# Dialogue despite Diversity: Sharing Norms When Our Moralities Differ

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*Introduction*

In a society as morally diverse as ours what public bioethics needs is a discursive method of ethical inquiry and policy-formation that is able to work toward consensus on shared bioethical guidelines while simultaneously maintaining a respect for differing moral points of view by making it possible for incommensurable moral and ontological differences to be accommodated in both the conversation itself and the policies that will ensue.

Given the novelty of, ethical ambiguity surrounding, and onto-metaphysical uncertainty that often accompanies, many bioethical issues, the problems we face when confronting such issues are problems in the deepest sense of the term. The Spanish essayist and philosopher Ortega y Gasset had claimed that "[s]omething is a problem to me…when I search within myself and do not know what my genuine attitude toward it is…" and went onto argue that "the solution of a problem" entails "finding, among many ideas about it, one which I recognize as my actual and authentic attitude toward it"[1]. Insofar as the novelty of many bioethical problems has precluded sustained prior reflection, an initial uncertainty regarding the ethicality of certain procedures and actions often occurs. Additionally, insofar as bioethical dilemmas often raise deeper ontological and metaphysical questions regarding human nature they are morally *problematic* in the sense Ortega had in mind. Hence, the solution each interlocutor adopts as a potential resolution to the moral dilemma she faces must be thought to be an authentic expression of her belief system and genuine perspective on the ethical life.

This is to say, that in constructing what are to be shared normative standards for dealing with highly contested and ethically tumultuous issues we ought to strive for guidelines that members of distinct moral traditions can either consider justifiable within, and hence compatible with, their own modes of moral reasoning and methods of ethical analysis or, which enable them to implement their respective modes of moral reasoning. We must seek to establish norms that allow persons to sincerely respond to moral dilemmas and commit to resolutions that are genuine expressions of their beliefs. This means that our shared guidelines either must honestly be thought to be authentic representations of the positions of a number of distinct traditions, or that they must enable individuals coming from distinct moral traditions to formulate their own authentic responses to such problems and act accordingly. If we cannot find norms that are genuinely shared across religious, cultural and moral traditions, when it comes to public policy in a liberal society we must seek to widen the array of actions we consider ethically permissible. Maximizing viable options for action increases the ability of individuals to abide by their diverse moralities and arrive at solutions to their own personal dilemmas that they will

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truly consider authentic expressions of their moral perspectives.

In that the questions raised by bioethical dilemmas are often literally questions concerning life and death itself they are arguably some of the most important questions regarding human reality. Persons ought to feel as though the solutions they arrive at, the decisions they make, and the actions they take (or are allowed to take) as a result are in accord with their unique conceptions of the good. It hardly seems possible to show someone that they are being respected as a person while simultaneously telling her that her outlook on life is, or her religio-cultural tradition's beliefs and norms are, entirely misconceived because they do not fit a particular portrait of human nature and the moral standards some claim to be universal.

It is imperative that the norms, guidelines and policies we enact are considered justifiable by, at minimum, a majority of interlocutors and enable persons to act on their deeply held moral convictions. In the interests of non-malfeasance, liberty, peaceability and mutual respect the aim of this intellectual endeavor is to produce a method of bioethical deliberation that is able to adequately meet the challenge of forging shared guidelines and standards in secular, yet religiously, morally and culturally diverse society.

*Where We've Stumbled on the Path to Consensus*

Now certainly there have been numerous attempts to devise a consensus position in bioethics either through discourse or through proposals for a common morality. Yet, many of our previous attempts to do so have hit stumbling blocks along the way. The problem with Beauchamp and Childress' principlism, for instance, is not it's aim to construct a shared moral ground from which arguing parties can appeal. Nor is the problem to be found in their attempt to construct a W.D. Ross styled moral proposal that those akin to virtue and those who feel bound to moral laws can all simultaneously appeal to. The primary problem with their approach is that they themselves are the ones postulating the principles and norms said to be universal rather than allowing a variety of people coming from distinct moral traditions to voice their perspectives, share their points of view, and actually converge upon common moral claims. We cannot expect a robust consensus on a set of guidelines if the members of the society who will necessarily be affected by the norms guiding such proposals have not been involved in the processes of deliberation and discourse themselves.

