The Virtue of Toleration: Aesthetic Experience and the Moral Psychology of Religious Toleration

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PRESENTATION

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Introduction

Religious toleration is one of the central virtues of American liberalism, which views the polity as encompassing a legitimate plurality of religions. To be tolerant of the religious commitments of others is essential of the spirit and letter of the American jurisprudence of religious liberty. It is the central virtue of John Locke’s theory of religious liberty which is foundational for Madison, Jefferson, and the First Amendment protections for free exercise and non-establishment.

Today, religious toleration is generally treated as a special case of or particular type of moral toleration, where religion is viewed primarily as a set of moral claims or ideals, and religious tolerance is the acceptance of competing moral convictions. On this account, the virtue of religious toleration is the habit of acceptance of moral diversity, or recognizing the legitimacy of moral views other than one’s own. But, this view of religious toleration is generally regarded as paradoxical. For example, In a review of David Heyd’s collection of essays, *Toleration: an Elusive Virtue*, Jeremy Waldron explains the paradox this way: “We tolerate a practice when we judge it to be [morally]

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1 Associate Professor, Campbell University School of Law.
3 David Heyd (ed.) *Toleration: An Elusive Virtue*
wrong but nevertheless refrain from acting against it in ways that would normally.” The paradox consisting in the apparent contradiction that it seems to be morally required to tolerate what is morally wrong.

Typically, philosophers like Waldron (and many others as well) have sought solutions to the paradox by drawing hierarchical distinctions among various levels of “moral reasons,” some of which must be reasons of a higher order that ground and limit toleration. The debate is set out in terms of gaining understanding by examining the grammar and syntax of the propositions that contain expressions of moral meaning. The debate is informed by theories of moral psychology that make claims about the nature of moral reasons, moral knowledge, and ultimately the nature of consciousness. This is clear explicit in Locke’s work on toleration, which rests on his empirical psychology that holds “ideas” to be the building-blocks of human understanding.

The significance of moral psychology to understanding virtue was pointed out in a well-known essay by Elizabeth Anscombe, titled “Modern Moral Theory,” written in the 1950s. Anscombe had in her sights, utilitarianism, which she argued rests on no sound foundation. But in making her argument, she attacks all modern moral theories for lacking adequate foundations, which she believed could be found only with a Divine legislator. She advocates abandoning broad categories such as “morally good” in favor of more limited terms such as “truthful” or “untruthful.” Crispin and Slote, in an influential reading of Anscombe, note that she believed that “we need to be doing is some basic moral psychology to get clarity on notions such as ‘intention,’ ‘desire,’ ‘action,’ and so forth (1997, 4).” While the paper is often cited as either a call for a richly textured

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description of virtue or a defense of teleological moral theories, little attention has been
given to her call for a better moral psychology.

My paper seeks to respond to Anscombe by considering one significant aspect of
the moral psychology at the heart of Locke’s theory of religious toleration. His
conception of the intentionality of consciousness. Here “intentionality” is derived from
the Latin “intention” which means to be directed towards. It refers to the concept in the
philosophy of mind that consciousness is essentially a matter of having one mind directed
toward some mental object such that awareness can be said to awareness of “something.”
It is an assumption of analytic approaches to the philosophy of mind that there are no
non-intentional conscious states, meaning no states of awareness where one is not aware
of something. It is this contention that my paper rejects. It argues that non-intentional
mental states have long been recognized and associated with religious and aesthetic
experiences. Non-intentional states are at least in part ineffable, since they exceed
what can be formally expressed in concepts. Non-intentional states exist where the
mind apprehends something that is ineffable and cannot be fully expressed. My
essay explores the significance of the non-intentional for conceptualizing religious
tolerance and in particular for the moral paradox that Waldron and others have identified.

**Locke’s Foundationalism and Empirical Epistemology**

John Locke’s understanding of religious toleration rest on a comprehensive
foundation. It is for the breadth and totality of his foundation that Nicholas
Walterstorff view Locke instead of Descartes to be the Father of modernity. While
Descartes developed a foundationalist approach to *scientia*, and defined *scientia*
broadly, Wolterstoff argues that Locke’s foundationalism applied to all topics in philosophy. His empiricism was the radical foundation for his evidentiary approach to religious truth and religious toleration.

