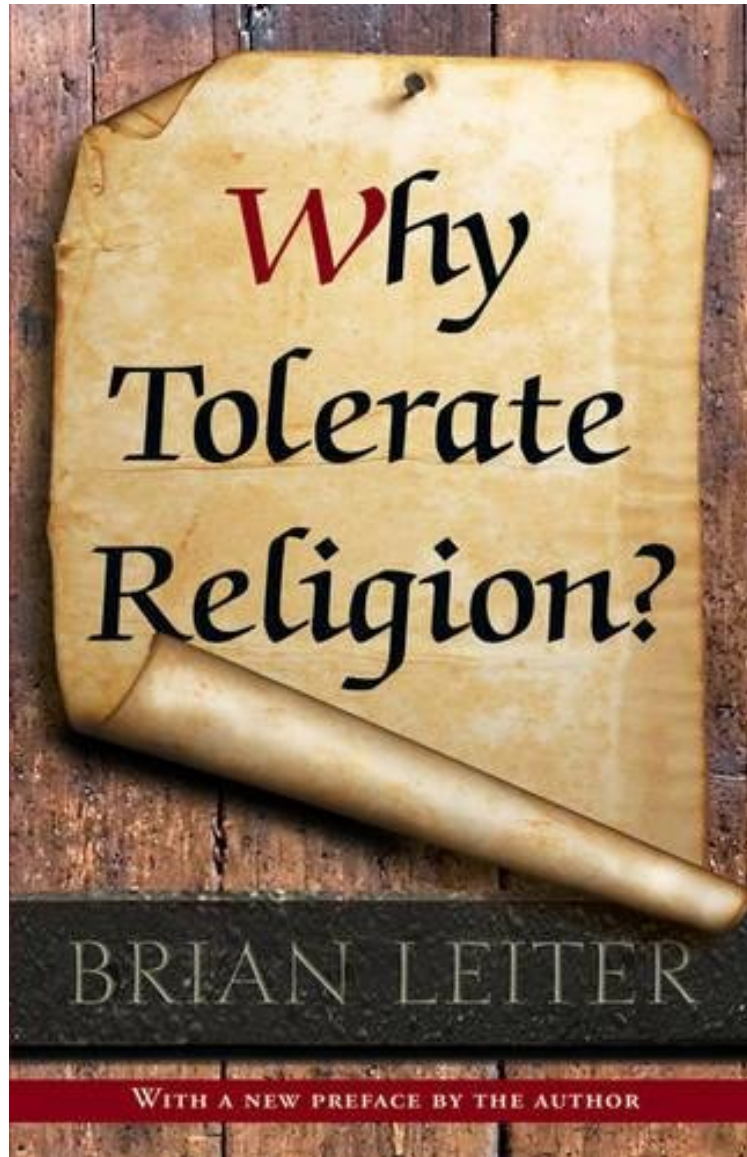


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Why Tolerate Religion?

Brian Leiter

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Brian Leiter : Why Tolerate Religion? before purchasing it in order to gage whether or not it would be worth my time, and all praised Why Tolerate Religion?:

1 of 2 people found the following review helpful. Wonderful book! Leiter argues that there's no reason to ...By Tim KWonderful book! Leiter argues that there's no reason to think religious claims of conscience should be given preferential treatment to secular claims of conscience. Each type should be given the same amount of scrutiny and accommodation. Tightly argued and well-written, if you have any interest in religion and society, Leiter's book is a