Additionally, across the board there has been a strong push for the use of secular thought and language in public bioethics. Although a number of religious thinkers helped breath life into the field of bioethics, religious and religio-cultural voices have tended to be marginalized in today's mainstream bioethics as a result of a push towards professionalization and desire to be a quasi-scientific secular discipline. I have neither the time nor the space to address this issue adequately here however, suffice it to say that if bioethics is really going to be a domain for public intellectual activity we must allow the varied types of perspectives found in the civil and public arenas to actually engage in the conversations that help enact the norms that govern their lives.

Often common morality approaches to bioethics demand assimilation to the principles, codes and norms they claim are "common" yet, which do not draw upon, or seek input from, the panoply of distinct moral traditions that actually guide people's modes of moral reasoning. This is, at least in part, the result of a failure to recognize different moral perspectives as possessing valid insights on bioethical matters and as being equally worthy of representation in the processes that will eventually lead to mutually binding norms, guidelines and policies. This is not to say that each member of each moral tradition views all other systems of morality as being equally true as her own, nor should this be seen as an endorsement of either ethical relativism or moral subjectivism. Rather, it is to say that if our goal is the establishment of a common bioethical framework we mustn't eschew moral perspectives that differ from our own and we mustn't assume that the

achievement of such a task is even remotely possible if a number of distinct perspectives are not incorporated into processes of deliberation and policy-formation we implement to do so.

Confronting moral diversity and religious pluralism in bioethics raises the spectre that any principles which attempt to respect the claims of all religious groups will either not succeed in achieving their intended goal or they will be too vague to accomplish any substantive results, possessing no practical usefulness or applicable proposals. As the preeminent bioethicist Daniel Callahan has said, "The hard part is to devise a theory that can readily join universality and the moral complexity of everyday life"[2].

*Pragmatic perspectivism is a method that attempts to come to terms with the view that divergent perspectives are an inevitable part of the social and cultural realities we live in*

Since the turn of the millennium, there have been a number of attempts to devise a theory and implement a methodology that could provide solutions to the problem of coping with moral pluralism in bioethics. Many such attempts however, simply import theories and methods from other fields, such as political philosophy, rather than incorporating insights from these fields to develop a methodology that is uniquely designed to address bioethical issues in a public forum. Hence, I ask, is there a way to cope with moral and religious diversity in biomedical ethics that can resolve some of the tensions that arise in a pluralistic society seeking common ethical standards for biomedicine while simultaneously respecting difference?

In order to achieve this, I have been developing a method of discourse I refer to as "pragmatic perspectivism." This method attempts to come to terms with the view that divergent perspectives are an inevitable part of the social and cultural realities we live in. It recognizes that those involved in the discussions will inevitably hold distinct, and possibly inconsistent, beliefs regarding core truths of reality. Without necessarily passing an epistemological judgment on the contents of the participants beliefs and moral claims, this approach requests that everyone in the dialogue comes to realize that others might be justified in holding their views regardless of the actual truthfulness of those positions and to search for similar values and beliefs inherent in each other's paradigms. Rather than seeking agreement on universal metaphysical truths, endorsing contractual agreements that will potentially require interlocutors to compromise core beliefs, or appealing to a shared mode of moral reasoning, this method aims to discover moral propositions that are justified by people employing distinct modes of moral reasoning. The aim is to propose ethical guidelines that do not necessarily require the adoption of deeper onto-metaphysical commitments.