Locke faced the crisis ‘of a people schooled to consult tradition who now [found] their tradition fractured’ (xix). Locke sought ‘new “foundations” for knowledge and belief that could be discovered’ because the ‘wisdom of a (supposedly) unified tradition could no longer be consulted to resolve one’s quandaries’ (3). Once the hegemony of tradition was fractured, rival traditions sprang up, and ‘people were being schooled into becoming unreflective partisans of their own party and of its particular tradition. They were being schooled into uncritical acceptance on the authority of the “say-so” of the deliverances of the leaders of their own faction.’ (4) These faction eventually resulted in ‘antagonisms [which] erupted into civil war’ (7). Locke’s crisis, then was ‘the anxiety of having to govern our belief in general, and settle our moral and political quandaries in particular, when our once-unified tradition has fragmented into partisan quarrels’ (181)

Locke’s attempt to resolve the crisis he faced turned on his theory of understanding, which in turn rests on his concept of ideas. The *tabula rosa* of the mind is written on by experience, but the Whatever perceptual cognition we have of external objects, it involves immediate awareness of sensory ideas. Since the direct perception of sensory ideas enables recognition and awareness of those objects. This means that Locke’s foundationalism rests ultimately on an intentional conception of awareness.

In this respect, Locke’s philosophy of mind continues with contemporary Anglo-America philosophers, who have looked for meaning only in what is capable of being expressed in concepts. That is to say, modern thought has largely denied the existence, or
at least the significance, of non-intentional mental states. Even if they conceded that such mental states might exist, they found them to be meaningless. This thesis was advanced by many philosophers, including AJ Ayer, John Searle, and Willard Quine, each of whom rejected non-intentionality, but for somewhat different reasons.

**Non-intentionality in Christian Neo-Platonism**

That there might be aspects of lived experiences that are not reducible to mental objects, and therefore are ineffable in the sense that they defy conceptualization, is an ancient view that has always had its supporters. It has been influential in religious thought, and particularly influential in mysticism and aesthetic theory. Among mystics the experience of the divine, the goal of the mystic, is defined as a experience of excess that, whatever might be said of it, overflows what can be expressed in words. Similarly, some writers have described aspects of the experience of Beauty as exceeding what can be conceptualized. The existence and significance of the non-intentional also has been explored by Continental philosophers, particularly those who have been influenced by phenomenology. An example of each of these approaches to the non-intentional suggests that continued relevance of it.

Locke sought foundational beliefs apart from religious tradition, so he could not consider the significance of ancient aesthetic theories approach Divine Beauty in a similar way. The Christian neo-Platonists recognized two modes of awareness. Dominic O’Meara and Richard Sorabji have shown that neo-Platonists were in fact aware of and made theological use of the concept of intentionality and non-intentionality. For example, Sorabji explains that “there are two kinds of thought in Neo-Platonism”: there
is a discursive form of reasoning (*dianoia, logos*) which refers to “the step by step reasoning which considers propositions.” And there is intellect (*nous*), which refers to “the steady and even timeless understanding in which discursive thought ideally terminates.” (106). In the discursive form of reasoning (dianoia or *logos*) according to O’Meara, “‘internal objects’ or concepts “represent transcendent objects in discursive thinking.” Sorabji adds that the *nous* does not. Sorabji argues that the form of thought identified as intellect (nous) was not intentional. Beauty as Pseudo-Denys understands this transcendent name of God is such an *intelligible*—it is prior to the intellect as is not an experience “about” something.

Augustine made use of this notion of divine Beauty. In a controversial argument, Jean Luc Marion, commenting on Augustine’s *de trinitate* has suggest the existence of a theological givenness, which would be an immediate apprehension of a reality that exceeds intellectual grasp, and yet it is that experience which transforms all else and orients the person to moral awareness. The speaker or author who evokes the Beauty of God is eliciting fellowship with others who have had the experience. The words are not constitutive of meaning in their grammar and syntax; they evoke memories of communally shared experiences. For Augustine, the significance of this awareness of the divine as mysterious beauty carries moral force primarily in the claim that the human person bears the image of God (*imagio dei*). It is the unfathomable mystery of the divine that Augustine, for example, identified with the image of God born by all human persons, which is the source of human dignity.

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5 For a discussion of why the discursive reasoning of Neo-Platonism is intentional, see Dominic J. O’Meara, “Intentional Objects in Later NeoPlatonism” in *Ancient and Medieval Theories of Intentionality* (Leiden, Germany: Brill Press, (2001) 115-125 at 119.
Christians affirm of an association between beauty and the lived experience of the awareness of the divine continued be influential throughout much of European intellectual history. It clearly played a significant role in Thomistic thought and was never forgotten in the Catholic Church. Protestants tended to be skeptical of artistic beauty, particularly in the visual arts, since it seemed to tend toward idolatry. But, they continued to affirm beaut’s association with the divine in the context of music and Scripture. In the twentieth century, there was a rebirth of interest in the theology of aesthetic experience, which was pursued among Catholics most notably by Hans urs von Balthasar and among Protestants by Karl Barth.

