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The reasonableness of pluralism

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Introduction

In ‘The Idea of an Overlapping Consensus’, John Rawls remarks that the aims of political philosophy depend upon the society it addresses, and that modern, democratic societies are characterised by ‘the fact of pluralism’: they are societies in which different people have different and conflicting comprehensive conceptions of the good, different and conflicting beliefs about the right way to live morally speaking.¹ Moreover, and troublingly, these differences are not explicable simply by reference to stupidity, inattention or faulty reasoning.² On the contrary, in many cases they are the predictable outcome of the operation of reason, which, Rawls claims, stands under ‘burdens’. These burdens render pluralism *reasonable*, unavoidable and not in any way regrettable. Rawls specifies the burdens of judgement as follows:

- a. The evidence – empirical and scientific – bearing on the case is conflicting and complex, and thus hard to assess and evaluate.
- b. Even when we agree fully about the kinds of considerations that are relevant, we may disagree about their weight, and so arrive at different judgements.
- c. To some extent all our concepts, not only moral and political concepts, are vague and subject to hard cases; and this indeterminacy means that we must rely on judgement and interpretation [. . .] within some range [. . .] where reasonable persons may differ.
- d. To some extent [. . .] the way we assess evidence and weigh moral and particular values is shaped by our total experience, our whole course of life up to now; and our total experiences must always differ.
- e. Often there are different kinds of normative considerations of different force on both sides of an issue and it is difficult to make an overall assessment.
- f. Any system of social institutions is limited in the values it can admit so that some selection must be made from the full range of moral and political values that might be realized [. . .] Many [of these] hard decisions may seem to have no clear answer.³

Rawls goes on to claim that the fact that reason stands under these burdens both tells us why pluralism is to be expected and explains why it is not lamentable. He writes: 'to think of the fact of pluralism as a disaster is like thinking of the outcome of the operation of reason under conditions of freedom as a disaster'.⁴

So if the aim of political philosophy depends on the society it addresses, the aim of political philosophy in modern democratic societies, characterised by the fact of reasonable pluralism, will be to find ways in which people might live together harmoniously despite the persistence of reasonable disagreement about the highest good or the best way to lead one's life. One such way, endorsed by Rawls and those 'liberal impartialists' who have followed him, is to hold that since pluralism about conceptions of the good is reasonable, it is unjust or illegitimate for one group of people to insist on the superiority of their conception of the good and to use that as a reason either to impose their conception of the good on another group of people, or to repress any conflicting conception of the good. This might be called the 'injustice of imposition'.

The injustice of imposition is often held to follow from the reasonableness of pluralism; but the conclusion that it is unjust, or illegitimate, to impose a conception of the good on those who do not hold it (or, alternatively, that it is unjust to repress a conception of the good simply because one does not share it) cannot be drawn simply from the reasonableness of pluralism itself. That judgement operates under burdens, and that reason is indeterminate in matters of the good, does not tell us what we ought, or ought not, to do. What is needed is some further claim, such as a commitment to equal respect. So the argument is something like the following: people are owed equal respect, and that fact, when taken together with the fact that reason is indeterminate, delivers the conclusion that we ought not to impose a conception of the good on those who do not hold it (and, of course, are not unreasonable in refusing to hold it). It may be that, especially in Rawls's recent work, this moral component is to be understood as built into the idea of 'reasonableness' in reasonable pluralism, in which case the argument will not need to proceed in two distinct steps. Nevertheless, even on this interpretation it is possible to discern two aspects of reasonableness, one epistemological, the other moral.

Our aim in this chapter is to examine two arguments that purport to underpin the move from the reasonableness of pluralism to the injustice of imposition. On the one hand, there are those (including, for the most part, Rawls) who hold that, since pluralism about conceptions of the good is reasonable, we must not, in attempting to settle questions of justice, invoke the truth of any conception of the good. This is the method of avoidance (or of epistemological restraint). On the other hand, there are those (including Brian Barry) who endorse the conclusion that what follows from the reasonableness of pluralism is the injustice of imposition, but argue that this must be underpinned not by the method of avoidance, but by scepticism.

We begin with Barry's sceptical argument (in the next two sections). In the first of them we argue that in presenting the case for scepticism and against epistemological restraint, Barry misrepresents epistemological restraint. Moreover, we claim that underpinning the injustice of imposition with scepticism exacts substantial existential costs given the connections that there are between conceptions of human flourishing and views on the status of conceptions of human flourishing. In the following section we argue that scepticism cannot, in any case, deliver an unequivocal grounding for the injustice of imposition unless a clear distinction can be drawn between types of beliefs. Such a distinction is, we claim, implausible. We then return to the method of avoidance and ask whether it can legitimise the move from pluralism to the injustice of imposition. Our conclusion is that it cannot: where arguments from scepticism succeed only by undermining the permanence of pluralism, arguments from avoidance succeed only by undermining the priority of justice. Both scepticism and avoidance are epistemological arguments, and the move from the reasonableness of pluralism to the injustice of imposition requires a moral, not an epistemological, foundation.

