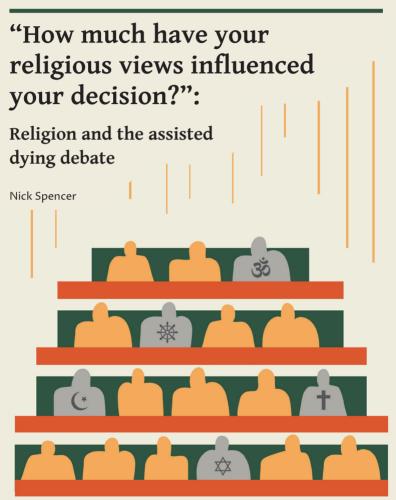
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"How much have your religious views influenced your decision?":

Religion and the assisted dying debate

Nick Spencer

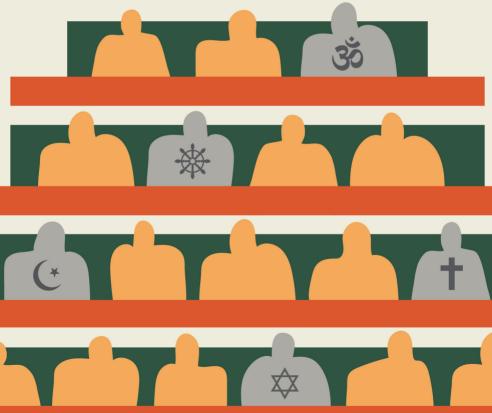


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This report in 90 seconds



During the assisted dying debate in the UK, critics levelled various accusations at the arguments made by religious politicians, leaders and campaigning groups. These can be split into four categories:

- The intellectual objection that religious belief is too intellectually inadequate or disfiguring
- The political objection that religious belief is insufficiently willing to adapt and compromise
- The social objection that religious belief is ill-fitted or even inadmissible in a secular polity or culture; and
- The dishonesty objection, that religious contributors are fundamentally dishonest about their motivations and objectives.

This report shows how these arguments are weak, inadequate or succeed only when levelled against bad, 'straw man' religious arguments (which, to be fair, do exist).

It explains what a religious argument is. It shows how reason and evidence are necessary but not sufficient in morally significant public debates of this nature.

It explains how, properly constructed, a religious argument bases (1) its approach to policy on (2) underlying principles, which are grounded in (3) an understanding of the human person which is itself (4) grounded in an underlying philosophy.

It argues a religious reason in a policy debate like assisted dying is made religious not by the language used but by its deep (and usually invisible) roots. The religiousness, or otherwise, is what ultimately powers the argument rather than what it looks like or even where it ends up.

It emphasises that this is no different from any serious non-religious public arguments of this nature. All (good) arguments adopt a similar pattern of reasoning and every serious argument rests ultimately on an underlying, foundational philosophy or worldview. When it comes to advocating or opposing assisted dying, or any number of other comparable public issues, there is no view from nowhere.

The answer to the question "how much have your religious views influenced your decision?" is "completely" precisely because every (carefully reasoned) argument has been "influenced" – indeed, more than influenced: 'fuelled' or 'powered' – by the philosophy or worldview that underpins it.

6

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Introduction



On Friday 29 November 2024, MPs in the House of Commons debated the Terminally III Adults (End of Life) Bill, and then voted on it, 330 votes for, 275 against. The debate lasted over four hours and was praised for its reflective tone and measured contributions. There was no triumphalism when the result was announced. The House's reaction was subdued. Commentators remarked that the day had seen the best of British parliamentary democracy.

The wider public debate also witnessed many thoughtful, balanced, and carefully reasoned contributions. There was, however, a shadow side of the debate, which dragged alongside the main discussion for weeks, and lengthened in the final days. This was the attempt to undermine 'religious contributions' to the debate.¹

To those familiar with the wider debate about the role of religion in public life, many of the criticisms and much of the language will be familiar. Some are merited. There can be bad 'religious' arguments just as there are bad 'secular' ones. But, as the conclusion of this essay argues, the important dividing line in this debate is between good and bad arguments, not between religious and non-religious arguments. And complaints about religious people "imposing" their views "on the rest of us", or "shoving their beliefs down our throats", or "failing to be honest" about their "real motivations" are misguided, illiberal, and unhelpful.

This essay examines this 'shadow side', namely the role of religion in the assisted dying debate, making a virtue of the fact that this is a live and concrete issue for which we have ample evidence. It has three parts.

Chapter one looks at the reasons voiced against religious contributions to the assisted dying debate. Such reasons are often applied more widely, but the focus here is kept tightly on this issue at hand. In effect, assisted dying serves as a case study for the wider question of what role religion should play in a diverse, liberal and increasingly contested public square like our own.

Chapter two explains why these are usually unpersuasive, and in some cases actively harmful, objections. It draws out the key arguments that were deployed in this debate and points out their weaknesses and their occasional lapses into hypocrisy and intolerance. It also shows how following the advice of some of those who wish to exclude religious voices from the public square will simply serve to make that public square a narrower and less liberal place.

Chapter three looks at the core assumption underlying this whole question by asking what a religious argument actually is. More than 20 years ago, the political theorist Jeremy Waldron wrote that "secular theorists often assume that they know what a religious argument is like." He explained how "they present it as a crude prescription from God, backed up with threat of hellfire, derived from general or particular revelation, and they contrast it with the elegant simplicity of a philosophical argument by Rawls (say) or Dworkin". "With this image in mind," he concluded, "they think it obvious that religious argument should be excluded from public life."²

This is hyperbole – but only just. As this report will show, the understanding of 'religious reasoning' exhibited by (some) public figures today is hardly more sophisticated than Waldron's caricature. In truth, it turns out that a religious argument is not as straightforward as critics sometimes claim, and that you need to do quite a lot of digging to discern what might qualify as one. More precisely, the religious nature of an argument or line of reasoning only becomes visible if you are prepared to follow the chain of reasoning all the way to first principles. Moreover – and this is a point of incalculable significance – it turns out that this is pretty much the same for "non-religious reasoning" too. Non-believers also draw on deep and unprovable anthropological and philosophical beliefs in order to sustain their political views; it's just that those beliefs are less visible.

My hope is that this essay will help campaigners and commentators, such as we discuss in chapter 1, better understand what religious reasoning actually is and, more generally, help all readers think more clearly about the mechanics of reasoning in public life.

^{1 &#}x27;Religious contributions' is put in scare quotes here to indicate that it is a contentious, question-begging phrase, and that the whole point of this essay is, in a sense, to raise the question, what is a religious contribution? Not wanting to labour the point, however, I will drop the scare quotes hereafter.

² Quoted in Nigel Biggar, "God' in Public Reason' in Studies in Christian Ethics, Vol. 19 No. 1, p.12



1 "Religion...
obviously colours
their view": the
arguments against



The Barnett Question

At 8:18 on Monday 25 November 2024, on BBC Radio 4's Today programme, presenter Emma Barnett asked Rachael Maskell, "How much have your religious views influenced your decision to vote against this bill?" 1

Maskell had been Labour MP for York Central since 2015. Before that, she had worked as a senior physiotherapist in ITU and acute medicine, and as the Head of Health at the Unite union. She had recently written an article for the newspaper *Evangelicals Now* explaining why she was going to vote against the Assisted Dying bill. Hence the question.

Barnett's was a perfectly comprehensible question but it's hard to know what kind of answer she expected. Was it a quantity? "My religious views have influenced my decision a little bit/ quite a lot/ about 37%"? Maybe it was a trick question. If Maskell had said, "not at all", Barnett would have had her 'Gotcha' ("So, why were you writing for a Christian newspaper, then?") Alternatively, she might have said "entirely". After all, if you are a religious person (or at least a religious person who takes their religion seriously) you would presumably want the important ethical decisions you are faced with – such as whether the state should permit and fund the right die – to be influenced by, or at least consonant with, your beliefs. The answer "entirely" would, however, have been career suicide. (Gotcha no. 2: "Aren't you supposed to an elected representative? Why are you voting according to your religious belief?")

In the end, Maskell sidestepped the question. "I've come at this spending 14 months on the Health Select Committee ... but also with my critical mind as a clinician in the NHS and therefore looking at the data". Unfortunately, her answer may have made the problem worse, inadvertently leaving the impression that she had approached her decision through clinical expertise and critical intelligence as opposed to her religious views. Either you are influenced by your professional experience or your religious beliefs, by your critical intelligence or your faith, by your mind or your creed.

At its heart, Barnett's question gestured towards an underlying problem there is with debates about the role of religion in public life. It was predicated on a view that

(a) religion is fundamentally different from the kind of worldviews that all human beings have (when was the last time you heard a politician asked how far their non-religious beliefs influenced their ethical or political decisions?); and that therefore (b) whatever religious arguments are, they are different from, and therefore somehow in competition with, other kinds of reason (e.g. party political, professional, medical, ideological), the kinds of reason that "the rest" of us have. The implication of the Barnett question is that the more Maskell's religious views had influenced her, the less other reasons she could have. Hence the potentially career-limiting repercussions if Maskell had answered: "Entirely". Had she done so, the implication would have been that other things – things like medical evidence, compassion, reason, public opinion, party loyalty, etc. – would have had no influence on her decision, having been pushed out by her "religious views".

This approach to 'religious public reasoning' comes in different flavours, some a good deal stronger than others. At the extreme end is the view, popularised by atheist polemicists, that religion (or "faith") is a kind of "virus" that renders otherwise rational thought impossible. (Slightly) more moderate, is the view that religion is a misleading and democratically subversive element in debate, which habitually distorts the normal processes of reasoning and political argumentation. At the most generous end, religion is an eccentricity that, providing it is not taken too seriously, is largely compatible with public debate.

Depending on where you stand on this spectrum, the religious contribution should either be banned (because who can reason with a virus?), declared (in the way that any compromising commitment, like family, relationship or a financial investment, should be declared), or simply just warily tolerated. Wherever the criticism lands, however, the point is that religion is a kind of *comparable and competing* commitment, and that religious reasoning is therefore alien or superfluous to the wider debate.

"Please be honest about your real motivation"

Emma Barnett's question was not the only such intervention in the debate. Indeed, she was asking it primarily because the story was in the air at the time.

In an interview with the *Times*, reported on 22 November, Shabana Mahmood, the UK's first Muslim Lord Chancellor, had commented that she was opposed to the bill. "I voted against the bill when it was last introduced in 2015," she said. "I'll be voting against it again. As a Muslim, I have an unshakeable belief in the sanctity and the value of human life. I don't think that death is a service that the state should be offering."²

This was not her first intervention on the topic. A few days earlier, Mahmood had sent a letter to her constituents in Birmingham Ladywood in which she explained her opposition. She said that she feared passing the legislation would lead to a slippery slope towards death on demand. She worried that the bill, if passed, would open up the possibility that "the right to die for some will...become the duty to die for others." She was concerned the legislation would herald "a profound shift in our culture", risking pressure that "the elderly, vulnerable, sick or disabled may place upon themselves." She argued that predictions about life expectancy – a central plank of the bill, which proposed making assisted dying available only to those with less than six months to live - "are often inaccurate", leaving the judgment as to who can and cannot be considered for assisted suicide as "subjective and imprecise". She pointed out that scandals such as Hillsborough, infected blood, and Post Office Horizon remind us "that the state and those acting on its behalf are not always benign." This constituted a wide range of objections, many of which were shared by psychologists, medical professionals, gerontologists, disability rights campaigners, campaigners for the elderly, and those who worked in the institutions of state.

Her comments clearly annoyed Charlie Falconer, the Labour Peer who had been tirelessly campaigning for assisted dying for years. "I think she's motivated... by her religious beliefs," he told *Sky News* (adding, in the ellipses, "and I respect this"). This was not, as a factual statement, particularly revelatory. After all, it was hardly a secret that Mahmood was a devout Muslim. But Falconer was not really making a factual statement. There was an inference in his words that he then spelled out.

"Generally, the people who are opposed to [the bill] are opposed to it on spiritual grounds," Falconer generalised. "There's nothing wrong with religion," he said, adding "but that obviously colours their view and is not an objective stance on

things like safeguards." Religious beliefs, like Mahmood's, should not be "imposed on everybody else".

Lord Falconer's was the highest profile but not the only intervention of this nature. Seema Malhotra, MP for Feltham and Heston urged colleagues to approach politics on a "secular basis". "People have their faiths," she said, "but I think what is important is that when we are making decisions as Members of Parliament, we are making them on a secular basis". "That's the way our Parliament is designed," she went on to explain, "in terms of making decisions based on the evidence and arguing the case for law, the advantages, the disadvantages, the concerns in Parliament." Somewhat confusingly, she went on to say that she wanted to see "a debate [in which] everybody feels that their voice can be heard, that they can be respected for the views that they hold," and that "all Members of Parliament can vote with their conscience and with their beliefs".

