Introduction: reasonable tolerance

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Theory and practice are often at odds. Yet there is something particularly strange in the way in which the received theory and the presumed practice of toleration in contemporary societies seem to go their separate ways. Theoretical statements on toleration posit at the same time its *necessity* in democratic societies, and its *impossibility* as a coherent ideal.¹ In her introduction to a comprehensive collection on tolerance and intolerance in modern life, Susan Mendus aptly makes the point that the commitment that liberal societies have to toleration ‘may be more *difficult* and yet more *urgent* than is usually recognised’.² In contrast with the urgency insisted on by the theory, the practice can appear complacent: liberal democratic societies seem to have accepted the need for the recognition and accommodation of difference without registering its depth. So much so that ‘practical’ people often just dismiss such toleration as an excess of permissiveness. The success of ‘zero tolerance’ as a slogan for a less forgiving society bears witness to the diffusion of such a mood in public opinion.

This divergence between theory and practice is, however, more productive than it may at first appear. Arguably, much of the current literature on tolerance as an interpersonal attitude, and on toleration as a set of institutional arrangements for peaceful coexistence,³ has fully internalised it. Indeed, the present state of the theoretical debate reflects the attempt to come to terms with the transformations that the ideal, the virtue, and, to a certain extent, the institutions of toleration have undergone, as we increasingly operate in a multicultural environment. The present collection is part of such an ongoing conversation, by which we try to make the theory of toleration more relevant to its practice, and strive to inform the practice with some of the principles and ideas of the theory.

In this introduction, we will briefly characterise the current debate, sketch both its main lines of development and some of its unresolved questions, and suggest, finally, how the chapters of this volume contribute to this debate.

As has already been mentioned, the renewed interest in issues of toleration come from the attempt to adapt its vocabulary to the challenges posed

by the way in which ‘difference’ has become both more diffuse and more pervasive in our daily lives, through processes of individualisation, multiculturalism, globalisation, and the multiplication of ‘immigrant societies’.⁴ As a rough and ready distinction, we suggest that, historically, the toleration debate has entered its third phase. It first originated as a reasoned answer to the social and political conflicts that divided European societies along religious lines. Although the ascendancy of arguments for religious tolerance can be traced to considerations of prudence and political realism,⁵ from a more principled perspective, toleration was supported along two main lines of reasoning. One was overtly sceptical and secularist, undermining the truth-content of religious beliefs and their relevance for social and political coexistence; the other was more subtly latitudinarian, questioning the control that we have on our own beliefs, and the self-defeating nature of imposing outward conformity on intractable inner convictions.

The second phase of the toleration debate continued the process of making religious beliefs, and religion at large, a private rather than a public matter, by more firmly establishing the state as the neutral arbiter over its citizens’ different ideas of the good life. The debate over liberal neutrality (a debate with the opponents of liberalism, but also within liberalism itself) superseded that about freedom of religion – of both worship and conscience. The relationships between the individual and the state, or the individual and public opinion, became central to the new conception of toleration, which rested on two important principles of what has been referred to as the ‘modernist project’: the assimilation of the individual in the democratic society, and the strict separation of public and private, with all forms of secondary associations placed firmly within the latter domain.⁶ In spite of the many spirited defences of either liberal neutrality, or individual autonomy, or the crucial distinction between self- and other-regarding actions, at the bottom of modern toleration seems to lie the prudential maxim of indifference to others: ‘live and let live’; or perhaps the more guarded version: ‘good fences make good neighbours’.

Slowly, but decidedly, the assimilationist drive that characterised the formation of nation-states across the modern world has been reversed because of pressures from both within and without. For better or for worse, the barriers of the private sphere have been weakened, if not entirely dismantled, which opens up the operations of personal and private life to the uncomfortable scrutiny of the public eye, and subjects them to the criteria of justice. Moreover, pluralism has become, as Rawls claims, a ‘fact’ that moral and political philosophy cannot bypass when thinking about the terms of fair co-operation in society. These are the main features that characterise the third phase of discussions on toleration.