Scepticism and the reasonableness of pluralism

What follows from the fact of pluralism at the epistemological level? Brian Barry claims that what follows is scepticism, understood as doubt rather than denial.⁵ Since we cannot persuade others of the truth of our own conception of the good, we must hold that conception with some doubt, and doubt is all that is necessary in order to generate (moderate) scepticism.

Rawls, however, resists this conclusion because he believes that political liberalism ought, so far as possible, to stand back from questions of the highest good and from metaphysical and philosophical questions generally. In a society characterised by reasonable pluralism, there will not only be conflicting conceptions of the highest good, or the right way to lead one's life, there will also be conflicting metaphysical and epistemological views underpinning those different conceptions. Therefore, in arriving at principles of justice, no conception of the good should be advanced as true, nor should any metaphysical or epistemological claim be assumed. For Rawls, then, political liberalism is severely political. It is not simply political as distinct from moral; it is also political as distinct from metaphysical, epistemological, or more generally philosophical. On his account it is not simply the case that people have conflicting conceptions of the good. It is also the case that they have conflicting views about the status of those conceptions of the good, and therefore a truly 'impartialist liberalism' must remain agnostic both about comprehensive conceptions and about the metaphysical or epistemological underpinnings of those conceptions. Barry dissents. He draws a distinction between what is comprehensive and what is controversial, and argues that while 'impartialist liberalism' both can and must

distance itself from a commitment to any comprehensive conception of the good, it is futile for it to attempt to distance itself from saying anything controversial. 'Scepticism', Barry writes,

is not a view of human flourishing. It is an epistemological doctrine about the status of conceptions of what constitutes human flourishing. Scepticism is, of course, a controversial view and some people would deny it. But there is no way of avoiding the affirmation of a position that is not universally accepted if one is to get anywhere at all. My claim is that the case for scepticism cannot reasonably be rejected.⁶

As was noted above, Barry's argument is that scepticism cannot reasonably be rejected precisely because of reasonable pluralism. Modern democratic societies are ones in which reasonable people fail to persuade each other about which conception of the good is the correct one, and this failure is sufficient to generate moderate scepticism even in the most intransigent case, the case of personal religious revelation:

Suppose that God were (as it seemed to me) to grant me a vision in which certain truths were revealed. A partisan of epistemological restraint would suggest that I might be absolutely convinced of the veridical nature of this revelation while nevertheless admitting that others could reasonably reject my evidence. But is this really plausible? If I concede that I have no way of convincing others, should that not also lead to a dent in my own certainty?⁷

For Barry, then, everything hinges on the extent to which the agent's inner convictions can legitimately withstand his or her failure to persuade others. His claim is that the method of epistemological restraint is one that supposes that people might legitimately continue to hold their beliefs with certainty even though they are unable to persuade others of the truth of those beliefs. And this, Barry claims, is an implausible supposition. Even in the strongest case, my inability to persuade others should dent my own certainty, and that dent is sufficient to force a move from avoidance to scepticism. However, that move is not a disaster, since scepticism is not itself a view of human flourishing but only an epistemological claim about the status of conceptions of human flourishing.

Two points merit consideration here: the first is that Barry's argument misrepresents the aim of the method of avoidance, which is precisely to detach questions of inner conviction from the success or failure of persuasive strategies. Barry supposes that we cannot justify imposing on others because, and only because, we cannot be certain ourselves. But the method of avoidance aims to render questions of certainty irrelevant to the legitimation of political power. Thus, Rawls need not maintain that it is legitimate to carry on believing with conviction even when we cannot persuade others. He need only insist that, even if we do retain conviction, that does not in itself legitimise imposition.

