

What is important in theorizing tolerance today?

Contemporary Political Theory advance online publication, 3 February 2015;
doi:10.1057/cpt.2014.44

Tolerance as such does not exist

Frameworks

Nietzsche teaches us to ask, ‘When and why do certain virtues “become necessary” and what table of values might they topple as they ascend? How is this history erased by “democratic prejudice” in historiography and contemporary thought?’ So, then, what is the value of the value of tolerance? What does it thwart or displace? What histories are concealed behind its virtuous face?

Foucault teaches us to ask, ‘What powers of war play beneath accords of peace and how have the victors inscribed their triumph in language, regimes of truth or governmentalities? How are identities and subjectivities constituted and naturalized through these powers and inscriptions?’ So, then, what subjects and subjections does any field of tolerance bring into being? What norms does it circulate? How do discourses of tolerance naturalize the identities they appear only to manage?

Freud teaches us to ask, ‘What hostile feelings are disavowed or shouted down by civilizational practices and with what effects?’ So, then, what sort of cloak for aggression or antipathy does tolerance provide? What feelings of superiority and magnanimity does it generate in its bearers? What sense of abjection does it cultivate in those shaped by its thinly veiled aversion or disgust?

Rousseau teaches us to ask, ‘How do we mistake our chains for freedom or mistake the rule of law for equality? What paradoxes of political life frame all efforts to resolve this predicament?’ So, then, how to read political tolerance as a symptom of unfreedom and inequality? And how to reveal and redress our condition, within its grammar, without finding ourselves positioned ‘against’ tolerance?

Marx teaches us to ask, ‘How do the ruling principles of unfree societies reflect and secure that unfreedom? What unemancipated conditions are both presumed and depoliticized by those principles?’ So, then, what deep historical stratifications, privileges and conflicts may be reinforced rather than resolved by tolerance? Yet might the call for tolerance also sometimes harbor an emancipatory dream, a yearning for ‘true human emancipation’ that it cannot realize?



There are other great historical minds with whom one can think incisively about contemporary tolerance: Epictetus and Spinoza, Locke and Bayle, Kant and Mill, Goethe and Voltaire, Gandhi and King. However, for me, the thinkers above shape the question posed for this Critical Exchange – what is important in theorizing tolerance today? – as one of political and social critique. They call for inquiry into the hidden powers, histories and subjections circulated by political operations of tolerance; they demand attention to when, why, by whom and on whom tolerance is practiced; they bring a skeptical eye to the manifest reputation of tolerance; they ask after the unmarked predicates, incitements and effects of regimes of tolerance.

Nature

All animate life practices tolerance. Plants tolerate encroachments and deprivations of sun, shade, water, space and nutrients. Animals in the wild tolerate periods of brutal weather and prolonged hunger or the interminable suckling of litters. In the household, the cat tolerates the dog who tolerates the toddler who tolerates the baby, while the parent and teenager roll their eyes at each other rather than argue five times a day. Tolerance as forbearance of suffering – from dreadful physical pain to moral offense to minor annoyance – is all that prevents life from reducing to continuous rage and retort, all that keeps it from being perpetual war within and without. A quotidian exercise in overcoming, tolerance is nearly as vital to human dailyness as food and sleep. But what happens when tolerance is moralized, elevated to a sublime virtue, intermixed with power and normativity? How does it become a pretext for war, a practice of hegemony, a cover for dominance or exclusion? How does it take shape as a political instrument for suppressing histories of sedimented conflicts, for normalizing colonial displacements, for enacting normative abjection?

Discourse

Tolerance can be considered as a concept, a disposition, an ethos, an aspiration, an art of titration or delicate balances, a formula for religious or cultural pluralism, a moral virtue, a political principle, a *modus vivendi*. The extensive academic literature on tolerance features all of these approaches to tolerance and more. However, if one wants to grasp tolerance *politically*, that is, as a problem of power and as organizing relations among citizens, subjects, peoples or states, then it must be understood, *inter alia*, as being enacted through contingent, historically specific discourses – linguistically organized norms operating as common sense. Moreover, any political discourse of tolerance – from that developed for handling Protestant sectarianism in seventeenth-century England to that used by the G.W. Bush Administration in the aftermath of 9/11 to distinguish the West from the rest, to that used by the Israeli state



for describing (only) its policies toward homosexuals – is embedded within other discourses articulating the qualities and meanings of the religious, cultural, social or political order that the discourse of tolerance purports to pacify. A non-exhaustive list of these other discourses would include secularism, Brahminism, Zionism, xenophobia, liberalism, neoliberalism, Islamism, heteronormativity, democracy, racism, multiculturalism, Orientalism and Christianity.

If political regimes of tolerance are themselves discursive, and if they draw their subjects, worldviews and ontologies from other discourses, then tolerance *as such* does not exist. At the political level, there is no such thing as a universal value of tolerance, an absolute principle of tolerance, a single grammar of tolerance. Rather, there are only specific contexts, provocations and political formulations of tolerance, and tolerance is always nestled within larger political orders of power and meaning. Tolerance thus has no history, only genealogies. Still, each materialization or tacticalization of tolerance, and each governing discourse of tolerance, will draw upon and enhance its power through explicit or tacit reference to both the imagined timeless virtue and imagined history of tolerance ... and intolerance.

An example may make this clearer. Tolerance arises in the early modern West as a political solution for religious dissent and conflict arising in the aftermath of the Reformation; here, tolerance works hand in glove with secularism to privatize and individualize religion as a matter of faith and belief. When, in the late twentieth century, the object of tolerance shifts from minority religions (deviant beliefs and practices) to minority races (deviant phenotype rendered as identity), minority sexualities (deviant desire rendered as identity), new immigrants (deviant origins and culture) or states (deviant political values), it engages late modern discourses of liberalism, racialism, gender and multiculturalism to constitute its subjects; this engagement naturalizes as ‘difference’ the inequalities tolerance manages and secures the norms bringing objects of tolerance into being in the first place. And when tolerance becomes a Western identity posited through opposition to a fantasized Islamic world of pure intolerance, it engages yet another discourse, a civilizational one, to which it also contributes. However, while the mechanics and field of tolerance transmogrify, while the focus shifts from modes of belief to identities bound to phenotype, desire or culture, tolerance trades on its old reputation for simply permitting (most) dissenters to be left to worship as they wish, and making faith a private rather than public matter. It trades too on its conventionally understood status as a moral virtue rather than a political instrument. At the same time, its hand is easily revealed: tolerance does not remove but regulates prejudice and subordination.

The argument that tolerance operates discursively exceeds the point that every encomium to tolerance emanates from a particular specter of intolerance, or that the opposite of tolerance may range from exclusion to suppression to murderous persecution. It exceeds as well the claim that tolerance is always provoked by a particular antipathy or aversion – we only tolerate what we would prefer did not exist – though this is also so. On the one hand, specific regimes of tolerance *constitute* the fields of



identities and practices that they appear only to organize or neutralize. On the other hand, all regimes of tolerance nest within larger normative orbits – norms of supremacy or equality, mutuality or antagonism, organicism or individuality, membership or citizenship. These norms contribute to generating the identities that are the subjects of tolerance, and tolerance in turn stabilizes the norms through its operation as a supplement.

Supplement

Within liberal democracies, political tolerance of minorities is not equivalent to freedom, equality or universalism. Rather, it shores up those principles while revealing their incomplete reach; tolerance enters where liberal promises falter. Marriage equality? No, but tolerance of homosexuals. Western states fully divested from Christianity? No, but tolerance of Jews and Muslims. New immigrant populations fully enfranchised in the West? No, but an attitude of tolerance toward migrants. Power deeply shared between women and men? No, but women tolerated in the boardroom, the cabinet, the advisory council. Tolerance addresses liberalism's remaindered subjects, those excluded from belonging or rights by liberalism's formulation of equality as sameness, its disavowed imbrication with culture, and by the norms secured by that formulation and that disavowal. Within liberalism, tolerance thus performs the paradoxical tasks of fortifying hegemonic values while protecting the vulnerable and marginalized. This fortification is abetted by the virtuous demeanor of that protection and by the incitation of inflationary affect in its agents and deflationary affect in its objects.

Appropriation

Political tolerance is especially, though not uniquely, subject to disturbing reversals and appropriations. An extreme contemporary instance is the ultra-Zionist Museum of Tolerance project, which features Jews as eternal victims of intolerance (anti-Semitism) but never its perpetrators, and features American and Israeli soldiers in Middle East wars as 'tolerance heroes'. Originating in Los Angeles, the latest franchise of the Museum of Tolerance is being built atop an ancient Muslim cemetery in the heart of Jerusalem, having bullied and bought its way through more than a decade of local and international objections, protests, lawsuits, resignations and injunctions. But the Museum project is not the only instance of tolerance cynically deployed to cover aggression, subordination or hatred. For more than a decade, the United States has waged wars in Iraq and Afghanistan initiated, in part, in the name of tolerance. Famously culturally tolerant Holland and Denmark today have weaponized the term to exclude from citizenship new immigrants held to be

backward and unc cosmopolitan. We should also remember that tolerance was the how Northern postbellum whites distinguished their racial *noblesse oblige* and paternalism from what they cast as the racism of Southern bigots. And in a number of Western countries, tolerance rests at the heart of debate about banning a piece of women's clothing in public ... those who would ban the headscarf imagine themselves to be cosmopolitan, worldly, tolerant.

Abjection

Rarely does a population treated to a sustained experience of tolerance confuse it with belonging, freedom, equality, power or the rites and rights of participation. Political tolerance is a subjectively diminishing experience; the lowered eyes or contained rancor of a tolerated people indexes the presence of a regime that does not acknowledge itself as one. It is not just that regimes of tolerance tacitly stipulate conditions and limits on the conduct they license, though they do, or that tolerance is contingent and revocable, though it is, but that tolerance carries its aversion or disdain in the practice itself. A tolerated people never ceases to know and be shaped by its qualities of repugnance to those by whom it is tolerated.

Dissimulation

Still, is tolerance one of those political goods that we 'cannot not want' even as we apprehend its limitations, its ruses? Even as we know that its warm blanket of neutrality, innocence and decency may be thrown across the coldest abjections and cruelties? Instead of yay or nay to tolerance, perhaps we could pose the problem this way: Are there more open-handed and more emancipatory rhetorics for analyzing and addressing the problems for which we use tolerance today? If we return tolerance to the domain of quotidian well-being, manners and ethics, what more might we have to ask of our orders of justice? How might we extend political equality, freedom and power-sharing across increasingly heterogeneous national populations, make power slightly more honest, and work to rectify the hedged universalism, supremacism, and imperial and colonial dimensions of the modern West?

Can the heat of conflicts in contemporary mass society be handled, even cooled, without depoliticization and disavowal? Certainly, within liberalism, pluralism shares with tolerance the risk of disavowing the powers and stratification producing it. Yet pluralism carries the potential for reckoning with heterogeneity and heterodoxy (not merely essentialized difference and naturalized aversion) as inherent features of modern political life. Political pluralism, 'properly understood', demands surrender of the desire for sameness and conformity in organizing democratic law, institutions and power sharing. Tolerance, with its emphasis on difference, emanates



from the perspective of depoliticized individuals or groups – it is local and relational yet oddly abstract and unaccountable to history or power. Conversely, pluralism, with its emphasis on irresolvable diversity within the common, emanates from the perspective of a concrete and complex whole. For Aristotle, the essence of the polis was diversity. Difference is the watchword of the methodological individualism securing a depoliticized liberal ethics.

