Religious Interactions in Deliberative Democratic Systems Theory

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Abstract: The following essay begins by outlining the pragmatist link between truth claims and democratic deliberations. To this end, special attention will be paid to Jeffrey Stout's pragmatist enfranchisement of religious citizens. Stout defends a deliberative notion of democracy that fulfills stringent criteria of inclusion and security against domination. While mitigating secular exclusivity, Stout nonetheless acknowledges the new visibility of religion in populist attempts to dominate political life through mass rule and charismatic authorities. In response, I evaluate recent innovations in deliberative democratic systems theory (DDST). By adding a pragmatist inflection to DDST, I aim to apprehend the complex religious interactions between partisan interest groups as well as the trust-building capacities of minipublics.

In his 2010 *Blessed Are the Organized*, Jeffrey Stout cites the zero-sum opposition between secularists and theocrats in the United States. The difficulty is not whether any side expresses public views of the right or good in religious terms. Instead, it "is that their behavior reveals what they are hoping for, which is to dominate, if not eliminate, the rest of us if given the chance" (Stout 2010a, p. 228). Stout goes on to discuss the rise of religious populism in this context in order to draw attention to its similar aim to dominate through mass rule and charismatic authorities (Stout 2010a, p. 231). Here again, he draws attention to the difference "between populist and genuinely democratic forms of sociality" (Stout 2010a, p. 231). Straw man arguments against democracy tend to define it in terms of "direct rule by the common folk", on the one hand, and the "minimal criteria concerning elections and citizens' rights" on the other (Stout 2010a, p. 247). In contrast, Stout defends a deliberative notion of democracy that "fulfills stringent criteria of inclusion and security against domination" (Stout 2010a, p. 247). Wherever such criteria are applied, a more humane form of political life becomes possible.

However, Stout's vision of deliberative democracy faces two interrelated difficulties addressed in the essay below. The first concerns his pragmatist evaluation of religious truth claims in diverse democratic cultures. Stout takes pains to avoid secular exclusivity as well as accusations against pragmatism's potential relativist narcissism. Despite such efforts, he acknowledges that religious resentment may persist. In response, I secondly evaluate recent innovations in deliberative democratic systems theory (DDST). By adding a pragmatist inflection to DDST, I aim to apprehend the complex religious interactions between partisan interest groups as well as trust-building minipublics.

1. Pragmatist Faith in Deliberative Democracy

In his 1927 *The Public and Its Problems,* John Dewey declared, "optimism about democracy is to-day under a cloud" (p. 110).[1] As more recent commentators note, few of Dewey's concerns have changed in the near century of intervening years. Brutal wars in the name of democracy alongside public skepticism of scientific findings are as common then as now (Knight and Johnson 2011, p. ix). For Dewey, religion's visibility in prohibition law and attempts to bar scientific education in schools posed significant new challenges. Prohibition law was in full swing by 1927, and the Scopes Monkey Trial occurred in 1925, where a new frontier of religious confrontation with biological science was to emerge. Hence, he emphasized the question of religion in other works such as *A Common Faith*. In Dewey's view, democratic people should expect religious innovation insofar as their societies provide space to explore new and better forms of faith (Dewey [1934] 2013, pp. 8–9). Dewey was thus a kindred spirit in contemporary debates about the new visibility of religion today (Hoelzl and Ward 2008).[2] His personal transposition of religious faith need not detract from his overall recognition of the need to include the question of religion in his response to democratic crisis. However, Dewey's pragmatist faith has not always been appreciated in this context (Knight and Johnson 2011, p. ix).

Nonetheless, Stout's work provides one of the more thoroughgoing continuations of Dewey's consideration of faith in democracy. Despite rising concerns about "the power of the religious right in the United States and the rise of militant Islam elsewhere" (Stout 2008, p. 533), Stout critiques the secular aim to minimize the influence "of religion as such" (Stout 2008, p. 534). If flourishing democratic practices are the aim, then anyone wishing to contribute should be included in "building coalitions of the right sort" (Stout 2008, p. 543). Insofar as not all religious forms of populist activity are authoritarian in political orientation, then they should not be singled out as a threat to democracy. Much of Stout's criticisms of the counterproductive effects of secular opposition to religion come down to his interest in responding to religious resentment and disenfranchisement (Stout 2004, pp. 92–117). He thus aims to provide more inclusive democratic practices that are nonetheless robust enough to secure against anti-democratic attempts to dominate.

While some proponents of pragmatism have denied its political implications,[3] early progenitors such as Dewey clearly linked democracy to epistemic concerns with the truth. Not only did he argue that a "pragmatic conception of truth" called for people to subject "to the test of consequences their most cherished prejudice" (Dewey [1911] 1998, p. 110). He also recognized that this would involve "a great change in the seat of authority and the methods of decision in a society" (Dewey [1911] 1998, p. 110). Such statements evince Dewey's understanding of democracy as both a "'social idea' as well as a system of government. 'The idea remains barren save as it is incarnated in human relationships'" (Stout 2004, p. 6; citing Dewey [1927] 1946, p. 143). As Knight and Johnson conclude, "when we pursue the implications of such observations, it becomes clear that pragmatism implies some kind of priority

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[1] I begin with Dewey as a reminder that some of the difficulties faced by contemporary democracies are not new. For a brief history of these matters, see Sophia Rosenfeld's recent *Democracy and Truth: A Short History* (Rosenfeld 2019). In particular, she notes the longstanding threats to democracy's modern forms from both "the rise of an elite, technocratic approach to the determination and propagation of truth, and then a populist pushback" (Loc 40). While each particular moment of populism comes with its own practical concerns, it is worth noting that such movements are not necessarily antithetical to the deliberation of truth claims over the course of history. As I will intimate in my conclusions below, DDST has novel potential to contextualize particular cases. Moreover, as David Avrom Bell noted in his review, Rosenfeld makes short shrift of the "postmodernism is to blame" mantra in this regard (Bell 2019). My aim here is to reiterate the need to take the critical work of pragmatist thinkers seriously in this context.

[2] With two notable exceptions in the chapters by Williams and de Maeseneer, *The New Visibility of Religion* compendium did not evaluate pragmatist thought in detail (Hoelzl and Ward 2008, pp. 47, 100). This essay aims to respond to that gap.