The second, and connected, point is that the argument from scepticism, as advanced by Barry, rests crucially upon the appropriate existential con-

dition of the agent in the modern world. According to Barry, it is *because* we are not entitled to certainty in the face of our inability to persuade others that we must move to moderate scepticism as the foundation of liberal neutrality. However, this claim undermines Barry's own distinction between views of human flourishing and epistemological doctrines about the status of views of human flourishing. To see this, consider the following passage from Charles Taylor's 'Sources of the self'. Taylor claims that in the modern world we are in:

a fundamentally different existential predicament from that which dominated most previous cultures and still defines the lives of other people today. That alternative predicament is one in which an unchallengeable framework makes imperious demands which we fear being unable to meet. We face the prospect of irretrievable condemnation or exile, or of being marked down in obloquy forever, of being sent to damnation irrevocably [. . .] the form of danger here is utterly different from that which threatens the modern seeker, which is something close to the opposite: the world loses altogether its spiritual contour, nothing is worth doing, the fear is of a terrifying emptiness, a kind of vertigo, or even a fracturing of our world and body space.⁸

On Taylor's account, one very important factor contributing to what he calls our different 'existential predicament' is that we can no longer hold our own beliefs unquestioningly: the plurality of different conceptions of the good (in Taylor's terms, different 'frameworks') has a tendency to leave us in a state of doubt even about our most deeply held religious and moral convictions, for we are constantly made aware of the fact that our framework is but one among many others.

However, and as is clear from Taylor's remarks, it is this condition of doubt or uncertainty which is itself our problem. In modern societies, characterised by the fact of pluralism, the manner in which we can properly hold our beliefs has been seriously undermined by comparison with a world in which they functioned as unquestionable frameworks. And our different existential predicament is, for him, largely a consequence of the different epistemological status of our conceptions of the good. It is the very fact that we can no longer hold our views unquestioningly that itself contributes in large part to the sense of vertigo that Taylor describes.

To put the point more generally, Taylor's analysis suggests that the plurality of competing conceptions of the good generates uncertainty, and that a conception of the good that is held with a degree of uncertainty is, in important respects, a different conception of the good from one that is held with assurance. It is not merely *what* we believe that contributes to and constitutes our ability to flourish; it is also *the way in which* we are entitled to believe it. If this is right, then while scepticism might not be a 'view of human flourishing', it is nevertheless something that may contribute to or detract from our ability to flourish. The religious believer who can hold a belief in God unquestioningly is in a significantly different condition from

the religious believer who can hold that belief only provisionally: the declaration ‘I know that my Redeemer liveth!’ has a different status from the declaration ‘I believe that my Redeemer liveth, but since I am unable to persuade others I must entertain doubt.’ Thus, Barry’s distinction between conceptions of the good and views about the epistemological status of conceptions of the good is unstable and, in consequence, so is the distinction between what is comprehensive and what is controversial. Scepticism is not itself a comprehensive conception of the good; but it is a view that has consequences for comprehensive conceptions of the good.

Barry’s appeal to a form of scepticism that is grounded in the degree of certainty that the agent is entitled to feel about his or her beliefs is therefore one that yokes together the ‘existential’ condition of the agent and the justification of liberal impartiality. His argument for scepticism depends upon the claim that if the agent cannot persuade others of his views, then he must hold them only provisionally, and it is the inappropriateness of continuing to hold one’s beliefs with certainty despite one’s inability to persuade others that motivates Barry’s appeal to scepticism and that in turn underpins the move from the reasonableness of pluralism to the injustice of imposition. It is, however, precisely the importance of separating existential condition from justification that motivates Rawls’s project. *Pace* Barry, Rawls’s reluctance to ground political liberalism in moderate scepticism is not simply a forlorn hope that he can avoid saying anything controversial. It is also a desire to justify political arrangements without undermining any comprehensive beliefs and, as Taylor’s analysis indicates, the argument from moderate scepticism cannot perform this trick because it depends crucially on the claim that if I cannot persuade others of the truth of my comprehensive belief, I must hold that belief only provisionally. To accept this is to accept that the justificatory project of scepticism has extensive existential costs. It protects the injustice of imposition only by sacrificing the commitment to the reasonableness of pluralism.

Scepticism and the injustice of imposition

Our concern in this chapter is with the transition from the reasonableness of pluralism to the injustice of imposition. In the last section, we suggested that it would be unwise for the ‘impartialist’ to underpin this move with a commitment to scepticism, and that the reason it would be unwise is because scepticism as an epistemological doctrine is not easily separable from comprehensive conceptions of the good or conceptions of human flourishing. The desire of the ‘impartialist’ to stand back from comprehensive doctrines will be undermined by the endorsement of scepticism. In this section we question whether scepticism is capable of delivering the injustice of imposition.

One case that seems to support the argument is that in which orthodox Catholics wish to organise society around their religious beliefs. The objec-

tion to such a proposal is that their desire is a desire to impose a conception of the good on others who do not share it. Since reason is indeterminate in these cases (pluralism is reasonable) and since, moreover, people are owed equal respect, it would be unjust to allow the orthodox Catholics to have their wish. Here, then, is a case in which the reasonableness of pluralism, when combined with a commitment to equality of respect, delivers the injustice of imposition.