Where this method differs from those proposed by Rawlsians, or even Rawls himself for that matter, is that it does not call upon interlocutors to adopt a common mode of "public reason" in order to discover and establish our consensus. While the Rawlsian method might work quite well within a forum addressing purely political concerns, when it comes to bioethics there are questions regarding the nature of persons, life, death, normalcy and illness - some major onto-metaphysical issues – that simply do not arise in the same way as they would if we were talking about welfare or foreign relations. Despite being a well-intentioned means of promoting the common good and of facilitating constructive dialogue, when it comes to ethically problematic issues in medicine, adopting Rawlsian public reason tends to undermine freedom of expression insofar as it makes it requests that interlocutors adopt a "neutral" form of speech, and consequently a mode of reasoning that is supposed to be shared, but which in reality turns out to be motivated by the ideals of secularity and

impartiality that may be foreign to the moral considerations and epistemic contexts of both religious thinkers and more metaphysically inclined philosophers.

Public reason might be incompatible with, or unable to capture the logic inherent within, their indigenous modes of moral reasoning and hence, might unintentionally mask their genuine ethical concerns. For instance, if one cannot express her conception of human personhood in debates regarding the ethicality of removing life support from a patient in a permanently vegetative state or, her views regarding the relation between mind, body and soul in debates over appropriate ethical and legal determinations of death, on the grounds that such concepts are too ontological or metaphysical, and thereby too deeply rooted in a particular comprehensive doctrine to be expressed, we will be unable to have robust discussions of a myriad of bioethical issues.

In an area of ethical inquiry in which questions of an ontological and or metaphysical nature often arise in relation to brain death, PVS, abortion, stem cell research, human cloning and so on, requiring an onto-metaphysically neutral form of 'public reason' in bioethical deliberation deters interlocutors from expressing their authentic reasons for endorsing a public policy or asserting moral claims. In a liberal democracy those involved in public bioethics deliberations ought to be able to express their ethical concerns and moral arguments in a manner that they believe will effectively convey their authentic positions and genuine perspectives, especially when many of those issues are literally about life and death.

One of the main problems with importing Rawlsianism into bioethics *tout court* is that it is a method of public discourse that was not developed with bioethics in mind. We must devise a method suitable not solely for the public arena but for public discussions of bioethical issues. This is where those thorny issues relating to the nature of personhood, moral truth and ultimate reality need to be recognized as creating trouble for consensus. If we do indeed come from a variety of religions and cultures and, if we are truly trying to be a pluralistic and multicultural society, we must find room for members of the panoply of points of view to come to the table. Requiring a common mode of reasoning undermines the ability of interlocutors to be candid when it comes to their moral views. Further, if we desire an actual common morality than it should be a morality that we all actually agree is common to us and that are agreed upon in discourse, not a pre-determined set of ethical principles.

Unlike principlism, it seeks to promote discourse that is capable of discovering the conceptual links already present amongst various perspectives yet, does not proclaim those principles ahead of time. Additionally, this method differs from other forms of pragmatism insofar as the consensus-building process is conceived of as being multi-tiered and is not restricted to agreements on ethical norms. It goes beyond other consensus-driven methods of discourse by seeking to establish a range of acceptable interpretations of shared norms and encourages tolerating a range of ethical positions so that mutually acceptable parameters of permissibility can be established when we arrive at a stalemate. A method that does not eschew consensus, which is not afraid of interpretive differences, and which is modest enough in its aims to accept toleration into its paradigm, will better enable us to cope with morally diverse points of view.

*Building Consensus*

Discussing his involvement in a project at the Hastings Center, in which consensus was sought through pluralistic and multicultural dialogue, the bioethicist Erik Parens notes just "how difficult it is for people who are significantly different to participate in mutually respectful conversation"[3], commenting that skepticism and mistrust were prevalent obstacles to mutual understanding that stifled the process of consensus-building. I suspect that much of the skepticism and mistrust that arises in morally pluralistic, interfaith, intercultural and religio-secular discourse is a di-

rect result of the role of truth-claims in the dialogue. Mutual skepticism of one another's views is far more likely to prevail if the discursive process is seen as a mechanism by which we will either discover or produce shared ethico-metaphysical truths and establish some sort of common universal morality based upon them. If during the course of the discussions interlocutors are constantly seeking to discover such shared truths and or if the goal of the dialogue itself is to produce consensus regarding absolute truth itself, the nature of the conversation will be far more prone to fostering skepticism and mistrust. Alternatively, if the aim of the discourse is forging agreement on practical guidelines designed to help us manage our moral quandaries and offer guidance on ethically troublesome issues rather than discovering a set of principles that supposedly mirror or embody "universal truths" we set a far less difficult and contentious task for our interlocutors.