Such arguments were also heard outside parliament. Writing in the *Guardian*, Simon Jenkins complained that "too much of the discussion draws on religion". "Imposing religious doctrine on a largely secular country," he wrote, "is archaic." As evidence for this, he cited a joint letter by 29 faith leaders against the legislation that had recently been published, as well as Shabana Mahmood's intervention, despite the fact that, as he acknowledged, she had emphasised in her constituency letter that she "would never impose my religious beliefs on anyone else". A little while later he returned to the topic, this time taking aim at the overly emotional tone of the debate, and concluding that "at the heart of such decisions should be reason and reason alone".

Elsewhere, Lewis Goodall wrote in the *Independent* that there was a fundamental dishonesty to the whole debate. This assisted dying debate "should be about trade-offs", he wrote, not be about absolutes. Unfortunately, he believed, much of it had been "in absolutes". The reason for this, he said, was that Westminster is one of the anomalously religious places in the country. ("The voters are largely irreligious, and save for pockets of the country... [and] perhaps counterintuitively, SW1 – Westminster – is one of those pockets.") That meant there was "a mismatch between public and Parliament on some of the fundamentals of how life is conceptualised". The consequence of this was that, on account of "Britain's quietly profound

secularism, religious MPs' opposition is rarely articulated in overtly theological terms." Those who oppose the bill "correctly assess that any attempt to cite expressly doctrinal arguments would be deeply alienating." And so, they effectively dissemble, pretending that their opposition is not doctrinal, and engaging in a form of "shadowboxing" by articulating reasons (e.g. safeguards, etc.) that aren't their real reasons. None of this is to say, he acknowledged, "that a religious MP might not choose to oppose the legislation for other reasons." The point was that doing so "largely or principally on the basis of one's own faith alone, in a modern cosmopolitan democracy such as our own" is "far from satisfactory". Our ability to extend life without necessarily extending health, he concluded, has placed before us momentous ethical decisions, indeed nothing short of "a new reality", and "one which holy books are ill-placed to help us resolve".⁸

The broadcaster, Esther Rantzen, whose campaigning for assisted dying while herself terminally ill was such an important factor in Kim Leadbeater's private member's bill getting sufficient parliamentary time, adopted a similar approach. She urged MPs who were "guided by their religious beliefs to be honest about why they will vote against the bill". She was "heartened" by Shabana Mahmood's openness about her religious opposition to the bill. "What worries me," she told LBC, was not the number of people who were "guided by their faith" to oppose the bill, but their openness about it. "Some seem reluctant to declare that is the reason for their opposition to the bill," she said. "Please be honest about your real motivation."

Failure to do so was not only dishonest but distorting, as personal faith risked corrupting people's contributions, "claiming facts which are not facts, distorting evidence, when really their reason is that they believe for faith reasons, religious reasons, that this bill should be opposed". Confusingly, the same article also mentioned that Rantzen had written to the pro-change campaign group Dignity in Dying, saying that MPs had to "make up your own minds, according to your own conscience, your personal thoughts and feelings". Esther Rantzen's daughter adopted the same approach, telling *Times Radio*: "I find the lack of transparency behind people's motivations a bit difficult to swallow."

Perhaps the shrewdest approach was that adopted by the anti-religious campaigning group, Humanists UK. Humanists UK, formerly the British Humanist

Association, have had years of campaigning against religion's influence in public life and, as a consequence, do so with great subtlety and sophistication. They took aim at the Christian organisation CARE (Christian Action Research and Education), tweeting:

"CARE's religious beliefs are a motivating factor in its opposition to assisted dying. This is a legitimate motivation. But the fact it's using religious reasons to get people to write to MPs, without mentioning religion in their letters, is concerning." 11

The first of these sentences is about as revelatory as Lord Falconer's observation that Shabana Mahmood was motivated by her religious beliefs; the clue is, after all, in the organisation's name. The second sentence is ameliorative, reassuring readers of secular humanists' tolerant, liberal principles. ('There's nothing wrong with being religious in public'). It is the third sentence that is telling. Presumably a religious organisation appealing to its supporters to engage in political campaigning by "using religious reasons" is not very surprising or concerning. However, what is concerning is that they don't instruct those supporters to 'out' themselves as religious in the process.

The implication is that there is some kind of deception or subterfuge going on here and that the only proper form of public reasoning is one that confesses its ideological motivations (at least when they are religious motivations; other ideologies do not merit the same scrutiny it seems) fully and up front. As Andrew Copson, the chief executive of Humanists UK, told the *Observer:* "It's worrying that the concealed agendas of some others may mislead MPs and undermine the deliberative democratic process".¹²

Two important caveats

Before we proceed to look at why these reasons are unpersuasive, it is important to enter two important caveats.

First, the interventions cited above – concerning the (il)legitimacy of a religious presence in public debate – were not the only ones raised in the debate. Some people lamented the fact that there wasn't *more* 'God' in the discourse. "Even in his long battle against the legislation proposed to make it all easier for us to top ourselves,

God was absent from his arguments," Rod Liddle lamented of Justin Welby. "There was no intimation about the sanctity of life, which is what we might have expected from the head of our Church." ¹³

Others didn't call for more theology but did nonetheless robustly defend the legitimacy and relevance of religion in the debate. Sometimes this came from religious leaders and commentators, such as Bishop Graham Tomlin writing in the Spectator¹⁴ or the former editor of The Tablet, Catherine Pepinster, in the Independent.¹⁵ But this was not always the case. Columnist Sonia Sodha remarked in the Observer that she was "finding the liberal dismissal of anyone of faith as somehow lesser on assisted dying grim...We all derive our moral compass from somewhere," while Kenan Malik wrote in the Guardian that "secularism is not a space from which religion must be excluded but one in which the state neither affirms nor denies any religion."

Moreover, reassuringly, many people, religious and non-religious alike, were quick to criticise (the more egregious) examples of anti-religious polemic. In language every bit as provocative as Falconer's original dismissal, one cabinet minister said of his remarks, "this was a drive-by shooting on Shabana." Another (more temperately and accurately) accused Falconer of "playing the person not the ball," adding it was "noticeable that Falconer chose not to engage with the substance of Shabana's concerns". Rachael Maskell called his comments "hugely offensive and discriminatory". In short, the state of debate on the issue of religious participation in public debate is far from uniformly bad or intolerant, and there are plenty of people, from all quarters, seeking to preserve an open, inclusive, and receptive political arena.

The second caveat is that there *are* bad religious arguments and that sometimes the criticisms levelled at religious interventions, however hostile they may be, hit their mark with precision and power. It is essential to recognise this.

Bad religious arguments can come from different religious figures and institutions and take different forms. An earlier Theos report on religious public reasoning, reported the words of Justice Henderson of the South Dakota Supreme Court who remarked, when adjudicating on a case involving a child custody dispute between former spouses, "until such time that she [the mother] can establish, after years of therapy and demonstrated conduct, that she is no longer a lesbian

living a life of abomination (see Leviticus 18:22), she should be totally stopped from contaminating these children."¹⁹

The assumption here that a lesbian mother could not be trusted with her own children, and that citing the Book of Leviticus was appropriate, let alone authoritative, in a court room, mark this out as a particularly bad and ugly form of religious public reasoning, but it is far from alone. Pastors (I use the word loosely) and occasionally politicians (or would-be politicians) have used religious language, reasoning and authority to campaign against rights for lesbian and gay people, to deny the reality of climate change or alternatively the need to do anything about it, and to frame any form or international political organisation as a forerunners of the Antichrist. You do not need to watch documentaries by Louis Theroux, who is depressingly interested in the antics of the tiny, toxic Westboro Baptist Church, to recognise that some religious public interventions (and not, I should add, only Christian ones) can be weak, ugly and have no place in serious public debate.²⁰

Moreover, examples of religious public intervention need not be as egregious as this to be bad. Some arguments assume religious scriptures are naturally authoritative in public discourse. Some proof-text their way to answers to complicated public ethical questions. Some, in particular those related to assisted dying, contend straightforwardly that only God can take life away. Some insist that it is wrong to "play God". Some simply state that life is sacred without explaining what that means or squaring that statement with the state's right to take life in other circumstances (e.g. war). Some make vague appeals to general ideas like "Judaeo-Christian values" or "Christian national heritage" or "our Christian moral compass". Some see it is at the state's role to protect religious sensibilities in particular. Some frame general policies as if they are attacks on particular religious groups.

In short, religious arguments can sometimes be very bad – ill-thought through, theologically simplistic or illiterate, partisan, sectarian, unreasonable, or simply polemical – and in all such instances, criticism is not only warranted but necessary.

However, crucially, this is not the case for all religious arguments, and nor is it the case for religious arguments only. As we shall see, there are plenty of examples of good religious arguments and of bad non-religious ones and, as the conclusion of this essay argues, the real divide (in this debate and others) is not between religious and

non-religious arguments so much as between good and bad ones, with no one party have the monopoly on either of those categories.

Conclusion: the four objections

These important caveats entered, there are, nonetheless, many poorly-thought-through (and, and as we shall note, potentially harmful) assumptions and arguments against the presence of religious voices in public debate of this nature. We have sampled a variety in this chapter, and they can helpfully be assembled under four headings.

Firstly, there is what you might call the intellectual objection against religious public reasoning. This encompasses a range of specific arguments, such as (a) religion "colours" people's views, and prevents them from taking "an objective stance" in a debate that demands objectivity (Charlie Falconer); (b) religion is faith-based and therefore inadmissible in a debate that should be "based on reason alone" (Simon Jenkins); and (c) religion is faith-based which means it "claim[s] facts which are not facts, [and] distort[s] evidence" (Esther Rantzen) and so prevents it from "making decisions based on the evidence" (Seema Malhotra). Overall, these points amount to the argument that religion is intellectually inadequate or too disfiguring to be of any use in a debate of this nature.

Second, there is what you might call the political objection against religious public reasoning. Under this heading, we can group several specific reasons. At the more unsubtle end of the spectrum is the belief that religion "imposes" its views on other people. This was the basis of Simon Jenkins' comment that we shouldn't be "imposing religious doctrine on a largely secular country", and of Charlie Falconer's aside that Shabana Mahmood's views should not be "imposed on everybody else". A similar complaint is found in Lewis Goodall's point that religion is based on "holy books" which are "ill-placed to help us resolve" complex modern debates, while a final, more subtle, objection, is also from Lewis Goodall's point that debates of this nature should be about trade-offs rather than absolutes, with the implication being that religion, even if it doesn't quite impose its views on others, does adopt inflexible or absolutist stances that are against the spirit and nature of politics. Either way, the political case against religious public reasoning in this debate (and many others)

is that politics is about necessary compromise, and religious belief (and reasons) are fundamentally uncompromising.

Third, there is the social objection against religious public reasoning. This objection revolves almost entirely around the slippery concept of secularism, and tends to take one of two forms. The first is that our *country* is essentially secular – "a largely secular country" (Simon Jenkins), possessed of a "quietly profound secularism" (Lewis Goodall) – which by implication means that religious arguments are irrelevant or unacceptable. The second argument (which runs close to the political objection) is that our *politics* is secular – that MPs makes decisions "on a secular basis" in Seema Malhotra's formulation – and that therefore religious arguments are precluded. Either way, whether it is because 'we the people' or 'we the political system' are secular, religious public reasoning is essentially inadmissible.

Finally, and most subtly, is what you might call the dishonesty objection against religious public reasoning. This is different from the previous three cases in as far as they take aim against religious arguments for what they say, this one takes aim against them for what they (allegedly) don't say. Put another way, the dishonesty objection is targeted against what religious participants in public debate think rather than what they say; against what really motivates them rather than what religious people claim motivates them. It is, as we have seen, one of the more popular criticisms. Correctly assessing that "doctrinal arguments would be deeply alienating", the religious engage in a form of "shadowboxing" (Lewis Goodall). They are "reluctant to declare that [faith] is the reason for their opposition to the Bill" (Esther Rantzen). They "lack... transparency" (Esther Rantzen's daughter). They don't "mention... religion in their letters" (Humanists UK). They "conceal [their] agendas" (Andrew Copson). This is an increasingly popular criticism, considerably subtler than some of the others, and also more sinister. In the following chapter, we turn to why it, and the other reasons against religious public reasoning, do not add up.