Two considerations are pertinent here: first, and as we have seen already, the reasonableness of pluralism is held, by Barry at least, to follow from the fact that we lack certainty *vis-à-vis* our conceptions of the good. And we lack certainty (or should lack certainty) simply because we often lack the resources to persuade others of what we believe. So the reasonableness of pluralism is vindicated by lack of certainty. The second consideration concerns the scope of the indeterminacy of reason. Is this a doctrine that holds quite generally, or is it to be confined to conceptions of the good?

Take the first point first: the reasonableness of pluralism is supported by the fact that we cannot always persuade others of our beliefs, and the claim is that, since we cannot persuade others, we must lack certainty ourselves. However, this argument has its limitations. Very many questions concerning the use of public power can only be resolved with recourse to empirical claims about the world, and in many cases we will be *uncertain* about these claims. Consider the case of the sustainable use of resources. Any proposal for the use of political power to restrict current consumption in order to provide a just distribution of the Earth's resources over generations must confront the problem that we lack certainty about the consequences of current levels of consumption. We cannot know with certainty what the consequences of continuing to consume at current rates will be, and yet we do not deem that lack of certainty to be disabling in arriving at decisions about public policy. In brief, then, the indeterminacy of reason is differently understood in the different cases. Where conceptions of the good are involved, the claim is that any uncertainty, however small, is sufficient to legitimise the injustice of imposition; but where factual or scientific matters are concerned, the case appears to be different, and the standard of reason invoked is simply that one be 'certain enough' or that one follow, in Barry's phrase, 'the consensus of the scientific community'.⁹

One obvious response here is to note that liberal impartiality is meant to apply only to the procedures (often, constitutional procedures) by which public policy is decided. It is not necessarily meant to apply to the policies themselves. Thus, as long as the procedures by which environmental policies are arrived at can be justified without reference to a privileged conception of the good, the absence of certainty over the consequences of current consumption need not stymie policy making. This is the move made by Barry, who glosses the procedural requirements of neutrality as follows: 'decisions should be open to public debate, capable of being defended by rational arguments, and so on'.¹⁰

In citing ‘rational arguments’ and ‘the consensus of the scientific community’, Barry appears to be relying on a common-sense claim that the indeterminacy of reason (the reasonableness of pluralism) is confined to conceptions of the good, and this brings us on to the second question raised above: what is the scope of the doctrine of the indeterminacy of reason? If it is to be scepticism that grounds the injustice of imposition in cases of conceptions of the good, but that allows public policy to proceed where there is doubt about the facts of the matter, then it must be held that the indeterminacy of reason reigns over conceptions of the good, but does not apply to those beliefs about the world (and to rational argument in relation to that world) that are needed for decisions to be arrived at in areas such as intergenerational justice. However, in order to defend that contention, we need to be able to make a clear distinction between conceptions of the good on the one hand, and beliefs about the way the world is (scientific or factual beliefs) on the other.

The idea that there is such a distinction is flatly denied by some for whom science is on a par with ethics and aesthetics. ‘Pragmatism’, Richard Rorty writes,

does not erect Science as an idol to fill the place once held by God. It views science as one genre of literature – or, put the other way around, literature and the arts as inquiries on the same footing as scientific enquiries [. . .] Physics is a way of trying to cope with various bits of the universe; ethics is a matter of trying to cope with other bits.¹¹

So, for Rorty and those like him, the idea that science or rules of rational enquiry can be neutral is a mistake. There is no distinction between conceptions of the good and beliefs about the way the world is.

Rorty’s stance is controversial, and it is open to the ‘liberal impartialist’ to disassociate herself from it. However, what might be taken to be the opposing view of the nature and status of science is no more supportive of the distinction that is needed to sustain the sceptical grounding of the injustice of imposition. Consider the argument that science is different; that it provides us with testable predictions (and unless it does so, it is not science); that (in relevant circumstances) we have reason to act in accordance with those beliefs that have withstood testing and the threat of being falsified. Such a view may be able to differentiate between conceptions of the good and ‘scientific’ beliefs. After all, the idea is to distinguish between the falsifiable predictions of science and other propositions (and, in so doing, to draw attention to closed systems). However, this view does not distinguish between these different kinds of claims in a way that allows the ‘liberal impartialist’ to call upon science as neutral.