Regression

Civilization could be said to rest on the rule to tolerate rather than kill the Other. This does not make tolerance a practice of justice or a positive feature of democratic life. Rather, it implies that, like the incest taboo, tolerance is an essential prerequisite to justice and democracy, an ethos and practice of coexistence required before it is even possible to inaugurate the project of sharing power and rule, settling law, and respecting all human beings as ends. What? Is tolerance pre-political? Then its prominence in liberal democracies today would be a symptom of regression, a falling back into ground rules, an abandonment of modern political aspirations. Today, American public schools teach tolerance as a mode of addressing multiculturalism, racial division, gender variance, diverse desire. Why not equality and freedom? Or other demanding practices of democratic polities, such as shared rule? Does tolerance emerge within the horizon of their loss?

Wendy Brown
University of California, Berkeley, California 94707, USA
wlbrown@berkeley.edu

Tolerance in critical and political theory: Coexistence or parts of something bigger?

Our interest in this Critical Exchange is to comment on tolerance, as one among other candidate concepts, for what it can bring towards struggles for equality and respect, and towards understanding those aspects of our societies that make such struggles promising and problematic. More precisely, we wish to address a disjuncture that concerns us in our work on Muslim politics in Europe: between socio-political effects that are said to ensue where tolerance is deployed as a regulatory device and the possibilities tolerance contains for subjects that are engaged in political struggles. For



the purpose of our discussion here, and notwithstanding immense variety within these categories, we address this disjuncture as one between critical and political theories, that is, between approaches that predominantly aim at historical meanings and socio-political effects of tolerance and others that specify its normative potentials.

Rather than attempting to bridge the two orientations, we bring some of the circumstances of Muslim politics into view and ask if they throw a light on the disjuncture that alleviates some of its tensions. This entails questioning how tolerance may become a resource in political mobilizations that (speaking to our area of interest) come from within the multiplicity of Muslim claims for inclusion, difference or respect; or why it cannot. Limitations of tolerance, we conclude, owe less to repressive potentials inherent in it and more to difficulties imagining democratic and dialogical politics within its confines.

Two Perspectives

In negotiations of the place of Muslims in Europe, and as a consequence of the resultant encounters, not just tolerance, but also liberalism and secularism, have been opened up in unexpected ways, expanded and pluralized and become subject to various attempts at forcing retrenchment. Despite the false unity that posing the ‘Muslim question’ in the singular implies, what is shared among its instantiations is that they have become a primary occasion for defining the meaning and scope of tolerance.

The figure of the archaic Muslim, scheming to impose controls over liberal society that roll back hard-fought freedoms, represents an influential illustration for contemporary intolerance. Where actual Muslims struggle for equality and respect, they not least face up to the misrecognition that this archetype represents. In this situation, the dilemma of tolerance as a category for political claims is its evident implication in producing the injustices that claimants seek to address.

Attending to this dilemma, we are led down two contradictory paths. Tolerance is undoubtedly a core element in how liberal states conceive of their own position towards ethno-cultural–religious ‘difference’; it is an important element of national identity-building and civilizational self-assurance. Examining this role, critical theorists identify socio-political effects where states engage ‘difference’ in order to regulate its manifestations. As Talal Asad (2003, p. 8) has it, the liberal state ‘does not guarantee tolerance [but] puts into play different structures of ambition and fear’. This would seem confirmed by the way tolerance features as a distinctive achievement that has to be defined and solidified against illiberal Others – an issue we will return to below. Genealogies of tolerance that attend to these political functions usually do not supply normative evaluations of the type of order that liberal tolerance reflects, the practices it supports or of how they could be improved. They suggest that tolerance should be subjected to a critical view that glimpses behind the veneer of liberal universality.



Yet a multiplicity of struggles for equality and respect point to the need for a different perspective. Regarding political claims for decency or descriptions of conviviality in conditions of deep diversity, situations present themselves that direct us towards different points of view. The practices and demands that this second perspective attempts to capture would be devalued if they were reduced to regulatory effects and treated as mere genealogical artefacts. The experiences that lead actors to denounce injustices they experience as ‘intolerance’ would not be fully understood or adequately described in this first mode. This does not imply that tolerance is always an adequate descriptor for the concerned practices and demands (and certainly not that critical genealogies of tolerance have no case); it introduces socio-political practice as an important dimension for considering how our normative and critical vocabulary ought to be structured.

Making Use of Tolerance

Beyond analysing its top-down functions and regulatory effects, the focus on political agency means of course expressing some type of ‘positive’ interest in the normative potentials of tolerance. Before attending to the former in more detail, we wish to further unpack these potentials by introducing two conditions according to which we may wish to evaluate potentials of tolerance: its ability to challenge the marginalization that individuals or groups experience; and its ability to not just describe, but also support, political struggles. The first refers to the scope of our normative concepts and what objectives are possible or impossible to conceive with the concepts we choose to employ. If it turns out that significant inequalities are outside the purview of our chosen conceptual framework, we may choose to either expand or abandon it.

We will later return to these criteria for thinking about the political usefulness of tolerance. As suggested, this usefulness has been cast into doubt. Wendy Brown (2006, p. 36) argues that tolerance is implicated in the state’s regulatory operations. Its function is ‘to contain potential crises ... that threaten to reveal the shallow reach of liberal equality and the partiality of liberal universality’. It is a device in the management of Others and for the channelling of liberal ‘aversion’. For the liberal state, deploying the concept ‘sanction[s] illiberal aggression toward what is marked as intolerable without tarring the “civilized” status of the aggressor’ (2006, p. 179). Reworking liberalism, in order to make it ‘more modest, more restrained in its imperial and colonial impulses’ (2006, p. 175) would be desirable, but it is uncertain what remains of tolerance, given its culturalist or neoliberal baggage, after this work has been done.

The critical challenge has to be taken seriously but it also ought to be examined itself with a view to potentials and possibilities, and with an interest in how – without reducing one into the other – normative frames and genealogical interests may become mutually informative. The best analytical-political framework is one that both identifies and critiques the negative while elaborating the positive in what exists



or could be struggling to exist. In relation to the latter, it is part of the analyst's job to show that what could exist is an intellectually coherent idea; is worthwhile as a goal in relation to or in combination with other possible, contending goals; and is a contextualized, real possibility (see Dobbernack and Modood, 2013).

Tolerance, we agree with critical theorists, is implicated in the political ordering of difference both historically and today. It has been employed as a historical master-narrative and continues to play a particular role in definitions of national identity today. The British Prime Minister argues that to achieve 'stronger societies and stronger identities', it has become necessary to be 'unambiguous and hard-nosed about this defence of our liberty', whilst 'hands-off tolerance has only served to reinforce the sense that not enough is shared'. Previous manifestations of tolerance have led to moral indecisiveness, and tolerance needs to become more active, aggressive and hands-on. In the attempt to delineate a German *Leitkultur*, toleration features as a distinctive achievement of either the Enlightenment or a 'Judeo-Christian heritage'. Angela Merkel's contribution to the *Leitkultur* debate is to ask for 'a clear commitment to the nation (*Nation und Vaterland*), to an open-minded patriotism, to tolerance and to moral courage'. Commenting on the Swiss referendum on minarets, Sarkozy suggested that while France was a 'country of tolerance and respect', it also 'had to be respected'. The republic is a space of tolerance, yet respect towards republican norms ought to delimit the visibility of religion in public spaces, by cultural assimilation, if possible, and by law, if necessary.

Tolerance plays a role in the definition of a national self within a 'civilizational frame'. In this form and others, it enshrines a new conditionality of acceptance upon public endorsement of a number of liberal, republican or secular tenets, which are always construed in a way that favours some and is biased against others. The domain of intolerable difference is more rigidly demarcated and national identities defined in opposition to antagonistic Others that cannot be tolerated. Today, the marginalization of Muslim minority groups in Western Europe is worsened and justified with reference to putatively liberal arguments, making it appropriate to speak of distinctively liberal formations of intolerance. But the value of tolerance in political struggles may not be determined by the meaning it thus obtains. Its role in political claims-making and its usefulness for how marginalized groups may appeal to standards of decency may be affected, but we do not believe that possibilities will be foreclosed completely. This is most importantly the case as the meaning of the concept can be contested and its deployment will be difficult to predict.

Demanding Tolerance from Below

In one of many examples of anxiety about the Muslim presence, a group of educationalists has recently been accused of fostering 'extremism' at some schools



in various neighbourhoods of Birmingham, UK. Although most of the claims were revealed as overblown or false, accusations did not collapse but were shifted from the domain of ‘promoting extremism’ to ‘failing to promote British values’, in particular failing to promote ‘tolerance and harmony between different cultures’. The sticking point became that ‘children are not being encouraged to develop tolerant attitudes towards all faiths and all cultures’.

The riposte by educationalists, the concerned school trusts and Muslim associations was to remind their accusers that faith-based and community-run education constituted a governmental objective that was meant to be extended. Whatever one thinks of religious conservatism and its place in education, the same entitlements and standards that apply to other faiths should apply to Muslims, too. Against an alliance of secularists and neo-conservatives of considerable hostility towards Islam, aided by a considerable lack of understanding in the mainstream, the request was for religious ‘tolerance’, appropriately understood, and against the way in which the alleged failure to ‘promote tolerance’ was deployed as a stigmatizing device.

The case, exemplary for many controversies, might prompt us towards a strong critique of the Islamophobic racism that is present not just in British public life and the institutional biases it underpins. But it should also make us attend to the arguments that were actually deployed to resist such stigmas and in the role that requests for decency and fairness, framed in the language of tolerance, might play where actors attempt to do so. Merely utilizing or critiquing dominant discourses of tolerance is inadequate to empower the marginalized.

Having It All

Can we have a position, then, that is critical and constructive: that takes notice of, but does not turn regulatory effects into absolutes, at least not at the expense of political and interpretive struggles over the nature and meaning of tolerance? This would be a position that does not just problematize but can articulate and develop further the normative understandings expressed in institutions, by engaging citizens, and among oppositional movements.

A number of perspectives present themselves. Philosophical hermeneutics envisages a double disposition of suspicion and understanding. Tolerance itself could be understood as a relational attitude that follows this orientation as it conjoins ‘components’ of suspicion and respect. But also the non-engaged perspective of the observer may benefit from a combination of critical and constructive faculties, in particular where we examine the operations that political actors perform in making claims for tolerance by deploying existing terms, but usually also by interpreting and modifying the meaning of tolerance to fit their requests. A multiculturalist version of this kind of approach is the use of

intercultural dialogue to resolve controversies such as in relation to Muslim anger over offensive portrayals, which starts with existing ‘operative public values’ but aims to modify them in the light of new minority vulnerabilities to which those values may be insensitive (Parekh, 2000).

Other contributions, such as from within the ‘sociology of critical practice’, make the more general point that the social world should be seen not as ‘the site of domination endured passively and unconsciously, but instead as a space shot through by a multiplicity of disputes, critiques, disagreements’ (Boltanski, 2011, p. 27). Tolerance plays a role in structuring relations, constituting norms of evaluation or conduct, and regulating ‘difference’. But this role does not exhaust its potentials in social and political practice. Even within governmental apparatuses, we may require a viewpoint akin to the image of ‘street-level bureaucrats’ who not simply discharge, but re-interpret, modify or circumvent governmental objectives. In our mind, the most relevant question about tolerance from within this orientation would be to ask how it corresponds with the ‘critical practices’ that individuals, in particular those who request tolerance for themselves and for others, are engaged in. At a general level, we suspect that the most plausible response would be to say that the pre-fabricated meaning of liberal tolerance will have *some* consequences for political practice. By posing the question of *how much* and *what kind* we are already led to the sorts of issues that we think are significant to explore in descriptions of political agency.

