ON TOLERATION, CHARITY, AND EPISTEMIC FALLIBILISM

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Abstract:
In this paper I examine some presuppositions of toleration and pluralism. I explore two models, viz. a deontological and a consequentialist model, respectively, which could support the view that rational agents should act in a tolerant way. Against the background which is offered by the first model I give two arguments in favor of the view that people are better off and more rational if they act in a tolerant way. The first argument draws upon a principle of charity which one usually makes use of in philosophy of mind and philosophy of language but which could work equally well with regard to this foundational issue in ethics and philosophy of action. The second argument is built upon the epistemic principle of fallibilism and it is meant to show that from this vantage point acting in a tolerant way is the rational thing to do.

Key words: toleration, charity, fallibilism, deontologism, consequentialism, Donald Davidson.

1. Introductory remarks

It is very likely that the most difficult task of moral and political philosophy has been that of assessing comprehensive views which contradict each other not so much in regard to the interests expressed by individuals but in regard to what is considered to be of genuine value.[1] If individuals do not agree with each other about what constitutes a good and valuable life, then they will probably end up having dramatic conflicts, even if their actions are motivated by an honest altruistic attitude. Our deep beliefs about what is good and valuable for the life of all the individuals in our own community will prompt us to use the coercive mechanisms of the state in order to achieve our desiderata and ideals, not only for our own sake but also for those who do not share our values or vision of the meaningfulness of a good life. Of course, those who disagree with us will try to make use of the institutions of the state in the very same way as we do in order to promote and support their own values and ideals. Unfortunately, as we know too well from history, deep disagreements concerning values can turn into very traumatic conflicts to a much greater extent than the mere conflicts of interests.

Now, some of our value disagreements can be resolved through political mechanisms triggered by public debates concerning the goals of our actions, debates which aim at giving strong support for the policies which promote those goals; however, some other disagreements which go more deeply cannot have usual political solutions. Here we can include deep religious differences and also certain philosophical beliefs concerning the value and the ultimate meaning of life.

But now, when the regular political mechanisms for aquiring social and political stability fail to produce the outcomes we wish, is there a more subtle mechanism which could keep the disagreements within reasonable and non-explosive bounds? Well, in such cases, people are supposed to learn to live in a rational way with differences, disagreements and profound alterity by refraining from using the coercive mechanisms of the state to place unreasonable limits upon the freedom and rights of those people who share values which happen not to be admissible by the dominant group in that society. In a few words, what people need in such circumstances is toleration.

Roughly, the whole spectrum of the concept of toleration unfolds against the background of a pair of presuppositions, namely *the discriminating identification of the alterity (of the other)* together with the decision to *recognize and accept this difference* through an active inter-cultural persuasive dialogue.

A very promising starting point for our discussion, albeit rather paradoxical, is the model of those social arrangements and constructions which are

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[1] Cf. Thomas Nagel, *Equality and Partiality*, Oxford University Press, 1991, p. 154-168.

known as Utopia.[2] Leaving aside the intricate and rather exotic details of the narratives concerning Utopia, the general model which emerges here is that of something inconsistent and unachievable in the effort to aggregate all the features that we wish a Utopia to instantiate. It's a sad fact of life which is worth exploring that it is impossible to achieve simultaneously and continously *all* that is considered socially and politically good. A perfect deontic and ethical world which complies with all duties, obligations and necessary normative constraints may be a very atractive representation and ideal, but it is not accessible from our own contingent world whose denizens we happen to be. Anyhow, in the best of all possible worlds, toleration has no point. The rationale for tolerant attitudes and behavior is given by precisely this deontic failure and imperfection and by the principled impossibility to achieve all the ideals that are to be praised from a political stand point.

But why, after all, are we supposed to act in a tolerant manner in our world which is not perfect morally, deontically, or politically? What is it that makes the imperfection of our own world impose the moral principle of identity discrimination and the recognition of the alterity of the other? What conceptual and logical connection operates between moral legitimacy and toleration, and between moral illegitimacy and lack of toleration, respectively?