The difficulty is that in adopting what we might call a ‘positivist’ conception of science, and in using the consensus of the scientific community as a touchstone for scientific results, the ‘impartialist’ threatens to undermine many conceptions of the good that include, or are underpinned by,

different beliefs about the way the world is and about how we come to know how it is. The positivist conception of science will provide clear guidance on what is to count as ‘evidence’, as ‘rational enquiry’, and so on – guidance about which we cannot be certain, but the status of which can, on the positivist model, be distinguished from non-science, or pseudo-science. However, the declarations of this science may be challenged by, for example, Christian fundamentalists who regard the Bible stories of Noah’s ark and of the destruction of Sodom and Gomorrah as providing evidence relevant to current decisions and the claims of future generations. In short, the positivist model provides the distinction between beliefs about the good and beliefs about the world, and it provides us with confidence in some beliefs of the latter kind; but it does so at a cost to impartiality.

The root of the problem lies with the interdependence of conceptions of the good and conceptions of how the world is. As Hilary Putnam notes in his discussion of Bernard Williams’s views of truth in science and in ethics:

Consider, for example, the question as to whether we can condemn the Aztec way of life, or, more specifically, the human sacrifice that the Aztecs engaged in. On Williams’ view, the Aztec belief that there were supernatural beings who would be angry with the Aztecs if they did not perform the sacrifices was, as a matter of scientific fact, wrong. This belief we *can* evaluate. It is simply false. . . . But we cannot say that the Aztec way of life was wrong. Yet the feature of the Aztecs’ way of life that troubles us (the human sacrifice) and their belief about the world that conflicts with science were interdependent. If we can say that the Aztec belief about the Gods was false, why can we not say that the practice to which it led was wrong?¹²

The issue, as is highlighted by this quotation, is that a Rortyan conception of science will not distinguish the status of ‘scientific’ and ‘ethical’ claims; but then it will also not provide the ‘impartialist’ with enough material to construct the decision procedures necessary for making public policy in contested areas. The positivist conception, by contrast, does distinguish between the two types of claims, but it delivers too much. It delivers the materials, but only by denying that they are contested.

Taken together, these arguments suggest that the indeterminacy of reason understood as delivering moderate scepticism plays different roles in different contexts. Specifically, lack of certainty is deemed sufficient to deliver the injustice of imposition in cases that concern conceptions of the good, but not in cases that concern facts about the way the world is. This is the force of the sustainability case. However, it is not clear that beliefs about the way the world is can be so sharply differentiated from beliefs about the good. This is the force of the examples of the fundamentalist Christian and the Aztec, and of the discussion of conceptions of science. The idea that there is *impartial* space in deliberating over procedures for a conception of ‘rational argument’ or for considering facts about the world is implausible. Any such space will be as infected with controversy and uncertainty as are disputes about the nature of the good.

Our concern is with the transition from the reasonableness of pluralism to the injustice of imposition. We have argued that the attempt to underpin this transition, and to justify the injustice of imposition, with moderate scepticism faces three obstacles. First, there is an interconnection between conceptions of the good and the epistemological status of conceptions of the good. This interconnection destabilises the distinction between the controversial and the comprehensive. The controversial claim of moderate scepticism undermines some conceptions of the good. Second, the proponents of scepticism must attribute very different standards of certainty in respect of beliefs about conceptions of the good and beliefs about the way the world is, yet the justification of there being such different standards is moot. Third, people's views about the way the world is will characteristically be influenced by their conceptions of the good. There is a two-way relationship between beliefs about the way the world is and conceptions of the good. In falling back on a particular picture of how the world is, the 'impartialist' must accept either that this is to fall back on just one view amongst many, or insist that it is the best view (of those currently available). In both cases the price paid for acquiring the injustice of imposition (if it can be acquired at all) is borne by the respect for pluralism.

Epistemology and the reasonableness of pluralism

We began by noting, with Rawls, that the aims of political philosophy depend upon the society it addresses, and that, in modern societies characterised by reasonable pluralism, one very important aim of political philosophy is to show how people may live together in conditions of justice and stability while subscribing to different, and conflicting, comprehensive conceptions of the good. We have further argued that, if scepticism delivers the injustice of imposition, it does so only by sacrificing respect for the significance and permanence of pluralism. In this section our question is, 'Can the method of avoidance fare any better?' Our argument is that it cannot because the conception of belief that it deploys, and that it needs in order to respect the significance and permanence of reasonable pluralism, is one that cannot, at the same time, show the injustice of imposition.