Within this new social and philosophical context, tolerance is still widely perceived, by philosophers as well as practically minded people, as a kind of response to difference that we cannot do without. The Final Report of

the Advisory Group on Citizenship established by the British Government (the 'Crick Report'), for instance, places a heavy emphasis on tolerance in its learning outcomes (which schools have a statutory responsibility to deliver). The Report states that children ought to be disposed to the 'practice of toleration', and have the 'ability to tolerate other view points'.⁷ But even in the absence of policy-based requirements that toleration be cultivated in citizens, it is reasonable to expect that political philosophers should reach some form of substantive agreement with respect to the nature, limits, and correct forms of expression of a concept as fundamental and important as toleration. Notwithstanding close scrutiny and the efforts of theorists on this front, agreement has proved impossible to achieve. If anything, toleration seems to have become a more contested ideal and a more elusive virtue, while its very formulation as a concept remains paradoxical: how can a person have reason to tolerate ideas, behaviour, and practices that, by definition, she has reason to believe to be wrong?

Although these aspects of the current debate on toleration are not entirely new, there is a feeling that, as a concept, toleration may have, so to speak, outreached its usefulness and may need radical re-thinking. We have raised this question in another context,⁸ where we have argued that some of the more stringent analyses of toleration as a philosophical concept have somewhat distanced it from common usage, and have made the virtue of tolerance more demanding, while at the same time still questioning its internal coherence. However, there, as here, we wish to suggest that in spite of these difficulties, the recent debate has not been in vain. Indeed, it is our conviction that there may be something to be gained by re-thinking the concept of toleration in the light of ideas such as reasonableness and recognition which, although distinct, both point to a more positive and appreciative way of looking at others' experience and perspective. In the same way, democratic citizenship has been recast in a pluralist and inclusive form, with more attention being paid to valuing difference over assimilation, which keeps democratic citizenship open in principle to the aspirations and sensibilities of minorities and particular groups. However, we are not proposing an idyllic picture of the state of the debate. Both the difficulties and the urgency of the task of re-thinking toleration are all too evident, particularly after the disturbing events and the repercussions of the 11th of September. This volume contributes to the task by offering, in the first part, a number of sober reflections on how we may reformulate the idea of toleration in the light of the demands both of reason and of the recognition that others seek from us. The second, and perhaps more cautiously upbeat, part of the volume investigates the contexts within which our ideals and practices of toleration are continuously tested and transformed.

From a substantive point of view, one of the themes that runs through many of the chapters is the way in which reasonableness may be operationalised so to make the idea of toleration more internally coherent, while grounding tolerance as a principled practice. As we have already mentioned,

in the past popular justifications of toleration relying on either some form of scepticism or prudential reasoning seemed sufficient to guarantee peaceful coexistence within the boundaries established by a combination of the international system, the nation state, and democratic politics. The problem with the merely prudential form of justification seems to be one of stability: on this view, toleration can be, at most, a *modus vivendi*. If the distribution of power changes such that peace could be maintained by one group forcibly imposing its views on the others, then what need have we for tolerance any more? If the most that can be said for tolerance is that, when power is roughly equal, it is the rational choice of those who would otherwise violently conflict, then arguments for tolerance look impotent in any context (of which our world is an example) in which power is not distributed roughly equally.

With respect to sceptical defences of toleration, the issue is more complex. Moral scepticism seems, on the one hand, incapable of establishing the limits of tolerance, thus allowing for a radical form of relativism regarding the actions that we are prepared to tolerate. But on the other hand, it cannot coherently sustain toleration itself, for the recommendation that one must be tolerant must itself be read as a relativistic statement, for consistency's sake. Epistemological scepticism, particularly of a moderate kind – viz., that there are truths, but that we are severely limited in our capacity to know them – appears more promising. However, it is subject to two combined objections. First, that as a philosophical doctrine it may be too controversial to be accepted widely, and second, that it may carry too little conviction to motivate in real life, for it appears to entail a counterintuitive conception of people's commitment to their own beliefs and values, suggesting that they hold their beliefs, and commit to their values, in a provisional way.