[3] Knight and Johnson devote a chapter to this sentiment (Knight and Johnson 2011, pp. 25–50). They target Richard Posner's claims to pragmatism's apolitical nature with regard to Heidegger's pragmatist affiliations (Knight and Johnson 2011, p. 29; citing Posner 2003, p. 55). They rightly point out that while Rorty drew attention to pragmatist themes in Heidegger's thought, there remained sufficient distance between Heidegger and pragmatism as such (Knight and Johnson 2011, pp. 30–31; citing Rorty 1991a, pp. 17–19). In sum, because Heidegger cannot be reduced to pragmatism, the political implications of his association with National Socialism do not result in the political ambivalence Posner claims are necessary for pragmatist thought.

for democracy" (Knight and Johnson 2011, p. 33). In one sense, there is little controversial with the view that "having beliefs which are responsive to reasons and evidence is linked to getting true or better beliefs" (Misak 2009, p. 37). However, pragmatists since Dewey go further in their reliance upon deliberative contexts in which "beliefs are exposed to reasons and arguments of others" (Misak 2009, p. 34). Said another way, pragmatist accounts of truth have consistently supported a talk-based or deliberative understanding of democracy.

Deliberative democratic theory typically relies heavily upon pioneering aspects of Jürgen Habermas's work (Gutmann and Thompson 2004, p. 9).[4] It is worth noting that Habermas has acknowledged sympathies with pragmatism (Habermas 2002, p. 228; cf. Heath 2006) and that deliberative theorists have sometimes cited pragmatism's potential to strengthen its arguments. For instance, John Dryzek explored the pragmatist view of democratic legitimacy's reliance upon the "reflective acceptance on the part of those subject to the decision" (Dryzek 2004, p. 72) and also noted Habermas in this context. Others, such as James Bohman, have similarly interrogated the degree to which pragmatist approaches to democracy can better respond to the challenges of political pluralism (Bohman 2001, p. 111). Knight and Johnson's *The Priority of Democracy* establishes the coincidence between democratic and pragmatic responses to disagreement and struggle. In their view, "politics . . . reflects a seemingly incontrovertible condition—any imaginable human population is heterogeneous across multiple, overlapping dimensions" (Knight and Johnson 2011, pp. 117–18). One of the more comprehensive defenses of pragmatist advantages when considering the protection of individual rights in the context of pluralist societies can be found in Robert Talisse's *Democracy after Liberalism* (Talisse 2005, pp. 116–17). Each of these treatises investigates pragmatist criteria for achieving the deliberative aim of democratic inclusivity (Gutmann and Thompson 2004, p. 9). While variously critical of Habermas, their arguments gravitate around how best to achieve that inclusivity.

1.1. Beyond Pragmatist Secularism, Relativism, and Narcissism

Stout, in particular, identifies his project as a pragmatist form of deliberative democracy (Stout 2004, p. 339n.11). However, his aim to enfranchise religious citizens relies on two important qualifications to pragmatist thought. Firstly, Stout critiques the self-contradictory nature of pragmatist secularism evident in Richard Rorty's writings on religion (Stout 2008, pp. 534–37; 2010b). Stout and Rorty agree on the deliberative democratic aim. However, they nonetheless disagree about the capacity of religious people to contribute to enlivening democratic practices. In Rorty's early work, he excluded religious voices because of the likelihood that they will "end a conversation [rather] than start an argument" (Rorty 1999, p. 171). Later on, he adjusted his views to include certain kinds of religious claims in political life (Rorty 2003, pp. 141–49). At one point he wrote that his "sense of the holy... is bound up with the hope that someday, any millennium now my remote descendants will live in a global civilization in which love is pretty much the only law" (Rorty 2005, p. 40; 2011, pp. 7–17). Stout's difficulty is not only with Rorty's oversight of the religious voices that have reverberated through democratic causes in figures such as Ralph Waldo Emerson, Elizabeth Stanton, Walter Rauschenbusch, James Baldwin, and Desmond Tutu (Stout 2008, pp. 542–43). Rather, Stout finds that Rorty's criteria for adjudicating religious inclusion remain significantly undeveloped (Stout 2004, pp. 85–91; 2010b, p. 529).

Stout acknowledges that Rorty cannot be advocating a paternalistic nor legalistic means of excluding religious viewpoints he finds unsatisfactory. Instead, he seems to be arguing that "there is something out of whack in the unacknowledged *motives*" of certain religious claims (Stout 2010b, p. 529). Here, Stout reiterates his overall point, which is that Rorty's fixation on religion distracts

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4 For a more comprehensive history of deliberative democracy, see Antonio Floridia's "The Origins of the Deliberative Turn" (Floridia 2018). He cites both Habermas and John Rawls as the "consolidation of philosophical foundations" in the 1990s, which is the focus of this essay (Floridia 2018, p. 36).

from the more significant challenge of identifying the difference between religion's "life-giving and malignant tendencies" (Stout 2010b, p. 524). To that end, the secularist's exclusion of unsatisfactory religious viewpoints stops the conversation before the most cruel, hateful, and authoritarian elements can be brought to light for rigorous, immanent criticism (Stout 2010b, p. 532). By the same token, Stout thinks that a person's love of justice should also be drawn out and pursued wherever it is expressed, be it in "political acts, sexual relationships, selection of friends, works of art, behavior as a sports fan, interpretation of scripture, or vision of the eschaton" (Stout 2010b, p. 532). Rorty betrays his democratic principles precisely insofar as he projects a vision of secular dominance (Stout 2010b, p. 528).[5]

Secondly, Stout takes pains to ensure that his inclusivity of religious voices does not devolve into nihilist relativism,[6] nor social narcissism (Stout 2007). Hence, he responds to past pragmatist considerations of truth claims found in Donald Davidson as well as some of the other more problematic aspects of Rorty's thought. Stout accepts the import of Davidson's notion of interpretive charity or the minimum disposition necessary to evaluate truth claims (Stout 2002, p. 26; cf. Davidson 1995 and Davidson [1967] 2006). There is only so much error one can attribute to an interlocutor if the conversation is to have any meaning at all. However, Davidson's own work perpetuates the difficulty involved with evaluating the importance of the notion of truth in deliberations. This is because, as Stout points out, Davidson does not sufficiently clarify his own view of truth, at points calling attempts to define truth as folly (Stout 2002, pp. 30–31).[7]