As we have seen, Rawls believes that pluralism is permanent because it is the outcome of the operation of reason under conditions of freedom. Additionally, he believes that pluralism is significant because, in the modern world, 'belief matters'. He writes:

When moral philosophy began, say with Socrates, ancient religion was a civic religion of public social practice, of civic festivals and public celebrations. Moreover, this civic religious culture was not based on a sacred work like the Bible, or the Koran, or the Vedas of Hinduism. The Greeks celebrated Homer and the Homeric poems were a basic part of their education, but the Iliad and the Odyssey were never sacred texts. As long as one participated in the expected way and recognized the proprieties, the details of what one believed

were not of great importance. It was a matter of doing the done thing and being a trustworthy member of society, always ready to carry out one's civic duties as a good citizen – to serve on juries or to row in the fleet in war – when called upon to do so. It was not a religion of salvation in the Christian sense and there was no class of priests who dispensed the necessary means of grace; indeed the ideas of immortality and eternal salvation did not have a central place in classical culture.¹³

However, he goes on to argue that this early understanding has changed in two highly significant ways: first, the medieval period saw the rise of 'salvationist' conceptions of religion; second, the Reformation period witnessed the fragmentation of religion into distinct sects, each of which had its own view of the route to salvation. What we find, therefore, in the post-Reformation period is a dramatically altered conception of the significance of religious belief, which comes to be, no longer a matter of indifference, but a matter of supreme importance on which depends one's prospects of attaining life everlasting. Moreover, Rawls argues that the significance accorded to belief in this period has survived into the modern age and has become a central feature of modernity. So, if the aims of political philosophy depend on the society it addresses, then modern political philosophy is faced with the task of demonstrating the injustice of imposition in a world in which (reasonable) pluralism is permanent and in which belief matters.

It is against this background that Rawls now advocates the method of avoidance (epistemological restraint). It is because pluralism is permanent and because belief matters that a truly 'impartialist liberalism' must remain agnostic both about comprehensive conceptions and about their epistemological or metaphysical underpinnings. But if belief matters, in what sense exactly does it matter, and what kind of defence of 'impartialist liberalism' can be generated from the contention that belief matters?

One way of answering this question may be found by turning to the philosophy of John Locke. In *Political Liberalism*, Rawls refers approvingly to Locke's defence of toleration, and it is not difficult to see the parallels between that defence and Rawls's own endorsement of epistemological restraint: both writers eschew a defence of toleration grounded in scepticism; both insist on the significance of individual belief; both insist that the state must remain agnostic about questions of truth and falsity. Crucially, for our purposes, however, Locke's defence of toleration contains within it an argument for the significance of belief. It gives us a sense in which 'belief matters'. Locke writes: 'No man can, if he would, conform his faith to the dictates of another. All the life and power of true religion consists in the inward and full persuasion of the mind; and faith is not faith without believing.'¹⁴ So, in the religious context, belief matters because the faith that is required for salvation is a faith that depends crucially upon the individual's recognising and acknowledging something for himself.

Moreover, the importance of believing for oneself (of the 'inward and full persuasion of the mind') is not restricted to the religious context, but is a

specific case of Locke's more general epistemology as given in the *Essay on Human Understanding*, where he writes:

For I think we may as rationally hope to see with other Men's Eyes, as to know by other Mens Understandings. So much we ourselves consider and comprehend of Truth and Reason, so much we possess of Real and True Knowledge. The floating of other Mens Opinions in our brains makes us not a jot more knowing, though they happen to be true. What in them was Science, in us is but Opiniatrey, whilst we give up our assent to reverend Names and do not, as they did, employ our own Reason to understand those Truths, which gave them reputation . . . In the Sciences, everyone has so much, as he really knows and comprehends: what he believes only and takes upon trust, are but shreads . . . Such borrowed Wealth, like Fairy-Money, though it were Gold in the hand from which he received it, will be but Leaves and Dust when it comes to use.¹⁵

So, our question is 'Why does belief matter?' and Locke's answer is that, in the religious context, it matters because it is only sincere and inner belief that is pleasing to God, and the state lacks the means to coerce such belief. Hence the futility of persecution designed to save the soul of the heretic. However, and for Locke, the religious case is not unique, for in all other contexts, too, it is important that we come to see things for ourselves and not rely on the opinion of others, or take things on trust.

As a piece of epistemology, Locke's story is highly implausible, for it is surely the case that, especially in science, we do take things on trust, and indeed we often (perhaps usually) have no choice but to do so. Beliefs about the way the world works, its construction and composition, rest on complex scientific considerations, and in the modern world there can be few, if any, who are in a position to 'find out for themselves' before taking penicillin for example, or sending the car to the garage. These are areas where we cannot sensibly expect to be able to do anything other than take things on trust. Additionally, it might be thought that, even in the area of the moral, we sometimes both can and should take things on trust. Annette Baier's recent work in moral philosophy mounts a very powerful case for the indispensability of trust in moral contexts,¹⁶ and, as we have seen, Hilary Putnam has gone yet further, urging that the very distinction between what we accept as scientific fact and what we believe to be morally right is less clear than is often supposed. So, as an epistemological claim, Locke's theory is suspect in three distinct ways: it is not a theory that can plausibly be defended in the area of science; it is contentious even in the area of the moral; and in any case the moral and the scientific are intertwined.