wonderful place to begin. Russell Blackford's "Freedom of Religion and the Secular State" is a wonderful book that would nicely accompany Leiter's. 0 of 1 people found the following review helpful. Religion as special or a human product? By J. W. van Ee The title of this book seems somewhat deceiving. Not at stake is why to tolerate religion - a strange idea to contemplate, like: Why should we tolerate religious thinking? - but the question if an action, claimed on imperatives from religious based conscience, has preference compared to a same action that not has this hallmark. Or in practice for instance, may a Sikh boy wear a kirpan (ceremonial knife) in school, because of religious tolerance, and farmer boy not, while the men in his family have worn knives for hundreds of years. Getting to his conclusion Leiter tries to point out what has to count as religion and what not, and this seems a way that does not hold ground anymore. Albeit writing within tradition, this way has always been a troublesome route. The book ends, somewhat abruptly, with this sentence: "Toleration may be a virtue, both in individuals and in states, but its selective application to the conscience of only religious believers is not morally defensible". Before getting to this conclusion many pages are filled with quite elaborate reasoning, not always an easy read, that mention all foreseeable points and objections. Although I agree with this conclusion, I think that searching for the suchness of religion, like Leiter does in chapter 2, has become meaningless nowadays. The book thus left me with the feeling that this debate might profit from another point of view. For this, I would like to suggest three points. Jacob De Roover* has convincingly argued that our western idea of religion has since the dawn of science relied on the western form of Judeo-Christian religion and the argument, originally from Cicero, called the consensus gentium: [t]hat there never was any nation so barbarous, nor any people in the world so savage, as to be without some notion of gods. This argument, taken on by Christianity has ruled the western debate about what is religion since almost two millennia, and is so entrenched in our western thinking, that it was not questioned any more. In my opinion chapter 2, trying to define religion, suffers also from this longstanding unperceived bias. Besides, we still have to overcome the scent of inherent superiority that is attached to monotheism. Iain McGilchrist** argues that the two hemispheres of the human brain have different functions. The right hemisphere, very broadly speaking, is of an unsurpassable creativity, while the left hemisphere, using language can put this into actual realized reality. So epistemologically, economy and the gods, both being products of the right brain half, belong to the same level. Leiter's point that religion as such always holds some false or at least unwarranted belief (preface) is, viewed from this point, ungrounded. Economy is no different as Thomas Sedlacek*** has proven. A famous Dutch theologian once said: "All what is said about 'above', comes from below." Yuval Noah Harari**** has brilliantly argued that our societies are based in imagined orders, systems of thought that are realized by the trust invested by (some) people in an idea of whatever kind. In this way, the political, economic and religious outlooks of our societies have taken shape. Religions are imagined orders like economy, communism and capitalism, or for that matter science as well. Taking these strands together it seems reasonable to argue that religions as systems of thought, as imagined orders, brought forth by the creativity of the right hemisphere of the human brain, are no different than any other system of thought, be it economics and money, politics, law, childcare or literature. Thus, imperatives from what is called religious based conscience are no different than those arising from politics of economics, and the like; in the end, they are all in fact fictitious necessities. Problems that arise from religion with demands on conscience do not stem from religion but from our biological wiring. Of course, this might not convince a true believer, because in his mind there is no 'reasonable doubt' that he might be wrong. What we now call religion reveals beautiful aspects of the human mind, but also less beautiful. This is even conceded by the most ardent believer. But ascribing these beautiful qualities to the own religion and the less beautiful ones to other's religion seems a fallacy that should open the eyes of even the most fundamentalist believer. In the end, in my opinion, conscience does only come from an acquired system of thought, whatever that system may teach, and acting on it in society is only possible within the constraints of whatever this society has deemed as proper. There is no absolute measure for this. Maybe we should remember that martyrs, that is, religious zealots of the past who lost their life in acting accordingly to the absolutist demands of their conscience, were then seen by society as madmen and criminals. This leaves open a wide area for debate, and the book fulfils any wishes on this point excellently. These constraints, and thus tolerance may be the topic of a heated debate, but religion as such, as if having a preferred voice in this debate, takes no part in it, because otherwise religion becomes indeed the perfect conversation stopper (Richard Rorty). Thus, any call on religious based conscience for exemption of general laws should fail per definitionem in so far as this claim asks for tolerance for action that is forbidden to others, the non-believers. The reason actually is that such call is in fact based in an essentialist reasoning, based on the irrefutable will of presumed higher beings (god or gods), and of so-called Scriptures that are not properly recognized as the fruits of the unique, inexhaustible human creativity. This does not mean that exemptions are out of sight anyway, but granting them should not be based on religious demands, but on making room for minority positions, and the greater good for all, a point that Leiter also brings up. I believe that giving preference to religious based claims of conscience, is unfair per se. I agree wholeheartedly on this with Leiter, but I would prefer a route that is more easy to get there. Jan Willem van Ee, The Netherlands* Jacob De Roover, Incurably Religious? Consensus Gentium and the Cultural Universality of Religion, Numen 61 (2014), Brill, Leiden.** Iain McGilchrist, The Master and his Emissary, The Divided Brain and the Making of the Western World, Yale University Press, 2009.*** Thomas Sedlacek, Economics of Good and Evil: The Quest for Economic Meaning

from Gilgamesh to Wall Street, Oxford University Press, 2011.**** Yuval Noah Harari, Sapiens, A brief History of Humankind, Vintage Books, 2014.0 of 1 people found the following review helpful. Highly relevant readBy Geoff W SuttonI purchased this book after hearing Leiter speak so I could examine his arguments more closely. The concerns are clearly relevant as laws and court decisions have recently impacted traditions teachings of religious groups in the United States. I find the arguments in favor of religious tolerance with common side constraints persuasive.

This provocative book addresses one of the most enduring puzzles in political philosophy and constitutional theory why is religion singled out for preferential treatment in both law and public discourse? Why are religious obligations that conflict with the law accorded special toleration while other obligations of conscience are not? In *Why Tolerate Religion?*, Brian Leiter shows why our reasons for tolerating religion are not specific to religion but apply to all claims of conscience, and why a government committed to liberty of conscience is not required by the principle of toleration to grant exemptions to laws that promote the general welfare.