- 1 Today 25/11/2024 BBC Sounds. The full question was "You've written openly about walking that line between your Christian faith and your political affiliation, how much have your religious views influenced your decision to vote against this bill?"
- 2 Shabana Mahmood: 'The first time I was racially abused I was seven', The Times, 22 October 2024
- 3 UK on 'slippery slope' to 'death on demand', Justice Secretary Shabana Mahmood warns ahead of assisted dying vote | Politics News | Sky News, Sky News, 24 November 2024; UK justice secretary attacks assisted dying bill as 'state death service' | Assisted dying | The Guardian, The Guardian, 23 November 2024
- 4 Ministers speaking out against assisted dying 'are giving false impression', says peer | Assisted dying | The Guardian, *The Guardian*, 24 November 2024
- 5 Don't vote on assisted dying based on your religion, minister tells MPs, The Telegraph, 28 November 2024
- 6 It's outrageous that religious faith is being brought into the assisted dying debate | Simon Jenkins | The Guardian, The Guardian, 25 November 2024
- 7 I don't want to hear MPs' personal testimonies in parliament. Issues like assisted dying are for heads, not hearts | Simon Jenkins | The Guardian, The Guardian, 7 January 2025
- 8 MPs are being dishonest about why they oppose assisted dying, The i Paper, 28 November 2024
- 9 Rantzen urges MPs 'to be honest' about religious opposition to assisted dying | The Standard, The Standard. 27 November 2024
- 10 (3) Times Radio on X: ""I find the lack of transparency behind people's motivations a bit difficult to swallow." Daughter of Dame Esther Rantzen @soverybecca tells @KaitBorsay she's not sure how she's "not going to shout" from the public gallery during Friday's debate on the assisted dying bill. https://t.co/oH5z/zUkKo" / X, X, 27 November 2024
- 11 (5) Humanists UK on X: "CARE's religious beliefs are a motivating factor in its opposition to assisted dying. This is a legitimate motivation. But the fact it's using religious reasons to get people to write to MPs, without mentioning religion in their letters, is concerning. https://t.co/ VimXG4vStq" / X, X, 21 November 2024
- 12 Revealed: 'Grassroots' campaigns opposed to assisted dying financed by conservative Christian pressure groups | Assisted dying | The Guardian, The Guardian, 16 November 2024
- 13 Welby bows out without grace trying to take the boss with him, *Sunday Times*, 8 December 2024
- 14 Why religion matters in the assisted dying debate | The Spectator, *The Spectator*, 27 November 2024
- 15 Why we can't (and shouldn't) separate the God argument from assisted dying | The Independent, The Independent, 26 November 2024
- 16 Her full tweet read "[1] One thing I will say as an atheist. Am finding the liberal dismissal of anyone of faith as somehow lesser on assisted dying grim. The fact people of faith have different

- views shows it's more complex than some w[oul]d have us believe. We all derive our moral compass from somewhere. [2] you are of faith, and you disagree with me, you should shut up. It's not OK." X, 24 November 2024
- 17 Who should have the last word on assisted dying in a secular Britain? | Kenan Malik | The Guardian, The Guardian, 1 December 2024 This, it should be noted, is a slightly naïve position, seeming to imagine that a state can be neutral towards all substantive conceptions of the good life. It can't, which means that, implicitly if not explicitly, every secular state invariably affirms (or denies) the religions in its purview to a greater of lesser extent. This is one of reasons why secular states around the world differ between themselves, and also why many of them have come under huge strain over recent years. That notwithstanding, Malik's point does at least attempt to welcome religious voices within public debate.
- 18 Labour rift as peer says: Keep religion out of assisted dying debate, The Times, 26 November 2024
- 19 Jonathan Chaplin, Talking God: the legitimacy of religious public reasoning (London: Theos, 2008), p 13; Theos_Talking God:Layout 1
- 20 Whether they should actually be prohibited is a different question altogether, the answer to which usually depends on how capacious your vision of the liberal state is.
- 21 "Only God should take life away": Doncaster MP blasted for speaking out against assisted dying,

 Doncaster Free Press, April 2024
- 22 NSS: MP's call for new blasphemy laws "deeply alarming" | National Secular Society, National Secular Society, 27 November 2024
- 23 "All private schools, no matter their size, and especially Christian parents sending their children to small Christ-centred schools, will be struggling to process this attack on their finances." How to respond to unfair tax on Christ-centred schools Christian Concern, Christian Concern, 20 August 2024

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Why these arguments don't add up



One of the benefits of talking about the assisted dying debate is that it helps us ground the (sometimes quite theoretical and abstract) discussion concerning religious public reasoning. It allows us not only to identify the actual criticisms levelled at religious public reasoning, as we have just done, but also the actual interventions made by religious parliamentarians, leaders and institutions at which these accusations are levelled.

Accordingly, this chapter and the following one draw on examples of what religious actors in the debate actually said. We have already noted one of these - Shabana Mahmood's comments - but there are plenty of others. Some were institutional, such as the statement from the Catholic Bishops of England and Wales, and Scotland, on assisted suicide.² Some were collaborative and cross-institutional. such as the letter to The Observer signed by 29 faith leaders on 24 November.³ Some were given by archbishops⁴ and some from bishops.⁵ Some were from cabinet ministers⁶ and some were from MPs, who either made speeches or interventions in the debate, 7 or were unable to do so, 8 or made comments in advance of the debate. In the parliamentary debate itself, there were speeches from Danny Kruger, Rachael Maskell, Meg Hillier, Edward Leigh, Tim Farron, Anna Dixon, Carla Lockhart, Paulette Hamilton, Florence Eshalomi, James Frith, Dawn Butler, and Ruth Jones, and interventions from Jim Shannon, Gavin Robinson, Catherine Atkinson, Mary Kelly Foy, Scott Arthur, Sam Rushworth, Imran Hussein, Adnan Hussein, Peter Prinsley, and Melanie Ward. This list comprises Christian MPs of various denominations, as well as Muslims, a practising lew, and a member of the Church of Jesus Christ of Latter-day Saints.

This chapter examines the four kinds of objection that were levelled against religious intervention in this debate and, with reference to the actual interventions themselves, shows where they hit their target or, more often, failed to.

The Intellectual Objection

As we have seen, the first group of objections against religious participation in public debates of this nature is that religion isn't intellectually up to the job. The argument here runs like this. The debate over whether we should legalise assisted dying is a highly intricate and complex one. Its currency is "facts". These are weighed

and deployed according to "reason". Reason must be exercised "objectively". Only by adopting this approach, will we be able to reach a rational and authoritative conclusion in this debate.

The logic for excluding religion is implicit within this reasoning. Religion doesn't deal in facts or evidence because it deems faith is sufficient. Alternatively, it "colours" or "distorts" those facts with its subjective commitments. Its connection to reason is similarly fragile, vulnerable on account of its attachment to forms of (alleged) revelation – in "holy books", sacred institutions, or personal faith – that are beyond proper, public scrutiny. Either way, religion subverts the commitment to reason and evidence that is necessary and sufficient in a debate like this.

We can, straightaway, affirm two points within this line of argument. First, the assisted dying debate is stuffed full of facts. It cannot be conducted without them. There are facts everywhere, deployed by both sides. For example:

- 2.7 million older people in the UK have been subjected to abuse¹⁰,
- An average of 13.4% of those who die in a hospice experience some level of unrelieved pain,¹¹

... are both "facts". Many other, similar facts were deployed throughout the debate, by both sides, in both the parliamentary and the wider public discussion.

To be clear, some of these "facts" are contestable and contested, amenable to clarification (if not always confirmation) by more and better evidence. They are, in reality, better described as "factual claims" rather than hard facts. ¹² However contestable some facts are though, the truth of the matter remains that both "facts" and factual claims are and must be central to the debate.

Second, the debate does demand the careful use of reason. Precisely what constitutes reason and how (securely) it may be deployed is a venerable debate.¹³ Such disagreements notwithstanding, pretty much anyone who participated in the assisted dying debate recognised that reason plays an important role in it. It was much on display, for example:

 Many jurisdictions round the world that introduced highly restricted assisted dying legislation have gradually loosened those restrictions and therefore it

- is justifiable to fear that the restrictions on the Leadbeater bill will also be loosened over time.
- The majority of the British public express a desire for assisted dying to be legalised and therefore their elected representatives have a responsibility to pass legislation to do so.

These are both examples of reasoning within this debate, examples the like of which abounded, again, on both sides, and within and beyond parliament. Reasoning, like facts, is essential.

So far, then, so clear. The problem comes with the belief that such facts and reasoning are sufficient, self-evident and self-explanatory, in such a way as would render unnecessary more subjective and contestable moral and metaphysical judgements. This is the mentality that claims religion somehow colours people's reasoning or their interpretation of facts, the implication being that reasoning and facts are always coloured neutral.

In reality, the *meaning* of facts and the *legitimacy* of reasoning are often contestable, and the extent to which we take a fact to be *relevant* or a line of reasoning to be *warranted* will be informed by wider "subjective" considerations. Take the facts we outlined above.

Assuming it is true that 2.7 million older people in the UK have been subjected to abuse, this fact invites wider questions about how we should interpret it. Would we be right to assume there is a significant danger of older people being vulnerable to (internalised) pressure and (self-) coercion if assisted dying were legalised, or is that to adopt too negative a view of human nature? If we did fear this, could we be confident that we could build sufficient safeguards into the legislation so as to prevent such pressure causing unwarranted deaths, or is that too naïve a view of human institutions? In other words, how seriously and in what way should we interpret this "fact"?

Or take the fact that an average of 13.4% of those who die in a hospice experience some level of unrelieved pain. Again, assuming that fact is accurate, do we judge it sufficiently high as to warrant the introduction of assisted dying, or sufficiently low as to show that the vast majority of people in hospices do not feel unrelieved pain, thereby implying assisted dying is unnecessary? Should we assume

that medical technology and palliative care is improving and will reduce this figure and so diminish the need for assisted dying, or would that be to exhibit an unwarranted faith in scientific progress? Once again, we have the fact, but we need much more than the fact alone to understand what it means.

Pretty much the same line of argument applies when it comes to reasoning. Just as the *meaning* of a fact is debateable, whether a line of reasoning is *warranted* is far from straightforward. Take those outlined above.

It is undoubtedly true that many jurisdictions round the world that did introduce highly restricted assisted dying legislation have gradually loosened those restrictions over the years. But whether the conclusion drawn from that – we are therefore justified in fearing that the restrictions on the Leadbeater bill will also be loosened – is warranted depends on how far we believe what has happened in Canada or Belgium (for example) is relevant to the UK. Opponents of the bill repeatedly cited these examples in parliament and said that it is foolhardy to ignore such precedents, not least as the pressure to liberalize Leadbeater's bill is already being voiced. Proponents claimed that the parallel was alarmist and that safeguards on this bill and differences between jurisdictions rendered such fears unnecessary. In both cases, these are "subjective" judgements that complexify any belief that "reason" alone can solve this debate.

Or take the fact that the majority of the British public expresses a desire for assisted dying to be legalised. This is true, although there is some disagreement about the precise figures depending on how the question is asked and how much people know about the issue. 14 That point aside, how we reason from this fact is contestable. The conclusion usually drawn from it – namely that the people's elected representatives therefore have a responsibility to pass the legislation – is not automatic. First, this is not how representative democracy works. Were it otherwise, the British state would not have decriminalised homosexual practices in 1967 or suspended capital punishment in 1965. 15 Second, were we consistently to adopt this line of reasoning, the state would re-introduce the death penalty for selected crimes, such as serial killing, rape, the murder of a police officer, or terrorism resulting in death. 16 Clearly, the general public's broad support for some form of legalised assisted dying is relevant. Public opinion matters. But the line of reasoning one takes from this

fact is far from self-evident, and depends in large measure on what one sees as the proper function of the parliament in a representative democracy.

These examples concerning the use of "facts" and "reasoning" in the debate are not intended to make a partisan point (which is why I have chosen "facts" and "reasoning" from both sides). Rather it is to make concrete the point that, while "facts" and "reasoning" are essential to a debate of this nature, they are not self-explanatory, self-evident or sufficient. Whatever they mean – how weighty, how relevant, how significant they are – is dependent on a wider range of beliefs and ideas, such as our belief in medical progress, our confidence in the efficacy of safeguards, our view of public institutions, our conception of human nature, the cultural proximity and relevance of other jurisdictions, and the proper function of parliament in a representative democracy. These are the things that help us interpret facts and deploy reason.

