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PROMOTING TOLERANCE FOR THE TWENTY-FIRST CENTURY (**)

It is doubly appropriate that we are gathered here today, under these auspices, to discuss this topic. For centuries, tolerance has been associated with a strong civil society including foundations such as the ones sponsoring this conference. For even longer, the nation of Portugal has been associated with historical forces that have promoted tolerance. As the historian CHARLES BOXER has said, it was Portuguese who first “linked up, for better and for worse, the widely sundered branches of the great human family. It was they who first made humanity conscious, however, of its essential unity.”

It is a pleasure also to be here at the kind invitation of Dr. LICÍNIO CUNHA, the president of a foundation taking the name of a man renowned throughout Europe for enlightenment in education, architecture, and public administration.

On my arrival in Lisbon a few days ago, I could not sleep, so I went out for a walk in the very bright sun. By my standards, the streets were nearly deserted, certainly not very crowded. I came to understand the words of a British traveler, who wrote in 1787 that “It is an observation of the natives (of Lisbon) that... you shall not meet anyone on foot during some hours of the violent heat... but mad dogs and Englishmen.” With the expansion of your tourism, this observation must now be extended to Americans as well!

I will confess that the invitation to address this distinguished gathering on the subject of tolerance and intolerance threw me into a quandary. If I were delivering this address in my own country, I would know what to do. I would cite the Declaration of Independence and the Constitution; I would review the many instances of intolerance that have punctuated our history towards blacks, indians, Catholics, Jews, and immigrants of all hues; and I would conclude with specific recommendations to strengthen the forces of tolerance and to counteract the all arming instances of intoler-

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erance, including the rise of fanatical armed militias, that have manifested themselves in recent years.

But obviously I am not in the United States today. I am here, a visitor for the first time in your country. Should I talk about the inquisition? That would be rude, and not terribly relevant. Should I tell you what to do about immigrants and gypsies? That would be the height of arrogance.

The history and circumstances of our countries are very different. When I was beginning my academic career as a young professor, my country was preparing to celebrate the 200th anniversary of the Declaration of Independence; yours was still living under a regime that specifically rejected the principles of the Declaration of Independence. "We are antiparliamentaries, antidemocrats, antiliberals... (The purpose of our government) is to protect the people from themselves." I am not quoting an enemy of that government; I am quoting Mr. SALAZAR himself.

From this unpromising point of departure two short decades ago, you have created a new constitutional democracy, rooted in the sentiments of the people, that manages to treat with respect a wide range of social groups. I do not mean to suggest that you have created Utopia; but you surely do not need from me a lecture on reshaping your public institutions and policies.

So I want to adopt a different approach: to emphasize the importance of tolerance as a global issue, to remind you of why we have come to value tolerance so highly, and finally to suggest a general strategy for strengthening tolerance where it may be weak. I shall leave it to you to judge for yourselves where (if at all) my remarks may be applicable to your circumstances.

What topic could be more important, or more urgent? All around us we see the bitter fruits of intolerance: in Bosnia, Northern Ireland, Ruanda, the Middle East, and many other areas besides. The discussion of tolerance concerns - what is perhaps the most important challenge of modern politics - finding ways in which individuals and groups that differ from one another, even fundamentally, can nonetheless learn to live together.

There are two reasons above all why this challenge is inescapable. First: in practice, homogeneity of populations within political jurisdictions cannot be achieved, and the effort to create it through repression or expulsion yields only bloodshed and misery. As evidence, one need only cite the 75-year Communist effort to expunge Christianity; the partition of the Indian subcontinent; ethnic cleansing in Bosnia; and the attempt to decouple the fate of the Israelis from that of the Palestinians. Because homogeneity is rarely a practical option, nations must learn how to live with diversity. And that is impossible without tolerance.

Second reason: liberty is the parent of diversity. If we believe in free societies - as we should - then we must accept the human differences that arise and flourish within them. For as JAMES MADISON argued in the *Federalist*, we can promote homogeneity only by crushing liberty, a price that is far too high. If we believe in liberty, then, we must pursue tolerance.