Modern Theories

Modern thought brought about a transformation in the way beauty is understood. William Placher argues in *The Domestication of Transcendence, How Modern Thinking About God Went Wrong*,\(^6\) that modern philosophy sought to domesticate the divine by making discourse about it less metaphorical and equivocal. Transcendence came to refer to various formal conceptualizations of God and heaven—a transformation from prior understandings that viewed the transcendent as an ontological mystery that that deeps with greater understanding. Beauty, which the premodern Christians associated with the divine, was similarly domesticated. It was no longer understood as an unfathomable ontological mystery that deepens with understanding, but as an epistemological mystery that can be dispelled by greater knowledge.

\(^6\)
Theories of Beauty as Taste and Subjective Preference

In the Enlightenment, beauty was domesticated and confined to a mode by which the subjective mind engaged the objective world. Manderson explains,

Kant and Schiller sought to domesticate the ‘egoism of taste’ by possibly the meaning of beauty as a force through which we could learn to internalize the rational call conscience and of duty. Beauty was the inner sense by which the voice of reason came to be not only heard, but felt—transforming authority to hegemony, force to free conformity, and punishment to discipline.\textsuperscript{7}

In Enlightenment philosophy, beauty lost connection with the unfathomable ontological mystery that religious persons of earlier periods had held it to be.

The internalizing of beauty was extended beyond Kant and Schiller by Nietzsche, who challenged the hegemony of reason and thereby turned orthodox philosophy “on its head.” He arguing that reason and nature are not firm grounds for establishing objective truth. (Manderson 7). For him beauty was not a call to an intellectual engagement with a veiled reality that lies beyond the mind. It is an engagement with desires that are fully subjective. That Nietzsche like Kant believed that their internal experience of beauty was universal—that introspective reflection on beauty could yield universally applicable principles, was a unique feature of early modern thought that survived until the early twentieth century, when it became obsolete by relativist epistemologies and behaviorist psychologies, both of which held introspection to be arbitrary and meaningless.

That there has been a rebirth of interest in aesthetics and beauty may reflect a growing awareness that beauty is not entirely subjective and arbitrary—that it is more deeply rooted universal lived human experience than was acknowledged by modern

\textsuperscript{7} Manderson, 6.
philosophers. The connection was recovered from eighteenth century philosophy by Jean François Lyotard’s late work brought renewed interest in Kant’s theory of the sublime. Lyotard’s work on the “postmodernity” found resonance with Immanuel Kant's theory of the sublime, which is a short treatise contained within the *Critique of Judgment*. Lyotard read Kant’s third "Critique," as Kant’s attempt to restore unity to philosophy, which Kant had neatly cleaved into the first two “Critiques” into speculative philosophy and practical philosophy. In the third “Critique” Lyotard believed that Kant intended to resolve the division by considering the nature of judgment itself.[1] Kant believed, he argues, that judgments of pure speculative reason and the regulative judgments of practical reason find unity in the judgment of taste.[3] Although this appeal to taste seems strange now, Hans  Gadamer has shown that this was a common understanding of taste in the eighteenth century. According to him, taste was widely held to be a non-rational, but immediately known, universal conscience that was teleological in nature.[4] This means that a person who has achieved a refined awareness of good taste can make judgments that will be universally recognized by anyone with a sufficiently developed ability to discern what is truly tasteful.

*Lyotard and the Sublime*

After Kant, many philosophers and theologians stressed the dualism of beauty and the sublime. Well in to the nineteenth century, German Idealist and Romantic aesthetics continued to draw on the Platonic understanding of sublime as a transcendent reality in which metaphysics and moral philosophy can find unity. They accepted Kant’s belief that beauty is the awareness of particular kinds of cognitive states that are provoked in reaction to art and natural objects. This means beauty is in the mind, not in the thing as
the medieval philosophers had thought. The concept of “beauty” refers to a form of pleasure, and so they focused on analyzing the specific pleasures and delights associated with beauty. Standard modern academic aesthetics characterizes this type of pleasure as “disinterested” in the sense that it is indifferent to truth and morality. One can, for example, find beauty in the baronial estates of the nineteenth century American industrialists without questioning the morality of the labor practices that allowed it to be built. Kant’s reduced beauty to a feeling, but he distinguished it from the sublime referred to a cognitive state in which the faculties of understanding were exceeded. This idea would continue to provoke and confound philosophers and theologians.