The intellectual argument against religious public reasoning is predicated on a particular understanding of public debate, in which such debate not only needs facts and reasoning, but that facts and reasoning are sufficient. The debate demands an "objective stance", the decision should be "based on reason alone", evidence should not be "distorted" by faith, reason should not be "coloured" by religion. But that is not how facts or reason work in a debate like this. Neither is sufficient or self-evident. The meaning accorded to a fact and the weight accorded to a reason are necessarily dependent on the wider, personal, subjective worldview that human beings bring to a debate.

The Political Objection

The second set of objections levelled at religious public reasoning about assisted dying is that religion can't (or at least doesn't) engage with the proper processes of democratic debate. This "political" objection is very close to, and can elide with, the social objection in the following section which contends that because our country/politics is "secular", religious participation is somehow invalid.

This objection is distinct, however, in as far as, in theory, it applies irrespective of the society in which the debate is taking place. The problem, so it contends, lies primarily in the religion's (in)ability to participate properly in public and political

debate. Politics, it is argued, is about negotiation and necessary compromise, and religious belief is non-negotiable and fundamentally uncompromising.

The political objection (1): "imposing"

This objection comes in different flavours. First, in its strongest and least diluted form, there is the view that religion "imposes" its views (or, in Simon Jenkins' formulation, its doctrine) on the country or, more rhetorically, "on everybody else". This is an argument with a long history, born of nineteenth century struggles between democratic campaigners and established churches and, in particular after the revolutions of 1848, a Catholic Church that set its face firmly against "progress, liberalism and modern civilization". The trope of an inflexible, intolerant, antidemocratic Church was extremely popular (not least among Protestants) and the cry of "Rome or Home?" could be heard in political circles right into the early 1960s, as when the election of John F. Kennedy sent a shock through White Anglo-Saxon Protestant America.

All that duly noted, it is hard to see any merit whatsoever in that argument in Britain today. Not only did the Catholic Church's hostility to political democracy completely thaw at the Second Vatican Council in the 1960s but, more obviously, no Christian denomination in the UK has come close to challenging or opposing the principle of democratic representation or franchise extension since the Reform Act of 1867. It seems extremely odd to accuse religious figures of "imposing" their views on the rest of the country, when they are exercising precisely the same rights of speech, association, campaigning, and voting as everyone else. And it seems even stranger to accuse elected parliamentarians of doing so.

The same argument applies to other religious groups. For all that many Muslim majority countries round the world do perform comparatively badly in democratic terms, ¹⁷ there is no credible polling (to the best of my knowledge) suggesting that any more than a tiny minority of British Muslims have a principled problem with democracy. The idea that, by expressing her personal opinion, Shabana Mahmood was "imposing" it on people is straight from the anti-Catholic playbook of late Victorian Britain and plays on an all-too-vivid public fear about Muslims.

The political objection (2): "instructing"

Less potent than "religious people shouldn't impose their views on the rest of us" is a second 'flavour' of political objection, namely that although religions do engage in the processes of political debate, they ignore its spirit. They do so, allegedly, by "instructing" their flock what to think and do. The pro-assisted dying campaign group Dignity in Dying added a telling PS to one of their campaign letters which said: "We know that churchgoers are being told to oppose the Bill, and being handed instructions on how to lobby their local MPs." The problem here, implied if not stated, is that democracy depends on people weighing up the evidence and coming to a decision of their own accord, rather than being herded into metaphorical voting booths by their aggressively campaigning shepherds.

If this were the case, it would indeed be worrying. 'Vote-brokering' or 'patronage politics' ignores and subverts the spirit of representative democracy. However, there is no sign that this happened during the assisted dying debate. As already noted, a number of religious organisations did make official statements against the bill and some of them encouraged their supporters to write to their MP. However, a number of non- and anti-religious organisations made official statements for the bill and some of them encouraged their supporters to write to their MP. That's simply how a democracy functions.

More substantively, three responses can be made against this flavour of accusation. First, as a number of people pointed out at the time, the complaint implies that religious people are zombies, with no minds or agency of their own, happy to be told by their leaders what to do. The claim is as patronising as it is false.¹⁹

Second, it assumes that it would work even if it were tried. In response, a few religious leaders on X wished good luck to any of their fellow pastors who were intending to order their congregation to do anything. In truth, those who accuse pastors of politically kettling their flock rather overestimate the power of the priest (another nineteenth century Protestant trope).²⁰

Third, and most obviously, *persuading* people of your arguments and *encouraging* them to write, vote, and campaign for the cause you judge to be correct or socially beneficial is precisely how a flourishing democracy should work. It is ironic, to put it

mildly, that Dignity in Dying's warning about churchgoers being told to oppose the Bill came in an e-mail from the lobbying group's Director of Parliamentary and Legal Policy which ended by telling its recipients: "We've seen in the past that hearing from their constituents is key to shaping how an MP feels about assisted dying. Your story could persuade them to vote Yes." (bold original) There is nothing whatsoever wrong with this. On the contrary, it is what we would expect, or at least hope, to see in a lively, healthy democracy. Yet, the same grace does not seem to apply to religious interventions which, with a few twists of language – churchgoers being "told" and "handed instructions" etc. – are made to sound as if they are somehow subverting democracy.

The political objection (3): "unbending"

The third and final 'flavour' of political objection is the accusation that religion is about (moral) certainties, whereas politics is about necessary compromises. However much religions may honour the letter of representative democracy, ultimately it is a failed union because honest religious belief is unbending and cannot truly accept the bargains and concessions that make up politics.

This objection lies at the heart of Lewis Goodall's point that religion is based on "holy books" which are "ill-placed to help us resolve" complex modern debates, and that this debate in particular "should be about trade-offs, about the balancing of harm, not absolutes". This argument draws its strength from various caricatures, such as the Bible-bound Protestant who believes scripture has the answer to everything, the fundamentalist Muslim who has the same view of the Qur'an, and the traditionalist Catholic convinced that "error has no rights".

There certainly are true believers of this nature, just as there are in every ideology. Fundamentalism knows no borders. But in British politics at least, these caricatures have been few and far between for many years. It is extremely telling, for example, that the devoutly evangelical Protestant William Wilberforce expressed his desire to *avoid* quoting the Bible directly in parliament, despite the fact that he was in no doubt that the weight of the biblical arguments was on his side. ²¹ When the final, victorious anti slave trade bill was brought before parliament in 1806 Wilberforce deliberately kept a low profile, advising the Prime Minister to argue on the basis

of national interest alone, and to avoid the 'mistaken idea that it rests on general Abolition principles or is grounded on justice and inhumanity'. ²² In other words, the idea that religious politicians think they can resolve even important moral issues simply by quoting "holy books" was feeling outdated 200 years ago.

When it comes to the comparable Catholic caricature, it is similarly telling that while Pope John Paul II was utterly and totally convinced of the moral illicitness of abortion, he could still write in his encyclical *Evangelium Vitae*:

"When it is not possible to overturn or completely abrogate a pro-abortion law, an elected official, whose absolute personal opposition to procured abortion was well known, could licitly support proposals aimed at limiting the harm done by such a law and at lessening its negative consequences at the level of general opinion and public morality. This does not in fact represent an illicit cooperation with an unjust law, but rather a legitimate and proper attempt to limit its evil aspects."²³

In other words, political compromise to a certain extent and for specific reasons, is perfectly acceptable. In the light of this, the objection that religious participation in politics is too rigid, inflexible, or uncompromising has simply too little empirical evidence to support it, at least in the UK.

To conclude this section on a different note, it is worth asking whether such political inflexibility is, in fact, always wrong. Certainly, politics demands and depends on openness and compromise but there are surely times when intransigence is warranted. Neither Dr Martin Luther King Jr nor Archbishop Desmond Tutu were prepared to compromise on the issue of racial equality. Tutu once even remarked that were it to be proved that apartheid was biblical, he would throw away his Bible! Sometimes, perhaps rarely, the normal compromising business of politics should be suspended and compelled to admit inflexible commitments.

The Social Objection

The social objection is, as noted, similar to the political one in as far as it too orbits round the notion of the secular. Whereas the political objection pivots on the idea that our *politics* is secular, however, the social one does so on the conviction that our *country* or our *public* is secular.

This is a commonly cited objection with, for example, Simon Jenkins calling ours "a largely secular country" and Lewis Goodall remarking that we are possessed of a "quietly profound secularism" as part of their argument against a religious contribution. "The British are an essentially secular people" lies somewhere in the background of arguments proffered by many anti-religious groups. "[Lord] Falconer's comments…were directed not simply at this particular debate but expressed a deeper unease about the role of religion in public life and the boundaries of a secular society," wrote Kenan Malik in *The Guardian*. ²⁴

It is not always clear what the logic is here, partly because the argument can come in two different forms. The first posits something like "because the majority of the country is secular, the religious have no right to contribute to public debates of this nature". It is, to be frank, hard to imagine anyone genuinely holding this argument today, which runs counter to both the spirit and the letter of liberal democracy. To deny someone the right to contribute to a political debate because they are religious would be astonishingly intolerant and I doubt whether even Charlie Falconer, in his comments about Shabana Mahmood being Muslim, actually meant this. Accordingly, I shall not waste time arguing against it.

The second, and rather more sophisticated, form of argument here says something like "because the majority of the country is secular, the religious must engage in public debates in secular terms, and if they cannot, they have no place in debate". This argument has been the subject of much theoretical discussion, at least since John Rawls published his *Theory of Justice* 50 years ago and put forward the idea that for an argument to be admissible in public debate it needed to be comprehensible to all reasonable citizens. Comprehensible here, note, doesn't mean persuasive but simply understandable, drawing on premises, logic and language that other parties can share.

Failure to obey this stricture, he contended, was implicitly to disrespect fellow citizens. Thus, for example, were someone to argue against legalising assisted dying solely on the grounds of scriptural, theological or doctrinal arguments, they would be effectively saying to their fellow (non-religious) citizens "you should do this for reasons you don't and can't understand". It is, in essence, to demand assent on the basis of obedience rather than reason. Ever since these arguments were put forward,

many an anti-religious campaigner has casually cited "public reason" as a way of gagging or at least muting religious contributions to public debates.

There are a number of points that can be made in response to this (more sophisticated) social objection. I will mention three.

Firstly, people differ from one another in deep, profound and guite legitimate ways. Deep diversity is real and cannot be papered over by phrases like "all reasonable citizens". Roger Scruton once remarked that it was a remarkable co-incidence how the "reasonable citzens" of Rawls' philosophy looked suspiciously like East Coast liberals. The comment was acid but accurate. Who exactly are these reasonable people and what exactly is it the makes them reasonable? Is it really right to imagine (and then demand) that all arguments will be comprehensible to all reasonable people? Is it not more realistic to accept fundamental dissensus, rather than consensus, between reasonable citizens, precisely because people have legitimately differing worldviews that go all the way down? Conservative Catholics, deep ecologists, Marxists, secular humanists, Muslims, and libertarians all believe fundamentally different things meaning their differences go all the way down to their deepest convictions about the nature of human beings, of the world, of reality. That does not necessarily mean they are unreasonable, or that they must all imitate the reasoning of one particular party (usually the secular humanist one) in order to warrant admission to public debate. Dissensus would not so much indicate that people were unreasonable, so much as they held different ultimate commitments about reality, which informed their political views.

This (theoretical) point is supported by empirical evidence, which comprises the second response to the social objection. The word "secular" and its cognates (secularism, secularisation, etc.) is slippery and notoriously open to different interpretations. However, it is far from clear that Britain is, in fact, a secular nation. This is not, to be clear, the boosterish argument one sometimes hears from believers that there is a more widespread and pervasive folk Christianity than some sociologists realise. Eather, it is the point, once made by T.S. Eliot, that "a society has not ceased to be Christian until it has become positively something else". The UK was historically Christian and it remains constitutionally so. Demographically and sociologically, it is neither Christian nor secular, but plural, with no single identity

predominating.²⁷ This is relevant to the social objection because it further undermines the idea that there is an obvious form of public reasoning that will be comprehensible to all reasonable citizens. Not only do British citizens differ in theory, but they do in practice too.