One of Choice's Outstanding Academic Titles for 2013"Thought-provoking. . . . Leiter brings an interdisciplinary perspective and insightful analysis to his perplexing subject."--Los Angeles of Books"A model of clarity and rigour and at points strikingly original, this is a book that anyone who thinks seriously about religion, ethics and politics will benefit from reading."--John Gray, New Statesman"A slim volume, deeply conversant with the literature in law and philosophy, and by turns bold, bracing and bruising, *Why Tolerate Religion?* should command the attention of anyone interested in the place of faith in the public arena."--Glenn C. Altschuler, Jerusalem Post"Although this is a rather bold and provocative thesis, Leiter's approach is highly nuanced and painstakingly thorough, as he patiently walks readers through each definition, consideration, and possible objection. The overall effect is a very impressively argued case."--Library Journal"*Why Tolerate Religion?* is a closely argued and thought-provoking examination of questions that will only become more important in our increasingly multicultural world."--Adam Kirsch, Barnes Noble "Overall, Leiter's judicious and penetrating volume is an excellent example of how philosophy can be brought to bear on practical issues of the day."--Alex Miller, Morning Star"*Why Tolerate Religion?* is a readable book that exposes several tenuous assumptions underlying the predominant justifications for religious exemptions. At the same time, it provides a fresh and intuitive framework for analyzing conscience-based objections to facially neutral laws that should appeal to legal practitioners, jurists, and philosophers alike."--Harvard Law "Students and scholars likely will be citing Leiter's clear and powerful arguments for many years."--Choice"[E]legant and accessible . . . straightforward and clear. Readers will find the book engaging and thought-provoking; yet Leiter's discussion is nonetheless philosophically sophisticated, incorporating nuanced considerations from legal theory, meta-ethics, and political philosophy. Most importantly, Leiter's book provides a sound basis for pursuing these crucial matters further."--Scott F Aikin, Philosophers' Magazine"Leiter's book is . . . very readable and it avoids technical jargon as much as possible. It works very well as a challenge to those who are sympathetic to conceding some exemptions from generally applicable laws because of religious beliefs, because the burden of justifying such exemptions is placed squarely on those who propose them."--Desmond M. Clarke, Jurisprudence"[C]ompelling read . . . makes for a fresh and lively contribution to this ongoing debate."--Journal of Applied Philosophy"*Why Tolerate Religion?* has a certain beauty in its brevity, austerity and aspiration to analytical rigor."--Russell Blackford, Free Inquiry"It is highly recommended to all those interested in the relationship between religion and the state. It will certainly leave its readers with much to ponder."--Jakub Urbaniak, Studia Historiae Ecclesiasticae"Brian Leiter's new book aims to be accessible to scholars outside of philosophy as well as to 'educated laypeople'. In my view, he succeeds in this endeavor. His book is very readable, and avoids unnecessary technicalities. The question Leiter addresses in his book . . . is of interest not only to academic philosophers, but to everyone who is curious about questions concerning the societal function and role of religion, toleration, minority rights, and conscience."--Martin Sticker, Zeitschrift fuer philosophische Literatur"[A]n enjoyable read, accessible to the generally educated public but alive to a number of sophisticated philosophical ideas and distinctions, its prose crisp and straightforward, its attitude no-nonsense, its conclusion provocative, and its arguments clear, concise, and analytically rigorous."--Samuel Rickles, Philosophical "Leiter's book . . . is highly recommended to all those interested in the relationship between religion and the state. It will certainly leave its readers with much to ponder."--Jakub Urbaniak, SOPHIA"*Why Tolerate Religion* is a very good book that should be of interest to a wide range of readers. Leiter addresses a clear and undeniably important question in a philosophically rigorous yet accessible way. The book will generate debate inside and outside academia, and I, for one, am looking forward to Leiter's future work on the issues he has helpfully and forcefully raised."--David Svolba, Science, Religion CultureFrom the Back Cover"Think you understand religious toleration? Think again. Brian Leiter's bracing argument moves deftly from the classics of political philosophy to the riddles of modern case law, demolishing old nostrums and sowing fresh insights with each step. Every reader will learn something from this remarkable book, and, beginning now, every serious scholar of religious toleration will have to contend with Leiter's bold claims."--Christopher L. Eisgruber, Princeton University"This is a provocative and bracing essay, one that is bound to stimulate much discussion."--Richard Kraut, Northwestern University"The place of religion in the public arena, and the kind of

protection and even respect it should be entitled to from the state, is a topic of significant contemporary interest. Leiter writes about it with wit and good humor. He is even bruising on occasion. But there can be no doubting his capacity as a scholar, his intellectual energy, or his ability to persuade."--Timothy Macklem, King's College London"Leiter argues that there are no principled, moral reasons for singling out religion as the subject of toleration. He has cut through a dense philosophical and legal literature, focused on a question of great importance, and developed a provocative, sharp, and yet nuanced case. Anyone concerned with this topic will have to read and take seriously the arguments presented in this very well-written and accessible book."--Micah J. Schwartzman, University of Virginia

About the Author Brian Leiter is the Karl N. Llewellyn Professor of Jurisprudence and director of the Center for Law, Philosophy, and Human Values at the University of Chicago. He is the author of *Naturalizing Jurisprudence* and *Nietzsche on Morality* and the coeditor of the annual *Oxford Studies in Philosophy of Law*. He writes the *Leiter Reports* blog.