Some today would go even farther: we should not merely accept differences, but celebrate them, as expression of the infinite variety of ways in which our common

humanity can manifest itself. There is, I believe, much to this claim. But it is not essential to my argument. One need not celebrate something, or even like it, to believe that one must nonetheless tolerate it. Recall the famous declaration of Voltaire: “I disapprove of what you say, but I will defend to the death your right to say it”.

Up to now I have simply invoked the word tolerance; now let me venture a definition. Tolerance is the ensemble of beliefs, traits of character, practices, and institutions that permits the mutual coexistence of individuals and groups whose basic convictions, identities, and ways of life differ fundamentally - and who for that reason may not like or approve of one another.

Toward the end of my talk, I will try to define this ensemble more precisely. For now, let me stress one key point: tolerance is not the same as relativism, for either individuals or states. Tolerant individuals need not believe that other people’s choices are as worthy as their own. They need only believe that it is wrong to use coercion to induce others to abandon their chosen ways of life and embrace others. For their part, tolerant states must establish a sharp distinction between a wide sphere of activities to may proceed without fear of state intervention and a narrower set of activities that cannot be tolerated and must be opposed, if necessary with force. For example, because political liberty requires the rule of law, individuals and social groups cannot be allowed to take the law into their own hands, and the state must prevent them from doing so.

Today, we define tolerance very broadly, to include differences of race, ethnicity, and moral-political outlook. But it is useful to recall that the modern idea of tolerance has its origins in the dissolution of the unity of Christendom during the reformation, the ensuing wars of religion, and the horrified reaction of many thoughtful individuals to the cruelties perpetrated in the name of religious orthodoxy.

The most famous case for religious toleration was offered by JOHN LOCKE in his *Letter on Toleration*. That document contains five important arguments:

1. Certain kinds of claims to religious truth cannot be resolved on the basis of premises and evidence that all parties could equally accept.

2. Because true faith is a matter of inner conscience and persuasion, it is incompatible with external coercion.

3. The use of state power to repress religious difference typically reflects, and is driven by, grave defects of character rather than true belief. Was it only sincere concern for the souls of heretics that fueled the Inquisition? Even MACHIAVELLI, who was not famous for squeamishness, denounced the “pious cruelty” King Ferdinand of Spain exhibited in his treatment of the Jews.

4. The use of state power to repress religious differences breaches the wall that should separate the public and private realms, because it exceeds the powers that the people would freely assign to the state in establishing a legitimate government through consent. (This argument has been reinvigorated in our time by the philosopher JOHN

RAWLS).

5. As a matter of political prudence, the intolerant use of state power is very ill-advised, because it is likely to lead to prolonged conflict and bloodshed rather than religious conversion and civic unity.

For our purposes, it is important to note two important limits to LOCKE's argument. First, state tolerance toward (or neutrality among) religions does not extend to a comprehensive neutrality on moral matters. Public authorities may attempt to define minimum requirements of good citizenship and promote this conception through the educational system and the law. LOCKE would have been bewildered by the claim that to be tolerant, we need be indifferent or permissive toward illegal drugs, the disintegration of the family, or other modern social pathologies.

Second, within the framework of religious tolerance, it is reasonable for the state to oppose beliefs and practices that undermine social peace or deprive individuals of basic protections. So, for example, the state may legitimately prevent human sacrifice and thwart parents who wish (on religious grounds) to withhold vitally needed medical care from their children.

Two centuries after LOCKE, JOHN SUTART MILL offered another important argument for tolerance: A society that cares about progress must be tolerant, because it is only through the clash of competing outlooks that progress can occur. The price of enforced homogeneity is social stagnation.

While LOCKE's arguments are rooted in the experience of the Reformation, the concern for progress toward scientific and moral truth that MILL expresses is more characteristic of the Enlightenment. But historically, the relationship between the Enlightenment and the practice of tolerance has been ambiguous. In the name of progress, states have sometimes used coercion to repress practices they regard as backward or primitive. In the name of reason, states have adopted a stance of hostility to religion. The Anglo-American tradition assumes that enlightenment goes hand in hand with liberty. But there is in fact no necessary or inevitable connection - particularly when the forces of enlightenment encounter entrenched opposition.