If shared ethico-metaphysical truths are the aim of our conversation, an interlocutor will be more prone to skepticism at the first sight of a concept, claim or idea that is, at least prima facie, incompatible with, or contrary to, her own beliefs and values. When the attention of interlocutors is directed toward the discovery of shared truths – be they metaphysical or ontological – we effectively set up the conversation in such a way as to hinder understanding by inviting evaluative moral judgments to enter the discourse at the outset rather than requesting that such morally evaluative attitudes be expressed and such judgments be exercised only after a more thorough understanding of another's perspective is had. Thoroughly understanding another requires each interlocutor to engage another's conceptual paradigm and moral language, which in turn requires mutual comparison and a receptive attitude.

To ensure the success of a project such as this, consensus ought to be construed as a dynamic process in which agreements that do arise are taken to be tentative and provisional rather than as indications of absolute or universal truths. Although, pragmatic perspectivism does not deny that these concurrences might in fact be truths it does not require that we view them as such for the purposes of establishing a bioethical guidelines. Instead, any points of agreement can seen as revisable pursuant to further developments in the discourse itself. To reiterate, fostering mutual understanding is a crucial aspect of this method, both insofar as it becomes a necessary component of arriving at something more than a mere superficial agreement on a particular issue and in that through a thorough understanding of another each interlocutor can achieve a greater understanding of her own perspective by acquiring a more robust and nuanced comprehension of how her perspective relates to those of others.

At this point some might correctly perceive some similarities between Amy Gutmann's deliberative democracy and my own method. With consensus as its goal, deliberative democracy calls for on-going, transparent and society-wide discussions of fundamental values that will serve to anchor our policy recommendations. Furthermore, it conceptualizes consensus as an on-going process that is itself open to revision and which requires mutual learning for its success. In these aspects, Gutmann's method resembles that of the pragmatists and in certain instances shares much in common with the method of pragmatic perspectivism I am arguing for. However, as will become evident, Gutmann and I have different views on what it means to find a policy or claim mutually justifiable and the types of language that can be used in the public domain. While I believe her proposals are on the right track and are a welcomed step in the right direction when it comes to creating bioethical guidelines and policies for a society as diverse and pluralistic as our own, her methodology has the potential to fall short of resolving some of the problems and ameliorating some of the tensions that pervade public bioethical discourse by falling back onto common presumptions made in contemporary political theory. Ultimately, much like Rawls, her method was not developed with bioethical issues in mind.

Deliberative democracy's Rawlsian tendencies hinder its ability to actually widen the array of consensus positions. Despite Deliberative Democracy's best efforts to allow interlocutors to speak with a religious voice this method inherently curtails the types of language one can implement in the discourse by requiring a sort of translatability clause, which requires the translation of one's claims into mutually justifiably reasons. Gutmann has claimed, "all citizens also are responsible for making political arguments that at least can be translated into mutually justifiable reasons for mutually binding policies"[4]. Any call for translation of this sort, together with a conception of mutual justification as endorsing shared reasons, is an obstacle to achieving the desired goal of mutual understanding. This kind of translation privileges secular language, in terms of accessibility, and precludes an authentic expression of religious convictions, thereby preventing genuine learning of another's perspective to occur.