For similar reasons, Stout was critical of Rorty's past cavalier statements that truth is "whatever your peers will let you get away with" (Stout 2002, p. 30).[8] Like Davidson, Rorty is keen to avoid oversimplified accounts of realist objectivity as well as critiques of a metaphysical picture of the world implied by correspondence models of truth (Stout 2002, p. 30). However, while in some contexts, Rorty admits that "true statements get things right" (Stout 2007, p. 26; Cf. Rorty 2000b), he is otherwise disposed to affirming a notion of truth that can be reduced to "as much intersubjective agreement as possible" (Rorty 1991b, p. 23; cf. Stout 2007, p. 10). Stout aims to avoid the accusations that this results in "collective narcissism" (Stout 2007, pp. 25, 28). It is not simply an epistemic shortcoming. Rather, Stout links such narcissism to group conformity that itself can operate as "a type of authoritarianism" (Stout 2007, p. 25).

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5   It is beyond the scope of this essay, but worth noting that Stout makes a similar argument against Sam Harris's *The End of Faith* (Harris 2005): "Either (a) they are merely warning us about the dangers of allowing religion into politics . . . or (b) they are proposing some more aggressive strategy for curtailing the influence of religion on politics" (Stout 2008, p. 538). In either case, Harris does not explain how the exclusion of religion is to be achieved by democratic means. Moreover, there are aspects of Harris's argument that promote further intolerance of religious people regardless of the specifics of their political dispositions. In part, this is due to Harris's criticism of religious moderates whose "beliefs provide the context in which scriptural literalism and religious violence can never be adequately opposed" (Harris 2005, p. 45; cited in Stout 2008, p. 537). In Stout's view, this imperils democratic culture itself. "The pragmatic effect of this proposal in the contemporary American context is clear: there will be no political alliance between non-believers and moderate theists" (Stout 2008, p. 538).

6   Stout's *Ethics after Babel* had been reviewed as such in Santurri, "Nihilism Revisited" (Santurri 1991; cf. Stout 2002, p. 33n.11). Stout is acutely aware that the seriousness of moral claims about issues such as slavery and violence cannot be left ambiguous in light of pragmatist skepticism concerning realist metaphysics. To this end, Santurri acknowledged that Stout's intentions were clearly both realist and constructivist (Santurri 1991, p. 75; citing Stout 2001, p. 77). Stout's persistent resistance to nihilist relativism is evidenced in his ongoing interventions in pragmatist philosophy. His discussion of Brandom outlined below is a case in point. While beyond the scope of this essay, Stout's summary of "unconditional obligations" (Stout 2004, p. 192), in his chapter on "Democratic Norms in an Age of Terror", also provides useful responses to "dirty hands" and "emergency" arguments (Stout 2004, pp. 186, 200).

7   Stout is citing ambiguities between Davidson's essays, "Truth Rehabilitated" (Davidson 2000), "The Folly of Trying to Define Truth" (Davidson 1996), and "The Structure and Content of Truth" (Davidson 1990). He does not cite Davidson's "A Coherence Theory of Truth and Knowledge (1983)" (Davidson [1983] 2006) and "Appendix: Afterthoughts (1987)" (Davidson [1987] 2006), which also shows some of Davidson's ambiguity on the topic.

8   Stout is here attributing to Rorty the less nuanced version of what he actually wrote with regard to "'ontological' explanations of the relations between minds and meaning" in *Philosophy and the Mirror of Nature*: "The aim of all such explanations is to make truth something more than what Dewey called 'warranted assertability': more than what our peers will *ceteris paribus* [other things being equal], let us get away with saying" (Rorty 1979, pp. 175–76).

1.2. Pragmatist Truth in Deliberative Democracy

In response, Stout aims to imbue political deliberations with the capacity to clarify the validity of religious truth claims. To this end, he draws upon Robert Brandom's anaphoric account of truth (Stout 2002, p. 26; 2004, pp. 270–86; 2007, p. 24). According to Stout, Brandom agrees with Rorty on the need to avoid representational or correspondence models in which truth is usually debated (Stout 2002, p. 48).[9] To do so, however, Brandom does not abandon the inevitable need to account for how the truth of a given claim or its object references practically operates in discourse. What Brandom finds lacking in representational hermeneutics is the way semantics are explained in terms of signification rather than through their pragmatic operations between people (Stout 2002, p. 32; cf. Brandom 1994, p. xvi).[10] Rather than reiterating the internal operations of signs, Brandom turns to the external context in which language is used (Stout 2002, p. 34). Echoing Wilfrid Sellars' work, he recognized that "'what was needed was a functional theory of concepts which would make their role in reasoning, rather than supposed origin in experience, their primary feature.'" (Brandom 1994, p. 93; citing Sellars 1975, p. 285). A pragmatics is always assumed in the sense that given claims are made by people who have key commitments at work in their interpretive activities (Stout 2002, p. 37). This context already includes norms of assessing how erroneous a claim may be. Our implicit attitude persistently tries to work out how well a person is articulating their beliefs in a given context.

While Brandom's notion of a language game is not played according to linguistic rules after Wittgenstein, language does give rise to normative behaviors (Stout 2002, p. 34). Chief of these concerns is truth. Truth does not practically function as a concept's relation to objects as such. Rather, it is understood as the "anaphoric" precursor to each sentence (Brandom 1994, p. 307).[11] In brief, Brandom takes "is true" to operate in a way similar to how a pronoun operates. Just as a pronoun stands in for another term previously delineated in a sentence, "is true" relies on a social context of interested interlocutors. Truth thus comes to operate in the normative practices implicit in any meaningful deliberation.

With an eye to avoiding narcissism, Stout makes clear that while the social context is crucial, this account of truth is not reducible to that context. At one point, Stout likens an interest in getting things right to an archer who not only embodies the virtues of the practice of drawing a bow, but also taking aim to hit an actual target (Stout 2007, p. 20). Truth is thus a distinguishable goal of inquiry, "but this goal arises in the context of a social practice in which aiming at the truth is among the things a practitioner is supposed to do" (Stout 2007, p. 22). It is in this sense that Stout draws attention to Brandom's account of "deontic scorekeeping" (Stout 2002, pp. 37–38; 2007, p. 24; cf. Brandom 1994, p. 188). The hermeneutic task of understanding another person's claims is not just about mapping their sentence onto our own. It is also about attributing commitments, deciding upon the veracity of those commitments, and judging whether the person is justified in holding them (Stout 2002, p. 27–28).