If we go beyond the prima facie attractive moral position which urges us to be tolerant and embrace pluralism, then we have to aknowledge that both the conceptual analysis of deep cultural differences and the cultural and political practice of toleration lead us into paradox. For as Thomas Nagel very aptly puts it "liberalism asks that citizens accept a certain restraint in calling on the power of the state to enforce some of their most deeply held convictions against others who do not accept them, and holds that the legitimate exercise of political power must be justified on more restricted grounds – grounds which belong in some sense to a common or public domain."[3]

This is where paradox strikes and mystifies our common sense. For why should such a limitation placed upon justification be the standard form of grounding political legitimacy? After all, for all those who do not accept that relativism is the most atractive ball game in town nowadays, the arguments *against* this limitation, imposed upon the justificatory basis of political decisions, could appear very convincing and as honest as one can get. And they could very well ask themselves, in a very proper way, the following questions, as Nagel himself does, in order to give the best chance to the argument in favor of liberal toleration: "Why should I care what others with whom I disagree think about the grounds on which state power is exercised? Why shouldn't I discount their rejection if it is based on religious or moral or cultural values that I believe to be mistaken? Isn't that being *too* impartial, giving too much authority to those whose values conflict with mine – betraying my own values, in fact? If I believe something, I believe it to be *true*, yet here I am asked to refrain from acting on that belief in deference to beliefs I think are false. It is unclear what possible moral motivation I could have for doing that. Impartiality among persons is one thing, but impartiality among conceptions of the good is quite another. True justice ought to consist of giving everyone the best possible chance of salvation, for example, or of a good life. In other words, we have to start from the values that we ourselves accept in deciding how state power may legitimately be used."[4]

2. Two justificatory models of toleration

Why are we, then, supposed, to be tolerant? Roughly speaking, we can give two answers which lead to two justificatory models for the virtue of toleration: one is deontological and the other is consequentialist. Let's examine them in turn.

3. The deontological model

According to the deontological model, toleration is a morally necessary virtue whose value does not follow, first and foremost, from certain desirable social and political consequences, regardless how important those consequences could be for the social and political stability of our institutions. A full grasp of the power of this deontological concept is facilitated by thinking counterfactully. Thus to think in a strong deontological sense that any value or any moral norm whatsoever should be followed in our actions means that we are committing ourselves to those norms even in those contrary-to-fact situations in which, if we acted according to them, we would

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[2] See Robert Nozick *Anarchy, State, and Utopia*, Blackwell, 1974, p. 297-334.
[3] Thomas Nagel, *ibid.*, p. 158.

[4] Thomas Nagel, *ibid.*, p. 158.

be in a worse-off situation compared with the actual state in which we are.

From where does this strong moral necessity to be tolerant with those who are different from us in a very profound and (maybe) non-reconcilable way follow? First, it is worth emphasizing that the background against which we place this strong moral constraint of toleration consists in a deep assymetrical relation between those who tolerate and those who are tolerated; but then, again, the same relation, if looked at from a different angle, has a tendency to get symetrical, which is nowadays one of the main sources of the contemporary crisis of the concept of toleration.[5] A short explanation will help us here.

Toleration is required by the logic of the communitarian life when there are at least two groups which are positioned assymetrically with regard to the normative center of political and epistemic power. In order to comply with the requirements of toleration the group which controls power in this assymetrical relation should accept to restrain its coercive means, which may very well be rooted in the exercise of its political power, and to build, in an alternative way, strong argumentative strategies which are persuasive and rational (maybe even compelling).

We get thus to the key term for the understanding of the deontological concept of toleration. This term is "reason". In his paper on the issue of toleration Andrei Pleşu gives a very clear and unequivocal account for this position: "We can be tolerant in the name of reason, establishing that everybody is entitled to have his or her own opinion and that the principle of this right is rationality, but we can also be tolerant in the name of our various failures in acting rationally, recognizing that we don't have access to the absolute universal truth, and therefore to the ultimate certainty, and thus our claim to be always right has no grounds."[6]

What is implied here are two principles whose meaningfulness is crucial for a profound understanding of important philosophical principles which are recurrent in many quarters of contemporary systematic philosophy, such as philosophy of mind, philosophy of language, epistemology and ethics: what I mean here is the principle of charity and the principle of epistemic fallibilism.

4. Toleration and charity

If we follow closely the principle of charity we will see right away how the idea of toleration is essentially contained in our common mental and moral attitudes. To make this clear it is worth pointing to the highly influential remarks that Donald Davidson made on this subject in the context of his seminal discussion in philosophy of mind.

The stance that Davidson defends with regard to the mind-body relation is called the thesis of anomalous monism[7] – roughly the view that there can be no psycho-physical causal laws which connect mental phenomena with physical phenomena. One of the crucial premises of this conception is that the practice of attributing intentional stances to individuals, mental states such as beliefs or wishes, is governed by principles of rationality, while the physical realm is not subject to such constraints; hence, as Davidson very aptly puts it, the principle of rationality and coherence "has no echo whatsoever" in physical theory, which makes impossible any causal connection of mental phenomena with physical phenomena.