In the remainder, we wish to merely offer some comments that reach across both perspectives, are relevant for our case and refer back to the two conditions mentioned earlier: that concepts show some correspondence to significant injustices experienced and allow for political mobilization.

Back to Agency

In the European condition of contested multiculturalism, tolerance is likely to be an important category of political practice where claims are put forward for minimal decency and against the experience of oppressive constraints. Where minority groups face the latter, as in the Birmingham case, tolerance may be a tool in their arsenal that allows appealing to standards of conduct that liberal states usually publicly profess. If claims become more expansive and demanding, the normative vocabulary tends to shift beyond tolerance’s conceptual confines. It is in these cases, that the request to be tolerated or the renunciation of intolerance may appear insufficient and insecure or where the continued disapproval that tolerance implies is found to be insulting.

It is here, too, that multicultural political practice, observable in many different shapes, suggests that tolerance is not good enough. This is not because the concept is invariably tainted, but because there is little correspondence – descriptively, from the outside, and for struggling agents and the tendency of their politics – with requests

for more complete forms of equality. We suggest that this lack of correspondence with multicultural repertoires matters not just in its own right but in a way that puts the disjuncture we are concerned with into place.

A central feature of claims for equality that exceed tolerance is that they request a status that is not passively filled out but actively inhabited. For recognition, it is not the conferral of pre-fabricated esteem that matters but the negotiation of the terms of recognition, understood as ‘games of reciprocal disclosure and acknowledgment’ (Tully, 2000, p. 479). The same is the case for multicultural citizenship, understood as a work-in-progress, as only ever partly constituted and extended by contestations and novel demands for due recognition as circumstances shift. This implies an understanding of citizenship as conversation and renegotiation: not just about who is to be recognized but about what recognition is and about the terms of citizenship itself (Modood, 2007). The claim here is for having a say in what it means to be a citizen.

We accept the point made by Forst (2007, pp. 236–237) and others that these situations presuppose prior recognition, namely the internal recognition of a collective identity without which group-based mobilizations are impossible to achieve. But the consequence is not that recognition ceases to be an important request (although the many understandings of recognition make such assertions difficult); it is rather that the type of recognition that is sought tends to reflect other important standards, not least justice, respect and reciprocity. The injustice entailed in (external) misrecognition, which often constitutes the starting point for political struggle, is the irreversibility of the situation it reflects and that nothing can be done about it. Next to demands for the state to stay out of internal self-definitions and for the de-stigmatization of public identities, a level playing field that allows for reciprocal forms of identity disclosure constitutes the most important request in today’s multicultural politics. Distinguishing more ‘demanding’ requests – regardless of how we choose to label them – from tolerance, the claim for the co-production of the terms of one’s belonging stands out. This is a state of affairs that it is unlikely to ever be fully realized, which does not mean that its absence is not being politically noted by actors that encounter social stigmas of the sort we have mentioned (see Dobbernack *et al.*, 2014).

It can also be a measure for attending to the political potentials of tolerance and its alternatives. The types of tolerance that feature today as a central element in national identity narratives and for civilizational self-assurance, some of which we have sketched out above, do not allow for much co-production. The more ‘activist’ tolerance that Cameron endorsed with his notion of ‘muscular liberalism’ exemplifies this. German *Leitkultur*, with its commitment to a ‘civilizational’ value of tolerance, did nothing to enhance participation of German Muslims (and was more than anything a device to continue their marginalization). New avenues emerged when some politicians in Germany began stating that ‘Islam is a part of Germany’, which arguably created a symbolic space, no matter how incomplete, where more equal forms of belonging became imaginable.

These are the circumstances where tolerance, assuming that it describes relations of democratic reciprocity, can and should be separated out from narratives of civilizational supremacy. This is where the potentials of tolerance lie, but also where we realize that these potentials are limited not just because many of its manifestations do reflect regulatory attempts of putting ‘difference’ in its place. Such limitations are also not just about the ‘minimalism’ of tolerance, as if the problem was a matter of mere scope. They are about the apparent resistance of the category to political practices that aspire towards, or reflect, democratic reciprocity and civic equality.

References

- Asad, T. (2003) *Formations of the Secular: Christianity, Islam, Modernity*. Stanford, CA: Stanford University Press.
- Boltanski, L. (2011) *On Critique: A Sociology of Emancipation*. Cambridge: Polity Press.
- Brown, W. (2006) *Regulating Aversion: Tolerance in the Age of Identity and Empire*. Princeton, NJ: Princeton University Press.
- Dobbernack, J., Meer, N. and Modood, T. (2014) Misrecognition and political agency: The case of muslim organisations in a General Election. *British Journal of Politics and International Relations*, advanced online publication 24 January, doi:10.1111/1467-856X.12033.
- Dobbernack, J. and Modood, T. (eds.) (2013) *Tolerance, Intolerance and Respect: Hard to Accept?* Basingstoke, UK: Palgrave Macmillan.
- Forst, R. (2007) ‘To tolerate means to insult’: Toleration, recognition, and emancipation. In: B. van den Brink and D. Owen (eds.), *Recognition and Power: Axel Honneth and the Tradition of Critical Social Theory*. Cambridge: Cambridge University Press, pp. 215–237.
- Modood, T. ([2007] 2013) *Multiculturalism: A Civic Idea*, 2nd edn. Cambridge: Polity Press.
- Parekh, B. (2000) *Rethinking Multiculturalism*, 2nd edn. Cambridge, MA: Harvard University Press.
- Tully, J. (2000) Struggles over recognition and distribution. *Constellations* 7(4): 469–482.

Jan Dobbernack^{a,b}

^aEuropean University Institute, Fiesole, FI 50014, Italy

^bUniversity of Lincoln, Lincoln, LN6 7TS, UK

jdobbernack@lincoln.ac.uk

Tariq Modood^{a,c}

^aEuropean University Institute, Fiesole, FI 50014, Italy

^cUniversity of Bristol, Bristol, BS8 1TX, UK

t.modood@bristol.ac.uk



Toleration and the language of terror

Philosophy can try to do different kinds of jobs. One is that of conceptual analysis, which in old-school analytical philosophy might include attempts to set out severally necessary and jointly sufficient conditions for the use of a term. At some distance from this approach, one might try to establish how people understand the term by compiling something like a log of everyday usage. In ordinary language philosophy, the latter approach might aim to give, not the formal conditions sought by conceptual analysis, but a scaling-down of ambition – for instance, by showing that the formal conditions could not be had (or, at least, that to try to understand some philosophically disputed notion such as that of *knowledge* was likely to induce error).

One objection to the ordinary language approach, and others like it that take seriously what Wittgenstein called the ‘grammar’ of words in everyday currency,¹ is that of possible conservatism. If the approach takes seriously the way in which the term in question is used, it seems powerless to air the possibility that its usage embodies systematic distortion. On the other hand, insofar as the possibility remains open of a Socratic moment in which prevalent *données* are subject to radical questioning and critique, it seems that the approach favoured has moved some way beyond a simple log of ordinary usage. As with the so-called ‘conceptual argument’ for political obligation, it seems to resolve little to point out that it is in the nature of law, or of promising, that they create obligations – as though sceptics or anarchists had simply failed to register a fact about language. If the dispute could be resolved that summarily, it is hard to see how it could have arisen.

A parallel set of questions arises with the term ‘toleration’, and indeed with ‘terrorism’. As we shall see, these terms have a grammar of their own. One job that political philosophers can do is to state what this grammar is. But there is no compelling reason, I shall suggest, to rest content with that. These two terms, in particular, lend themselves to mutual transposition, in a way that helps expose the underlying *données* and call them into question.

Toleration and Terrorism: A Brief Grammar

‘Toleration’ and its cognates have its own grammar to the extent that their usage observes characteristic patterns. First, it appraises favourably the action, policy, and so on, to which it is applied. However, toleration can be applied appropriately, or go too far (unjustifiable toleration), and conversely it can be appropriate to withhold it: hence the terminology of ‘zero tolerance’, applied to cases of justifiable intolerance. No contradiction arises here. Compare the evaluative grammar of ‘brave’: the fact that describing an act thus usually appraises it positively is consistent with thinking,



as Aristotle noted, that bravery may be misapplied, or turn into recklessness; similarly, in some cases discretion may be ‘the better part of valour’:² it is better to eschew boldness when judgement counsels against it. Hence toleration bears a complex relation to justification. But what is tolerable is justified; the intolerable is that which is unjustified, and whose suppression (that is, a response that is intolerant) by the otherwise tolerant, is by extension justified. That is, tolerators are justifiably intolerant when faced with the intolerable.

A second feature of the grammar of toleration, closely linked to the appraisive one, is that it partitions the world between an implicit subject and object. It would oversimplified to say that ‘we’ are tolerant, whereas ‘they’ are not. There is indeed no contradiction in talking of a third-person subject as tolerant. But in circumstances, particularly political ones, where toleration is in question, the characteristic set-up is one in which ‘we’, the inchoately tolerant, confront an intractable other, and ask what we will do about them: they have become, to this extent, an object, or a sufferer of action. As the question concerns action, a framing assumption is that those who pose it have power to grant or withhold toleration – a point that several writers, including Kant, Goethe and Thomas Paine, thought compromised toleration’s standing as a political ideal.

A further feature of toleration’s grammar, seldom remarked upon, is that the implicit subject is a potential tolerator, but is not also an object of toleration. The basic question of toleration – *Should this lot of people or practice carry on as now?* – identifies an object and, as already noted, an implicit subject with the power to determine the answer to this question.³ Hence there is not, usually, debate as to whether ‘we’, the addressees of the question, should be tolerated: but this is not a meaningless question, and indeed it is not clear that in some circumstances an agent cannot be seen as tolerating him- or herself. The reason that this latter idea sounds strange is not that there is anything necessarily contradictory about it, but that the underlying discourse is not one in which the subject *qua* tolerator is also seen as an *object* of toleration. The framers of the question occupy a position outside the space of objects. In this respect, the tolerability of one’s own actions does not come under scrutiny. By the same token, the idea that one acts intolerably – in other words, that a person or agency describes herself as intolerable – lies beyond the bounds of sense, given the discursive assumptions.

When it comes to ‘terrorism’ and its cognates, we find some of these grammatical features reversed. Above all, terrorism is invariably practised by an other, whether against the speaker-subject or some third party. The people who practise it are terrorists, and they are agents acting on the victims of terror, who may include ‘us’. The latter are not powerless – a discursive premise is that they have at least the power to inflict certain harms on others, the victims. It is consistent with this that terrorists may be involved in asymmetric conflict, in that those they act against have power as well. Indeed, their having such power is a condition of branding the problem as one of ‘terrorism’, as this discursively calls for a ‘response’ of one of the kinds familiar from securitisation studies.

