

Joel Harrison, *Post-Liberal Religious Liberty: Forming Communities of Charity*  
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For many, individual rights hold pride of place in contemporary moral discourse. This is for the best, it is claimed, lest groups, which often feature strong concentrations of power, run roughshod over the dignity of individual persons. In religious freedom contexts, this position seems widely held. For instance, the American Civil Liberties Union (ACLU) claims that ‘eighty-one percent of Americans say the law should not allow companies or other institutions to use religious beliefs to decide whether to offer a service to some people and not others’ (‘Religious liberty’, [aclu.org](https://www.aclu.org)). By the ACLU’s lights, groups — specifically religious ones — pose real threats to individuals. Should group protections ever prevail? According to Joel Harrison, they should.

To explain this position, Harrison invites us to reimagine our ‘understanding of how individuals and groups relate to each other’, specifically in light of ‘the ends or purpose of political community, and the relationship this [community] has to the cosmos and the transcendent’ (p. 3). In other words, Harrison invites us to reimagine what religious liberty could be. With a strong command of legal and Christian ethical sources, *Post-Liberal Religious Liberty* does just that.

Concisely put, Harrison claims that a Christian vision of religious liberty would protect ‘the capacity to pursue religion, understood as cultivating communities of solidarity, fraternity, and charity, [which are aimed towards] right relationship with God and others’ (p. 184). This is a radical vision on several counts.

Firstly, Harrison defines *religion* not as political liberals do — as ‘a capacious category of personal autonomy’ (p. 1; see also chs. 2–3) — but rather as ‘communities of right relationship, with God and with each other’ (p. 185; see chs. 5–6). By this account, religious liberty is a freedom that puts groups (not the individual) on centre stage and that aims towards God and neighbour (not one’s own self-definition or personal freedom). Harrison builds this reconceptualization on Augustinian grounds. Pointing to Augustine’s *Of True Religion*, Harrison interprets religion to consist of ‘a life habitually oriented to God’, a life cultivated through continual ‘practices’ (p. 59). Echoing this active or action-based definition, Harrison also describes religion as ‘a quest towards God that then shapes our life together’ (p. 24). Communal, God-centred and active — Harrison’s Christian vision thus seems worlds apart from today’s individualist and abstract conceptions of liberal religion and liberal religious liberty.

A second way in which Harrison’s post-liberal account is distinct pertains to its definition of the Church, arguably the most important group for a Christian vision of religious liberty. Harrison’s understanding is both narrow and expansive. On the one hand, the Church, Harrison claims, should be understood as ‘a specific institutional body — the Roman Catholic Church, the

Anglican Church, or different denominational bodies'; these communities provide 'an exhortatory voice in public life' (p. 16). On the other hand, the Church is not so limited: it 'can be understood as a practice — forming communion in any sphere of life. This is certainly how Augustine thought of the city of God — related, but not at all limited, to the central worshipping community' (pp. 16–17).

This broad definition is vital for Harrison's post-liberal vision. Referred to as 'the ecclesiological account' (ch. 5), Harrison's vision gives the Church, understood as specific institutions and as a 'practice or performance' (p. 143), pride of place in civil society: it is the Church who orders culture and politics towards Charity itself. Should the law, or state, acknowledge this authority? Yes, Harrison claims, because, on a post-liberal account, the state is not 'differentiated' from religion. In other words, the state is not considered to be 'secular', i.e., free from or neutral towards religion. By Harrison's lights, those who think otherwise have bought into a problematic narrative of 'secularisation-as-differentiation' (ch. 3); Christian ethicists, including John Finnis, Richard Garnett and Nicholas Wolterstorff, are amongst them (ch. 4).

A third notable aspect of Harrison's post-liberal account follows from the above: if the Church is, as Harrison claims, 'fundamental to arguments for virtue and how religion can be understood as the end of associational living' (p. 157), then politics must be reimagined. Liberal politics 'rests on an understanding of civil authority as tasked with negotiating and managing the claims of individual right' (p. 157). But post-liberal politics — and, by extension, post-liberal religious liberty — has three arguably richer aims: 'pursuing the common good, right relationship, or, indeed true religion', 'recognising and encouraging plural groups and sites of authority' and 'directing a polity towards solidarity, fraternity, and charity' (p. 156).

Will this latter politics cause material harm to non-conforming individuals or groups? Harrison thinks not. Whilst the religiously grounded claims of a religious community are to be taken seriously, an individual's claims against that community could justifiably prevail: '[u]nique individual expressions are not inconsistent with shared, collective ends . . . [t]hus, we may be open to the individual person's claims as "disclos[ing] something of eternal verity"', Harrison notes, citing John Millbank (p. 188). What is ultimately involved here? 'An act of judgement: understanding how this exercise of conscience, this person's claim to reflect the good, contributes to the common good and our shared reaching for, or participation in, charity' (p. 188). Thus, a post-liberal religious liberty does not blindly and coercively demand homogeneity. It instead aims towards plural expressions and plural groups, bound together in God. For Harrison, this constitutes true religion (see chs. 6–7).

An engaging read, *Post-Liberal Religious Liberty* is broadly Augustinian and strongly aligned with the theology of Radical Orthodoxy (p. 14). Due in part to these sources, Harrison states that his approach is non-foundationalist: 'I do not appeal to an objective reason untethered from claims of faith (or its mirror-image, revelation isolated from reason)' (p. 23). This claim is substantiated often throughout the text, especially when addressing natural law approaches to church and state. Harrison, for example, is critical of John Finnis's theory of natural law: in it, Harrison claims, '[p]ersons are cast as individuals pursuing a range of abstract, albeit basic, goods so that they can achieve their own integral fulfilment' (p. 114). As an alternative, Harrison offers

his ecclesiological account, which makes no ‘foundationalist’ claims, other than an acknowledgement of God as society’s final end (p. 145).

This non-foundationalist approach is both enticing (stirring a desire for the city of God) and at times somewhat puzzling. On this latter point, one wonders for instance about the degree to which Harrison’s theology permits reason to be ‘untethered from claims of faith’ (p. 23). With regard to individual claimants, Harrison, we recall, claims that an ‘act of judgement’ (p. 118) is required. Does this mean that the non-Christian claimant has weaker or no conceptual means to participate in this prudential act? Is there no operative form of practical reason for ‘the Gentile’, as Romans 2:14 seems to suggest?

Further, one wonders whether Harrison’s emphasis upon ‘a community pursuing virtuous ends’ (p. 58) is all that different from the idea attributed to Finnis of ‘persons pursuing goods’ (pp. 114–115). Finnis’s theory recognises social goods such as friendship and posits care for the common good as a requirement of practical reason. Along the same lines, Harrison’s ecclesiological account admits that individuals help constitute communities (p. 56), and that each individual ‘has a natural desire or inclination to know the truth of God’ (p. 187) and conscientiously pursues ‘real human good’ concerning sexual relations (p. 222). Even if these goods are ultimately conceived as ‘shared ends’ (p. 3), are they not engaged by individual ‘persons pursuing goods’?

At bottom, these and related questions turn upon differences in subject-matter and methodology. Finnis’s natural law theory is a species of Thomistic moral philosophy, which notably relativises the civil authority’s role with respect to the development of virtue. By contrast, Harrison’s ecclesiological account is an instance of ‘theological jurisprudence’ (p. 10), which begins and ends in the expansive and pluralist community of the Church. Whilst I remain convinced that the former can provide more nuanced *reasons* for protecting or curtailing religious exercise, it may be Harrison’s ecclesiological account that provides more *inspiration* for acting responsibly towards God and others.