As a move away from merely prudential or deeply sceptical justifications of toleration, contemporary philosophers subscribing to some form of political liberalism have argued that the justification of political principles must proceed according to the ideal of public reason.⁹ Broadly stated, this ideal is that any person who offers other people reasons for accepting or rejecting political proposals must take it that these reasons could be reasons for others. If the differences constitutive of pluralism cannot be expected to disappear even in ideal conditions, wherein each person exercises her reason correctly, then public reasons cannot simply map on to any one particular set of beliefs or values. If political justification in conditions of pluralism must conform to public reason, then each person must at least defend principles of toleration at the political level (and perhaps also cultivate tolerance as a personal virtue): anything less than toleration could be rejected by others in conditions of reasonable pluralism. In other words, on this story, people who reject toleration are unreasonable: they fail to propose political principles which, given the permanence of pluralism supported by the exercise of reason, all other people could accept.

Prima facie, the advantages of this approach to toleration over one justified by either a narrow *modus vivendi* or some form of *preliminary* scepticism are as follows.¹⁰ If toleration is a requirement of reasonableness – and part of what it is to be reasonable is to accept that the free use of reason makes pluralism permanent – then, the forcible imposition of one particular set of beliefs or values cannot be justified by claiming that those who are coerced would come to accept these beliefs and values in ideal conditions, were they to exercise their reason correctly. A defence of toleration as a demand of reasonableness makes it impossible to justify intolerance in the name of the reason of those who are not tolerated; it makes crusades and inquisitions unjustifiable as obstetric exercises encouraging the proper use of reason on the part of those oppressed. The reasonableness-defence of toleration makes it a requirement of justice whatever the balance of power between those who share political problems. This defence also has advantages over some form of ‘preliminary’ scepticism. The thesis that pluralism is consistent with the proper exercise of reason by each person may seem, or so it is claimed, a less controversial philosophical doctrine than either moral or epistemological scepticism; for the requirement that, when offering justifications of political principles, each person accepts the ‘burdens of reason’ thesis, is less demanding than the adherence to either of the forms of scepticism outlined above.

There are, however, several possible objections to, and ways of developing the ideal of, reasonable tolerance as advocated by Rawls and by some other supporters of political liberalism. The contributions to the first part of the volume explore some of them. Jeremy Waldron, for instance, takes a less sanguine position on the way in which the application of the principle of reasonableness may solve real-life conflicts. By exploring the way in which the rules of social order and coexistence work in a liberal society, so as to guarantee that there are no direct conflicts between people pursuing different life styles (compossibility principle), and so that those very same rules do not prevent the pursuit of a life style with a reasonable degree of success (adequacy principle), Waldron concludes that in some real-life conflicts, it is unclear on whom the burden of reasonableness may fall. His is a kind of a-posteriori scepticism, which recognises that the principle of reasonableness may simply lead us to an impasse, whenever accommodation between different views and conceptions of the good is deeply problematic. The ‘liberal algebra’ of compossibility between liberties and their adequate protection (and/or promotion) is one that has no solution; but, Waldron sombrely adds, this is the case for any other kind of ‘algebra’ in conditions of pluralism, where people with different conceptions of the good come into social contact with each other and are, to a degree, sensitive to each other’s pursuits.

A second kind of objection to the Rawlsian argument is that advanced by Matt Matravers and Sue Mendus, who regard Rawls’s argument from the ‘burdens of judgement’ and Brian Barry’s justification of impartiality by

reference to a moderate epistemological scepticism as two ways of making toleration a requirement of reason that is limited in the sphere of practical political justification.¹¹ They argue that Barry's conception of reason imposes unacceptable existential costs on agents, and that Rawls's conception makes toleration a requirement of a *modus vivendi* only. Although less directly critical of the Rawlsian position, the other essays in the first part of this volume pursue the discussion of toleration and recognition along the more positive line suggested by Matravers and Mendus, by linking them more directly to a particular conception of justice. Rainer Forst identifies a 'respect' *conception* of toleration that, he argues, is required of those engaged in practical political justification and that addresses the paradoxes besetting the *concept* of toleration itself. This conception asks us to make it a requirement of justice – sustained by the criteria of reciprocity and generality, but also by a personal perception of the finitude of reason – that social and political arrangements should be such that the ethical identity of persons, as citizens, is the object of equal respect. Whether this takes us beyond the impasse outlined by Waldron, in which there is a direct conflict between ethical identities, is an interesting question. Nancy Fraser's own view of recognition, and of the dialectic between recognition and distribution in modern societies, offers a more pragmatic solution to the impasse, suggesting that respect of others is essential, but that this should be a consequence of the *moral* recognition of the 'parity of participation' to which everyone is entitled both as a member of society, and as a member of the particular group to which each person belongs. In her view, we should be more circumspect in dealing with the *ethical* dimension of identity politics, where pluralist solutions are not always available.