At the same time, terrorism is never ‘justified’: for a given form of action to count as justified already places it outside the discursive remit of terror. Hence, as with toleration, the dominant language relies on a partitioning of evaluation between the justified and the unjustified. It might be thought that in this respect a difference exists between the language of ‘terrorism’ and that of ‘toleration’, because as I noted earlier, talk of toleration is not co-extensive with that of justification: some acts of toleration are treated intra-discursively as unjustified, while others are not, whereas no act of terrorism is taken as justified. However, this difference arises from their opposite appraisive valency, together with the discourse’s situation of the first-person subject on the ‘right’ or ‘good’ side of the evaluative divide. Hence toleration can be justified. Nonetheless, there remains a firm division between justified and unjustified action, with the subject always on the former side.

A salient general point of similarity, then, is that both ‘terrorism’ and ‘toleration’ align the space of the discursive subject or object with that of appraisal or justification. In each case, the implicit first-person subject occupies the domain of justification, while the third person – the object of toleration, or those who carry out acts of terrorism – is that on which justification gets to work. Toleration problematises the justification of those who (or whose acts) frame the question of toleration; terrorism puts those who commit it beyond the pale of justification.

What happens when the two terms, with the discursive shape that I have sketched, come into collision? On the strength of what has been said so far, we might expect that the terms could hardly coexist in the same appraisive space, and this turns out to be true. As the most basic discursive fact about terrorism is that it is never justified, it clearly falls beyond the scope of that which is tolerable – that which may with justification be tolerated. Terrorism is always intolerable. It may be noted in passing that the fact that someone acts unjustifiably (that is, acts without justification) does not of itself say anything about the responses appropriate to that action. It may be that there is some reason why the appropriate responses do not include suppression or even censure – that is, intolerance.

Nonetheless, to describe an action as not merely being unjustifiably intolerant (as acts of terrorism would very often be taken to be) but as intolerable, carries strong presuppositions about the responses appropriate to it, and these standardly include suppression, where possible, or some form of proleptic action. Here, again, securitising responses are much to the fore.⁴ The ‘terrorism’ discourse functions, indeed, so as to put the question of toleration out of bounds, as possible forms of civic engagement are deferred in the name of *raison d’état*. Indeed, questions of justification are usually set aside in a moving from asking *Why?* to a focus on *What?* It is at such moments that democracies are at their most decisionistic.

It goes without saying, then, that the proposition that terrorism, either in general or in the particular, should be tolerated – may or must be met with something other than the securitising response – looks absurd, just as the proposition that ‘we’ act intolerably looks absurd. As terrorism is always intolerable, a portfolio of responses may be



entertained in relation to it; in this idiom, doing ‘nothing’ is barely less intolerable than the terrorism it does nothing about. As it is assumed that ‘we’, the discursive subject, never acts intolerably, it follows that we are never the authors of acts of terrorism.

Often, as noted already, the project of justification is deferred when the talk is of ‘terrorism’ and the due response to it. But accountability demands that governments explain themselves to electors and the wider national or international public sphere. The task then is how to link the grammatical protocols charted above with some set of natural or quasi-natural facts that support it, and here the strength or inflexibility of the discourse becomes clear. It is not, for instance, open to spokespersons, in justifying a certain response to terrorism, to say that the response is indeed terrorism in its own right but that its virtues have been undersold – a paradiastolic rhetorical move.⁵ Not that paradiastole is impossible: certain emancipationist movements, for instance, have used the device.⁶ Indeed, the language of toleration has to some degree been permeated by it, with the importation of talk of ‘zero tolerance’, which seeks to denigrate what was previously seen as praiseworthy, and conversely: it is a virtue not to tolerate (certain acts, such as abusing officials) and this can be motivated from within the language of justification.

Why does ‘terrorism’ resist such inversion? One reason may lie precisely in its *lack* of naturalistic definition. Of course, the term has an extension. It generally refers to the intended killing and maiming of civilians.⁷ The problem that then arises is that the conditions of modern warfare make the intended killing and maiming of civilians a near-certainty. At this point, weight is often put on the ‘intended’ part of the formula, with an appeal to the doctrine of double effect. But that doctrine is suspect – not, as sometimes is said, because the distinction between intended and merely foreseen outcomes cannot be drawn at all, but because it is doubtful that it can do the moral work asked of it.⁸

The double effect doctrine cannot be dealt with in detail here. I note simply that it is prominent in attempts to give a naturalistic⁹ account of ‘terrorism’ as a term in the thick moral vocabulary. The doctrine bears an interesting structural resemblance to toleration, insofar as in each case there is a discrepancy between what one tries to bring about – thought of as good, praiseworthy or at least morally justifiable – as the result of one’s own agency; and what will happen anyway, thought of as being bad. There is the difference of course that in the double effect case the bad thing is the result of one’s own action, whereas toleration (usually) addresses the acts of somebody else. There is the further difference that the bad thing provides the *occasion* for toleration, rather than merely an empirically unavoidable side-effect of it. But in each case there is a distancing from the bad and ownership of the good. The tolerated, the bad side-effects, happen anyway.

Operation ‘Protective Edge’

At the time of writing,¹⁰ Israel is engaged in a military offensive in the Gaza strip that aims to prevent or minimise the risk of attack from Gaza by Palestinian militants



against the territory of Israel, in an operation codenamed 'Protective Edge'. As of 10 August 2014, the Israeli human rights monitoring group B'Tselem had amassed death figures of 1767 Palestinians, 66 Israelis and one foreign citizen.¹¹ One military resource used by Israel, artillery bombardment, caused high civilian casualties given the high population density in Gaza of 5046 persons per square kilometre, or 13 069 per square mile.¹² The Israel Defense Forces (IDF) also made use of flechette shells usually fired from tanks that disperse thousands of small dart-like projectiles in an arc some 300 metres long by 90 metres deep, in alleged contravention of international humanitarian law; while the shells may legally be deployed in conflict theatres their use is prohibited in civilian-populated areas. IDF units had used flechettes before in Gaza as well as Lebanon.¹³

In its public pronouncements on Protective Edge, spokespersons for the Israeli government and other sources such as the IDF blog¹⁴ made frequent use of the term 'terrorist' and its cognates ('terror', 'terrorism' and so on) in justifying Tel Aviv's actions in Gaza. In fact, the use of the term 'terrorism' and its cognates is nearly ubiquitous in press briefings, blogs and interviews by the IDF and Israeli government spokespersons. The IDF's 'mission in Gaza' was to 'destroy Hamas terror tunnels',¹⁵ which 'enable terrorists to infiltrate Israel and carry out attacks'. Israeli government sources denied, but later admitted (*The Times*, 2009), its use of burn-inducing white phosphorus shells in Operation Cast Lead in 2008–09. According to some reports, Israel also used 'DIME' or Dense Inert Metal Explosive shells in the 2014 Gaza war, as it had in 2009, and

reported cases in the Gaza Strip include entire bodies cut in half, shattered bones, and skin, muscle and bones turned into charcoal due to the destructive burns associated with the weaponry's extreme force and high temperature.¹⁶

But it leaves open that the bad effects, such as the large-scale killing of Palestinian civilians, including children, are merely a bad effect of what is done in a good cause. Let us assume that the counter-insurgency war waged against Hamas is a good cause, in that it protects the civilians of a sovereign state against armed attack. By the same token, the death of Palestinian civilians is a bad effect of the offensive launched by the IDF against Hamas military assets in Gaza. The structure of double effect as envisaged by the doctrine, where the bad effect stands outside the agency of the actor who tries to produce the good effect with which it is empirically (for example causally) enmeshed, repeats that of toleration. This holds whether or not the act that results in the good effect (with its accompanying bad effect) is seen as being morally required, or as supererogatory. It is simply that in this case, the bad effect is not one produced by the acts of a second party, but by the tolerators themselves.

In that sense, the Israeli state may be said to tolerate its own killing of Palestinian children just to the extent that the double effect doctrine, which shields it from moral culpability for these deaths by justifying the acts, successfully shields it from charges of terrorism.

Notes

- 1 See Wittgenstein (1953, for example §108): ‘We want to establish an order in our knowledge of the use of language: an order with a particular end in view; one out of many possible orders; not *the* order. To this end we shall constantly be giving prominence to distinctions which our ordinary forms of language easily make us overlook’.
- 2 Here, I take this to mean that sometimes it is better to be cautious than bold, rather than that the virtue of bravery or valour itself (as Falstaff seems to say in the lines from *Henry IV, Part I* that originated the phrase) is mainly characterised by caution.
- 3 The power, that is, to determine an answer and then to act on it. This is commonly called the ‘power’ condition for toleration. I discuss the condition in Newey (2013, Chapter 8).
- 4 I use the term ‘securitising’ in the sense made current in international theory by the Copenhagen School (see Buzan *et al.*, 1998).
- 5 That is, one in which, against a background of retained naturalistic criteria for applying a term to some act, its evaluative valency is reversed (so that, say, what was evaluated as bravery becomes ‘foolhardiness’, or cowardice ‘prudence’).
- 6 The appropriation of the term ‘queer’ by homosexual activists is a case in point.
- 7 Often this is described as ‘indiscriminate’ in connection with acts of ‘terrorism’, but discrimination usually occurs, for example, in the selection of victims (such as Israelis rather than Arabs).
- 8 See McIntyre (2001) and Scanlon (2008).
- 9 By ‘naturalistic’ I mean simply that it attempts to ground the evaluative attitude in some property of the action to which that attitude is thought an appropriate response.
- 10 July 2014.
- 11 http://www.btselem.org/gaza_strip/20140812_preliminary_data_on_fatalities.
- 12 <https://www.cia.gov/library/publications/the-world-factbook/geos/gz.html>.
- 13 <http://www.theguardian.com/world/2014/jul/20/israel-using-flechette-shells-in-gaza>.
- 14 <http://www.idfblog.com/>.
- 15 <http://www.idfblog.com/blog/2014/07/17/idf-begins-ground-operation-gaza/>.
- 16 [http://www.alhaq.org/advocacy/topics/gaza/835-briefing-note-ii-the-illegality-of-israels-use-of-dime-weapons?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+imeu%2FfromTheMedia+\(IMEU+%3A+News+%26+Analysis+%3A+From+the+Media\)](http://www.alhaq.org/advocacy/topics/gaza/835-briefing-note-ii-the-illegality-of-israels-use-of-dime-weapons?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+imeu%2FfromTheMedia+(IMEU+%3A+News+%26+Analysis+%3A+From+the+Media)).

References

- Buzan, B., Wæver, O. and de Wilde, J. (1998) *Security: A New Framework for Analysis*. Boulder, CO: Lynne Rienner.
- McIntyre, A. (2001) Doing away with double effect. *Ethics* 111(2): 219–255.
- Newey, G. *Toleration in Political Conflict* (2013) Cambridge: Cambridge University Press.
- Scanlon, T.M. (2008) *Moral Dimensions: Permissibility, Meaning, Blame*. Cambridge: Basic Books.
- The Times* (2009) Israel admits using white phosphorus in attacks on Gaza, 24 January.
- Wittgenstein, L. (1953) *Philosophical Investigations*. Oxford: Blackwell.