Stout gives the example of thirteenth-century scholars such as Thomas Aquinas, who held the pre-Copernican view that Earth was the "center of the created world" (Stout 2002, p. 28). We may accept that Aquinas believed something false, even though he was entitled to believe it in his epistemic context. As Brandom has it, this maintains "the distinction between claims or applications of concepts that are objectively correct and those that are merely taken to be correct" (Stout 2002, p. 24, citing

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9　It is worth noting that Rorty contends this point with regard to Brandom's work. Stout defends Brandom against Rorty's concern that he had reinstated representational metaphysics in Brandom's essay "Vocabularies of Pragmatism" (Brandom 2000). In sum, Stout thinks that Brandom can be "relying" on social contexts without "referring" to them (Stout 2002, p. 48; cf. Rorty 2000a, pp. 183–90).

10　As a case in point, Brandom thinks Derrida, in particular, was overly reliant upon the signified/signifier distinction, which followed from Ferdinand de Sausure (Brandom 2011, p. 204). I do not have the space to examine this relationship here, only to note that Derrida himself was open to pragmatism, intimating a possible "prommatology" (Derrida 1972, p. 151; 1984, p. 27; 1996, p. 80).

11　Brandom is drawing here upon Charles Chastain's notion of anaphora in "Reference and Context" (Chastain 1975, pp. 194–269; cf. Brandom 1994, p. 322).

Brandom 1994, p. 595). It is in this way that Stout holds a view of truth that relies both on the evaluation of evidence but is not reduced to that evaluation. It also relies on normative dispositions to revise positions in light of new evidence and the ability to distinguish evidence from the deeply perspectival nature of concepts (Stout 2007, p. 24; citing Brandom 1994, p. 594).

That interpretive interactions imply scorekeeping raises a number of issues when Stout turns to consider how religious claims might operate in a pluralistic context where no one group dominates. Crucially, Stout cannot take refuge in language's set rules nor a single authority adjudicating all interpretations. By analogy to sandlot baseball (Stout 2002, p. 40), Stout's account of discursive practices does not give any interlocutor umpire rights to dominate adjudications: "In ethics, as in most other forms of objective discourse, we are all keeping score" (Stout 2002, p. 41). Even in the case of a religious command theory of ethics, Stout argues that appeals to an ultimate umpire are incapable of overcoming the hermeneutic situation of deliberating in diverse democratic contexts (Stout 2002, p. 41; 2004, pp. 284–85). Participants are obligated to explain themselves before the viewpoints of others. More broadly, such a view of interlocution provides epistemic grounds to resist "the tyranny of the majority" in democratic politics (Stout 2004, p. 270). From wherever people start explaining their views, the game begins. It could originate from marginal or minority viewpoints, as well as from the majority.

In sum, interpreters rely on social contexts even though they may not refer to them (Stout 2002, p. 48). Stout's account of anaphoric truth underwrites his confidence in how a wide array of interlocutors can inform the direction of democratic decisions. However, even if Stout's pragmatist account of religious discourse assuages secular dominance, it nonetheless acknowledges that engaging other people of differing viewpoints will involve citizens in practices of explanation. Stout is clear that such language can have generalizing and therefore secularizing effects. Such effects are not the result of excluding religious language. Rather, they are a product of immanent encounters with difference. Resentment to secularization is thus indistinguishable from the resentment of diversity itself (Stout 2004, p. 99). However, Stout acknowledges the seriousness of this resentment's persistence.

For instance, Stout sympathizes at times with post-democratic pessimism, or notions of "fugitive democracy" as in Sheldon Wolin's *Politics and Vision* (Wolin 2004, p. 598; cited in Stout 2010a, p. 253). Democracy survives in this model "by splitting in half" (Stout 2010a, p. 253). Institutions continue with a "semblance of an accountable form of government" (Stout 2010a, p. 254). However, at the cultural level, ordinary people aspire only to "nurture the civic conscience of society" (Wolin 2004, p. 606; cited in Stout 2010a, p. 254). Democratic practices recede in direct proportion to the rise of authoritarianism. At this point, Stout notes the dangers of losing bare minimums at the institutional level: "If we lose freedom of speech, freedom of religion, and the right of assembly, democracy will not be fugitive; it will be subterranean" (Stout 2010a, p. 256). Here, he intimates a nascent account of what I will elaborate upon below, concerning systems interactions between different levels of political practices (Stout 2010a, p. 257). In contrast, to the fugitive democrat's emphasis upon the local level, Stout calls for a multivalent plurality of means by which political power can be adjudicated (Stout 2010a, p. 255): "The political program I am advocating, then, has multiple dimensions, indeed, one dimension for each level at which power is now being exercised by governmental and corporate elites: local, county, state, national, regional, and international" (Stout 2010a, p. 257). In *Democracy and Tradition,* he cites the United States Bill of Rights with its "system of checks and balances" and wide adult enfranchisement as institutional cases that reduce any one group's domination. My contention is that his view is compatible with recent research that takes a systems approach to the multivalent aspects of political deliberations. It is precisely here that deliberative democratic systems theory can apply to the case of religious resentment.

2. Religion in Deliberative Democratic Systems Theory

While early deliberative democratic theory focused on the question of legitimacy, later debate moved on to evaluate the empirical evidence for such practices (Mansbridge et al. 2012, p. 25; cf. Bächtiger et al. 2018). Democratic designs and innovations were tested and advocated for as part of

the overall response to critics.[12] In its most recent stage, the systems interactions between different political activities have been pursued as a way to draw together these efforts. As Mansbridge et al. note in reference to Mansbridge's use of the term in her essay "Everyday Talk in the Deliberative System" (Mansbridge 1999), this analysis reiterates themes developed by early deliberative theorists such as Habermas (1996, 2006). It also captures a range of other terms, such as "distributed deliberation" (Goodin 2005), "multiple deliberative moments" (Parkinson 2006), and an "intersecting process of public deliberation" (Bohman 2007; cf. Bohman 1996, pp. 152–53), to name just a few (Mansbridge et al. 2012, p. 1n.2). The aim is to provide a broader picture of how "a set of distinguishable, differentiated, but to some degree interdependent parts" interact with each other (Mansbridge et al. 2012, p. 4).

