The Limits of Religious Tolerance

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Similarly, while the following discussion attempts to articulate a clear definition of tolerance applicable in all domains of belief and behavior, it would require far more space to pursue the implications of this definition across those domains. Instead, I focus on the limits of tolerance in spaces dedicated to higher education. It will become clear that debates about the limits of tolerance depend on context. Just as the law distinguishes between the privacy of one’s own home and the public square, more general considerations must also recognize that intolerance can be advisable in some contexts and not others; on campus, perhaps, but not as a dinner host. Even campuses admit of further subdivisions—the classroom and the quadrangle, dorm rooms and restrooms. I do not expect to earn every readers’ agreement on how intolerance should fit into these spaces. Rather, my hope is simply to exonerate intolerance from its current status as an unequivocal vice, and provide a model for rigorous and nuanced debate over its proper place, both in higher education and in the world.

I. Tolerance and Respect

Much like pornography, perhaps the most serious problem with debates about tolerance is a marked absence of terminological precision. Consider the 2015 “Statement of Principles Against Intolerance,” drafted by the University of California system in response to frequent acrimonious protests about politics in the Middle East, as well as separate anti-Semitic incidents.

We define intolerance as unwelcome conduct motivated by discrimination against, or hatred toward, other individuals or groups. It may take the form of acts of violence or intimidation, threats, harassment, hate speech, derogatory language reflecting stereotypes or prejudice, or inflammatory or derogatory use of culturally recognized symbols of hate, prejudice, or discrimination.⁷

from the legal sphere, where it seems to hold, into other spheres such as higher education, the one I consider here. Leiter, Why Tolerate Religion? (Princeton: Princeton University Press, 2014).

What does the document mean by “intolerance”? The problem here is that “unwelcome conduct” and “discrimination” are ambiguous concepts, admitting to a variety of meanings. Most problematically, it appears to be the case that disimpassioned statements of fact could easily be taken as reflecting a motivation of prejudice or hatred. It is hard to imagine a Scientologist who wouldn’t understand the statement “Scientology is a cult” as “derogatory language” reflecting deeply held prejudice—perhaps rightfully so. Foreclosing on all “unwelcome conduct” and “derogatory language” creates the distinct possibility of suppressing a great deal of speech that ought to be allowed.

Another approach to defining tolerance reduces it to a kind of respect. In the “Statement of Principles Against Intolerance,” we read that “tolerance…requires [that] University of California students, faculty, and staff must respect the dignity of each person within the UC community.” So constructed, tolerance, whatever it means, is a consequence of our duty to respect other people’s fundamental nature as human beings of intrinsic worth. This approach, which connects tolerance and respect for persons, appears frequently in scholarly literature. At the very least, goes the argument, we must tolerate others because we respect them as persons with autonomy, identities, and the right to self-determination. Respect for persons, as Susan Mendus writes, “both grounds and sets limits to toleration.”

We tolerate all beliefs and behavior that are respectful of personhood, and we do not tolerate those that violate one’s personhood.

Yet this approach is also problematic. Defining tolerance in terms of respect for persons empties tolerance of any content and makes it identical with the demands of one’s basic moral philosophy. As Brian Leiter points out, respect for persons is “minimal respect,” and makes “no substantive moral demand on action” beyond treating people as you think people ought to be treated. This creates a paradox: If you are evangelical about your religious beliefs (or lack thereof), you may

Board of Regents website: http://regents.universityofcalifornia.edu/regmeet/sept15/e4.pdf
believe it is disrespectful of someone’s personhood to allow them to continue believing falsehoods. You may think that true autonomy happens only (say) when one is liberated through Jesus—or from Jesus. At the same time, being told that you are gravely mistaken about your religious beliefs can feel deeply disrespectful of your core personal identity—hence the difficulty with Harper’s pamphlets.¹⁰ Was Harper being disrespectful? Respect as respect for persons gives no real guidance on how to answer the question.

In *The Virtues of Our Vices*, Emrys Westacott attempts to solve this problem by distinguishing between various forms of respect. In addition to respect for persons, he identifies respect for a person’s qualities, achievements, or accomplishments (what Leiter calls “appraisal respect”), respect for a person’s right to hold a belief, and respect for a particular belief. The last of these is most relevant for the question of religious tolerance, and Westacott further subdivides respect for beliefs into six categories: epistemic, moral, historical, intellectual, aesthetic, and pragmatic. Westacott argues that although one might withhold “epistemic respect” from a religious belief, one can still respect the intellectual work that went into creating it, the beauty of its articulation, or the positive role it plays in people’s lives—the afterlife as comfort in the face of a loved one’s death, for example.