Glen Newey
Instituut voor Wijsbegeerte, Postbus 9515, 2300 RA Leiden, Netherlands
neweygf@phil.leiden.ac.nl

Democratizing toleration

Toleration is not the most important political value, or the theoretically deepest. But it does seem to be one of the most paradoxical. All political concepts are contestable, and virtually all lend themselves to appropriation for contradictory political ends. But perhaps no concept is subject to so many direct paradoxes as that of toleration. Toleration requires that we condemn, but also accept. Toleration gestures at our power, but also self-restraint. Toleration assumes a certain measure of knowledge, but also implores aversion. Toleration is a social and political virtue, but is depoliticizing. Toleration is contextual and relational, but often touted in general and universal ways. Tolerance is generally perceived as a virtue, but is easily portrayed as a vice.¹

Toleration also has its mysteries. Why do contemporary publics seem to tolerate more easily certain greater harms to themselves (climate change, mass surveillance, oligarchy) than relatively minor harms (modest tax increases, immigration by racial others, Muslim cultural centers in lower Manhattan)? For all that we certainly know about toleration at this point, I think that toleration's intellectual paradoxes and political-psychological mysteries help account for its enduring theoretical appeal. But, given how much we know about toleration in political theory at this point, where do we go from here in the study of this ubiquitous concept?

The most influential recent work on toleration has been on its political operation, rather than its conceptual precision or normative justification. This is where we ought to pick up. If, as Wendy Brown has argued, tolerance is a discourse and practice of governmentality that works to produce us as docile subjects, manage difference without fundamentally disrupting hegemonic norms, preempt the formation of relations of solidarity and connection and, in doing so, to displace political energies away from the pursuit of justice and equality toward a depoliticized attitude of sensitivity, then what is left? Even if we think we are acting on the virtue of toleration as citizens, can we dispel the anxiety that we are both the result of and simultaneously contributing to the state's project of creating governable citizens while also increasing its own indispensability in managing social conflict? Politically speaking, it seems clear to me that the most urgent problem of toleration is our own everyday toleration of the most appalling areas of state action: mass incarceration, secret and unaccountable state power, and the evisceration of representative democracy (Gilens and Page, 2014).²

Assuming we still think of tolerance at all as a virtue with a legitimate place in political judgment and action, the question that seems most urgent for us politically is whether it can be democratized, that is, wrested from state-centered agendas of mediation and control. Of course, from a Foucaultian perspective there is a question whether any practice, relation or value can be meaningfully democratized if our own subjectivities are a result of power relations that we may have only the dimmest



consciousness of. But we need to be careful here. For how do we know what exactly governmentality requires from subjects, or even which concepts and discourses are in operation?³ If a contemporary liberal state privileges the language of ‘toleration’ for Muslim citizens, it would not take much imagination to see this as a discourse that ‘manages the demands of marginal groups in ways that incorporate them without disturbing the hegemony of norms that marginalize them’ (Brown, 2006, p. 36). But if that same liberal state were to insist instead on an alternative political language – say a language of republican equality, the common good and inclusion – it would take even less imagination to see the workings of domination and subject-formation on citizens who might want to preserve their difference and even invisibility. Would a conservative, pious Muslim or Hasidic Jew prefer to be marginalized by a liberal state or forced to be free by a republican one? If both toleration and its opposite can figure in projects of domination, it is not a simple matter to identify toleration as a uniquely troubling discourse of governmentality.

Of course, what we want is to keep open the possibility for these two alternatives to be questioned, disrupted and challenged. We want neither the marginalization of groups through toleration nor their complete absorption on terms given to them. But this is exactly the problem. We want a politics that precisely disturbs the hegemony of norms that ... well, that do *what*? What harms aided and abetted by the discourse of toleration are we most concerned to combat and reverse? Wendy Brown reminds us of an array of them: marginalization, but also incorporation; the production of difference, but also its erasure; regulation, but also neglect; the privatization of identity, but also its politicization; injustice and inequality, but also neoliberal forms of justice and equality; the increase of the power of the state, but also its decrease through privatization. Unless the only political act is to simply diagnose and identify the workings of power and all of these contradictory harms, inflicted simultaneously, then we are left with the imperative of thinking through this web of harms, losses, false alternatives and over-determined options politically and democratically. It is not sufficient to draw a link between toleration and one set of outcomes, when we might be equally troubled by the opposite set.

But if we are to think about toleration democratically, we are confronted with its inherent elusiveness and unique set of paradoxes. Just as neutrality cannot be neutral between itself and its rivals, so toleration invariably runs into the problem of the intolerance of schemes of toleration. The problem runs deeper than the standard first-order question of whether this or that finally exposes the limits of toleration (headscarves but not face-veils, same-sex marriage but not incest, education to female chastity but not female genital mutilation, advocating jihad but not coordinating it ...), but whether a particular problem, practice or relation is even one that belongs to the discourse of toleration at all. Democratizing toleration would involve at least this further dimension of contestation and destabilization whereby the very configuration of a relationship as one of toleration is brought into question.

It seems unlikely that there will be an easy democratic solution to the way in which the discourse of toleration facilitates the contemporary state's legitimation project, but will involve known and unknown strategies of inclusion, expansion, movement, enfranchisement and empowerment. But this seems exactly what is called for. For it seems exaggerated to assert that 'tolerance as a dominant political ethos and ideal abandons not only equality projects but also the project of connection across differences [and] aims to separate and disperse us' (Brown, 2006, pp. 88–89). Obviously tolerance is not our era's *dominant* political ethos and ideal (why not freedom, prosperity, security, or any other post-2001 trope?) and as a *mere* ethos and ideal, tolerance's relation to equality, connection and solidarity is what we make of it. Sometimes equality will require the suppression of toleration discourse and sometimes it will involve the mobilization of it. Sometimes connection and solidarity will involve closeness, intimacy and exposure, and sometimes they will require distance, immunity and enclosure, precisely because social encounters are usually asymmetrical and imbalanced. Resisting sweeping, totalizing diagnoses seems to be exactly what the cultivation of democratic judgment and democratic relationships aims at.

But how? What does democratization look like? Is it a question of *who*? That is, the more participants in a political conflict include those normally marginalized and silenced the more democratic it is? Surely this is part of it, although this would hardly be controversial for liberal theorists accustomed to the all-affected interests principle (Goodin, 2007). Is it a question of *where*? That is, counter-discourses are likely to be more democratic the more they emerge outside of official sites and institutions organized to protect and advance dominant interests and norms (Young, 2001). But those other sites and counter-discourses can just as equally represent authoritarian, racist, hetero-supremacist (and so on) alternatives to dominant liberal governmentality as progressive or egalitarian ones. Is it a question of *quality*? That is, the mark of democratic action and discourse is that it represents a substantively emancipatory standpoint? But that seems to presume precisely what is sought through democratic action and speech, and leaves open the question of what remains of toleration within a politics of emancipation.

Democratizing toleration requires a constant, egalitarian questioning of the implicit grammar of toleration. For toleration implies a *who*, a *whom*, a *what*, an *act* and a *how*, that is, a tolerating subject, a tolerated other, a tolerated practice or identity, the actions that constitute toleration, and a mode of engaging in them that facilitates or obstructs other actions.⁴ A first (obvious) point is that popular and academic discourses on toleration tend to focus on parts of this syntax, neglecting others. So, the common liberal question about *what* is tolerable and what is not assumes a kind of public or private agency with the capacity to tolerate or not, and might neglect the political and ethical significance of tolerating in particular ways. Similarly, a critical analysis of tolerance as implying aversion as its dominant action might overlook the ways in which toleration is often a thoroughly intimate, engaged and embodied activity. Democratizing toleration requires the relentless questioning



of the way in which the grammar of toleration serves to suppress both its possibilities and its costs.

The risks of a discourse of toleration are not only that it depoliticizes and atomizes, but that it imposes unappreciated harms. The demand to tolerate is the demand to endure, even at the expense of bearing certain harms. How do we know what we are asking the other to tolerate, what this means for them and what costs this imposes, without hearing from the other? At the same time, how do we know whether we are wrongly consigning a claim or difference to the private sphere (because it is too particular in its cultural or religious provenance) without an account of its meaning and force from the other? Both neo-Kantian (whether Habermasian or Rawlsian) as well as genealogical approaches to toleration are at risk of privileging their own prior conceptions of harm and emancipation on political relationships that are experienced in distinct ways by their participants.

Thus, I would like to suggest that an important project for the study of toleration is a pluralization and democratization of the theory and genealogy of toleration itself. What might change in our understanding of toleration when those who are often seen as objects of toleration are refigured as subjects of toleration? This is important because we cannot simply assume that toleration is a response to unreasonableness or failures to form deeper bonds of sociability. The question that hovers above any relationship that is governed by the practice and sensibility of toleration is what is preventing that social relationship from transcending the constraints of toleration to more exalted forms of human sociability or emancipation. When do we resign ourselves to toleration *for now* and when do we see toleration as unlikely to be superseded by something better?

A realist would be tempted to suggest that as human difference and human vice are permanent conditions we should not ever expect to live in a world where toleration is not an important human disposition. But even if we suspect that forms of racism, xenophobia and sexual hierarchy will always threaten us, we have no problem imagining, hoping for and struggling toward a world without them. We can imagine being emancipated from them, and thus calls for toleration of racial, ethnic and sexual others will always be non-ideal or even pernicious. Lots of moral and political conflicts we live with today are like this: I can explain the excesses of the National Security Agency (NSA), resistance to renewable energy and the expansion of the carceral state as reflective of human failures that we should be trying to eliminate not tolerate.

But not all differences are like this. Is imagining a world emancipated from racial and sexual domination no different from imagining a world emancipated from religious dogma? Obviously Marx thought so, as do the New Atheists. But why do not all secular persons see the toleration of religion as an unfortunate fact of life to be managed variably depending on the demographic strength, and moral energies, of the enemy? Consider the well-known story told about the relationship between public justification and religion by Rawls and Habermas. For Rawls, 'a plurality of reasonable



yet incompatible comprehensive doctrines is *the normal result of the exercise of human reason* within the framework of the free institutions of a constitutional democratic regime ... [t]his pluralism is *not seen as a disaster* but rather as the natural outcome of the activities of human reason under enduring free institutions. To see reasonable pluralism as a disaster is to see the exercise of reason under the conditions of freedom itself as a disaster' (Rawls, 1993, pp. xviii, xxvi–xxvii). Similarly, for Habermas, the growth of empirical science and the pluralization of worldviews, amongst other modern sociological phenomena, mean that even secular citizens must abandon any commitments to a single grand philosophical basis for a common social and moral rationality to be shared by all citizens: 'Under modern conditions of life none of the various rival traditions can claim *prima facie* general validity any longer. Even in answering questions of direct practical relevance, convincing reasons can no longer appeal to the authority of unquestioned traditions' (Habermas, 1994, p. 151).

So, for Rawls and Habermas, we do not necessarily imagine a more emancipated world without religious doctrines and without the divide between (public) morality and (private) ethics. But they both, notoriously, suggest that there is a single account for moderns about how this divide is to be justified. For it is precisely the commitment to *publicity* – a shared, public rationale for coercive legislation – that also makes enormous demands on the religious. Habermas famously thinks that there is simply a single epistemic condition of modernity that all rational subjects will accept. Thus, for him, the religious are clearly called upon to recognize pluralism as an epistemic fact about the modern world and willingly restrict the strongest form of religious claims to truth and authority to private ethical projects. They are expected to endorse both the settlement *and the moral-epistemic account of it*. Unacceptable 'fundamentalism' is defined as the rejection of this epistemic situation (see, for example, Habermas's remarks in Borradori, 2003, p. 31). In retreating to a reasonable form of liberalism and secularism, Rawls also hopes for a reasonable form of religion. This reasonable religion need not be a rational religion in the sense of removing all mysteries and miracles, but is to be reasonable in its moral attitude towards others because of the basic epistemic condition reflected in the burdens of judgment. Rawls holds out hope for a symmetrical attitude on the part of the religious to the problem of moral pluralism, which would recognize the *reasonableness* of not sharing the same religious beliefs, or any religious beliefs at all. Rawlsian liberalism respects and recognizes religious moral lives for fundamentally epistemic and psychological reasons ('There but for the grace of Darwin and my progressive education go I ...') and thinks that all other reasonable doctrines, including religious ones, will have parallel accounts of toleration, respect and restraint grounded in an account of why, even in ideal conditions, all reasonable and rational people will not necessarily converge on the same ethical doctrine. That is, they will have *explanations for the disbelief* of others that give reasons for regarding unbelievers as something other than a necessary evil until reason and truth prevail, and ideally those reasons will involve an acknowledgment of the burdens of judgment.