Moreover, while figures such as Habermas understood a deliberative system as a periphery with parliaments at the center (Mansbridge et al. 2012, p. 9; citing Habermas 1996), more recent systems theory has assessed a wider range of decisions both within and beyond a particular state. While the state and its legislatures remain as the "ultimate decision-makers in a polity", they do not always reside at the center of a given system (Mansbridge et al. 2012, p. 10). Importantly, while "the state has a unique role to play in constituting deliberative systems . . . the state is not the terminus of all deliberation" (Mansbridge et al. 2012, p. 10). A deliberative system could thus be conceived as "a map of nodes . . . with multiple forms of communication among them" (Mansbridge et al. 2012, p. 10). Systems approaches to deliberative democracy do not deny the importance of parliamentary representation and mass decision in votes. They rather reiterate the importance of voting and key institutions that support deliberative practices. The aim is to evaluate the best fit of deliberative contributions to deepening democratic processes (Chambers 2012, p. 53). As Jürg Steiner put it, "Besides deliberation, a viable democracy must have space, in particular, for competitive elections, strategic bargaining, aggregative votes, and street protests. The trick is to find the right mix among all these elements, and this will depend on the context" (Steiner 2012, p. 1). Much then relies on apprehending the interactions and applying deliberative techniques that aim to enfranchise citizens caught up in resentment. It is in this light that protest and populist movements, which Stout noted in his affirmation of multivalent democracy in *Blessed Are the Organized*, can be clarified further.

In systems analysis, a number of positive effects can be apprehended when such groups interact across a deliberative context, for instance, "as a remedial force introduced to correct or publicize a failure or weakness in fulfilling any or all of its key functions" (Mansbridge et al. 2012, p. 18; citing Fung 2005). Examples listed include protests that promote "the circulation of useful information . . . respectful interactions among citizens . . . [and] access to influence by bringing more voices and interests into the decision-making processes" (Mansbridge et al. 2012, pp. 18–19). Moreover, systems analysis can assess the impact of partisan groups and movements, including the media (Mansbridge et al. 2012, p. 19). It acknowledges that ideas produced in enclaves can "create the fertile, protected hothouses sometimes necessary to generate counter-hegemonic ideas" (Mansbridge et al. 2012, p. 9). This captures concerns about how to evaluate marginalized viewpoints from minority communities, which, at times cut, against the majoritarian tendencies of democratic practices.[13] Though "low or even negative deliberative quality with respect to one of several deliberative ideals, [they] may nevertheless make an important contribution to an overall deliberative system" (Mansbridge et al. 2012, p. 3).

In contrast, systems analysis also aims to address how deliberative forums such as "well-designed minipublics, can look less beneficial . . . when it displaces other useful deliberative institutions" (Mansbridge et al. 2012, p. 3). Such an approach thus assesses a broad range of interactions between, for instance, pressure groups, protest movements, deliberative forums, and expert consultations (Mansbridge et al. 2012, pp. 12–13). By the same token, broad changes that have occurred without

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12　Not an exhaustive list but relevant examples include the following: Fung and Olin Wright's *Deepening Democracy* (Fung and Wright 2003); Gastil et al. *The Jury and Democracy* (Gastil et al. 2010); Steiner's *The Foundations of Deliberative Democracy* (Steiner 2012); Smith's *Democratic Innovations* (Smith 2009); Fishkin's *When the People Speak* (Fishkin 2009).

13　This problem is summarized well in Paul Patton's essay on multiculturalism (Patton 2016).

"a clear decisional point", such as the case of anti-discrimination laws against "hiring on the basis of race and gender", can be difficult to apprehend. Systems analysis aims to capture deliberations that interact with each other at multiple points (Mansbridge et al. 2012, p. 8).

2.1. Criteria of Inclusion in DDST

Given the diversity of deliberations taken into account by a systems analysis, the criteria for inclusion remains paramount. Such criteria are especially important given the need to evaluate when "non-deliberative, weakly deliberative, or even anti-deliberative behavior nevertheless enhances the deliberative system" (Mansbridge et al. 2012, p. 19). Each aspect of a system can be assessed in light of deliberative democratic ideal functions of "seeking truth, establishing mutual respect, and generating inclusive, egalitarian decision-making" (Mansbridge et al. 2012, p. 22). Without such criteria, a functionalist reduction of anything and everything could contribute to a system. Take, for instance, two criteria that discussions "involve matters of common concern and have a practical orientation" (Mansbridge et al. 2012, p. 9). Each draws attention to what James Bohman refers to as the democratic minimum of self-rule (Bohman 2012, p. 72). Similar to Gutmann and Thompson's minimal deliberative democratic notion of reciprocity (Gutmann and Thompson 2004, p. 98) and Stout's security against domination cited above, Bohman focuses on the "practices of inclusion" at work in a system of related interdependent parts (Bohman 2012, p. 74). Bohman's aim is to create scope to consider as wide a variety of democratic polities as possible.

In light of such criteria, the challenge is to keep in focus the precise ways in which democratic representation is converted into decision-making power in any system (Bohman 2012, p. 74). For example, Bohman emphasizes the importance of democratic innovations such as minipublics and minidemoi. The former foster representation in public forums of deliberation and the latter include decision-making power: "Decision-making competence can thus be distributed among various types of publics, which then become minidemoi to the extent that they are formed to make authoritative decisions" (Bohman 2012, p. 88). Prominent examples would be citizens juries and assemblies. However, it becomes possible to envision a number of democratic innovations along these lines (Bohman 2012, p. 79; cf. Smith 2009). As MacKenzie and Warren summarize, such political formations are typically "between 20–500 participants, focused on a particular issue, selected as a reasonably representative sample of the public affected by the issue, and convened for a period of time sufficient for participants to form considered opinions and judgments" (MacKenzie and Warren 2012, p. 95). In Bohman's view, such groups are uniquely suited to act as intermediaries in a deliberative system that aims to "convert communicative freedom into communicative power" (Bohman 2012, p. 74; cf. Bohman 2007).