In the "Critique of Judgment," Kant draws an important distinction between beauty and the sublime. Beauty “is connected with the form of the object” having “boundaries.” The sublime, however, is formless. He writes, “We call that sublime which is absolutely great”(§25). He distinguishes between the “remarkable differences” of the beautiful and the sublime, noting that the sublime “is to be found in a formless object,” represented by “boundlessness” (§23). The sublime is the particular type of perception that incites the mind to think beyond what it can grasp and conceptualize. We might say, it is our awareness of something that we recognize as an unfathomable mystery.

For Lyotard, Kant's conception of the sublime was beguiling. He called it a foundational "propaedeutic that is itself, perhaps, all of philosophy," and he believed that the "sublime" was an important insight for reshaping the way philosophy judges of itself. He was writing in the late twentieth century, where philosophy, particular in the American style was dominated by conceptual analysis and empiricism. He believed that this focus on clarity had caused philosophers to marginalize and devalue the type of
excess, lush, and ineffable experiences that Kant intended to identify with the sublime. In Lessons on the "Analytic of the Sublime" and "Le Differend," Lyotard argued that "concepts" are abstractions that fail to express the fullness in the details of the particularity of things. What happens when we experience the sublime is a crisis where we realize the inadequacy of concepts and recognize the tension between the imagination and reason. What we are witnessing, says Lyotard, is actually the “différend;” the straining of the mind at the edges of self-awareness and at the edges of conceptuality. Lyotard’s work challenged modern culture to find some ultimate or fundamental unity among the aesthetic, cognitive, and ethical that would not ultimately be revealed to be a dominating metanarrative.

*Beauty as Lived Experience in Neurophenomenology*

Shaun Gallagher and Dan Zahavi note three developments near the end of the century that brought consciousness and phenomenology of it back to the foreground of philosophy. First, they note a renewed interest in investigating consciousness. During the 1990s philosophers like David Chalmers, Thomas Nagel, John Searle, Daniel Dennett and Owen Flanagan began to debate the “hard problem” of consciousness. The distinction between “easy” problems and the “hard” problem of consciousness was initially drawn by David Chalmers in his book, *The Conscious Mind*, published in 1995. The easy problems are those that “seem directly susceptible to the standard methods of cognitive science, whereby a phenomenon is explained in terms of computational or neural mechanisms.” These include problems such as the difference between sleep and wakefulness, the nature of motor control, and the integration of information. These problems seem to be
open to investigation because they appear to be similar to the types of computational problems that are solvable by scientific methods.

The “hard” problem on the other hand seems to evade the scope of natural science. The hard problem refers to the question of why there is an “inner life” at all? Is it possible to explain why there is awareness of lived experiences? Chalmers asks, “It is widely agreed that experience arises from a physical basis, but we have no good explanation of why and how it so arises. Why should physical processing give rise to a rich inner life at all? It seems objectively unreasonable that it should, and yet it does.” This renewed interest in experiential awareness has led some to reconsider the contribution that phenomenology might make to philosophy.

Between the easy problems and the hard problem lies the “explanatory gap”. There are cognitive problems that can be explained reductively, but there is a limit to the explanatory capabilities of reduction. We can establish a causal relationship between phenomena of awareness and events in the external world, but we lack the ability to explain why there is phenomenal awareness at all. Close examination of the neural physiology the brain does not bring us closer to an answer. The recognition of the explanatory gap also created an interest in phenomenology.

A second development that occurred near the end of the century involved new challenges to mind-body dualism:

In the cognitive sciences, the notion of embodied cognition took on strength in the 1990s, and it continues today. Scientists and philosophers such as Francisco Verla, Evan Thompson, and Eleanor Rosch, Antonnio Damasio, and Andy Clark objected to the strong Cartesian mind-body dualism that, despite the best efforts of philosophers like Ryle, Dennett, and others, continued to plague the cognitive sciences.9

9 Gallagher and Zahavi, 4-5. (citing,..)
At issue were challenges to functionalism, a view that had been developed, but later repudiated, by Hillary Putnam. According to this view, the mind emerges as the function of the brain. In principle, any material capable of performing like a brain would be capable of producing a mind. And therefore, minds do not even require bodies, a mind could exist in a vat or as a computer program. A number of philosophers, including Putnam, advanced arguments against functionalism in the late twentieth century. This development returned conscious experience to the agenda for philosophers who had been investigating computational approaches to artificial intelligence.

