicago).

¹⁰ Pfeffer, Leo: 1967, *Church, State and Freedom*, rev. edn. (Beacon Press: Boston).

¹¹ Levy, Leonard: 1986, *The Establishment Clause: Religion and the First Amendment* (Macmillan Publishing Company: New York).

¹² *Abington Township School District v. Schempp* 374 U.S. 203 (1963).

¹³ *Engel v. Vitale*, 370 U.S. 421 (1962) and *Wallace v. Jaffree* 472 U.S. 38 (1985).

¹⁴ *Epperson v. Arkansas*, 393 U.S. 97 (1968) and *Edwards v. Aguillard* 482 U.S. 478 (1987).

¹⁵ Berman, Harold J.: 1974, *The Interaction of Law and Religion* (Abingdon Press: Nashville).

¹⁶ Berman, Harold J.: 1988, *Law and Revolution: The Formation of the Western Legal Tradition* (Harvard University Press: Cambridge, Massachusetts).

¹⁷ Neuhaus, Richard John: 1984, *The Naked Public Square: Religion and Democracy in America* (Eerdmanns Publishing Company: Grand Rapids, Michigan).

¹⁸ Reichley, A. James: 1985, *Religion in American Public Life* (The Brookings Institute: Washington).

¹⁹ Nagel, Thomas: 1987, 'Moral Conflict and Political Legitimacy', *Philosophy and Public Affairs* 16, 215–240, 229–230.

²⁰ Id. at 232.

²¹ Perry, Michael J.: 1991, *Love and Power: The Role of Religion and Morality in American Politics* (Oxford University Press: New York), p. 12.

²² Id. at 13.

²³ Ackerman, Bruce: 1980, *Social Justice in the Liberal State* (Yale University Press: New Haven, Connecticut), pp. 7–8, 14.

²⁴ Id. at 11.

²⁵ Ackerman, Bruce: 1989, 'Why Dialogue', *Journal of Philosophy* 86, 5–22, 17–18.

²⁶ Perry, *supra* at 9–19.

²⁷ Rawls, John: 1993, *Political Liberalism* (Columbia University Press).

²⁸ Dworkin, Ronald: 1993, *Life's Dominion: An Argument About Abortion, Euthanasia, and Individual Freedom* (Alfred A. Knopf: New York).

²⁹ Marshall, William: 1993, 'The Other Side of Religion', *Hastings Law Journal* **44**, 843–863, 846–847.

³⁰ *Gillette v. U.S.* 401 U.S. 437 (1971).

³¹ Perry, *supra* at 42.

³² See Larry Alexander, 1993, 'Liberalism, Religion and the Unity of Epistemology', *San Diego Law Review* **30**, 763–797.

³³ Marshall, *supra* at 852–853.

³⁴ Jones, Richard: 1994, 'Concerning Secularists' Proposed Restrictions of the Role of Religion in American Politics', *Brigham Young University Journal of Public Law* **8**, 343–392. For Jones, the only restriction on religious views is that of the Establishment Clause. But even there, he argues that government should not be non-religious, but that it should welcome pluralism.

Thus, it is more accurate to refer to a state under the Establishment Clause as *pluralistic* or *neutral* rather than *secular*. For the issue at hand, the most important consequence of this is that, as far as the government is concerned, the political arena is pluralistic, not free from religion. *Id.* at 356.

³⁵ Carter, Stephen L.: 1993, *The Culture of disbelief: How American Law and Politics Trivialize Religious Devotion* (Basic Books: New York), p. 241.

³⁶ Habermas, Jurgen, 'A Review of Gadamer's "Truth and Method"', in Gayle L. Ormiston and Alan D. Schrift: 1990, *The Hermeneutic Tradition: From Ast to Ricoeur* (SUNY Press: Albany, New York), p. 239.

³⁷ Habermas describes this as follows:

Depth-hermeneutic understanding requires, therefore, systematic pre-understanding that extends onto language in general, whereas hermeneutical understanding always proceeds from a pre-understanding that is shaped by tradition and which forms and changes itself within linguistic communication. *Id.* at 254.

³⁸ Carter, *supra* at 41.

³⁹ John Paul II, 1991, *Centesimus Annus, Origins: CNS Documentary Service* **21** (Washington).

⁴⁰ Novak, Michael: 1993, *The Catholic Ethic and the Spirit of Capitalism* (The Free Press: New York).

⁴¹ Neuhaus, *supra*.

⁴² Perry, Michael J.: 1993, 'Religious Morality and Political Choice: Further Thoughts – and Second Thoughts – on *Love and Power*', *San Diego Law Review* **30**, 703–727.

⁴³ Hayek, F. A.: 1988, *The Fatal Conceit* (The University of Chicago Press: Chicago, Illinois).

⁴⁴ DeToqueville, Alexis, *Democracy in America, Book Two* (Vintage Books: New York), 1945, p. 131.

⁴⁵ See e.g. Donaldson, Thomas: 1982, *Corporations & Morality* (Prentice-Hall, Inc.: Englewood Cliffs, New Jersey).

⁴⁶ See e.g. Werhane, Patricia: 1985, *Persons, Rights, & Corporations* (Prentice-Hall, Inc.: Englewood Cliffs, New Jersey).

⁴⁷ See DeGeorge, *supra* at 430.

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