These principles of rationality warrant that the total set of intentional states that we attribute to a subject, and through which one can interpret and predict her actions under normal circumstances, will be as coherent and as rational as possible. Of course, this doesn't mean that we will make the unrealistic, and actually false, presupposition that those individuals whose utterances and actions are the object for our interpretations could not have false beliefs. Quite to the contrary, we know that what gives to our beliefs the philosophical bite that makes them theoretically interesting is the fact that they *could* be – and some of them actually *are* – false. The principles of rationality, which govern the attribution of intetional states, encapsulate the idea that "we can, however, take it as given that *most* beliefs are cor-

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[5] In a very suggestive and illuminating way Andrei Pleşu, in his *Cuvântul* conference, "Toleranţa şi intolerabilul. Criza unui concept" ("Toleration and the intolerable. The Crisis of a Concept") (published by the journal *Cuvântul*, XI (XVI), no. 2 (332), February 2005, pg. 11-13), brings into discussion the dialectics of the rule-exception relation. What until recently has been tolerated becomes something legitimate today and is questioning the legitimacy of the tolerating instance: "The exception becomes tolerant with the rule, and the rule develops a guilt complex, and thus an inferiority complex in relation to the exception. The exception becomes militant, self-sufficient, and, eventually, discriminatory and intolerant!"
[6] Andrei Pleşu, *ibid.*

[7] See Donald Davidson "Mental Events" (1970), "Psychology as Philosophy" (1974) and "The Material Mind" (1973), in Donald Davidson *Essays on Actions and Events*, Clarendon Press, Oxford, 1980, pp. 205 – 259.

rect. The reason for this is that a belief is identified by its location in a pattern of beliefs; it is this pattern that determines the subject matter of the belief, what the belief is about."[8]

What follows from this epistemic duty that we have toward others as interpreters of their utterances and actions is that we *should* be charitable in the interpretation of their intentional states and that we should refrain ourselves from attributing to them obviously contradictory beliefs, even when the sentences that they utter are incompatible with the beliefs that we share or even worse, when their sentences have the surface form of a logical contradiction.

Consequently, what is required from an interpreter, in order for us to accept her interpretation, is for her to come up with an account of the meaning of the sentences and actions of the interpreted individual that interpret them to be as coherent and as rational as possible. And when the interpreter fails to produce such a consistent interpretation it is very natural to blame the interpreter herself for the interpretive failure and not the interpreted person for holding unacceptable and inconsistent beliefs.

To sum up, the principle of charity will be encapsulated within the following thesis: the requirement of rationality and coherence pertains to the very essence of the mind – that is, it is constitutive of the mental in the sense that rationality and coherence make the mind be exactly what it is. And if, *per absurdum*, there are "beliefs" which would escape from the constraint of this principle, then these sui-generis "beliefs" can no longer be considered mental states.

Where does all this lead us in relation to our topic? If we appreciate properly the force of all those Davidsonian remarks we shall understand why the principle of charity occupies a central place in any serious attempt to explain theoretically how it is possible to understand the others' utterances and actions in a rational way. Davidson is crystal clear about this: "Since charity is not an option, but a condition of having a workable theory, it is meaningless to suggest that we might fall into massive error by endorsing it. […] Charity is forced on us; whether we like it or not, if we want to understand others, we must count them right in most matters. If we can produce a theory that reconciles charity and the formal conditions for a theory, we have done all that

could be done to ensure communication. Nothing more is possible, and nothing more is needed."[9]

Summing up the deontological concept of toleration, the Davidsonian principle of charity requires us to prefer theories of interpretation which minimize disagreements. This is why making appeal to charity – and *ipso facto* to toleration – is somehow inevitable.

The current crisis of the concept of toleration erodes this principle of charity which is so generous. This crisis is also fed by a very feable and incomplete application of the concept of toleration. For, as Davidson rightly emphasizes, "minimizing disagreements, or maximizing agreement, is a confused ideal. The aim of interpretation is not agreement but understanding".[10]

Along the same general lines, Andrei Pleşu, in his essay, is worried by the radical distortion of the meaning of the concept of toleration. He deplores the degradation of honest dialogue with the other who is substantially "different", a dialogue which gives genuine substance to the tolerant attitude; and it is this fact – says Pleşu – which "amputates the apetite for knowledge, for the real understanding of the alterity, and which undermines the necessity for having debates."[11]

We get thus to the point where we are trapped in a vicious circle which is very hard to get through. For, on the one hand, genuine debate is canceled because we are told, in a way which is irresponsible from an epistemic and ethic point of view, that there is no truth to find out and no reasoning to make. On the other hand, important truths have no echo in us and are ignored by us. Discursive reasoning becomes weak and is fallaciously degraded because authentic debate is canceled.