While this epistemic and psychological approach to difference represents an attitude towards religion that atones for some of the moral arrogance and historicist hubris to be found in the post-Enlightenment secular tradition, that it might still be perceived as intolerant by the religious, or as part of a strategy of forming proper religious subjects on the part of liberal states, hardly needs to be pointed out. But what is our response to this dilemma? Of course, we can withdraw from the very project of looking for grand intellectualized accounts of moral pluralism, focusing instead on habits of sociability and affective responses to difference. And we can reject the call for a single language of public justification, looking instead to actual political struggles. Those responses both seem right at some level to me.

But it seems to me that the problem of the other's toleration remains interesting. Does the other see me as fundamentally unemancipated, an agent of my own self-enslavement? Does the other see my disbelief as a contingent fact about the world, and its eradication (not *my* eradication, but my *disbelief*'s) to be imagined and hoped for? Or, if wrong belief and misguided ethical projects are seen as inevitable in the world, what does this point to about the world itself – that it is fallen, and thus imperfection must be tolerated but not embraced? Or is there a way in which the other can see doctrinal and ethical difference as something permanent in the world but somehow less than tragic?

These are not the most urgent political problems facing us today. And we should not forget that the religious (today, Muslims in particular) are often called upon in public to reassure others of their toleration and to provide us with their theological account of it, and that this is a common form of disciplinary power. But in the right circumstances, I believe that these questions point to a potential agenda for reinvigorating our theoretical and academic discussions about the relationship between toleration and other aspirational moral and political relationships. I believe that they also point to a way in which not only the public, political discourses of toleration can be democratized, but the philosophical exploration of toleration as well.

Notes

- 1 We need to think only of the language of 'zero tolerance' in relation to crime; it is intolerance that becomes the virtue.
- 2 Of course, a religious conservative might agree that the most urgent political problem of toleration is our passive toleration of injustice, but lays before our consciences a different account: the killing of unborn fetuses, for example. There is nothing particularly theoretically insightful in pointing to our daily toleration of injustices and atrocities done by our representatives.
- 3 One problematic feature of Wendy Brown's analysis is that she often simply asserts that toleration is the concept doing the work she describes, and that toleration is in fact the hegemonic attitude toward a particular social group or practice, once she has set that as her frame.
- 4 Although Glen Newey has helpfully pointed out that there is a common *intransitive* usage of toleration. People or cultures are often spoken of as 'tolerant' *simpliciter*, without any particular object of their toleration (Newey, 2013, pp. 7, 30).



References

- Borradori, G. (ed.) (2003) *Philosophy in a Time of Terror: Dialogues with Jürgen Habermas and Jacques Derrida*. Chicago, IL: University of Chicago Press.
- Brown, W. (2006) *Regulating Aversion: Tolerance in the Age of Identity and Empire*. Princeton, NJ: Princeton University Press.
- Gilens, M. and Page, B.I. (2014) Testing theories of American politics: Elites, interest groups, and average citizens. *Perspectives on Politics* 12(3): 564–581.
- Goodin, R. (2007) Enfranchising all-affected interests, and its alternatives. *Philosophy and Public Affairs* 35(1): 40–68.
- Habermas, J. (1994) *Justification and Application: Remarks on Discourse Ethics*. Cambridge, MA: MIT Press.
- Newey, G. (2013) *Toleration in Political Conflict*. Cambridge, UK: Cambridge University Press.
- Rawls, J. (1993) *Political Liberalism*. New York: Columbia University Press.
- Young, I.M. (2001) Activist challenges to deliberative democracy. *Political Theory* 29(5): 670–690.

Andrew F March
Yale University, New Haven, Connecticut 06520, USA
andrew.march@yale.edu

Tolerance and power: What can a tolerant society do?

Among the many trends in new theories of tolerance by thinkers such as Wendy Brown (2006), Rainer Forst (2013), Michael Walzer (1999) and Slavoj Žižek (2008), the most interesting one concerns the link between the study of power and the kind of socio-political relationships that a ‘tolerant’ society enables through its commitment to norms of democracy, in particular with regard to inclusion and pluralism. Most evident among those who are critical of tolerance – but also present in various efforts to establish tolerance as a cardinal virtue of democratic deliberation – discussions of the links between tolerance and power have produced several important new insights. On the one hand, the discussions have tempered the tendency to see tolerance as an unqualified good for democracy and in so doing clarified how and why it is that a tolerant society must actively resist its own sense of superiority in order to produce socio-political relationships that do not replace norms of inclusion and pluralism with policies of exclusion and sameness. On the other hand, the discussions have also demonstrated how difficult the identification of this rather unique mode of resistance can be and why this may be due to an unfortunate tendency (implicit if not explicit)



within new theories of tolerance to see power as a phenomenon or structure that is external to tolerance itself. My objective in this essay is to critically examine the latter of these two aspects and to suggest that a new approach to tolerance and power might be needed. In what way and for what reasons do new theories of tolerance see power as external to tolerance? What are the limitations of this perspective? And how might we develop an alternative approach to the link between tolerance and power, one that recognizes that power indeed never is external to the ideals and practices of tolerance?

To get some traction on these questions, let us begin by appreciating how new theories of tolerance by thinkers such as Brown, Forst, Walzer and Žižek have introduced various elements of the critical tradition broadly conceived in order to improve upon the conception of tolerance and power suggested to us by classical liberalism. According to the latter, the relationship between tolerance and power is best conceptualized as an issue of delimitation according to which the aim of tolerance is to limit the exercise of power in order to prevent States and individuals from persecuting beliefs and traditions that offend what they think is good for themselves and/or society more broadly understood. The new theories of tolerance do not necessarily disagree with this way of framing the issue. Still, they all suggest, each in its own way, that liberalism's strictly negative view must be supplemented by a more nuanced approach, one in which tolerance not only limits power but also serves the desires and ambitions of the powerful in ways that can be more or less repressive, more or less emancipatory. Brown, Forst, Walzer, and Žižek all agree that this supplementation is needed in order to better capture how tolerance works in a neoliberal context in which power is reinforced through diffuse networks of discipline and surveillance rather than through centralized structures of hierarchy and authority. They do not agree, however, on what follows from this shift with regard to the politics of tolerance. According to one view, the supplementation of classical liberalism thus allows us to see how tolerance can be understood as a 'demand of reason' that supports the right use of power by infusing it with universal principles of equality and respect (Forst, 2003, especially pp. 72–73; see also Walzer, 1999, pp. 83–93). According to another view, this infusion ignores how those in power often use tolerance to frame inequality as a fact of pluralism, something that shores up rather than interrupts structures of injustice and exclusion (Brown, 2006, p. 25; Žižek, 2008, p. 663). Without it necessarily being so, tolerance may thus legitimize a political order in which acceptance of repressive inequality is substituted for a critique of its conditions of possibility.

Keeping these internal disagreements in mind, we may map the contributions generated by new theories of tolerance by way of a simple matrix, which proceeds along two axes organized around (1) the repressive and non-repressive effects of tolerance and (2) the relation of tolerance to power as either limiting or serving someone or something other than itself.¹ The bottom-half of the matrix captures the disagreements that exist among classical liberal conceptions of tolerance; the top-half

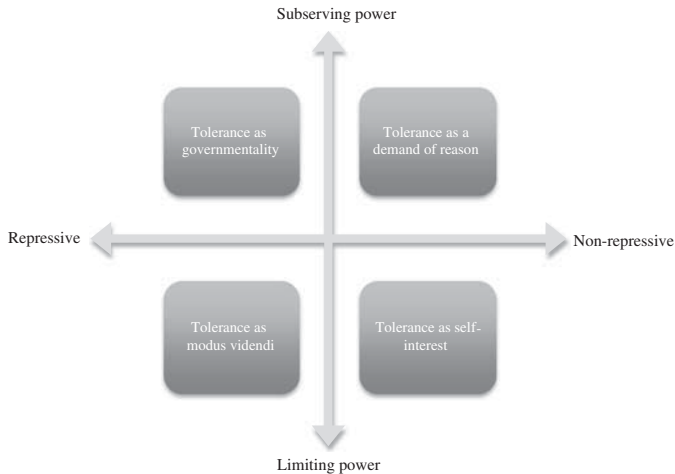


Figure 1: Tolerance and power.
 Horizontal axis: effects of tolerance.
 Vertical axis: tolerance's relation to power.

outlines to the main differences dividing the new theories of tolerance. The matrix is shown in Figure 1.

The matrix is revealing in a number of different ways. Perhaps most obvious is how it presents new theories of tolerance as an internally divided mirror image of classical liberalism, something that deserves more attention than it has received heretofore. This is especially the case because attention to this side of the debate will allow us to underscore how new theories of tolerance are reluctant to see the practice of tolerance as a power in its own right, and how they instead treat it as determined by forces that are located outside the purview of tolerance itself – be it by way of reason as a transcendental category applicable to all modes of thought and action, or by way of neoliberalism as the most important regime of modern governmentality. As already indicated, there are good reasons for conceptualizing tolerance and power in this manner, especially given the complex context in which contemporary practices of tolerance operate. But it also raises serious questions about whether new theories of tolerance by thinkers such as Brown, Forst, Walzer and Žižek have misconstrued their object of study, and whether they in that sense have missed out on important aspects of what a tolerant society can do in terms of fostering socio-political relationships that affirm (even nourish) democracy's norms of inclusion and pluralism. Formulated as a series of questions, we might thus ask the following: If we accept the idea that tolerance obtains its power from something external to itself, then how do we sustain the integrity of tolerance as a concept and how do we avoid

reducing it to a name for something else? Moreover, if an important aspect of tolerance remains its delimiting character vis-à-vis the powers that-be, how do we conceptualize the processes underpinning this delimitation? Do not these processes suggest a power of their own? If so, how is this power related to the other powers that define modern tolerance, and how do we conceptualize the reverberations and dissonances that arise from the ensuing interplay between the different powers involved in becoming tolerant?