Moreover, minipublics can address cases where resentment is high and where trust is lacking in democratic decision-making processes. Democracies must devote some attention to enabling their citizens "to make *good* trust judgments, such that their trust is not misplaced or abused" (MacKenzie and Warren 2012, p. 96). Two areas could be pursued to foster increases in trust. Firstly, some legislative processes have limited information on the impact of the decision upon key constituencies. Minipublics can be formed to gauge such impacts more adequately. Secondly, with regard to ongoing executive decisions, "anticipatory publics" can be formed to help mitigate the impact of policy decisions where public opinion is less clear (MacKenzie and Warren 2012, p. 96). The goal in each case remains to extend minimum democratic practices as far as possible and in contexts where it is not clear how deliberative democratic inclusion is to be achieved through other institutional means. While systems theorists have tended to focus their attention upon international contexts,[14] my contention is that

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[14] Bohman's cites the EU, WTO, and UN as cases in point (Bohman 2007, p. 43). As John Dryzek notes, transnational institutions face an increasingly contestatory relation to nationally based civil societies (Bohman 2007, p. 43; citing Dryzek 2000, p. 133). Others, such as Habermas, have tended to emphasize state sovereignty as the location for democratic practices, with more ad hoc arrangements at the international level, or as Habermas calls it, the *Postnational Constellation* (Habermas 2001; cf. Bohman 2007, p. 39). Bohman recommends deepening the democratic processes at these levels without undermining state

religious interactions provide one of the best test cases of the potential value of minipublics, especially given the new and persistent visibilities of religion today.

2.2. Precluding Religion in DDST

Importantly, DDST scholars recognize the need to engage partisan groups as well as "religious bodies" (Mansbridge et al. 2012, p. 10). However, thus far, the religious case remains significantly undeveloped in the context of a range of other concerns.[15] Moreover, deliberative democratic theorists have, to varying degrees, framed the issue in terms of "religious controversy" and "as the paradigm of moral conflict that does not belong on the political agenda" (Gutmann and Thompson 1990, p. 65). In many ways, Gutmann and Thompson echo the way early progenitors of deliberative theory, such as Habermas, understood the nature of public reason, alongside the promotion of religious toleration as a pacemaker for cultural rights (Habermas 2004, p. 6). Nonetheless, the criteria of inclusivity continue to drive debate about how best to reframe "the normative status of religious reasons in public deliberation" (March and Steinmetz 2018, p. 203).

For instance, in an extended discussion of the reasons to preclude religion from politics, Gutmann and Thompson contrast John Locke's toleration with contemporary liberal theory (Gutmann and Thompson 2004, p. 66).[16] In their view, the latter's reasons for excluding religion from politics, namely skepticism, neutrality, and inaction, fail to address conditions of religious toleration (Gutmann and Thompson 2004, p. 66). In contrast to skepticism, Gutman's account of Locke advocates the principle of validity,[17] which includes provisions for ongoing deliberations about the truth of religious claims (Gutmann and Thompson 2004, p. 68). In contrast to neutrality, Locke rather appealed to the distrust of government: "The State should not be permitted to favor one religion over another, because it is at least as likely to favor the false as the true religion" (Gutmann and Thompson 2004, p. 69; citing Locke [1689] 1985, pp. 27–28). Lastly, in contrast to inaction, Gutmann and Thompson cite Locke's advocacy of rational deliberation. This relies on Locke's own definition of religion as such, namely that "true faith cannot by its very nature be commanded. True faith follows rational persuasion" (Gutmann and Thompson 2004, p. 69; citing Locke [1689] 1985, pp. 23, 26–29, 38). At this point, the argument reiterates the need to create deliberative space to perpetuate the discussion of religious ideas. However, that form of deliberation is now delimited in its preclusion from political concerns.

Stanley Fish drew particular attention to the exclusion of the religious case in Gutmann and Thompson's project (Fish 1999a, pp. 89–90). His overall aim was to reiterate the importance of historical contexts and events that support crucial political viewpoints, such as in the case of removing racial discrimination from the political agenda (Fish 1999a, pp. 97–98). Deliberation has its place but cannot,

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democratic practices nor instituting a single governance structure that overrides national sovereignty. I do not have space here to engage in these contested issues, so much as reiterate Bohman's call to continue to rethink the need to keep the minimum criteria of democratic practices of self-rule and security against domination clearly in view.

[15] Their full list is worth noting: "Those nodes would include nation-state bodies at different levels of government and with their different legislative houses, administrative agencies, the military, and the staffs of all of these; international bodies at different levels and their staffs; multinational corporations and local businesses; epistemic communities; foundations; political parties and factions within those parties; party campaigns and other partisan forums; religious bodies; schools; universities with their departments, fields, and disciplinary associations; unions, interest groups, voluntary associations and non-governmental organizations (NGOs) both *ad hoc* and long-standing; social movements with both their enclaves and their broader participation; the media including the internet, blogs, social media, interactive media, books, magazines, newspapers, film, and television; informal talk among politically active or less active individuals whether powerful or marginalized; and forms of subjugated and local knowledge that rarely surface for access by others without some opening in the deliberative system" (Mansbridge et al. 2012, p. 10).

[16] They cite Rawls's "Justice as Fairness" (Rawls 1985), Thomas Nagel's "Moral Conflict and Political Legitimacy" (Nagel 1987), and Richards's *Toleration and the Constitution* (Richards 1986). This is not meant to be a comprehensive view of their mature thought.

[17] They are clear that their interpretation of Locke contains some idiosyncrasies (Gutmann and Thompson 2004, p. 195n.3). My citation of their approach here is not to rehearse Locke so much as demonstrate their inadequate account of religious deliberation at this point. For an alternative recent secularist rehabilitation of Lockean toleration that aims to defend secular dominance, see also Blackford's *Freedom of Religion in the Secular State* (Blackford 2012).

in this sense, ground political life with appeals to higher principles of inclusion. Such attempts simply reinscribe "mutual respect as a device of exclusion" (Fish 1999a). Said another way, "any regime of tolerance will be founded by an intolerant gesture of exclusion" (Fish 1999b, p. 167). For these reasons, Fish has been referred to as a "laissez-fair agonist" (March and Steinmetz 2018, p. 211) in this context. As Gutmann and Thompson put it in their response to Fish, "deliberation can expose injustices by distinguishing between, on the one hand, claims that rationalize undemocratic or illiberal ends and, on the other, those that support the equal liberty, opportunity, and civic equality of individuals" (Gutmann and Thompson 2004, pp. 46–47). This line of response would be more robust, in my view, if they had not so significantly precluded religion from political deliberations in the first place.