Importantly, this does not mean that religious participants should not try to use publicly accessible reasoning in their arguments. On the contrary, if you want to persuade somone of your case, it is common sense to use arguments that they understand and might find persuasive. But – and here we pass on to the third response to the social objection – that is precisely what we do. A careful reading of all the contributions to the parliamentary debate in November 2024 made by religious MPs shows that they made arguments that drew on a range of reasons. In no particular order, they picked up on:

- the risk of slippage²⁸
- human rights challenges²⁹
- changing attitudes to the vulnerable³⁰
- the need for better palliative care³¹
- existing pressures on the NHS³²
- the risk of coercion³³
- the particular problem of undetected self-coercion³⁴
- the risk of suicide contagion³⁵
- the problems with terminal diagnoses³⁶, and
- the warping of the relationship with medical professionals and the NHS.³⁷

The point of this list is not to claim that all their arguments were correct or persuasive. Rather, it is simply to show that they were comprehensible. The plain fact is that religious MPs do use publicly accessible reasons because they recognise that this is how you conduct debates in public. Indeed, perhaps ironically, the only identifiably religious term used throughout the whole debate, namely "sanctity", (the absence of which Rod Liddle so lamented in Justin Welby's intervention) was used only twice, by two MPs – David Davis (who is not religious) and Dr Kieran Mullan (who is Secretary of the All-Party Parliamentary Humanist Group) – both of whom were making the case for the bill.³⁸

So much for parliament; is the picture beyond it any different? Most people recognise that, however tight the *de facto* protocols on reasoning should be within parliamentary debate, that are and should be looser in wider public debate, precisely because civil society is the arena for such candour and honesty. Accordingly, there was indeed a broader range of arguments and a freer use of explicitly religious language on show in this wider public debate – but even then only slightly so. A careful reading of public engagement on this issue by religious figures, ³⁹ shows that the majority of arguments deployed by campaigners were of the same kind as used by religious MPs listed above.

The religious leaders' letter to the *Observer* talked about the number of older people in the UK who have been subjected to abuse and who might be at risk of pressure to end their lives prematurely were the bill passed. Bishop Sarah Mullally spoke of the need to invest in palliative care and cited a study of the State of Oregon that showed how 46% of people opting for assisted dying cited fear of being a burden as a factor in their decision. Justin Welby warned of his fears of the legislation "broadening out" to include those who are not terminally ill. The Catholic Bishops of England and Wales, and Scotland, claimed that it was is not always easy "to predict the length of time a person with a terminal illness has to live", and worried about the changed "relationship between medical practitioners and their patients". None of these arguments would have been out of place in the House of Commons.

Interestingly, all these interventions showed something of their workings, exposing, if only momentarily, a few of their roots. Thus, the letter to the *Observer* spoke about the authors' experience in "provid[ing] spiritual and pastoral care for the sick and for the dying", saying that it was "from this vocation that we write". Bishop Mullally explained that the Church's opposition to assisted dying "has always been grounded in a concern for the welfare of the most vulnerable: in biblical terms the widow, the orphan and the stranger". And the Catholic Bishops' Conference explored and explained its position with reference to the meaning of compassion, the dignity of the human person, and the conviction that "life is a gift".

The most confessional any of these interventions got was in the final paragraph of the Catholic Bishops' letter which was addressed specifically to "all those who share our Christian faith", and asked them to "turn in prayer to God" for "the dignity

of human life [to] be protected and defended", and referenced Christ's embrace of suffering on the cross to show that "love is always stronger than death". Were this paragraph the entire sum of the Christian intervention in this debate, were it not specifically addressed to other Christians, and had it been spoken in parliament without any accompanying public reasoning, the social objection – that religious interventions were singularly ill-suited to a public debate in a secular country – might have some merit. But none of those conditions was met.

In short, religious contributions to public and political debates of this nature do exactly what liberal political philosophers and anti-religious groups demand of them, i.e. use publicly accessible reasoning especially when addressing a general audience. This has not, however, prevented some critics using exactly this kind of compliance against religious believers, which leads us to the "dishonesty" objection.

The Dishonesty Objection

The previous three objections – intellectual, political, social – were all targeted at what religious believers said or did. The final objection – what I have called the dishonesty objection – is focused, conversely, on what believers do not say. The accusation is that by using publicly-accessible language they are not being open about their true motivations.

Critics here argue that religious reasons are the "real reasons" behind these interventions, and that religious believers' use of the kind of arguments highlighted in the previous section is fundamentally dishonest; their actual arguments are allegedly being expediently disguised and hidden from the wider public. Thus, Lewis Goodall accused religious believers of a form of "shadowboxing", Esther Rantzen said they were "reluctant to declare that [their faith] is the reason for their opposition to the Bill," her daughter claimed their interventions "lack... transparency," Humanists UK highlighted how they don't "mention... religion in their letters", Andrew Copson accused them of "conceal[ing their] agendas".

This is not an altogether new accusation – Raymond Tallis wrote, in the *New Humanist* in 2012 how, "most faith-based opponents of assisted dying...conceal their real reasons behind arguments" – but it seems (at least to me) to have become more frequent. When campaigning for the bill in 2024, Humanists UK tweeted that

CARE's religious beliefs are a motivating factor in its opposition to assisted dying. "This is a legitimate motivation," they conceded, before going on to say, "the fact it's using religious reasons to get people to write to MPs, without mentioning religion in their letters, is concerning." This approach recognises that religious believers can legitimately contribute to public debates of this nature but insists that they have to 'out' themselves as religious in the process.

This has led to the remarkable suggestion in some quarters that religious believers should be compelled to declare their belief before entering debate as if it were a compromising commitment, like a financial investment or a family connection. Again, this is not an entirely new suggestion. Richard Chapman, Head of Parliamentary Affairs at the Church of England, has written how, in 2010, he went to a Dignity in Dying fringe meeting at LibDem Party Conference at which the CEO told the room "that MPs debating or voting on conscience issues ought to have to declare any religious faith they held. Rather like it was a registerable interest." The BMJ published an article in 2018 arguing that "religious belief should be declared as a competing interest" in these debates. 42

The idea that one kind of belief system – the religious one – should be named, outed and treated like it was a compromising factor, but that other (non-religious) belief systems need not do so, is highly instructive. It is based on the conviction that some belief systems (essentially contemporary liberal secularist ones) are normal, obvious, uncontroversial, rational, and straightforwardly compatible with 'conscience debates', whereas others are not. This conviction is historically, sociologically and philosophically unsustainable, but it has not stopped it from gaining credence and informing arguments.

There are many things one might say in response to this. First, it is not always clear how advocates of this view know what the *real*, *unspoken* motivations of their opponents are. It is, of course, not unusual for people to dissemble in debate; indeed, public figures arguably do it all the time. But you need a good reason to accuse someone of being dishonest in this way and the mere fact that they are religious isn't good enough. If you are going to accuse someone fundamentally of lying, you need a good reason to do so. Otherwise, telling them that their articulated reasons are not

genuine, but that you are in a position to know their real ones, could come across as arrogant, or some kind of power game.

Second, this argument tends to be used only selectively, and usually only against believers who take a stance *against* assisted dying. Some religious believers, most notably former Archbishop of Canterbury George Carey, have argued for assisted dying on grounds of mercy, compassion and autonomy. Is he lying about these arguments? I have yet to read any analysis that accuses him, or other pro-legislation religious believers, of concealing their real motivations. In a similar vein, when campaigning groups like Humanists UK ask their supporters to write to their MPs to campaign for the bill, they do not, to the best of my knowledge, require them to admit that they are writing at the behest of an anti-religious group, or ask them to reference Bertrand Russell or Richard Dawkins in their letters, or insist that they are open about their real beliefs concerning the meaninglessness of the cosmos and the ultimate purposeless of human life. Does that mean they are being dishonest?

Third, this approach ends up treating the whole issue in bad faith. As most participants recognise, this debate is ideally conducted by believing the best of your opponents; by believing that, despite very real differences, people are acting sincerely in pursuit of their understanding of people's best interests. Claiming that your opponents are fundamentally lying for covert (religious) reasons is not an appealing way of conducting public debate.

Fourth, this is a tactic that can be used against you. In March 2024, as the Scottish parliament began work on a bill to legalise assisted dying, Matthew Parris wrote an article in the *Times* welcoming the prospect of people hastening their own deaths so as not to be a burden on others. "Our culture is changing its mind about the worth of old age when coupled with crippling degeneration, incapacity, indignity and often suffering," he wrote. He cited demographic, economic, and public sector pressures as legitimate reasons for introducing assisted dying. "We simply cannot afford extreme senescence or desperate infirmity for as many such individuals as our society is producing." "If assisted dying becomes common and widely accepted, hundreds of thousands — perhaps millions — will consider choosing this road when the time comes; and in some cases, even ask themselves whether it would be selfish not to." "Anny campaigners for assisted dying were aghast. Some campaigners

against it rejoiced, claiming that Parris had said the quiet part out loud. But very few went on to say this was the *real* motivation behind *all* pro-assisted dying campaigners. Indeed, through the entire five hours of the parliamentary debate, no-one accused the bill's supporters of *really* just wanting to bump off the economically-burdensome elderly and disabled, and being too shy to say so in public. And yet, had they adopted the logic of the "dishonesty objection", this is what they could have done.

Fifth, adopting this approach risks sounding the death knell for coherent public debate. In healthy debate, I am mandated to argue against what you say and not what, through some undisclosed power, I know you think. Were that approach to be adopted, it would be a licence to avoid responding to the arguments we are actually faced with, in favour of those that we want to be faced with. Rather than being compelled to construct an argument against, say, concerns about the risk of slippage, or changing attitudes to the vulnerable, or the dangers of coercion, you could simply say "ah, but your real reasons are that you think human life is sanctified by God" and (easily) respond to that view. And were I to respond in the same vein ("ah, but your real reasons are that you think, pace Parris, that elderly and disabled life is not worth supporting") our ability to hold a rational debate would effectively be over.

Sixth, it is hard to believe that anyone thinks that singling out one particular (minority) group in society and demanding they (and only they) front up their beliefs, as if they were a compromising and competing interest, as the price of participating in public debate, is a good idea. Do those who commend this course of action believe that, for example, requiring a Jew to stand up in public and say "You need to know I am a believing and practising Jew before you listen to any of my arguments" is advisable? To do so would, would be not simply to fail to treat all citizens as equal, but would to be single out minority groups for particular, discriminatory treatment.

Finally, the dishonesty objection fails to understand the basis of religious reasoning, of what a religious argument actually is. More precisely, it rests on the assumption that some ("public") reasons – such as "I fear for the fate of the vulnerable" or "I worry about the risk of slippage" – are in competition with other ("religious") reasons – like "the Bible champions the cause of the widow, the orphan and the stranger" or "humans are possessed of an inalienable dignity". The dishonesty objection centres on the idea that the former, public reasons are somehow a disguise

for the latter, as opposed to what they really are, which is an outworking of their deep underlying religious or philosophical logic.

In short, it is predicated on a misunderstanding of how religious (indeed how any deep) arguments work. It is this we turn to in the final chapter.

- 1 By religious actors here, I mean figures known for holding a serious religious commitment, the kind of people, whether in politics or wider public life, of whom Emma Barnett could legitimately ask "How much have your religious views influenced your decision?"
- 2 Catholic Bishops of England, Wales, and Scotland unite in compassionate action to oppose Bill on assisted suicide - Catholic Bishops' Conference, 14 November 2024
- 3 The assisted dying bill: safeguards are essential to prevent suicide | Assisted dying | The Guardian, The Guardian, 24 November 2024
- 4 Assisted Dying Legislation dangerous, Archbishop of Canterbury says BBC News, BBC News, 16 November 2024
- 5 Bishop of London sets out position on assisted suicide | Diocese of London, 22 October 2024
- 6 Such as Wes Streeting Assisted dying could lead to coercion, warns Wes Streeting BBC News (29 October 2024) or, as we have seen, Shabana Mahmood.
- 7 Terminally III Adults (End of Life) Bill Hansard UK Parliament, 29 November 2024
- 9 Three Birmingham MPs with 'strong faith beliefs' lead city opposition on assisted dying -Birmingham Live, Birmingham Live, 28 November 2024
- 10 Cited in the letter to the Observer, deriving, as far as I can make out, from research commissioned by the charity Hourglass and presented in 2020 to a parliamentary commission; https://committees. parliament.uk/writtenevidence/126175/pdf/
- 11 B Zamora, G. Cookson, and M. Garau, Unrelieved Pain in Palliative Care in England, OHE Consulting Report, (London: Office of Health Economics, 2019); https://www.ohe.org/publications/ unrelieved-pain-palliative-care-england
- 12 For example, in the parliamentary debate Rachel Maskell cited research by the Anscombe Bioethics Centre in Oxford which showed that "jurisdictions with assisted dying fall down the rankings on palliative care", while Kit Malthouse remarked, "what a surprise it is that the conversation about palliative care has started. We were not having that conversation before this Bill came forward... medics from across the world told us that the two things are complementary", which implies that the level of palliative care improves (or at least remains