*Mutual justification must be conceptualized in terms of being able to discover norms, concepts and guidelines that all parties can agree to yet,at times, for very different reasons*

As is the problem with public reason, a genuine learning of another's beliefs cannot take place if those beliefs must be translated into some pre-existing set of mutually justifiable concepts. Unlike deliberative democracy, pragmatic perspectivism argues that mutual justification must be conceptualized in terms of being able to discover norms, concepts and guidelines that all parties can agree to yet, at times, for very different reasons. Our focus should be on the fact that our group of interlocutors, regardless of how varied the perspectives of its members, justifies a given policy rather than focusing on holding shared reasons for a given policy. It is possible for interlocutors to agree that a policy is justifiable yet, without implementing the same reasons for agreeing to adopt a particular policy. We can agree with Gutmann that the legitimacy of a policy will indeed rest upon mutual justification however, we do not have to conceptualize mutual justification as entailing shared modes of justifying a particular policy. The neo-pragmatist Jeff Stout would "insist that the ideal of respect for one's fellow citizens [and reciprocity, for that matter] does not in every case require us to argue from a common justificatory basis of principles that no one properly motivated could reasonably reject"[5]. In accord with Gutmann's sentiment yet, going one step further in addressing the issue of justification in a pluralistic society, Stout argues,

No ethical community could sustain a discursive practice without imposing on its members the necessity of keeping track of the normative attitudes and entitlements of their interlocutors… But, as we have seen, ethical communities have different ways of going about their discursive business. They employ different concepts[6].

He goes onto to describe a group of democratically-minded interlocutors as "a community of reason-givers…constituted by our mutual recognition of one another as those to whom each one of us is responsible in the practice of exchanging reasons"[7]. Thinking of the process of mutual justification as mutual involvement in the practice of reason-giving, rather than a quest to find a shared mode of justification, interlocutors can implement distinct modes of reasoning in their respective justifications of a policy without undermining the fact that the policy is itself mutually justified and hence, legitimate. While the differences between deliberative democracy's and pragmatic perspectivism's view of consensus may appear insignificant to some, the distinct views of justification operative in the two methods leads to different conceptions of legitimate agreement and thereby different ways of viewing the legitimacy of a shared norm and correlative policy.

By allowing interlocutors to justify policies for different reasons, pragmatic perspectivism anticipates the fact that once consensus regarding a set of ethical guidelines is secured there may still be disagreement regarding the importance of, and application of, such guidelines. *The guidelines might be interpreted in radically different ways* by different individuals and by different groups. In response to such a concern, given the nature of the pragmatic perspectivist method there is an attempt to respect such interpretive differences from the outset in that no one is required to alter or amend their moral paradigm, vernacular or modes of reasoning. The *similarity and compatibility* of concepts must *not be conflated with identicality*, and *consensus must not be conflated with unanimity*. By allowing and encouraging distinct perspectives to justify similar concepts in their own unique ways, pragmatic perspectivism acknowledges that their will be interpretive differences from the outset, yet does not see this as a threat to the possibility of consensus envisioned as an on-going and multi-tiered processes of forging agreements, discovering compatibilities despite differences of opinion and enjoining in a reciprocal endeavor to mutually understand one another's perspectives.

If we incorporate the notion of "Indigenous Pluralism," a notion developed by the theologian David Hollenbach in his work on human rights discourse[8], into our dialogical process itself, we may be able to allow for a degree of interpretive differences and still work toward an overall general consensus regarding particular issues. "Indigenous Pluralism" states that religious traditions must look within their own paradigms of thought for ways of respecting the interpretive differences of other traditions; it is a call for one to search one's own moral and religio-cultural traditions for means of accepting, or coping with, the phenomenon of pluralism. This later suggestion forms the crux of "indigenous pluralism." It is meant to serve as a means of respecting other traditions while simultaneously retaining the particularities of one's own faith in one's endeavors to uphold shared norms and create the foundation of a common ethical framework. Applying Hollenbach's notion of "indigenous pluralism" to such a scenario would entail encouraging different traditions to respect pluralism from within the boundaries of their own paradigms of thought by requesting that they search for ways of accepting these interpretive differences amongst distinct groups when dealing with the guiding norms of bioethics.