From within liberal theory, there is, however, another way of posing the question of toleration. As Catriona McKinnon suggests, the incommensurability of different ethical views is only part of the story of why the permanent fact of pluralism makes toleration a permanent requirement. Different conceptions of toleration can be justified with different accounts of the *character* of pluralism as opposed to its nature: questions about the character of pluralism are questions about the attitudes people can reasonably be expected to cultivate with respect to those who differ from them. As a mark of the changes in the ideal and practices of toleration that have gradually taken place in contemporary societies, both McKinnon and Forst, for example, note that there is a continuum of attitudes that are often referred to as 'tolerant', a theme that is also explored in other essays of this collection (notably in Wolff and Heyd; but also more indirectly in Waldron and Fraser). Such a continuum can be differently described, but it is well captured by Michael Walzer's distinction between five different attitudes to difference, all resulting in some form of acceptance: resignation, indifference, stoic endurance, openness, and full endorsement.¹² Resignation and indifference, though still very much used in common parlance, are often ruled out on philosophical grounds, for they lack the necessary moral

tension that seems to be required by the idea of tolerance. Stoical resignation is perhaps the one that best captures the philosophical, and philosophically paradoxical, idea of toleration as accepting differences to which we deeply object. Openness and endorsement are also problematic for the same reason mentioned for resignation and indifference, but in reverse, in that the attitudes to difference they involve are not hostile. The important point within the present debate on toleration is that the demands of reasonableness, recognition, and democratic citizenship seem to require a move from a kind of stoic tolerance to a deeper engagement with difference captured by ideas of respect and sensitivity to others' identity and self-chosen aims and life styles.

The more open-minded attitude towards difference, which is a requisite of social coexistence in multicultural democratic societies, where no one has a privileged position from which to dispense toleration,¹³ is the kind of attitude that ordinary language tends nowadays to identify with tolerance – what, in a non-technical sense, could be called a 'reasonable' response to difference. The second part of this volume is an attempt to explore the internal coherence of such a transformation when applied to different contexts. James Bohman, for instance, argues that openness to others in discourse, and their treatment as free and equal, is part of a kind of reflexive toleration that pertains to public communication in the deliberative context. In such a context, individuals recognise each other as part of the same democratic community, and they do so both by taking each other's reasons seriously, but also, and even more crucially, by taking each other's perspectives fully on board. From a different perspective, Andrew Mason's discussion of 'cities' and 'communities' develops a parallel argument on the importance of coming into contact with others. His focus is on the different images, and the related values and attitudes, engendered respectively by cosmopolitan city life and narrow communitarian engagements. In fact, his view is that this opposition is usually overdrawn. He claims that the ideas of city and community can be made to work in complementary ways in an account of reasonable tolerance.

A similar tension between the virtues of sameness and difference is explored in Jonathan Wolff's contribution. Here, toleration is seen in relation to the ethos of a society, a group, or an organisation, and is treated as a dynamic process. In this sense, tolerance is part of the process through which a certain state of affairs and ethos are changed or adapted. Toleration involves overcoming certain fixed ideas or rigidities by accepting the innovative value that difference may bring at different levels of values, principles or practices. The same dynamic element is central to Cécile Laborde's conceptual and historical analysis of the way in which the practice and principles of toleration have operated in the complex political debate that, in France, developed around the notorious affair of the headscarves. Her analysis emphasises the important ideological role that the idea of *laïcité* played in that discussion, unveiling the complex cluster of meanings and

values that this is intended to mobilise, but also the transformative role that such discussions have on the definition of our very ideals and concepts. So, in practical situations, appeals to toleration may only acquire a meaning when this is placed in a more complex discursive and institutional context.