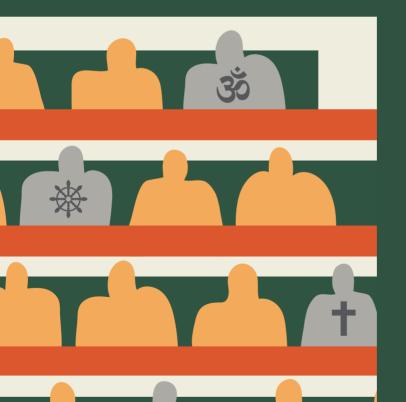
- constant) when jurisdictions introduce assisted dying. Here we are dealing with factual claims, the truth of which is contested
- 13 Some philosophers favour a tight definition of the term, limiting it essentially to the principles of logic and mathematics, while others prefer a broader understanding, which allows for the use of reason in areas such as literature, ethics, aesthetics, or metaphysics which cannot be reduced to logic.
- 14 Andrew Hawkins, 'Polling on assisted suicide: the misuse of public opinion', in Ilora Finlay and Julian Hughes, The Reality of Assisted Dying: Understanding the Issues (Open University Press, 2024), pp. 14-19
- 15 A point that Diane Abbot made in her intervention during the second reading of the bill. "I recall to the House the fact that, in 1969, Parliament voted to abolish the death penalty for murder. Public opinion was actually against that change, but MPs believed, on a point of principle, that the state should not be involved in taking a life. It was a good principle in 1969 and it remains a good principle today."
- 16 Most Britons want to bring death penalty back, poll finds, The Times, 29 January 2024
- 17 See the Economist's Democracy Index, which assesses countries according to five categories electoral processes and pluralism, functioning of government, political participation, political culture, and civil liberties for more information on this; Democracy Index 2024 Economist Intelligence Unit
- 18 Richard Chapman on X: "This, from the latest lobbying campaign email from Dignity in Dying to their supporters. Clear that they consider 'churchgoers' to be opponents. And a separate category to 'the public'? https://t.co/N4y4r7kKsc" / X, X, 20 November 2024
- 19 A strident example of this from X: Dr Catherine Ebenezer (she/her) 计口偏峰 on X: "@ SelsdonChapman @hannahmerich Nobody has 'told' this churchgoer anything. My decision to oppose the Bill is entirely my own, influenced by my former tutor, the late Gordon Dunstan, contributor to Saunders, On dying well (London: CIO, 1974, reprinted 2000)." / X, X, 20 November 2024
- 20 An amusing example of this from X: (1) Julie Street UA GB EU on X: "Just walked out of Mass bloody fuming -our priest used the homily to read a letter from the Catholic bishops telling people to oppose the Assisted Dying Bill then handed out cards with our local MP's details on to lobby them Religion has no place in politics or women's rights." / X, X, 17 November 2024
- 21 David Brion Davis, The Problem of Slavery in the Age of Revolution 1770-1823, (Ithaca, N.Y: Cornell University Press, 1975), p. 549.
- 22 Quoted in John Coffey, 'Evangelicals, Slavery & the Slave Trade: From Whitefield to Wilberforce' ANVIL Volume 24 No 2 2007, p. 114.
- 23 John Paul II, Evangelium Vitae, #73
- 24 Who should have the last word on assisted dying in a secular Britain? | Kenan Malik | The Guardian, The Guardian, 1 December 2024
- 25 There might be such a thing, but even if there were (Discuss!) it is highly doubtful that it is Christian in any but the vaguest sense.

- 26 T. S. Eliot, The Idea of a Christian Society, (Faber, 1939)
- 27 A fact that will not change if the 2031 Census reports a majority ticking the "No religion" box simply because "Nones" come in very different variety, and no religion cannot simply be equated with "secular". See Hannah Waite, *The Nones: who are they and what do they believe* (Theos, 2023)
- 28 "If the door is opened with this Bill, it will then be widened, as it has been in places such as the Netherlands, Belgium and Canada." (Ruth Jones)
- 29 "Once the law facilitates assisted suicide, it could be deemed discriminatory to deny others disabled people the same right." (Rachel Maskell)
- 30 "The Bill represents not a choice but a principle shift that undermines the value we place on protecting the vulnerable." (James Frith)
- 31 "According to Hospice UK some 100,000 people die each year who could benefit from end-of-life care but do not receive it." (Anna Dixon)
- 32 "My constituents are struggling to see doctors face to face, and seeing the same doctor twice seems like a miracle in today's Britain" (Meg Hillier)
- 33 "To legalise assisted dying would be to create the space for coercion that would undoubtedly see people die who would not otherwise have chosen to do so." (Tim Farron)
- 34 "Assessing beyond doubt whether someone has been put under pressure or coerced would be difficult." (Florence Eshalomi)
- 35 "Evidence from around the world shows that that increases suicide in the general population. Suicide is contagious. For instance, Oregon is often pointed to as an example. The incidence of suicide, outside assisted suicide laws, has risen by a third there since it was legalised." (Danny Kruger)
- 36 "Earlier this week, the cancer community lost Nina Lopes. She had stage 4 triple-negative breast cancer and was given six months to live in 2018. Six months became six years." (Dawn Butler)
- 37 "The Bill would change the relationship between clinicians and patients forever. It would say to the NHS, 'Your job is not only to protect and preserve life; it is sometimes to take life." I am not prepared for our NHS to be changed in that way." (John Hayes)
- 38 "I am a believer in the sanctity of life" (David Davis). "A deep respect for the sanctity of life is not the preserve only of religious thinkers." (Dr Kieran Mullan)
- 39 Such as the letter to the Observer signed by 29 religious leaders, interventions by Justin Welby or Bishop Sarah Mullally, or the Statement from the Catholic Bishops of England and Wales, and Scotland on Assisted Suicide
- 40 Raymond Tallis, 'The case for assisted dying', New Humanist, 16 August 2012; The case for assisted dying | New Humanist
- 41 (1) Humanists UK on X: "CARE's religious beliefs are a motivating factor in its opposition to assisted dying. This is a legitimate motivation. But the fact it's using religious reasons to get

- people to write to MPs, without mentioning religion in their letters, is concerning. https://t.co/VimXG4vSta" / X X, 21 November 2024. Emphases added
- 42 Why religious belief should be declared as a competing interest | The BMJ, BMJ, April 2018
- 43 We can't afford a taboo on assisted dying, *The Times*, 29 March 2024. Other have made similar points. Assisted dying Bill: Depressed and disabled should be allowed to end their life, says AC Grayling, *The Telegraph*, 21 November 2024. Philip Collins on X: "We are talking about people beyond help so this is nice rhetorical turn but much weaker than it sounds." / X, X, 28 November 2024

6

What even is a religious argument?



I quoted in the introduction to this essay a comment made by Jeremy Waldron to the effect that secular theorists often assume that they know what a religious argument is, commonly presenting it as a crude prescription from God, comparing it unfavourably with the elegant simplicity of a sophisticated secular philosophical argument, and concluding that it has no place in intelligent public debate.

There was an obvious polemical edge to Waldron's point, but the point he was making was not simply about the alleged moral simplicity or ugliness of a religious argument ("backed up the threat of hellfire") but also about its explicitness. The thing that makes this a religious argument is not (just) that it is apparently crude or simplistic, but that it makes a direct and explicit appeal to some religious element, whether that be to a holy book, a religious teacher, an official doctrine, or a theological concept like "sanctity" or the "image of God".

In other words, the presupposition is that it is the visibility of religious language and logic that makes an argument religious. A religious argument, so the case runs, must be seen to be a religious argument, in as far as it talks about God, the Bible, Church teaching, the Qur'an, Islamic law, the image of God, the sanctity of life, playing God, etc. "We should not legalise assisted dying because life is sacred" is a religious argument, whereas "We should not legalise assisted dying because if we do it'll negatively affect the relationship between doctor and patient" is not. Hence the dishonesty objection outlined above: if you are a religious person but what you say cannot be seen to be a religious argument, you are self-evidently dissembling.

This is not, however, how religious (or indeed any deep) arguments about public policy necessarily work. Such arguments are complex and – critically – multi-layered. In any such debate, there are different levels of argument, each building on the level below until you reach the foundations of the worldview. In a religious argument, the religious terminology, concepts and commitments are there but they only become visible the closer to the foundations you get. Religious language and concepts are only rarely present at the surface level of the debate, when the details of a policy are under scrutiny, precisely because that surface level is public, political and plural, and requires commensurate language and logic. However, the theology does become clearer the further down, and more philosophical, you go. Figure 1 below illustrates what I mean by this.

In this chapter I will explore in a little detail what this looks like in practice. This approach outlined below is necessarily simplified and schematized for the sake of clarity, and there are a few caveats noted afterward. For the time being, however, one particular caveat is of supreme importance. The logic here applies just as much to serious non-religious arguments as it does to religious ones. Except for those like Simon Jenkins who labour under the illusion that debates of this nature can be resolved by the facts and reason alone, opinions on matters like assisted dying rest ultimately on a philosophy or worldview which might be more or less coherent but cannot be proved or disproved. All serious arguments have deep roots; it's just that some tend to be more visible than others.

Four levels of argument

Reasoning around difficult moral issues is complex and rarely settles into easily delineated categories. It is, therefore, primarily for the sake of clarity that I have here categorised the process of religious reasoning into four levels: (1) policy, (2) principle (3) person, and (4) philosophy. Each level or layer rests on and is informed (but not necessarily determined) by the level beneath it, with the arguments becoming more explicitly religious the further down they go.

If you want a summary of the argument in this chapter, it is that a religious argument is one in which the foundations (philosophy) rather than the conclusions (policy) are theological – although at the risk of labouring the point (to which I will return) this structure applies to all thought-through arguments and is not particular to religious ones.

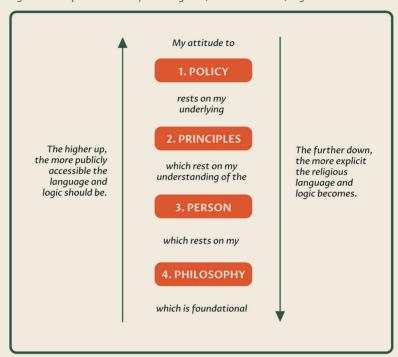


Figure 1: a simplistic outline of how religious (and other serious) arguments 'work'

For the sake of simplicity, I am going to trace here the theoretical logic of a religious argument against assisted dying, but there is another obvious but important caveat that not all arguments against assisted dying were religious, and not all religious arguments were against assisted dying.

Policy

As we have already noted, most – indeed, almost all – of the arguments made against assisted dying by religious MPs, individuals, and institutions, in parliament and beyond, were made on policy grounds. People argued on the basis of problems determining the time left to live, the need for better palliative care, the risk of coercion, etc.

The reason for this was that they were debating a bill brought before the Commons, not a paper brought before a philosophy seminar. As James Cleverly remarked in the debate: "We are speaking about the specifics of this Bill: this is not a general debate or a theoretical discussion, but about the specifics of the Bill". There is nothing improper or deceptive about this. On the contrary, this is what MPs are tasked to do. No-one, religious or otherwise, was dissembling by failing to wear their metaphysical commitments on their sleeve in the House of Commons.

All that duly recognised, the 'policy' views expressed by religious parliamentarians did and do rest on deeper values, which were occasionally on show in the debate (and slightly more so in extra-Parliamentary interventions). Policy, in other words, rests on a deeper layer of argument about principles.

Principles

However much the parliamentary debate was about the specifics of the bill, the bill itself was about a principle, namely whether and under what circumstances it is right for people to be able to claim state support in pursuit of their desire to end their lives. Accordingly, under the surface of policy debate, there stood (and stand) various principles that informed how different people engage in the policy specifics.

We can put this another way. It is quite proper and reasonable to ask someone why they deem any of the objections they raise at a policy level to be relevant to the debate. Why are you worried about the risk of slippage, or about changing attitudes to the vulnerable, or the risk of suicide contagion? Assuming these have been established as realistic concerns rather than paranoid fantasies (something that can be established by empirical evidence¹), the legitimate ensuing question is, why and how far should they be concerns at all.