However, it is crucial to note that, moral and hermeneutical differences are not only present after the creation of and agreement upon a given set of principles but are present from the outset of any endeavor that attempts to formulate and implement new norms or policies. It is not as if these different value systems and interpretive schemas magically appear after shared norms are created. Interpretive diversity may indeed be an obstacle for the smooth and uniform application of shared norms and guidelines, however it is hardly an unforeseen phenomenon. Implementing a notion resembling *Indigenous Pluralism* from the outset and during a consensus building process, as opposed to after norms and guidelines are established, would seem to provide more of a guarantee that mutual respect toward interpretive differences will be maintained.

A *guideline of hermeneutical diversity,* so to speak, would serve as a supplement to a given norm or policy, say for instance a policy requiring autonomy or beneficence, and would allow for an agreed upon range of varying interpretations of said norm or policy. We can request that the various tradition's present in the dialogue look for indigenous concepts of respecting pluralism itself, at least in regards to a particular issue and given certain agreed upon parameters. *Incorporating these ideas into the structure of consensus-building itself, we may be able to move toward the establishment of subsidiary norms, policies, or clauses which would allow for such hermeneutical differences from within the structure of the agreed upon guidelines.* In this way a degree of interpretive difference could be allowed and supported by the various perspectives and may be justified not by a foreign mode of reasoning but from within the parameters of each interlocutor's own epistemic context.

*Conscience Clauses,* attached to Laws regarding the Determination of Death, are existing examples of what adopting a policy of hermeneutic diversity in our process of consensus-building might look like.

Instead of defining the term or concept which is to serve as the initial policy or norm, say a policy to respect autonomy or a norm to respect human dignity, we would be asking that the various groups come to recognize that there will inevitably be different interpretations of that concept and then move to discover, or create, an agreed upon set of *interpretive limits*. This way, the principle itself would still warrant a certain degree of respect and would retain a certain authoritative quality, yet it would be flexible enough to allow for multiple modes of employing it from the outset. This suggestion makes the guidelines we seek to establish more concrete than if we were to avoid defining our norms all together—merely postulating a number of vague concepts that could potentially have an unlimited number of interpretations—yet, retains a degree of flexibility which is absent from formal definitions. The *benefit* of implementing a *supplementary policy of hermeneutical diversity, or interpretive pluralism clause*, so to speak, is that it may work toward *preventing, or at least ameliorating, future conflicts and disagreements* over the appropriate interpretation of principles, policies, norms or guidelines.

*Dealing with Disagreement*

*What happens however, when* we are faced with a situation in which it is not only our reasons for endorsing certain norms, policies and positions that differ but when *our beliefs and values are so incommensurable that they preclude the achievement of even the most minimal and pragmatically-oriented consensus* or the acceptance of one another's interpretive differences? This would be a situation in which the ethical perspectives and epistemic contexts of, what Tristram Engelhardt calls "moral strangers," collide[9].

Take the issue of abortion for example, pro-choice and pro-life advocates often speak past one another, insofar as the reasons they assert for the norms and policies they support are founded upon entirely distinct sets of values, that even if commensurable in a particular interpretive schema, often clash as a result of incommensurable interpretations of those values. For instance, a pro-choice supporter might espouse the values of autonomy and equality, implementing them as the basis for her argument that abortion is ethically permissible and ought to be legal insofar as women have the right to choose what happens to their own bodies. Such modes of reasoning will claim that autonomous agents have the capacity for self-determination and must be ensured the ability to exercise it in social and clinical contexts. Here, the self in question is a competent adult human person and the values being espoused are socio-political and ethico-political in nature.