These are helpful distinctions because they allow for the possibility that, in certain significant ways, people can be respectful of religious beliefs while simultaneously denying their veracity. “Being willing to withhold respect from certain beliefs,” writes Westacott, “is a corollary of critical thinking.”¹¹ To assert that all religious beliefs deserve equal epistemic respect would be to endorse a strange form of uncritical relativism. His position allows us to reject relativism and still remain respectful.

Although this resolves some of the problems with respecting persons while rejecting the truth of their beliefs, it also highlights the difference between respect and tolerance. Many historians of science

¹⁰. See Peter Jones, “Beliefs and Identities,” in *Toleration, Identity, and Difference*, ed. by John Horton and Susan Mendus (New York: St. Martin’s Press, 1999), 67 and 72, for discussion of this tension.

no doubt respect the intellectual work and beauty that went into the humoral theory of medicine. Yet these historians would not tolerate the teaching of humoral theory as fact in medical school. Intolerance is entirely compatible with some forms of respect, and the duty to respect persons and beliefs, however it plays out, does not map neatly onto related duties to be tolerant (or intolerant). Just because you respect a belief doesn’t mean you should tolerate it. Nor does tolerance entail respect. If my friend told me that he firmly believes we should tolerate women in positions of power, I’d find his statement enormously disrespectful of women. The fact that he sees women as a presence to tolerate is, in itself, disrespectful of women as persons.

Distinguishing between tolerance and respect helps to avoid another potential mistake, namely the conflation of intolerance and incivility. Even when you think that other people’s religious beliefs are erroneous or evil, civility requires that you express your thoughts politely, and, in certain contexts, refrain from expressing them at all. Intolerance is compatible with silence, and civility can demand it. If an athlete is being given an award in a public ceremony on campus, and she thanks god for her achievements, respect and civility dictate that one not shout, “God doesn’t help people with sports!” The religiously intolerant may instead choose to write an opinion piece for the school newspaper, or, if they are so inclined, to approach the athlete in a different space and open a dialogue. Here, civil silence combines lack of respect for someone’s belief with respect for her role—and the audience’s role—in a public ceremony.

Unlike epistemic, moral, and aesthetic respect, civility is not merely an intellectual position. It is a behavior, which constitutes an entirely different type of respect. You can withhold all forms of intellectual respect from a belief—a crude conspiracy theory, for example—but that does not mean you can confront someone who believes in that theory and shout at her in the street. The same is true for religious beliefs. It is possible that the real problem with Harper’s pamphlets, seen from the perspective of other students or of the institution’s leaders, wasn’t intolerance or intellectual disrespect, but rather incivility—the tone of the pamphlets and the forum in which they were presented.
Statements like the one issued by the University of California system tend to collapse or confuse the difference between different types of respect, as well as the relationship between respect and tolerance. Conflating all forms of respect and tolerance makes it seem as if intolerance of any kind necessarily violates respect for persons, unless one is being intolerant of basic violations of human rights. To withhold respect or to publically criticize someone’s religious beliefs is to be unjustifiably intolerant, no matter what.

A serious drawback of this position is that it appears to prohibit public criticism of religious beliefs, which stifles intellectual freedom of the kind prized in liberal democratic societies and public institutions of higher education. For this reason, a 2015 report drafted by the Commission on Religion and Belief in British Life takes great pains to carve out space for public criticism within its vigorous defense of respect. Equal respect, states the report, does not “just mean toleration, in the sense of permitting.” Rather, equal respect goes beyond toleration, since “it involves the welcoming of difference and recognizes the identities that are important to their bearers.” The definition is quite strong, taking us beyond toleration of the sort required by minimal respect for persons. Nevertheless, the report assures readers that equal respect “is an attitude that can co-exist with vigorous disagreement and debate provided it is conducted on the basis that all are fellow citizens and in a spirit of civility.”

Here, again, we see the difficulties that attend definitions of tolerance, respect, and civility. Tolerance is not respect. Respect requires citizens not only to permit, but also to “welcome” diverse religious beliefs—yet it also allows us to vigorously debate those religious beliefs, presumably because we believe that some of them are false, and because we hope that debate will eventually lead to the renouncement of those falsehoods. This last—the hope that through vigorous debate we can eliminate false religious beliefs—is motivated by intolerance of falsehoods. Suddenly we are faced with another paradox: respect