The third factor is the “amazing progress of neuroscience.” They refer to the new access to the workings of the brain that can be achieved through the use of new imaging technologies (such as fMRI and PET). Additionally, one might conclude as Jean Pierre Dupuy has argued that progress in artificial intelligence has also contributed in this shift in philosophical focus. New techniques in artificial intelligence have given importance to “a variety of experiments that depend on reports about the experience of the experimental subjects.” All of these developments have brought about what might be called a “cognitive turn” in philosophy that is helping to dissolve the ramparts that have existed between the analytic and Continental camps. While the influence of the linguistic turn has clearly been felt, it seems likely that the full significance of the “cognitive turn” will take several decades to be realized. Together these factors have produced a renewed interest in conscious experience that had been almost ignored during the period in which behavioral psychology came to dominance.

The belief that universally experienced psychological states have epistemic and
ontological significance was one of the basic claims of Husserlian phenomenology that has found renewed vigor in recent years among philosophers who reject Cartesian dualism and considering how consciousness is “embodied.” For example, Evan Thompson and Don Zahazi believe that this insight is useful for understanding some developments in neuroscience. argue in their essay in the Cambridge Handbook on Consciousness, and elsewhere, that cognitive theorists should consider the phenomenology of Edmund Husserl as a resource for understanding such foundational issues as the relation between intentionality and consciousness, the relation between self-awareness and consciousness, the difference between imaginary visualizations and perception, and other issues that are investigated by cognitive theory. The call their proposal a “neurophenomenology” and view it as a contribution to a larger movement to naturalize phenomenology. In his 2009 Gifford, published as Whose In Charge, Free Will and the Science of the Brain. Michael Gazzaniga describes the emerging view of consciousness as a phenomenon arising from a dynamic interaction among modules in the brain, and between the brain and the cultural, social, and physical environments. He suggest that these interactions produce inputs to an interpreter module that attempts, post hoc, to integrate, unify, and coordinate the mind. Consciousness, emerges from the interpreter module trying to make sense of the valances among these brain modules and the dynamic interaction of the brain with the physical, social, and cultural environment.

In earlier work, Thompson, along with Francisco Verela, advanced a theory of

“embodied dynamism” that views the mind as emerging from a dynamic, embodied system. They advocate a multidimensional approach that views experience as central to the emergence of cognition, and not merely epiphenomenal of it. Thompson writes of his approach, “mind science and phenomenological investigations of human experience need to be pursued in a complementary and mutually informing way.”¹² Both phenomenology and the embodied dynamic view hold that the mind constitutes—brings things to awareness—in intentional activities of consciousness. Both suggest that the constitution of awareness are not evident in everyday experience, but requires a specialized analysis to disclose. They call this integrative approach neurophenomenology.

Neurophenomenology suggests that meaning arises from the dynamic interaction of language, symbol, culture, society, body, affectivity and mind that is only partially available to consciousness. There are many subtle variations to any experience, the consequences of which are difficult to predict. For example, consider the experience of reading. The shift from print to electronic media has far ranging consequences that will shape the mind of future generations of readers through subtle changes, some of which are impossible to predict. Will there be changes to the planetary environment brought about by the reduction in the use of paper and increase use of exotic materials? How does the shift to electronic text shape the physical brain features of a linguistically defined population? Would the effects be consistent for native Chinese readers and Arabic readers, and English readers? What will be its influence on social and cultural attitudes

¹² Thompson, 14.
towards reading? And so on. Some of these changes are signative or pictorial, but others are not object-directed. That is, what changes in mood, feeling, and attitude are introduced? How might changes in affectivity contribute to the construction of cognition?

Towards a Moral Psychology of the Virtue of Toleration

Works like this suggest that religions, whatever else they might be, involve aesthetic life projects. Their significance is as ways of living, which seek meaningful human existence in ways that are not well understood in contemporary analytic philosophy. What might it mean to seek to live artfully in the presence of a mystery that exceeds conceptual understanding and yet is the source of moral meaning? How can conflicts among these life projects be assessed when the meaning of a practice or belief is fully apprehended only in light of its contribution to an ineffable apprehension of aesthetic quality? While my paper does not attempt to answer these questions, it does seek to argue for the vitality and significance of the questions for thinking about the nature of religious toleration by suggesting critiques of the paradox of toleration as it is described by recent philosophy.

Foundationalist approaches like Locke’s fail in part because they do not account for the powerful experiences of meaning that is not a result of distinct ideas, but instead is the apprehension that is made possible in and through religious communities, with distinct life patterns that evolve within patterns of belief and ritual practices. It would seem that a theory that accounts for aesthetic experience would view religions as distinct ways of responding to the aesthetic experience of that the Christian neo-platonists called the Beauty of God. There would be no
capacious response to the “crisis” that did not acknowledge that religious experience results from particular traditions and cultures. But, the structure of the experience, and the awareness of the mystery that dwells within each person might be a place to begin a description of religious toleration, rooted in human dignity.