The emphasis on the external relationship between tolerance and power makes it difficult for new theories of tolerance to address these questions, and we might thus say that one of the most important challenges for thinking about what a tolerant society can do remains how to conceptualize the very power of acting tolerantly. One way to address this challenge – one that I explore in *Tolerance: A Sensorial Orientation to Politics* – is to switch our analytical focus from an external to an internal perspective, approaching tolerance as a lived experience prompted by the tension between objecting to someone or something while at the same time accepting its presence as a legitimate part of society.² The primary objective of such a switch in perspective is not to determine whether the reasons for objection and acceptance are normatively justifiable according to some universal procedure or value but rather to examine what a tolerating subject can do in the face of something that – often for very different reasons – feels more or less objectionable, more or less painful.³ To bring this aspect to the forefront of the discussion, the internal perspective advocated here introduces the idea of a force field as that which facilitates the agency and orientation necessary for both the tolerator and the tolerated to move in this or that direction. As I have argued elsewhere, a unique feature of the force field specific to tolerance is the emphasis it puts on the sensorial dimensions of political life, in particular as these dimensions concern registers of affect and perception (see Tønder, 2013, p. 81). Building off these registers, the switch from an external to an internal perspective thus suggests that the power of acting tolerantly hinges on the range of affects and perceptions that we find within the force field of tolerance, as well as on how each of them either intensifies or relaxes the intensities and thresholds that sustain the endurance of some but not other experiences of pain and objection. To be tolerant, in other words, is not simply an issue of *re-acting* to forces imposed externally onto the practice of tolerance; in addition, and I would suggest more importantly, the process of becoming tolerant also involves forces that are unique to tolerance itself and that introduce an irreducible variance in how other powers work in relation to norms of inclusion and pluralism.

Another way of saying this is to point out that at the same time as the internal perspective agrees that the ideal of tolerance should be inclusion and pluralism, the perspective also suggests that the affirmation of this ideal hinges less on external forces and more on the affective and perceptual experiences that give citizens the power to be resilient, and that enable them to actively engage with many of the



qualities that are embedded in the norms of inclusion and pluralism, including contestation, disagreement and renegotiation of authority and privilege. The advantage of formulating the ideal and practice of tolerance in these terms is that it links practices of tolerance to what they are a response to (that is, experiences of pain and objection), and that it in this sense gives us better traction on how to conceptualize the motivation for becoming tolerant in the first place. Moreover, the shift from an external to an internal perspective changes how we conceptualize the problem of power, something that gives us a better and more flexible understanding of what a tolerant society can do. If a tolerant society affirms norms of inclusion and pluralism, it is not exclusively or primarily because citizens 'hold back' in order to serve something higher than their own needs and interests. Rather, the drive to become tolerant arises from within tolerance itself and it points to the possibility of enriching the lives of citizens through inclusion and pluralism, augmenting the number of encounters they can experience across cultures, religions and traditions. What a tolerant society does at its noblest is to enable this augmentation through practices of endurance and resilience.

An important task for thinking about the link between tolerance and power in these alternative terms is to show how it helps us to reframe the suspicion in post-Marxist critical theory that tolerance has become a tool for framing inequality as a fact of pluralism, which shores up rather than interrupts structures of exclusion and injustice. A first step in this regard is to acknowledge that although they currently seem to overlap, the histories of tolerance and neoliberalism have never been identical; indeed the two histories have often been in opposition to each other, with tolerance supporting the causes of groups and individuals who have sought to undo incipient neoliberal goals associated with financial accumulation and social control.⁴ In itself, this is an important reason to treat tolerance as its own force field, which is defined by a range of affects and perceptions, which in turn sustain the endurance of some but not other experiences of pain and objection. What is more, even in a situation like ours where tolerance and neoliberalism do seem to overlap, we should be careful not to reduce one to the other. Not only would such a reductionism preclude us from seeing how tolerance works in places where neoliberalism has not yet taken over, it would also prevent us from appreciating how *some* practices of tolerance draw on neoliberalism in ways that turn the latter against itself. (I emphasize *some* – not all – in order to indicate the ambiguity of tolerance; the point is not to uncritically embrace all practices of tolerance but to identify and nourish the ones that support norms of inclusion and pluralism.) The possibility of such a turning operation suggests that tolerance is irreducible to external forces, and that we therefore should insist on approaching it as a power in its own right.

The reason why new theories of tolerance have paid little attention to this insight might be a link between the tendency already identified and then another trend in contemporary political theory, one that encourages political theorists to focus on a limited number of examples as representative of what a tolerant society can do. To

counter this tendency, it is necessary that political theorists engage in an act of defamiliarization, multiplying the range of examples we use to illustrate the link between tolerance and power. One alternative example could be the group of three cartoonists who reframed the invitation from the Danish newspaper *Jyllands-Posten* to challenge Islam's ban on depicting the Prophet Muhammad and instead used their cartoons to both ridicule the project itself and to displace the Christian majority's anxieties about living in a multi-religious society. Another example could be a global network of local grassroots called 'Transition Towns', which aim to develop resilient communities organized around principles of permaculture and sustainability. And a third example could be exchanges such as the recently published one between Wendy Brown and Rainer Forst, which stands out for its attempts at identifying commonalities between opposing perspectives and for taking on the other perspective's language in order to try out its strengths and weaknesses (Brown and Forst, 2014, pp. 13, 36 and 34). In all three examples, tolerance plays an important role, albeit not in the usual sense of either delimiting or subserving power but rather in the sense of inhabiting practices of endurance and resilience that expand the connections across existing divides, using many of neoliberalism's own virtues – be it the circulation of free speech, principles of economic exchange or reasonable debate – in order to create a more inclusive and pluralistic orientation toward the future. The creativity embedded in this reorientation may not be representative of all practices of tolerance but it does help us to see how tolerance once again can become a positive and active contribution to norms of inclusion and pluralism.

Let me conclude by noticing that the stakes are high for new studies, which embark on projects showing how tolerance can be something other and more than it is today. As long as tolerance remains a privileged term for thinking about norms of inclusion and pluralism – something that does not seem to change any time soon – it is crucial that political theory gives further attention to those aspects of tolerance, which may seem tangential to the contemporary debate but nonetheless can infuse democratic politics with new energy and inspire citizens of all stripes to expand the range of acceptable differences in society. In this regard, it is important to realize that democracies without a proactive tolerance sustained by practices of endurance and resilience may not be democratic at all. Insofar as norms of inclusion and pluralism augment opportunities for contestation and disagreements – and insofar as this augmentation changes the distribution of power and privilege and in that sense pressures individuals and groups who already have been included and recognized – democratic politics itself might be defined by a circularity, which necessitates a proactive tolerance that remains resilient in the face of its own imperfection. An important motivation for switching from an external to an internal perspective, repositioning our approach to the link between tolerance and power, has been to highlight this insight and to make it the focus for new discussions of what a tolerant society can do when it strives to become nobler and more powerful than it is today.



Notes

- 1 These two dimensions are primarily relevant for the discussion of the relationship between tolerance and power and are not meant to exhaust the entire map of theories of tolerance in contemporary political theory. For an account of the latter, see my discussion in Tønder (2013, pp. 25–35).
- 2 For a classical discussion of the tension between these two components of the concept of tolerance – often referred to as the ‘objection’ and ‘acceptance’ components – see King (1998, pp. 44–54).
- 3 As the emphasis on what the tolerating subject can do entails a decentering of the subject itself, one cannot say that the perspective proposed here disregards the lived experiences of the tolerated or in some other way sees the tolerator as superior to the tolerated. Such a conclusion is unwarranted as it fails to acknowledge how the sensorial dimensions on which the power of tolerance is based arises in between two entities or subjects undergoing their own processes of becoming. If anything, one might thus say that the perspective I am proposing here is one that sees the relationship between the tolerator and the tolerated as a reversible one, which is to say as a relationship in which the power of one side of the relationship relies on the power of the other side.
- 4 The most obvious example of this might be Diogenes the Cynic who is said to have appeared naked on the marketplace of Ancient Athens to show his tolerance while protesting the Athenian culture of intellectual pretense and financial wealth. For a discussion of this example and others, see Tønder (2013, pp. 3–4 and 96–101).

References

- Brown, W. and Forst, R. (2014) *The Power of Tolerance: A Debate*. New York: Columbia University Press.
- Brown, W. (2006) *Regulating Aversion: Tolerance in the Age of Identity and Empire*. Princeton, NJ: Princeton University Press.
- Forst, R. (2003) Toleration, justice and reason. In: C. McKinnon and D. Castiglione (eds.), *The Culture of Toleration in Diverse Societies: Reasonable Tolerance*. New York: Manchester University Press.
- Forst, R. (2013) *Toleration in Conflict: Past and Present*, Translated by C. Cronin Cambridge: Cambridge University Press.
- King, P. (1998) *Toleration*, New edn. London: Frank Cass.
- Tønder, L. (2013) *Tolerance: A Sensorial Orientation to Politics*. Oxford: Oxford University Press.
- Walzer, M. (1999) *On Toleration*. New Haven, CT: Yale University Press.
- Žižek, S. (2008) Tolerance as ideological category. *Critical Inquiry* 34(4): 660–682.

Lars Tønder

Department of Political Science, University of Copenhagen, Copenhagen, 1165 Denmark
lt@ifs.ku.dk

Between social domination and democratic reason: The concept of toleration

We are not the first generations to live in societies marked by profound differences in ways of life and morals. Our Christian ancestors, for example, struggled with the issue of how we can live together without seeing the devil’s handiwork in other

people's actions. We can still gain an inkling of the extremity of such conflicts from present-day discussions of questions surrounding abortion. But also same-sex marriage and the right to adopt for same-sex couples, circumcision on religious grounds, Islamic dress codes, the vilification of religious leaders or the question of whether fascist parties should be outlawed, point to conflicts that catapult us back like a journey through time into the historical epochs in which the concept of toleration was coined.¹ Toleration contains the promise of being able to live with such differences without being able to resolve them.

However, the concept of toleration is itself the focus of such conflicts and not their neutral counterpart – or so it seems at any rate.² While some people consider a ban on right-wing political activities to be required in terms of the limits of democratic toleration, others regard this as intolerant. While some people tolerate circumcision, others consider it to be intolerable, even in the case of boys. Some are in favor of tolerance toward same-sex partnerships, but not of equal rights – others see this in turn as intolerant and repressive.

Thus it is not only controversial how far toleration should go; some of the examples cited also raise the question of whether toleration is even a good thing – because, on the one hand, it can go too far and, on the other, it can legitimize denying equal rights. Is toleration even the mark of an asymmetrical policy or a refined form of domination involving the disciplining of minorities, following Kant's (1996) dictum that the name of tolerance is 'arrogant' (p. 21), or Goethe's (1998) saying: 'Tolerance should be a temporary attitude only; it must lead to recognition. To tolerate means to insult' (p. 116, translation amended). Such entanglements of tolerance and power are the themes that Wendy Brown and I discuss in our book *The Power of Tolerance* (Brown and Forst, 2014). There I build on my systematic historical reconstruction of the debate on toleration from antiquity to the present that I presented in *Toleration in Conflict* (Forst, 2013).

What is required is a historically informed, critical philosophy whose task it is to examine our store of concepts. What exactly, we would like to know in the first place, is the meaning of the concept of toleration? It denotes an attitude that, analytically speaking, involves three components. This already enables us to clear up a series of misconceptions – for example, the mistaken notion that toleration has something to do with judgment-free arbitrariness or indifference, as Nietzsche assumed.³ Let us consider *when* we say that we 'tolerate' something, such as the opinion of a friend, the smell of a particular food or the action of a group. We say this only when something bothers us about this opinion, the smell or the action. And in fact the first component of toleration is that of *objection*.⁴ We initially object to convictions or practices that we tolerate as false or bad. Otherwise, our stance would be one of indifference or affirmation, but not of tolerance.