A pro-life advocate, on the other hand, might very well hold no objection to the values of autonomy and equality per se however, will often not interpret these values in such a manner that leads her to believe in the ethicality of abortion. The values that our pro-life advocate might implement in her mode of reasoning on this issue could be the sanctity of life and human dignity, which will often be inseparable from her ontological belief that human personhood begins at conception. Here, the concept of self at play, while still holding broader social implications, is bound to a deep onto-metaphysical belief regarding the nature of personhood and the dignity of non-rational forms of human life. If it is believed that an embryo bears personhood and that all persons have an inherent dignity, then it is maintained that this dignity would be violated if that life were to be terminated. If our interlocutor asserts such a position, regardless of her position regarding an adult agent's autonomy and equality in socio-political situations, she will most likely maintain that no human ought to be allowed to terminate another human life on the grounds that doing so violates the innate dignity all human lives possess.

This is not to say however, that our pro-choice interlocutor does not necessarily hold a deeper ontology. As is often the case, she

might believe that human personhood arises at a later stage of gestation and hence, does not consider the embryo a full-fledged human person bearing the same degree of dignity or worthy of the same degree of moral consideration as others. Thus, any attempt to resolve the matter by delving deeper into each interlocutor's respective comprehensive doctrine will not resolve the issue; *though it can enable a deeper mutual understanding of the perspectives in question and the nature of the debate and hence, is still an important part of the discourse.* The greatest problem we face in such a case is not the disagreement regarding abortion per se, but rather the fact that our interlocutors not only employ different values as the basis for their modes of reasoning on the issue but also hold different value-hierarchies, distinct onto-metaphysical schemas and appeal to different sources of moral authority. There can be no deep moral agreement in this situation because of the divergent modes of moral inquiry being implemented by our interlocutors.

*Once we have arrived at a point in the conversation in which our prospects for consensus seem bleak, requiring tolerance as a minimum standard would appear to be the prudent move*

Once we have arrived at a point in the conversation in which our prospects for consensus seem bleak, requiring tolerance as a minimum standard would appear to be the prudent move. However, despite the existence of staunch moral conflicts and the impossibility of discovering consensus we do not necessarily need to adopt Engelhardt's grim picture of a struggle between "moral friends" and "moral strangers" in order to incorporate the ideas of toleration and permission into our conceptual framework. Rather than think of toleration as something based merely upon self-interest or indifference, as is often the case in *modus vivendi* thinking, and rather than speak of permission solely in terms of an individual's consent and personal autonomy, pragmatic perspectivism suggests a more optimistic way of thinking of the role that toleration and permission can play in our method of discourse. Furthermore, unlike other calls for tolerance, it is imperative to realize that: *we only turn to tolerance as a last resort, after sustained efforts have been made to achieve consensus.*

Given the fact that we only make an appeal to toleration when faced with deep incommensurability amongst conflicting points of view it is extremely important that our notion of toleration not be founded upon an underlying value presumed to be universal and that it is not exalted as a virtue or principle in and of itself. Instead, I suggest that we conceive of *toleration as a practice* that all interlocutors can participate in rather than a virtue or value to be adopted as to avoid the all too familiar problems that arise when values conflict and conceptions of virtue come into competition. As a practice, toleration will entail active interpersonal engagement and will not be divorced from our more general promotion of mutual understanding in an attempt to avoid fostering a detached indifference amongst interlocutors.

One might ask, "how are we to achieve real consensus once we have incorporated the cold and sterile notion of procedural toleration into our method? Will this not impede our chances of resolving conflicts by providing a way out of, or around, the types of sustained and respectful discourse pragmatic perspectivism seeks to enable?" Genuine toleration is that moment when someone who holds her own beliefs so strongly that to part with them is equivalent to the death of one's identity *recognizes* how integral the other's beliefs, practices, community, and values are to that person's identity, way of life, and mode-of-being that she puts up with what she perceives to be false beliefs out of a respect for the other as a person pursuing her vision of the good life. The bottom line here is that:

toleration doesn't have to be thought of in terms of acceptance of another's views in order for it to be a deep-seated expression of a desire for truly peaceable encounters and mutual respect.