To answer this, you need to go to a deeper level, and draw on your values and principles. In spite of the fact that the parliamentary debate was about the bill, rather than being a more general ethics seminar, some MPs sometimes did (briefly) do this, mentioning principles such as²:

- Agency³
- Autonomy⁴
- Being a burden⁵

- Choice⁶
- Dignity⁷
- Compassion⁸
- Equality⁹
- Freedom and liberty¹⁰
- Harm¹¹
- Risk¹²
- (Intrinsic) value¹³

It will be clear to readers that not all of these principles were ones that naturally played into a religiously grounded anti-assisted dying argument. On the contrary, values like autonomy, agency, choice, and freedom are considerably more likely to be found in the armoury of (non-religiously grounded) pro-assisted dying arguments (as demonstrated by the supporting quotations in the endnotes). The point here, therefore, is not to claim that any one party has the monopoly on any one set of principles so much as to point out that beneath the first 'policy' level of the debate, there lies a second level of principles which everyone has to grapple with.

Every MP, religious or not, and indeed every serious intervention in this debate, operates on the level of principle as much as on the level of policy. Everyone, no matter where they are coming from or what they conclude, has to engage with ideas like dignity, harm, compassion, risk, and autonomy. And everyone, when faced with these principles, needs to ascertain how they understand them, and how much weight and significance they attach to each. It is in the different ways in which people respond to this – the different meanings, weights and significance that they attach to principles like autonomy, harm, vulnerability, freedom, etc – that different attitudes to the policy itself are grounded.

Put another way, words like freedom, equality, burden and agency are not self-evident or self-explanatory, and they are not amenable to empirical adjudication. ¹⁴ Different people, for example, attach different meanings to freedom (e.g. positive vs negative liberty) and weigh them against equality in different ways (e.g. taking different views on the advisability of sacrificing freedom for the sake of equality, and vice versa). We attach different meanings to the concept of harm, with some

preferring a minimal definition which is limited to physical harm, and others happy to expand it to include perceived micro-aggressions, harmful speech, and even acts of omission. We attach different meanings and importance to the exercise of agency. sometimes treating it as a supreme value to be respected in almost all circumstances¹⁵ and sometimes seeing it as a more limited and fallible aspect of human life, worthy of respect but not wholesale deference. Despite the fact that it is usually used as a booword, ¹⁶ we attach different meanings to the word burden, many seeing being a burden as straightforwardly negative, others insisting that humans are naturally burdensome to each other and that it is precisely by "bearing one another's burdens" that human virtue is developed. For some people, the value of a human life is inalienable and absolute: for others it is more contingent on cognition, ability and the exercise of agency. Some people see the collective good as best served by honouring people's choice as maximally as possible, others reject this aggregate notion of a collective good and prefer instead the notion of a common good, which is likely to inhibit the free exercise of choice. ¹⁷ For some, human dignity is served by relational integrity (and so best honoured by compassionate care), whereas for others it is served by honouring people's informed choice. 18

And so on and so forth. Different people navigate these principles differently according to what they consider best for human beings, both individually and collectively. The meaning and significance we attached to a particular principle will draw on our deeper understanding of what we think is good and right for human beings. Why and how much we care about these principles is, thus, dependent on our understanding of the human good and the human person.¹⁹

Persons

If we did occasionally glimpse 'principles' within the parliamentary debate, the third level down – what we think about the human person – was pretty much invisible. Again, this is not a surprise. Parliamentarians were and are not there to debate respective anthropologies. In order to ascertain what MPs, religious and otherwise, think at this level it is almost always necessary to go beyond Hansard and listen to what they say outside parliament, and we can supplement such (slightly more theologically explicit) arguments with those made by non-political religious figures in public.²⁰ (The question of where we might go to find the underlying anthropologies

of non-religious campaigners is a difficult but highly relevant one. Indeed, it is precisely from the fact that religious anthropologies – and, beneath them, religious philosophies – are more readily discernible, that we derive the misguided impression that religious actors are motivated by unproveable belief systems, whereas non-religious ones are not).

To take an example of this, the MP for Birmingham Edgbaston, Preet Kaur Gill, explained in a newspaper interview why she was opposing the bill, in the process eliding reasons of the person (level 3) with those of underlying philosophy (level 4). She said that, as a practising Sikh, her "faith is rooted in the principle of the sanctity of life, which underscores my conviction that every moment of life has inherent value, regardless of circumstance or suffering...I believe that assisting in ending a life conflicts with my core values." Others made similar points from different religious traditions. Shabana Mahmood said that "as a Muslim, [she had] an unshakeable belief in the sanctity and the value of human life," and the Catholic Bishops' Conference "appeal[ed] to those who share our Catholic belief in human dignity and sanctity of life."

The logic in these cases is that the individual or institution's commitment to the "sanctity", "dignity" or "inherent value" of life informs the way in which they understand and prioritise the principles outlined at level 2.²² It is precisely because they believe that human life per se is "sacred" (etc) that they view maintaining life as the primary human good. This does not mean altogether ignoring other principles, such as agency and autonomy, but it does mean evaluating them in the light of this primary good.

The tension between valuing human life on account of its capacity for autonomy and valuing it on account of its being loved by an external agent runs central to this debate (and is explored in greater detail in the Theos report looking at the different conceptualisation of "dignity" in the assisted dying debate²³). There are, however, other ways in which our view of the person can colour and weight our principles in a debate like this. To take one example (not explicitly mentioned in the assisted dying debate but undoubtedly lurking under the surface): one's attitude to humans' propensity to be selfless or selfish can strongly inform this issue (as it does so many political issues). A view of human nature that tends towards the human-as-sinful (to

use a theological term), is sensitive (some would say oversensitive) to the potential for exploitation, coercion and the likelihood of institutional failure. Humans all too readily elevate their own good above that of others, particularly vulnerable others, so the argument goes, and that being so, legalising assisted dying is simply too risky, leaving a high chance of coercion and exploitation, and a low chance of institutions functioning well enough to detect such incidents. ²⁴ In contrast, a view of human nature that tends towards the human-as-fundamentally-kind is more likely to dismiss such concerns as scaremongering and to trust individuals, families and institutions to deal with this sensitive subject responsibly.

Whichever side one comes down on in this particular discussion, or indeed in the debate around dignity and autonomy, the point here is that how I interpret autonomy, harm, equality, etc, rests heavily on how I understand the human person and good. The meaning, weight and significance I attach to any of these principles will be shaped by what kind of creature I understand the human to be. And the question of why I believe that of the human person brings us to the deepest level of this debate, the point at which the religious logic becomes most explicit.

Philosophy

Why we believe what we believe about the human person is necessarily connected to ultimate questions of metaphysics and ontology. It is not a topic for parliamentary debate. It is doubtful whether many parliamentarians, busy as they are, have inclination or ability to enter into such debate, and it equally improbable that most religious believers have taken the time to think through these ideas from first principles. As I shall note in the caveats below, most of the time most of us hold these beliefs invisibly, inarticulately, inchoately.

And yet, hold them we do, and the question of how we understand the world in which we find ourselves does lie, deeply submerged, under the surface of this discussion. It becomes visible only rarely in these debates, if protagonists intentionally expose their theological or philosophical roots. We glimpsed this at the end of the Catholic Bishops' letter, which described how,

"On the cross, Christ united Himself to every form of human suffering and every person who suffers. In Him, life is changed, not ended. He shows us, in His own crucified and risen body, that love is always stronger than death."

This offers one possible answer at this fourth, deepest, philosophical level: we live in a universe that God himself not only created, but entered and embraced, in all its pain, and in which he remains present even in suffering, with the promise that love is stronger than death and is the basis of eternal hope. It is for this reason, Christians ultimately claim, because we live in this kind of creation, that humans have the dignity and value that they do, and it is this understanding that informs how they weight and prioritise certain key principles, which in turn shape their approach to policy issues of this nature. This is, in essence, how religious reasoning works.

The reasoning here might well be comprehensible to a non-Christian believer or to someone who holds no religious belief at all. Humans are intelligent, empathetic creatures and we are often able to 'get' what others believe, even when we don't share those beliefs ourselves. But even if they do 'get' it, such an argument will clearly have no authority for them because they do not share its foundational premises. That is not, however, a failure on the part of the religious believer to articulate their reasoning in sufficiently public terms, so much as confirmation that reasonable people do indeed have different foundational beliefs.

Returning to a point mentioned earlier, it is critically important to recognise that this kind of (fourth level, deepest, foundational) philosophical reason is just as present among non-religious thinkers as religious ones. Everyone – at least everyone who thinks deeply about such things – finds themselves as some point hitting their metaphysical foundations. It's just that, unfortunately, those foundations tend to be more on display with religious believers. Either way, the point is, everyone has some foundational worldview, and nobody stands nowhere. Thus, for example, one such non-religious argument in a debate such as assisted dying might run as follows (taking it from underlying philosophy to policy proposal):

 Level 4: We live in a universe that is not created or ordered by any higher power, and therefore has no intrinsic purpose, telos or meaning that humans are tied to or directed by. Humans are uniquely intelligent, conscious and communicative creatures but we are still nonetheless accidents, in a universe governed by chance and necessity, with no intrinsic purpose or destiny. Or, in the more colourful words of Stephen Hawking, "the human race is just a chemical scum on a moderate-sized planet, orbiting around a very average star in the outer suburb of one among a hundred billion galaxies."

- Level 3: Intelligent, conscious but ultimately meaningless creatures that we
 are, it is up to us to make our own meaning in the world, to generate purpose,
 goodness and order according to our own will. Ultimately, we are the only ones
 in a position to dictate the meaning of life and the meaning that our lives (and
 deaths) have.
- Level 2: Because self-generated meaning-making is central to our existence as humans, we must afford the greatest possible space for human autonomy, freedom and the capacity to choose our own ends. Admittedly, that space should be circumscribed by other principles, such as harm or equality, which recognise the good of other humans but, primarily, value must be located in giving people the right to shape how they live and end their lives.
- Level 1: As a consequence, we should support the idea of state-endorsed assisted dying, with restrictions dependent on the extent to which we believe principles like harm, risk and equality should impinge on our autonomy.

The precise details of this argument will be contestable, and it is important to stress that non-religious arguments can differ as widely between themselves as religious ones can. The sequence above is intended merely to show how the chain of reasoning, from philosophy, through person and principle, to policy might work for a non-religious person. The point is that, as with the religious argument, the fundamental non-religiosity of the argument is visible only as we get toward the deeper levels of argument. But that is how all serious, thought-through arguments, whether religious or non-religious, work.

Caveats and conclusions

This chapter has sought to set out what "a religious argument" actually is, and what it might look like in practice. I will conclude that point shortly, but before I do so, it is worth my entering four important caveats.

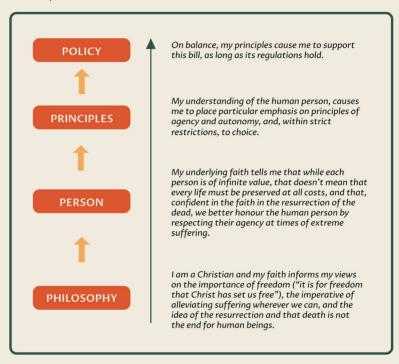
The first is to reiterate the point I have just made. Religious arguments work the same way as non-religious arguments do. The two, naturally, look different and sometimes (but by no means always) come to different conclusions. But the process of reasoning – from underlying philosophy, which informs our conception of the human person, which shapes the meaning and significance we attached to our principles, which then guide how to approach different policies – that process is the same whether you have a religious faith or not. In that regard, this whole essay might have been about how non-religious arguments work, except for the fact that it would not then have been necessary as people don't tend to train their fire on them!

Second, I have, for reasons of clarity, held to an unduly rationalist model of reasoning. The process of reasoning outlined above is predicated on the idea that humans are reasoning creatures when there's a great deal of evidence to suggest that we're not, or at least not as much as we think we are, and that the belief and commitments we hold have considerably more to do with our instincts, emotions, experiences, social pressures, and sheer irrationality. I have omitted all this to help make an already complex argument tolerably clear.

Third, in line with the previous point, the traffic between levels of argument runs both ways. Sometimes my politics will inform my principles which will shape my understanding of the human person which will guide my philosophy – rather than the other way round. Empirical evidence does help shape principles, as it should. Our understanding of how selfless/ish we think humans are, to return to an example mentioned above, will naturally and quite properly be shaped by what we experience of the world just as it will by any underlying philosophy. The one-way flow of traffic envisioned above is schematised and idealised.

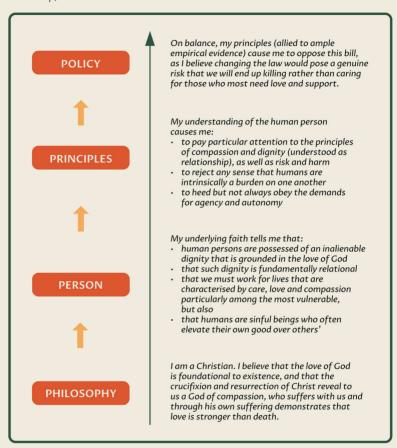
Fourth and finally, there is considerable elasticity in this whole process. Put another way, the chain of reasoning between one level and the next is not determined. People who hold to the same religious belief, will sometimes hold subtly different conceptions of the person, which will then colour and weight their principles in a different way, which will lead them to adopt a completely different approach to the policy in question. That is why some religious believers arrive at a different conclusion from others on the assisted dying debate. This is illustrated in figures 2 and 3 on next pages.