That was precisely the situation confronting the man for whom this Foundation is named. POMBAL found resistance to reform in many quarters - the old nobility, the universities, some religious orders, and certain sectors of the economy. He responded as strong-willed statesmen are apt to do, by expanding his powers in order to advance his objectives. In the eyes of many of his contemporaries (and not just his enemies), the result was progress without liberty, and enlightenment without tolerance. Consider the judgment of ANTÓNIO RIBEIRO DOS SANTOS, one of his closest collaborators in the reform of educational and ecclesiastical institutions: "Pombal wanted to civilize the nation and at the same time to enslave it. He wanted to spread the light of philosophical sciences and at the same time elevate the royal powers of despotism".

I tell this story not to insult my hosts, but to illustrate one simple point: the assertive use of state power to promote a specific conception of social progress is a

risky business. Especially when a society is divided between traditionalists and modernizers, rationalists and believers, wise leaders will seek a course of action that gives all groups the sense that their interests and convictions have been accommodated to some degree. That is the course that tolerance typically dictates.

Having discussed tolerance from the standpoints of the Reformation and the Enlightenment, now let me briefly examine it from a distinctively modern perspective. According to many contemporary philosophers, individuals and groups have a fundamental interest in living lives of “integrity” - that is, lives that express their sense of what gives existence meaning and worth. It is a very grave matter to use state power - or for that matter social power - to drive a wedge between inner convictions and the conduct of our lives. Sometimes the state has no choice but to act in this manner, because the acts flowing from deep belief harm innocent third parties or undermine the minimum conditions of social peace. But there should always be a strong presumption against state action that threatens the integrity of individuals or collectivities. This presumption is especially appropriate if, as the British philosopher ISAIAH BERLIN has suggested, we inhabit a moral universe of plural and conflicting values, many different combinations of which can serve as the basis for decent and honorable lives.

So - to recapitulate - we may come to favor tolerance because we cherish peace, abhor cruelty, respect conscience and integrity, love liberty, or believe in a government of limited powers. What have we learned - through sometimes bitter historical experience - about how to translate the preference for tolerance into workable institutions and practices that can endure the vicissitudes of political and social discord? Let me sketch a program, suited to contemporary circumstances, for the promotion and institutionalization of tolerance:

1. We should seek to reduce fear, because individuals and groups are less likely to tolerate what they are afraid will harm them. Fear reduction may require the use of state power to give credible assurances to contending parties that deeply mistrust one another.

2. Likewise, we must strive to reduce ignorance. For centuries, many Christians genuinely believed the “blood libel” they levelled against the Jews; from the Reformation on, many Protestants genuinely believed that convents and monasteries were the scenes of regular orgies. These false beliefs made tolerance all the more difficult.

3. The expansion of economy and market relations tends to enmesh individuals in activities that are less passionate and divisive, and more conducive to peaceful social coexistence.

4. A system of guaranteed rights enables individuals to seek state protection for activities that define their way of life - even if these activities are unpopular. Over time, the mutual recognition of rights reinforces the habits of tolerance.

5. Within a political community, there should be no ethnic or religious preconditions for citizenship, and no groups that are consigned to permanent alien status. The expansion of citizenship reinforces tolerance by conveying the message of common membership in a morally significant community.

6. Government power should be limited enough to leave room for a vigorous and diverse civil society, and decentralized enough to accommodate geographically rooted group differences. Taken together, these restrictions on the authority of the central state create a zone of liberty within which tolerance can flourish.

7. Government should disestablish religion, but without espousing either anticlericalism or a ultrasecularist hostility to faith.

From what I have said so far, you may conclude that I wish to promote tolerance by weakenig the state. That is not the case. I believe tolerance requires a state that is strong and resolute within its appropriate sphere of activity. Indeed, state power is needed to create a system within which the practice of tolerance is not only possible but also advantageous.

Government must stand against anarchy - because disorder breeds fear, and fear is the enemy of tolerance.

Government must educate the young in a manner that reduces ignorance and, by so doing, ends mutual suspicion and bring people together across their differences.

Government has no obligation to tolerate those who act intolerantly. On occasions, there may be reasons of prudence to exercise restraint in the face of intolerance. But the state must eventually say: Thus far and no farther. For as we have learned through the experience of the bloody century about to end, a tolerance that does not defend itself is a tolerance that has ceased to believe in itself. And this is a tolerance that cannot and wil not endure.