The *Practice of Toleration* involves recognizing how integral the other's beliefs, practices, and community are to that person's identity and way of life and acknowledging that her perspective is as valuable to her as our own is to ourselves. Toleration does not have to imply being indifferent toward other persons. What is involved is an empathetic stance towards the importance and value the other places on her beliefs in the overall framework of her life. Even if someone cannot agree with or accept the truthfulness of another's perspective, the practice of toleration requires that the ways in which another values her perspective is respected. In this way, tolerating someone else's point of view does not have to imply accepting the validity of all of her beliefs nor must it entail indifference toward other persons. Rather, toleration requires empathy for the importance and value another person places on her beliefs. As a practice, tolerating another requests that we respect the other as she is rather than as we think she should be.

Once conceived of in this manner we can request that at times of irresolvable disagreement and irreconcilable differences interlocutors engage in mutual deliberation to discover *shared limits of what they consider tolerable / intolerable*; And, to respectively determine which practices they could consider permissible, though not necessarily best or virtuous. To this end, the value-pluralist William Galston calls attention to a very important and relevant *distinction between Permission and Suppo*rt[10]. *To support an idea or practice is to accept its validity, accept its goodness, or to accept and endorse it as being morally correct whereas giving permission need not entail the belief that the particular act being performed is in and of itself good or morally praiseworthy.* When coupled with our notion of tolerance, permission enables interlocutors to actively support particular values and endorse particular practices without having to impose their values on either the other interlocutors involved or consequently, the members of the various religious, cultural and moral communities and associations that are constitutive of the larger society.

Furthermore, if we acknowledge the distinction between permission and support we can come to recognize that: finding ways of *permitting certain practices, which we may consider less than virtuous or not entirely moral, to occur in the larger society is not tantamount to actively supporting or endorsing such practices and might very well be integral part of establishing a mutually acceptable set of bioethical guidelines.* Hence, a crucial part of partaking in a practice of toleration will include discovering and establishing the *parameters of permissibility* that they can all consent to. *The practice of toleration* can serve as a means to *a third-order form of consensus* regarding *the parameters of permissibility, which will be those limits to action beyond which none of the interlocutors could possibly tolerate a given act.* An example of such a limit might be if an interlocutor is able to tolerate assisted-suicide, for instance, even if she does not approve of the practice in and of itself, but not being able to even remotely tolerate involuntary euthanasia. In this scenario, if the group agreed that involuntary euthanasia was beyond the limits of what is tolerable it would fall outside of the parameters of permissibility, thereby giving legitimacy to the endorsement and enactment of a norm and corresponding law or policy that prohibited such a practice.

*Concluding Remarks*

Once consensus is reconceived as a continual process, as pragmatic perspectivism suggests, our quest for commonalities and compatible ideas does not have to come to a halt simply because we have agreed to disagree on certain issues. Additionally, the dual request that indigenous pluralism and the practice of a genuine toleration be incorporated into our method does not necessarily prevent the original search for consensus nor does it necessarily entail abandoning dialogue. Such discussions must be carried out on an issue-by-issue basis, hence disagreement on one issue does not necessarily prevent consensus

on another nor does it imply that there is no way of ameliorating, if not resolving, our conflicts. In Sum, the *process of consensus-building* consists of:

- *Arriving at points of moral agreement on a specific issue;*
- *Acknowledging that we might endorse similar claims for different reasons;*
- *Arriving at a second tier of consensus by creating a range of acceptable interpretations of a given norm and accepting diversity when it comes to putting our shared norms into practice;*
- *& arriving at a tertiary agreement on the general parameters of what we collectively consider permissible and setting boundaries to what we can tolerate when it comes to our differences.*

It is my hope that through this non-argumentative conversational approach to discourse we will be able to arrive at a set of practical ethical guidelines and policy recommendations that all participants consider justifiable; which they do not see as impinging upon their ability to act in accordance with their sincerely held convictions; and that can retain a degree of normative rigor while simultaneously accommodating diverse points of view.

## NOTE

[1] J. Ortega y Gasset, *Man and Crisis,* Trans. Mildred Adams, W.W. Norton & Co, New York 1958, 109.
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