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December 13, 2011: The McConnell-Feldman Debate Over Religious Liberty

Bruce Ledewitz

Duquesne University, ledewitz@duq.edu

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Title: The McConnell-Feldman Debate Over Religious Liberty

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12/13/2011—I have just finished watching the 1 1/2 hour debate between Michael McConnell and Noah Feldman that was staged by the Berkley Center at Georgetown University under the heading, “What’s So Special About Religious Freedom?” McConnell argued that religion is special and should be given unique protections in law, while Feldman argued that religion is not different in any important way from other forms of conscience, specifically philosophical commitments, and that similar protections should be extended to them. The debate was strangely theoretical. Feldman was not arguing that all these commitments are “religions” and should be protected under free exercise and/or restricted under establishment. And the people involved would often not want to make that claim since they are often secular in their orientation. So, protections for them would come, as they have been, from other portions of the first amendment, for example freedom of association. The point of the debate was whether, in theory, religion is different. Yet for all the theory, we never heard what religion was. There was some dancing around that question, for instance there was discussion about whether Antigone was about a religious claim or a philosophical claim. But Feldman did not want to say that philosophy was religion, only that philosophy has just as good a claim for protection as does religion. Missing from the debate was any relationship between philosophy and religion. It has often been said that Christianity was Plato for the masses, but you would never have known that. There is something important in this debate, but I have not yet heard what it is. I am going to suggest that the commonality between religion and philosophy is in commitments to meaning in human life. But that would take this discussion in a different direction.