However, we will not dwell on these objections, important though they are, for our main aim is not to cast doubt on Locke's claim that belief matters, but rather to establish whether there is an interpretation of it that shows how the reasonableness of pluralism can lead to the injustice of imposition. It is, after all, in this context that Rawls insists that the modern world is one in which 'belief matters', and what we therefore need is not a set of

objections to that claim but, if possible, a plausible interpretation of it. To this end, we will examine the defence of toleration that follows from Locke's concept of belief. Famously, Locke claims that coercion works by operating on a person's will. That is to say, in coercing someone we attempt to influence their decision-making via threats or inducements. However, he goes on to insist that belief is not subject to the will. That is to say, I cannot alter my beliefs simply by deciding to change them, or willing that they change. It then follows that all attempts to coerce religious conformity are strictly irrational, since they involve deploying means utterly inappropriate for the desired end. They are an attempt to change belief by changing the will; but belief is not subject to the will. Waldron puts the matter this way:

Laws, Locke says, are of no force without penalties and the whole point of penalties is to bring pressure to bear on people's decision-making by altering the pay-offs for various courses of action so that willing one particular course of action (the act required or prohibited by law) becomes more or less attractive to the agent than it would otherwise be. But this sort of pressurizing is crazy in cases of action which men are incapable of performing no matter how attractive the pay-off or unattractive the consequences. Sincerely believing a proposition that one takes to be false is an action in this category . . . the imposition of belief, then, by civil law has been shown to be an absurdity.¹⁷

Again, we are not here concerned with whether or not Locke's position is a plausible one. There are certainly reasons for doubting that it is, and some of those reasons are given by Waldron in the article quoted from above. What does concern us, rather, is the *kind* of defence of toleration that Locke's theory, if true, would support. And here there are reasons for thinking that it cannot deliver a principled defence, but only, and at most, a *modus vivendi*.

This general point is noted by a number of commentators, but comes in different guises. Thus, Waldron notes that, by insisting on the irrationality of persecution, Locke ignores entirely the question of whether and why persecution is morally wrong. He writes: 'what one misses above all in Locke's argument is a sense that there is anything morally wrong with intolerance, or a sense of any deep concern for the victims of persecution or the moral insult that is involved in the attempt to manipulate their faith'.¹⁸ Similarly, Paul Kelly concludes his discussion of Locke with the reflection that: 'In the "Two Tracts" Locke suggested that toleration would invite anarchy and disorder, in the "Essay" and "Letter" he argued that toleration of practices consistent with civil order was most likely to contribute to peace and stability. In each case what differs is the perception of the threat posed to the social order, and the policy most likely to remedy it. There is no attempt to advance a principled argument for toleration as a necessary component of the good society.'¹⁹ And again, Russell Hardin claims that 'Locke did not

assert fairness as a prior or trumping principle against any particular religious value. Rather, he argued for accommodation as a practical antecedent to achieving any religious value. It is the practical consideration of opposing forces that makes agreement to less than one's full theory of the good reasonable.²⁰

What all this suggests is that Locke's defence of toleration, based as it is in an epistemological premise, cannot deliver a moral conclusion. At best, it will explain why persecution may be irrational, ineffective, or a waste of time; but it will be impotent to explain its moral wrongness or injustice. The injunction to refrain from persecution, not because it is wrong, but because it is irrational, looks very much like a *modus vivendi* account, and the more so if we concede to Waldron the further claim that, even if coercion cannot operate directly on belief, it can easily operate on the epistemic apparatus surrounding belief:

suppose the religious authorities know that there are certain books that would be sufficient, if read, to shake the faith of an otherwise orthodox population. Then, although again people's beliefs cannot be controlled directly by coercive means, those who wield political power can put it to work indirectly to reinforce belief by banning everyone on pain of death from reading or obtaining copies of these heretical tomes. Such means may well be efficacious, even though they are intolerant and oppressive, and Locke, who is concerned only with the rationality of persecution, provides no argument against them.²¹

Recall that the motivation for this discussion of Locke is to try to find an interpretation of the claim that 'belief matters' that will sustain the fact of pluralism while simultaneously showing the injustice of imposition. And the charge that successive commentators level against Locke is that his account is impotent to do the latter. As an account of why belief matters it is suspect; but even if its understanding of belief were correct, it still would not deliver the right kind of defence of toleration, because it cannot show why imposing one's views on those who do not concur with them is morally objectionable. It can only, and at most, show why such imposition is ineffective, imprudent, or irrational.