The importance of considering toleration within a context in which a plurality of values may operate, so that the exercise of tolerance may come into external conflict with the application of other principles – something that is separate from its ‘internal’ paradoxes – is brought to the fore by both Stuart White’s and David Heyd’s contributions. In the separate contexts of work and education with which they deal, equality of opportunity and moral instruction, respectively, seem to come into conflict with the second-order virtue of tolerance, since this, even when does not require from us things objectionable in themselves, undermines the operations of the other principles. Nevertheless, both White and Heyd stress that tolerance remains an important element within our universe of values, and that in such cases its proper application may have to follow certain background rules, which reflects the different interests and aims that the different principles are meant to either protect or promote.

In conclusion, most of the contributors to this volume would seem to agree that, though perhaps imperfect and ‘transitory’ in character, or even as second-best options, both the virtue of tolerance and the institutions of toleration remain necessary ingredients for democratic societies to be able to accommodate reasonable difference reasonably.

Notes

- 1 Cf. B. Williams, ‘Tolerating the intolerable’, in S. Mendus (ed.), *The Politics of Toleration: Tolerance and Intolerance in Modern Life* (Edinburgh: Edinburgh University Press, 1999), pp. 65–75; and more generally many of the contributions in D. Heyd (ed.), *Toleration: An Elusive Virtue* (Princeton, NJ: Princeton University Press, 1996).
- 2 S. Mendus, ‘My brother’s keeper: The politics of intolerance’, in Mendus, *The Politics of Toleration*, pp. 1–12.
- 3 This is a useful distinction, but one that it is difficult to maintain in common language, where the two syntagmas are used interchangeably. Although we wish to keep to the conceptual distinction, we are not strictly adhering to the use of tolerance and toleration with these exclusive meanings; nor are the contributors of this volume. For the distinction, cf. M. Walzer, *On Toleration* (New Haven, CT and London: Yale University Press, 1997), p. xi, and pp. 8–13.
- 4 Michael Walzer talks of ‘immigrant societies’ as a regime of toleration reflecting the way in which the population constituting those countries belong to separate cultural and ethnic groups, which may have settled at different times in the history of that particular land: *On Toleration*, pp. 30–5.
- 5 Cf. C. Hill, ‘Toleration in seventeenth-century England: Theory and practice’, in Mendus, *The Politics of Toleration*, pp. 27–44.
- 6 Part of this story is told by Cécile Laborde’s contribution to this volume, though she mainly addresses the French debate. Michael Walzer refers to democratic

assimilation as one of the aspects of the ‘modernist project’, while he points to group self-determination within the international context as the other aspect. Both are pointers to the importance of the nation-state as the central element of the modernist project: *On Toleration*, pp. 83–7.

- 7 ‘Citizenship for 16–19 year olds in education and training’, *Report of the Advisory Group to the Secretary of State for Education and Employment* (Further Education Funding Council Publications, 1998), Appendix A.
- 8 Cf. D. Castiglione and C. McKinnon, ‘Introduction: Beyond toleration?’, in idem. (eds), *Toleration: Moral and Political*, Special Issue of *Res Publica. A Journal of Legal and Social Philosophy*, 7:3 (2001) 223–30.
- 9 Cf. J. Rawls, *Political Liberalism* (Columbia, NY: Columbia University Press, 1993), Lecture 2, §§1–2, pp. 48–58.
- 10 We say *preliminary*, to distinguish these two kinds of sceptical approaches (moral and epistemological) from those that come to a sceptical conclusion not on the basis of an analysis of the grounds for toleration, but after having examined the reasons for toleration in their substantive operation. This distinction will become clear below, in discussing Waldron’s position. The distinction between ‘antecedent’ and ‘consequent’ scepticism is not new: David Hume suggests it in *An Enquiry concerning Human Understanding*, ed. T. L. Beauchamp (Oxford: Oxford University Press, 1999), Section 12, Part I, §§ 3 and 5, pp. 199–200, although his use is different, and differently motivated, from the one here suggested.
- 11 B. Barry, *Justice as Impartiality* (Oxford: Oxford University Press, 1995), pp. 168–73.
- 12 Walzer, *On Toleration*, pp. 10–12.
- 13 Glen Newey, ‘Is democratic toleration a rubber duck?’, in Castiglione and McKinnon (eds), *Toleration: Moral and Political*, 315–36, at pp. 324–30.