5. Toleration and fallibilism
We also have to be tolerant due to our epistemic fallibilism: we have no access whatsoever to absolute truth and certainty in what concerns those things which are of utmost importance for the moral, religious and political life of our own community. Since our own moral and political beliefs that we praise and consider, honestly and with some

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[8] Donald Davidson, "Thought and Talk", in *Inquiries into Truth & Interpretation*, Clarendon Press, Oxford, 1984, p. 168.

[9] Donald Davidson, "On the Very Idea of a Conceptual Scheme", in *Inquiries into Truth & Interpretation*, Clarendon Press, Oxford, 1984, p. 197.

[10] Donald Davidson, *Inquiries into Truth & Interpretation*, Clarendon Press, Oxford, 1984, pg. xvii.

[11] Andrei Pleşu, *ibid.*

grounds, right may nevertheless be wrong, it is reasonable to acknowledge that those who do not share our fundamental commitments are as entitled epistemically as we are, according to their own justifications, to contrary opinions.

6. The consequentialist model

Now, according to the consequentialist model, toleration appears as a political tool for alleviating dangerous disagreements or tensions which are a threat for the social order. If what we are looking for is a social and political stability compact then it is reasonable to not discriminate and accept things that we otherwise had might have strong reasons to disagree with and reject. In short, making a consequentialist calculus we see that there are by far more numerous reasons for being tolerant than for being fanatic and intolerant.

7. A "paradox" of toleration?

I shall finish by making a short remark on one of the sources of the current pathology of the concept and practice of toleration. This motivates what can be called a "paradox of toleration": How should we react when confronted with intolerance? What are the limits of toleration in relation to fanaticism and to what is intolerable? Is it possible, and if so is it desirable, to find a rational ground for accepting what is otherwise unacceptable?

Thomas Nagel also sees the real problem and danger behind this form of unbounded and unreflected toleration when he speaks about the over-exaggeration of positive discrimination, better known today as affirmative action.[12] What's all this about? Toleration plays, as it were, the role of the middle term between freedom of speech and opinion (according to J. S. Mill toleration is a necessary product of liberty) and political equality (according to J. Rawls, toleration is logically correlated to equality). It is a real challenge then to keep a dynamic equilibrium between individual and social justice, on the one hand, and the freedom of speech (and opinion), on the other hand. And basically the same kind of problem will occur when we look for equilibrium between norms and whatever deviates from norms or between rules and exceptions. The current tendency is to focus upon, sometimes even to over-emphasize, the value of equality. However, what the political practice of positive discrimination shows, especially when one abuses it, is the difficulty in keeping a proper balance between equality and liberty: the requirement of equality threatens the requirement of free competition and free choice. If we push to the extreme the norms of positive discrimination we end up on a slippery-slope and we won't be sure any more whether it is not fair that one should always prefer whomever is naturally worse-off than whomever is better-off, having in view a rather abstract and formal representation of the differences for which neither one has any obvious moral merit. The legitimate worry here is this: if we generalize this criterion for choice, shouldn't we stick to the same logic and whenever we have to make a choice shouldn't we always choose the worse-off, in order to correct her native lack of chance, for which, in any rate, she has no moral responsibility whatsoever?

Thomas Nagel's remarks have the merit to awaken us from our moral slumber, as it were, and make us become aware that if we go down this slippery-slope we end up at the border of a moral Utopia. If we wish to accept something, which otherwise is unacceptable, we will have to make it be the case that one should produce what is impossible. Well, if this is what we really *wish* or *want*, then we see that we are likely to end up where we began this journey, in Utopia. However, as we already know, in Utopia toleration has no real point or moral merit.[13]

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[12] Cf. Thomas Nagel, *Mortal Questions*, Cambridge University Press, 1979.

[13] I am greatful to Professor Andrei Pleşu for inviting me to comment publicly on his paper "Toleranţa şi intolerabilul. Criza unui concept" ("Toleration and the intolerable. The Crisis of a Concept"), which was published afterwards by *Cuvântul*. This kind invitation gave me the impetus to write a first draft of the paper that I am presenting here. I would also like to thank my colleague, Professor Adrian-Paul Iliescu, for his criticism which helped me to improve the paper. It goes without saying that I am the only one responsible for the contents and arguments that I am putting forward in this paper.

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