If correct, then this conclusion has important implications for the general (Rawlsian) project of attempting to defend impartial theories of justice via epistemological abstinence, for what is suggested here is that to the extent that epistemological abstinence is indeed an *epistemological* position, it cannot sustain a defence of toleration as a requirement of justice. This is the burden of all the comments referred to above. Epistemology shows us only, and at most, why a particular policy of persecution might be ineffective or irrational; it cannot show us why it might be morally wrong. So, in the modern context, if we interpret the claim that 'belief matters' as a Lockean claim about the epistemic conditions of belief, then we have no more than a *modus vivendi* defence of toleration.

Conclusion

Our aim in this chapter has been to ask how the injustice of imposition might follow from the reasonableness of pluralism, and we have considered several epistemological arguments designed to effect the transition. The argument from scepticism has been rejected both because it exacts heavy existential costs and because it requires belief to play different roles in different contexts – something that it cannot do given the difficulty inherent in distinguishing between facts on the one hand, and conceptions of the good on the other. Epistemological restraint is also problematic because it rests upon a conception of belief, and an understanding of how belief matters, that can deliver only a *modus vivendi* defence of toleration. The argument from epistemological restraint cannot tell us why imposition is unjust as distinct from imprudent. If these arguments are persuasive, then they suggest that the move from the permanence of pluralism to the injustice of imposition is one that requires, not an epistemological, but a moral foundation. To say this is, of course, to say nothing about the nature of that moral argument; it is only to suggest that, without some moral argument or other, ‘impartialist liberalism’ cannot adequately address the problem of modernity, which is to show that, in a world characterised by pluralism, imposition is not merely inefficacious, but unjust.²²

Notes

This chapter originated in conversations at the University of Michigan, Ann Arbor, where we gave separate papers to a seminar on religious toleration. We are grateful to Stephen Darwall and Edwin Curley for the invitation to that seminar. Earlier versions of our joint efforts resulted in a paper at the University of Hull and the University of Southampton. Our thanks to the participants on those occasions, and to Catriona McKinnon for very helpful written comments.

- 1 J. Rawls, *Collected Papers*, ed. S. Freeman (Cambridge, MA: Harvard University Press, 1999), pp. 421–48.
- 2 J. Rawls, *Political Liberalism* (Columbia, NY: Columbia University Press, 1993), pp. 55–8.
- 3 *Ibid.*, pp. 56–7.
- 4 *Ibid.*, p. xxiv.
- 5 B. Barry, *Justice as Impartiality* (Oxford: Oxford University Press, 1995).
- 6 *Ibid.*, p. 174.
- 7 *Ibid.*, p. 179.
- 8 C. Taylor, *Sources of the Self: The Making of the Modern Identity* (Cambridge: Cambridge University Press, 1989), p. 18.
- 9 Barry, *Justice as Impartiality*, p. 161n.
- 10 *Ibid.*, p. 161.
- 11 R. Rorty, *Consequences of Pragmatism* (Brighton: Harvester Press, 1982), p. xliii.
- 12 H. Putnam, *Renewing Philosophy* (Cambridge, MA: Harvard University Press, 1992), p. 106.

- 13 Rawls, *Political Liberalism*, p. xxi.
- 14 J. Horton and S. Mendus (eds), *John Locke: A Letter Concerning Toleration in Focus* (London: Routledge, 1991), p. 18.
- 15 J. Locke, *An Essay Concerning Human Understanding*, ed. P. Nidditch (Oxford: Oxford University Press, 1975), I. iv. 23.
- 16 A. Baier, *Moral Prejudices: Essays on Ethics* (Cambridge, MA: Harvard University Press, 1994), pp. 95–202.
- 17 J. Waldron, 'Locke: Toleration and the rationality of persecution', in Horton and Mendus (eds), *John Locke*, pp. 98–124, at p. 104.
- 18 *Ibid.*, p. 120.
- 19 P. Kelly, 'John Locke: Authority, conscience and religious toleration', in Horton and Mendus (eds), *John Locke*, pp. 125–46, at p. 144.
- 20 P. Kelly, *Impartiality, Neutrality and Justice* (Edinburgh: Edinburgh University Press, 1998), p. 149.
- 21 Waldron, 'Locke: Toleration and the rationality of persecution', pp. 116–17.
- 22 Our separate, and rather different, attempts to provide such a moral foundation may be found in M. Matravers, *Justice and Punishment: The Rationale of Coercion* (Oxford: Oxford University Press, 2000) and S. Mendus, *Impartiality in Moral and Political Philosophy* (Oxford: Oxford University Press, 2002).