To this a second component must be added, that of *acceptance*. It specifies reasons why what is wrong or bad should nevertheless be tolerated. Here, therefore, a balance is struck between negative and positive considerations. The acceptance reasons do



not cancel the reasons for objecting. They only stand alongside them and tip the balance in the case of toleration.

Finally, a third component must be considered, that of *rejection* – thus once again negative reasons. These mark the limits of toleration. Evidently, these negative reasons must be more serious or weighty than the first-mentioned reasons for objecting, as they cannot be trumped by acceptance considerations. In an ambitious, democratic conception of toleration (which I will set out in detail below), these must be reasons that can be cited even toward those affected by the rejection and justify why limits are to be drawn from an higher-order point of view aiming at impartiality. If the limits of toleration were to be defined arbitrarily, tolerance would not be a virtue.

The task of toleration is to establish the correct normative order among these three components. The reasons can be of different origins. All three can have religious sources, such as when one objects to a different religion as false, but tolerates it in the spirit of peace until it leads to blasphemy. The reasons can also be of different kinds, however, such as when a religious objection stands opposed to acceptance and rejection reasons that appeal to human rights – in the former case to the right of freedom of religion, for example, and in the latter to bodily integrity. To be sure, these reasons do not reside in the concept of toleration itself; tolerance is a virtue that is *dependent* on other normative resources.⁵

From this analysis it is apparent that toleration is not always the correct recipe against intolerance. Racism, for example, is a widespread cause of intolerance. But when we call for tolerance as a response to racist attacks, what are we doing? Do we want ‘tolerant racists’, that is, people who remain racists, only do not act according to their beliefs? No, we should instead work towards overcoming racism; and that means that here the reasons for objecting are already the problem.⁶ There was a time when Enlightenment thinkers believed, taking this as their model, that one should seek to promote a religion of reason beyond the dispute among the old forms of faith. But that proved to be unfeasible, because it expected something from reason that it was not able to deliver – namely, to provide ultimate answers to speculative questions (cf. Forst, 2013, §6). Sometimes, today, some critics of toleration seem to aim for something like that, too – the eradication of cultural and ethical objections between forms of life.⁷

Continuing the analysis, we must distinguish different *conceptions* of toleration, which have evolved historically. Here I will cite just two.⁸ The first I call the *permission conception*. We find it in the classical toleration laws, such as in the Edict of Nantes (1598), which states: ‘[N]ot to leave any occasion of trouble and difference among our Subjects, we have permitted and do permit to those of the Reformed Religion, to live and dwell in all the Cities and places of this our Kingdom and Countreys under our obedience, without being inquired after, vexed, molested, or compelled to do any thing in Religion, contrary to their Conscience ...’ (cited in Mousnier, 1973, pp. 316–317). Toleration on this conception is an authoritarian attitude and practice that permits minorities to live according to their faith – within a



framework prescribed unilaterally by the permission-giving side. All three components – objection, acceptance and rejection – are in the hands of the authorities, and the tolerated are marked and put up with as second-class citizens, and hence rely on the protection by the monarch. This is the notion of toleration that Goethe and Kant have in mind in their critique, because here to be tolerated also means being stigmatized and dominated – although, to be historically fair, a monarch such as Henry IV took a high risk by pursuing such a policy of toleration toward the Huguenots. Nevertheless, here toleration is a combination of freedom and discipline, of recognition and disrespect, which calls for a Foucauldian analysis of ‘governmentality’ (cf. Forst, 2013, §10 and *passim*, as well as Brown, 2006).

During the long history of democratic revolutions, by contrast, another horizontal conception of toleration develops in modern times – the *respect conception*. The key idea in this case is that toleration is an attitude of citizens towards each other who know that they do not agree on central issues of the good and proper life, yet still accept that their shared institutions must be based on norms that all free and equal persons can share and are not simply stipulated and legislated by the system of values of one group. The objection components remain part of the space of definitions of individuals or their communities, but the components of acceptance and rejection are defined in a process of legitimation that aims at norms that can be justified in a general way – *independently* in a relevant sense of the particular, non-generalizable beliefs of individuals. Tolerance is the virtue of tolerating beliefs and practices with which one does not agree, but which do not violate any principles that reflect the equality and freedom of all. The person of the other is respected; his or her convictions and actions are tolerated.

It was one of the greatest seventeenth-century thinkers, Pierre Bayle, who captured this logic of toleration (cf. Forst, 2013, §18). If both parties to the conflicts in France of his time, Catholics and Protestants, insisted that their ideas should apply to everyone and be dominant, according to Bayle, then any crime could be portrayed in principle as a pious deed. On the contrary, human reason, he argued, must be able to find a language in which an injustice can actually be called an injustice – for example, the injustice of forced conversion or of expulsion or torture. This language of morality and justice must be the same for everyone and be able to correct the distortions resulting from partiality. Whether this conception was too optimistic is still a live issue today when it comes to matters of toleration.⁹

At this point, we must counter the misunderstanding that this conception of toleration founded on reason is ‘intellectualist’ or is ‘detached from the sensorium of political life’, as Lars Tønder (2013) writes (pp. 28, 11). Here we are dealing instead with a historically situated form of genuinely practical reason shaped by concrete experiences of conflict and human violence. Bayle’s example attests to this.

However, we would be mistaken if we optimistically believed that in our democratic age we had overcome the former conception in favor of the latter. Many contemporary disputes involve conflicts between proponents of both conceptions,



and the permission conception reappears in a majoritarian guise. Whereas some people think that minarets and mosques should be tolerated provided that they confine themselves to the framework laid down by Christian majorities, others insist that having suitable places of worship is a basic right. Whereas some people believe that, although toleration forbids proselytizing, it does not require the removal of crosses or crucifixes from public classrooms, others insist on their removal in the name of equal respect. Something similar holds for Muslim headscarves, same-sex marriages and the like. Should same-sex partnerships be ‘tolerated’ only within the framework laid down by a heterosexual majority, or can they demand equal respect and equal rights?

The normatively dependent concept of toleration itself does *not* tell us from what we should take our guidance here. And many values or principles suggest themselves – freedom and autonomy, on the one hand, social stability and peace, on the other. Depending on where the emphasis is placed, we arrive at different conclusions. I think, by contrast, that we should adhere to the principle of *justice*. For what else is it except a question of justice what status and rights minorities or certain groups have in a society? What is at stake here is a form of justice that calls on us to rethink and, if necessary, to abandon time-honored conceptions of political life. The central connection between justice and toleration consists in the following question: Does my *objection* to a practice rest on reasons that not only reflect my ethical or religious position that others, after all, do *not* share and do not have to share, but on reasons that are sufficient to proceed to a *rejection* – hence reasons that, for example, are sufficiently strong to justify prohibiting this practice with legal means? Is the objection to circumcision, same-sex marriage, wearing a religious symbol, building a place of worship, and so forth, sufficient to make an argument that can be upheld among equal citizens and that can be fairly adduced towards those affected – regardless of the fact that one might belong to a majority?

What do I have to accept in order to answer this question within the meaning of the respect conception? This touches on a difficult epistemological point connected with the problem of toleration, because toleration is often accused of demanding that one question one’s own position in a skeptical spirit. But this is not the case. Reflection on toleration does not require that one doubt the truth of one’s own religion. But one needs to know that religious and ethical beliefs about the good life are neither verifiable nor falsifiable with rational means. They are situated in the context of what John Rawls (1993) called ‘reasonable disagreement’ (pp. 54–58) and are therefore, as Pierre Bayle (1991) puts it, *dessus de la raison* (p. 410), beyond the scope of reason as it were, but are not necessarily irrational (unless they involve superstition). Reason allows many ethical positions among which it cannot and must not decide itself (cf. Forst, 2013, ch. 10). This does not mean, as Glen Newey (2013) thinks, that objection judgments are ‘privatized’ (p. 99) as they remain in the social space articulated. It only means that, when it comes to general political norms, a certain threshold of justification is accepted.



In the attitude of tolerance in accordance with the respect conception I must accept in addition that I owe others who live with me under a shared system of norms reasons for such norms that we can share morally and politically, and in particular do not stem from the fund of convictions that are matters of ethical dispute. We call this ability to recognize suitable reasons in theoretical and in practical political use and to discover them jointly in discourse *reason*. Therefore, tolerance, correctly understood, is a virtue of the public use of reason. This ability, coupled with the sense of justice within an understanding of what can be justified toward others as equals, is indispensable. That this entails discursive work, because what is and is not generalizable cannot as a general rule be determined *a priori*, makes toleration necessary and does not cast doubt upon it.¹⁰

This presupposes integration into a discursive community in which there is at least as much in common that even a critique of dominant discursive strategies and vocabularies in a common language becomes possible. This common basis of mutual respect is indispensable in a tolerant democratic society aiming at political justice.

Translated from the German by Ciaran Cronin.

Notes

- 1 Important recent analyses can be found in Dobbernack and Modood (2013).
- 2 Newey (2013), in particular, points out this political dimension of the concept.
- 3 Nietzsche (1988) criticizes toleration as, among other things, the 'inability to say yes or no' (274f.; my translation).
- 4 My analysis of the components of toleration essentially follows that of Preston King (1976) (if not in every detail).
- 5 I discuss the idea of normative dependence in §3 of Forst (2013).
- 6 The same holds true of objections that stem from homophobia.
- 7 This plays a role in my debate with Wendy Brown in *The Power of Tolerance*, if I am correct. See the very end of our exchange on pp. 66f.
- 8 I discuss four conceptions of toleration in Forst (2013, §2).
- 9 This is one of the central questions of my debate with Wendy Brown.
- 10 As Newey (2013) fears (pp. 98f.).

References

- Bayle, P. (1991) *Historical and Critical Dictionary: Selections*, Edited and translated by R. Popkin Indianapolis, IN: Hackett.
- Brown, W. (2006) *Regulating Aversion: Tolerance in the Age of Identity and Empire*. Princeton, NJ: Princeton University Press.
- Brown, W. and Forst, R. (2014) *The Power of Tolerance: A Debate*. New York: Columbia University Press.
- Dobbernack, J. and Modood, T. (eds.) (2013) *Tolerance, Intolerance and Respect: Hard to Accept?* Basingstoke, UK: Palgrave Macmillan.



- Forst, R. (2013) *Toleration in Conflict: Past and Present*, Translated by C. Cronin. New York: Cambridge University Press.
- Goethe, J.W. (1998) *Maxims and Reflections*. London: Penguin.
- Kant, I. (ed.) (1996) *An Answer to the Question: What is Enlightenment? Practical Philosophy*, Edited and translated by M. Gregor. Cambridge: Cambridge University Press, pp. 11–23.
- King, P. (1976) *Toleration*. New York: St Martin's Press.
- Mousnier, R. (1973) *The Assassination of Henry IV*, Translated by J. Spencer. New York: Scribner.
- Newey, G. (2013) *Toleration in Political Conflict*. Cambridge: Cambridge University Press.
- Nietzsche, F. (1988) *Nachgelassene Fragmente 1885–1887*, in *Kritische Studienausgabe* 12. Munich/Berlin: dtv/de Gruyter.
- Rawls, J. (1993) *Political Liberalism*. New York: Columbia University Press.
- Tønder, L. (2013) *Tolerance: A Sensorial Orientation to Politics*. Oxford: Oxford University Press.

Rainer Forst
Goethe-University Frankfurt am Main, 60323 Frankfurt am Main, Germany
forst@em.uni-frankfurt.de