Figure 2: how a religious argument **for** assisted dying might work (to be read from bottom up)



If that is how a religious argument against assisted dying might work, this is how a religious argument for it might be constructed.

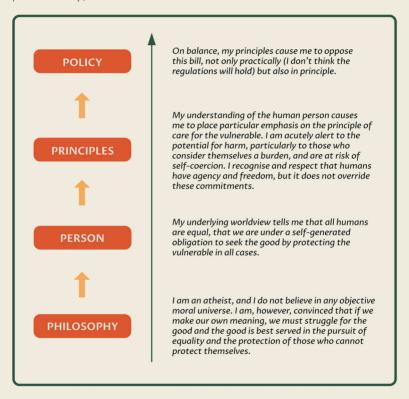
Figure 3: how a religious argument **against** assisted dying might work (to be read from bottom up)



If this is how religious arguments might work in different ways in this debate, it is important to stress that non-religious ones follow a comparable pattern, and that they too can arrive at different conclusions. Thus, although someone might be an undiluted atheist and "None", they may find their particular philosophical

and anthropological convictions steering them to similar principles and policy suggestions, as illustrated by figure 4.

Figure 4: how a non-religious argument **against** assisted dying might work (to be read from bottom up)



In short, the chain of reasoning exists but, while it can be more or less coherent, it is not deterministic.

This final caveat brings us to the conclusion about what a religious reason actually looks like. In effect, a religious reason in a policy debate like assisted dying is made religious not by the language used but by its deep (and usually invisible)

roots. Accordingly, it can be identified only by digging up the roots, so to speak, and studying them rather than examining whatever lies on the surface.

The paradoxical consequence of this is that a reason offered in a policy debate can be simultaneously religious and non-religious. Here is a concrete example of what I mean by this. One MP, who opposed the bill, claimed that "this issue cuts to the very quick of our fundamental duty to be the protectors of the most vulnerable." Another, who also opposed it, stated, "we must judge any system by how it treats the most vulnerable... and on the basis of what I have seen... I do not believe either the NHS or the court system are currently in a position to fulfil that duty of care [in the case of this bill]." Which of these was a religious reason?

On the surface, and without knowing more about them, it is impossible to say. It is only on closer examination that we can say that the answer is the first. This was articulated during the parliamentary debate by Jim Allister MP, who is a committed and very public member of the Free Presbyterian Church, and whose faith runs explicitly through his politics. It is beyond doubt that his concern with the "most vulnerable" in society derives ultimately from his Christianity. The second statement was put forward by Laurence Turner, speaking to Birmingham Live and who explicitly stated that "his position was not motivated by religious beliefs" but whose opposition to the bill was drawn from his "background in disability rights campaigning."

By way of analogy, identifying religious reasoning might be compared to identifying a motor vehicle. There are many ways to do so, such as by its size, design, colour, or brand logo. All too often, those who criticise religious reasoning, do so on the assumption that the religious element in the reasoning works like the logo on the car. Either it's openly badged "religious" or it's not, and if it's not, it's either officially not-religious or it is being dishonest.

In actual fact, however, whether a line of reasoning is religious or not is more like whether the vehicle is a petrol, diesel, hybrid, or electric. The religiousness, or otherwise, is what ultimately powers the argument rather that what it looks like or even where it ends up. On a cursory glance, it can be hard to tell how a particular vehicle draws its energy. It is only when you stop to examine it in greater detail, 'popping the hood' and poking around in the engine as it were, that you get a better idea of what is really giving it fuel.

So with religious faith: the answer to the question "how much have your religious views influenced your decision?" is "completely" precisely because every (carefully reasoned) argument has been "influenced" – indeed, more than influenced: 'fuelled' or 'powered' – by the philosophy or worldview that underpins it.

Everyone who thinks about these contentious public, moral issues will find their decision shaped by the deep, foundational, philosophical commitments that are part of being human. It is unhelpful to claim that religious believers are somehow different here, or to constantly expose their underlying, foundational theological motivation, as if it were something inherently suspect, while completely ignoring the equally foundational worldviews that motivate every other participant in this debate.

- 1 To add some clarity: empirical evidence can ascertain whether, for example, there has been slippage in other jurisdictions in which assisted dying has been legalised. If there has not, then concerns about slippage in the UK are un- (or at least less) realistic.
- 2 As already noted, religious MPs did not talk about "sanctity" in the debate. This may be because Christian religious MPs adopted a theological position that life per se is not in itself sacred (merely something that it is not within normal human rights to end) or it could be, more probably, because they were observing the strictest protocols against theologically-inflected language in parliamentary debate. Nonetheless, the idea of the sanctity of life was an important part of this debate, albeit at a deeper level than that of principles. We will see this in the following subsection.
- 3 "Should people be able to agree to a medically assisted death? If so, what restrictions, if any, should there be on people who can make this decision—age, capacity, terminal illness, intolerable suffering?" (Ben Spencer)
- 4 "Given that the main argument I see in favour of assisted dying is the exercise of personal autonomy, I believe the most substantive issues we need to wrestle with are the limits that we set." (Ben Spencer)
- 5 "It would place enormous pressure on disabled, elderly and poor people to opt to end their lives so as not to be a burden on their loved ones." (Paulette Hamilton)
- 6 "I say to those whose religious beliefs drive their arguments today that I will always defend their right to practise their faith and protect their own life choices. However, supporting the choice of others does not diminish the principle of compassion; it recognises respect for individual autonomy. To deny choice to others especially those with only six months to live, where their personal choice does others no harm is wrong". (Alicia Kearns)
- 7 "True dignity consists in being cared for to the end." (Danny Kruger)
- 8 "With compassion, we search for ways to best alleviate pain and suffering and ensure that those we love die in peace." (Rachel Maskell)

- 9 "Freedom in death is possible only if we have had freedom in life. How can we possibly be satisfied that this Bill will deliver equality and freedom in death when we do not yet have it in life?" (Florence Eshalomi)
- 10 "I am opposed to the Bill because I am a liberal. Libertarians believe that personal liberty is so important that there can be no fetters on it. But I am liberal, not a libertarian. I believe that freedom is essential and that the rights of the individual underpin a decent society, but my rights must be held in check if they nullify your rights." (Tim Farron)
- 11 "I strongly believe that we should respect and support the right to bodily autonomy for people with full decision-making capacity, subject to the caveat that it does not cause serious harm to others." (Ben Spencer)
- 12 "The pre-legislative scrutiny Committee on the Mental Health Bill...aims to prevent people from coming to harm when suffering from severe mental illness. These reforms were debated in the House of Lords this week, and they demonstrate how Parliament should legislate in complex areas that balance individual autonomy and risk." (Ben Spencer)
- 13 "Let us have a debate in which we remember that we have intrinsic value." (Danny Kruger)
- 14 To repeat a point made earlier, sometimes empirical evidence can help clarify the debate for example, evidence can tell you how risky something really is but it cannot tell you what attitude to risk you should have.
- 15 The obvious limitations being when our agency might harm another person, which obviously begs the question about the meaning of harm.
- 16 Meaning that people very rarely use the word positively.
- 17 Cf. John Hayes in the parliamentary debate: "This is not just about individual choices, as hon. Members have said in their interventions and speeches; it is about a collective, communal view on how we see the essence of life and death."
- 18 Andrew Grey, Dignity at the End of Life: What's Beneath the Assisted Dying Debate? (Theos, 2024); The Meaning of Dignity: What's beneath the assisted dying debate? Theos Think Tank Understanding faith. Enriching society.
- 19 As an aside, this is why it is best not to impute negative or deceptive motives to opponents in debates of this nature. Most people are genuinely motivated by legitimate conceptions of the human good and human person. It is just an irreducible fact that people have different ideas of the human good because they have subtly different ideas of the human person. Each of the terms on the principled level of this debate agency, choice, compassion, dignity, equality, freedom, harm, risk, etc is coloured by our implicit anthropology, our ideas about human beings and what is good for them. In other words, the principled level of the debate rests on a still deeper layer the level of the person.
- 20 At the risk of repetition, there is nothing improper or deceptive about this. Parliament is not a university debating club or philosophical seminar and however intensely parliamentarians hold their religious or non-religious views, they recognise that their actual job in parliament is to scrutinise, amend, support or reject legislation and to represent their constituents' interests.

Religion and the assisted dying debate

- 21 This is a helpfully clear formulation but also, one would have thought, a slightly misleading one. Presumably Preet Kaur Gill's views on the sanctity of life are rooted in her faith rather than, as she said, her faith being rooted in the principle of the sanctity of life?
- 22 Alert readers will see that "dignity" appears both on level 2 as a principle and at level three, concerning the person. This is partly because, as noted, this is a simplified and schematised description of how religious reasoning work but mainly because the different levels are not hermetically sealed and certain capacious and elastic concepts, like dignity, stretch across more than one.
- 23 See Andrew Grey, Dignity
- 24 (2) Tom Holland on X: "It's lucky we have a famously competent state, a well-funded health service, & courts with plenty of time on their hands, or I'd be worrying that this is a terrible decision" / X, X, 29 November 2024



Conclusion: Good arguments vs bad arguments



A great deal of energy – too much energy if truth be told – is expended on whether arguments around assisted dying are religious or not. It is easy to see why. If you are in favour of assisted dying, and you see hordes of religious believers lined up against you, it is far easier to undermine them for being religious than it is to deal with their arguments. That is, however, at best a dishonest, at worst an ugly, approach to adopt. In reality, the question of whether an argument is religious or non-religious is something of a red herring, certainly when it comes to deliberating over the content of the bill itself.

The real difference in debates such as these is between good and bad arguments – between those that are more or less coherent, cogent and articulate; those that deploy more or less relevant and better-attested evidence; those that have more or less robust foundations – and not between religious and non-religious arguments per se. The division between good and bad arguments is not the preserve of any particular party, whether religious or non-religious, pro or anti- assisted dying. Good arguments and bad arguments can be found anywhere.

Were you to argue against assisted dying on the basis that human life is sacred and that the state has no remit to end it, while also being in favour of capital punishment, and disinclined to expand state spending to cover improved palliative care, that would be a bad (because inconsistent and heartless) argument. Conversely, were you to argue in favour of assisted dying on the basis that concerns about the slippage or the risks of self-coercion were overblown, that too would be a bad (because careless and indifferent) argument.

Reading through the Hansard transcript of this particular debate, one is struck by how few bad arguments there were. There were some, to be sure. Some parliamentarians seemed to think that highly-emotive and frankly lurid details of human suffering – "a place of misery, torture and degradation, a reign of blood and vomit and tears" – were sufficient. One member twice made the point that "we are a 1,000-year-old democracy, and we should be able to design legislation that deals with this issue for ourselves", which is as historically accurate (British democracy is less than 200 years old, and the full franchise hardly a century old) as it is relevant (as if the age of a polity is any guarantee of its capacity to design foolproof legislation).

But these were exceptions and such howlers aside, you are stuck by how thorough, honest and cogent arguments on both sides of this debate were. That is a testimony to the care and attention with which so many parliamentarians, religious and non-religious, pro- and anti-, approached this attention. But it is also testimony to how subtle and carefully-balanced this issue is. We owe it to our parliamentary democracy, and more to the people whose lives will be changed for the better or worse by the introduction of assisted dying, to listen to all those arguments and not to try and shut some down, or otherwise subtly undermine them, simply because they are religious.

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"How much have your religious views influenced your decision?": religion and the assisted dying debate

"Please be honest about your real motivation."

What role should religion play in public debate? In particular, what role should it play in complex political debates like that over assisted dying?

For some, the answer is as little as possible. Objections to religious contributions to the assisted dying debate claimed that they were either (1) intellectually inadequate, (2) insufficiently willing to compromise, (3) inadmissible in a secular culture, or (4) dishonest about their motivations.

This essay tackles each of these criticisms and argues that while religious arguments can be guilty as charged, they need not be and, in this debate, that they rarely were. In this respect, they are little different from non-religious arguments.

The essay looks at what role religion actually played in the assisted dying debate and in doing so, it answers a question that is more assumed than understood: what even is a "religious reason"?



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