The problem is not that Gutmann and Thompson have not considered a principle of fairness of access to deliberations (Gutmann and Thompson 2004, p. 51). Nor is it that they conceal substantive claims in their account of deliberation.[18] Rather, while providing good reason for the state to avoid delineating laws that would coerce on matters of religion, Gutmann and Thompson's improvisation of Locke's toleration goes no further in explaining how religious citizens are to express the political nature of their religious views in democratic deliberations. As William Galston similarly noted, they rely on a "rationalism that denies the public claims of faith" (Galston 1999, p. 47). Said another way, Gutmann and Thompson overlook the variety of religious discourses that might reasonably contribute to the democratic practices noted in Stout's account above. Moreover, their argument makes it difficult for the state to evaluate what precisely is wrong with definitions of religion opposed to Locke's. Gutmann and Thompson admit this gap when they cite the inapplicability of Locke's toleration to those that believe faith "actually requires state coercion" (Gutmann and Thompson 2004, p. 70). Hence, while Gutmann and Thompson are aware of the charge of "bias against . . . certain kinds of religious perspectives" (Gutmann and Thompson 2004, p. 51), their response is unable to draw those perspectives out into the open for immanent critique.

3. Religious Interactions in Pragmatist DDST

Proponents of deliberative democracy regularly cite religion's persistent visibility as a source of division, alongside racial, cultural, and other forms of disagreement. My contention is that systems theory can apprehend a wider variety of religious interactions. My claim is that DDST intimates potential deliberative contexts that could be deployed at multivalent points of democratic decision-making. However, such institutional innovations are themselves reliant upon theories of interlocution that benefit from a pragmatist inflection. Deliberative democratic theorists have explored possible pragmatist contributions on these matters and the religious case provides an instructive example for further adaptation.[19] I will therefore frame my conclusions as a series of practical recommendations.

Firstly, deliberative democratic theorists could avoid the preclusion of the general category of religion. After Stout's analysis, it should be clear that such preclusions can easily become self-contradictory if not self-defeating. I must reiterate at this point, Stout's pragmatist justification for democratic inclusivity and security against domination will inevitably result in principled separations between religious institutions and state governments. However, those separations are coordinated precisely by deliberating religious truth claims through "fair-minded, nonmanipulative, sincere

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18　It should be noted in this context that Gutmann and Thompson are not pure proceduralists. As they put it, "the point to keep in mind is that the democratic element in deliberative democracy should turn not on how purely procedural the conception is but on how fully inclusive the process is" (Gutmann and Thompson 2004, p. 9). Stout also goes further in outlining an argument for a democratic tradition. His substantive commitments "are initially implicit in our reasoning, rather than fully explicitly in the form of philosophically articulated propositions . . . Because they evolve, we need the historical category of 'tradition' to bring them into focus" (Stout 2004, p. 5).

19　In this way, I aim to respond to John Dryzek's question concerning the distinctive pragmatist contribution to democratic thought. As he puts it, "But given that deliberative theory and practice currently seem to develop without much help from pragmatism, what exactly can pragmatism now contribute that could not be found elsewhere?" (Dryzek 2004, p. 78).

immanent criticism" (Stout 2004, p. 85). Hence, one of the most important features of Stout's account of deontic scorekeeping is its capacity to ensure that people speak in their own terms. This is why Stout is critical of the universal account of communicative action that underwrote Habermas's hermeneutics (Stout 2001, p. 166; 2004, pp. 174–75). Moreover, Stout's task is not to "construct a theory of the social contract", nor "what Rawls calls a 'free-standing' political conception of justice" (Stout 2004, p. 2). Stout's "pragmatic version of *deliberative democracy*" thus cuts against Rawlsian abstractions in other deliberative projects (Stout 2004, p. 339n.11; citing Gutmann and Thompson 1996). While similar criticisms have been leveled by other pragmatist thinkers,[20] Stout's attention to the religious case continues to resonate in an era where religious visibility persists.

Secondly, systems analysis has the potential to apprehend democratic effects of partisan religious actions. As Stout acknowledges, even the most rigorously immanent account of pragmatist deliberative democracy will not be able to overcome religious resentments. Removing secular dominance cannot assuage the experience of political life honest to the condition of plurality. Religious partisanship is one possible expression of how such resentment can manifest itself. However, systems analysis could apprehend such partisanship as a potential contribution to political cultures that have historically disregarded religious concerns. This not only responds to the kinds of secular dominance Stout noted above. It could also apprehend complex multicultural democracies where diverse religious affiliations are being coordinated. Democratic cultures ebb and flow through majoritarian moments around decisions. Even in the case of populist protest movements, systems theory allows those views to be analyzed as possible contributions to deliberative democratic contexts.

Take for example the 2005 Danish cartoon affair. As Brahm Levey and Modood summarized, that event was not simply a clash between "Muslim sensibilities on the one hand, and liberal-democratic values on the other" (Brahm Levey and Modood 2009, p. 242). It also demonstrated the difficulty any multicultural democracy will have trying to balance basic values such as liberty and equality between a plurality of citizens (Brahm Levey and Modood 2009, p. 242). However, the difficulty with that case cannot only be understood as a pragmatic matter of interpreting the meaning of liberty. It was also that the only institutional options seemingly available to the citizens involved were populist protest and direct appeals to meet with parliamentary members (Brahm Levey and Modood 2009, p. 219). This is not to say that non-deliberative and undemocratic practices are to be accepted on their own terms. Rather, in systems analysis such practices can be understood in the context of a healthy mix of political activities. DDST ensures that the aim to promote deliberative contexts remains clearly in view.

Thirdly, to this end, minipublics could be designed with Stout's confidence in citizens' ability to evaluate a wide range of truth claims. As Knight and Johnson recognize, "in order to effectively exercise their capacity, ordinary men and women must be able to rely on the existence of certain material and institutional conditions" (Knight and Johnson 2011, p. ix). Such institutional conditions can find new modes of including religious concerns.[21] Minipublics could engender trust amidst religious groups otherwise disconnected from legislators and policymakers. They could help rechannel energies into deliberative debate between a representative sample of citizens affected by unforeseen events, such as those noted above. On the one hand, minipublics aim to provide meaningful avenues for state authorities to reduce their oversight of religious interests. On the other, they could ensure that a sample representation of religious viewpoints is more regularly included. They could provide clear

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[20] In general, pragmatists are agreed on the need to avoid appeals to abstract principles. Similar criticisms of Habermas and Rawls can be found in Misak and Talisse's work (Misak 2000, p. 41; Talisse 2005, p. 106). As Misak puts it, she aims to take back "reasonableness from the Rawlsians" (Misak 2009, p. 38). Pragmatists are typically as concerned, as Rawls was to avoid the influence of zealotry, bigotry, and the blindness of "passion or ideology" (Misak 2009, p. 31). For similar reasons Misak also criticized Carl Schmitt's view that "politics is a battleground between self-defined friends and enemies where the strongest will win" (Misak 2000, p. 10; 2009, p. 29–30). Rather, she aimed to show that "morals and politics fall under our cognitive scope" (Misak 2009, p. 30).

[21] While I commend Knight and Johnson's emphasis upon institutional supports, I question their skepticism of Dewey's concern with matters of faith (Knight and Johnson 2011, p. ix). My contention in this essay is that there are *not* pragmatic grounds to force that choice. They can inform each other to build trust and enfranchise religious communities.

"accountability and justification" when considering the inclusion of religious leaders and scholars (Knight and Johnson 2011, p. 103). Democratic accountability could be expanded to include other members of religious communities to ensure a wide canvassing of views within groups. Such design principles could also avoid instantiating sectarian differences between groups where inter-religious rivalries are present.

Parliamentary and legal deliberative contexts will remain primary sources of democratic engagement in this model. Minipublics have the potential to foster trust where reciprocity is otherwise non-existent. As Stout notes, modern democratic cultures are defined by the access that people have to political deliberations (Stout 2004, p. 309). Congressional and parliamentary bodies debate "in response to a wider context of deliberations, open to all" (O'Donovan 1999, p. 270; cited in Stout 2004, p. 4). Finding new institutional means to address access to deliberations by religious citizens remains an important task.[22] Deliberative forums focused on concrete problem-solving remain an underexplored response to agonistic pessimism concerning intractable social division. As Dryzek has noted, such agonistic opposition to deliberative democracy may also unwittingly collude with consocialist proposals in deeply divided societies (Dryzek 2005, p. 222; citing Moufe 1999; Lijphart 1977, 2000). Dryzek's concern is that "by freezing cleavages, a consociational regime may actually reinforce or, worse, create the kind of conflict it is designed to solve" (Dryzek 2005, p. 223).[23] Stout is similarly critical of consocialist oversimplifications of citizen identity. "It would simply be inaccurate to describe my point of view as that of my family, my co-religionists, or my race. One would fail to show me respect as an individual if one assimilated my point of view to some form of group thinking" (Stout 2004, p. 74).[24] Deliberative democratic responses to religious diversity have the potential to draw people into political conversations without sacrificing the respect of individual rights.

Lastly, the very notion of religion in DDST may seem an impossibility given the scope of intractable diversity. Nonetheless, there are existing examples that could be reconfigured in light of the arguments above. For instance, the Parliament of the World's Religions continues to garner support from national governments such as Australia's 2009 sponsorship of the Melbourne meeting. However, the premise of such meetings remains abstracted from democratic political concerns. Two prominent instigators of the movement, Hans Küng and Karl-Josef Kuschel promised peace among nations through peace among religions (Küng and Kuschel 1993, p. 45; cf. Küng 1993, p. xiii). The difficulty is that Küng's work explicitly avoids direct reflection upon political religious thought. Although he has reflected on political categories that arise out of European philosophy, he argues that religious consensus will be achieved by explicitly avoiding political aspects of religion. As he concluded at one point, "only an ethic of responsibility is of any use for a new world order" (Küng 1998, p. 66). Recent critics such as John Hick and William Cavanaugh have drawn attention to the failure of Küng's "global ethic" to address the political nature of religions in their historical complexity (Hick 2007; Cavanaugh 1995, p. 397). Even so, such parliamentary gatherings provide an example of the willingness of diverse religious

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[22] Critics, such as Robert Talisse, have suggested that Stout's failure to overcome religious resentment is due to insufficient reasons to enter into deliberations (Talisse 2009, p. 75). As he puts it, "nothing is said about why citizens should bother having such conversations, rather than simply hiving off with like-minded fellows in order to strategize and plot" (Talisse 2009, p. 78). While Talisse is right in my view to say that Stout relies on the notion of a democratic tradition in which people are situated, he did not adequately engage with the institutional aspects of Stout's project. He also did not adequately engage with Stout's discussion of Brandom's epistemic concerns. This oversight of Brandom's contribution is also a feature of Knight and Johnson's account (Knight and Johnson 2011, pp. 30–31). Despite this, in some respects, Talisse's own "folk epistemology" (Talisse 2009, pp. 79–120) is remarkably similar insofar as it too considers norms of discourse as a "social process of reason exchange" grounded in "a basic conception of epistemic or discursive etiquette" (Talisse 2009, p. 106).

[23] While not specifically addressed to the religious case, Dryzek's concluding proposal is strikingly apropos to the proposal advocated for here. In sum, Dryzek focuses on the "institutional specifics" (Dryzek 2005, p. 223) and concludes with a variety of options conducive to systems analysis, such as "deliberative institutions at a distance from sovereign authority; deliberative forums in the public sphere that focus on particular needs rather than general values; issue-specific networks; centripetal electoral systems; a power-sharing state that does not reach too far into the public sphere; the conditionality of sovereignty; and the transnationalization of political influence" (Dryzek 2005, p. 239).

[24] Stout has in mind Nicholas Wolterstorff's essay, "The Role of Religion in Decision and Discussion of Political Issues" (Wolterstorff 1997, p. 114).

people to gather towards deliberative aims. They need not reiterate calls to abstract notions of peace, nor binary bifurcations between religious and political thought (Smith 1963; Nongbri 2013; Barton and Boyarin 2016). Rather, they could be reoriented around concrete democratic problem-solving. In so doing, religious citizens may continue to find avenues to contribute to democratic innovation just as they have in the past (Maddox 1996).

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