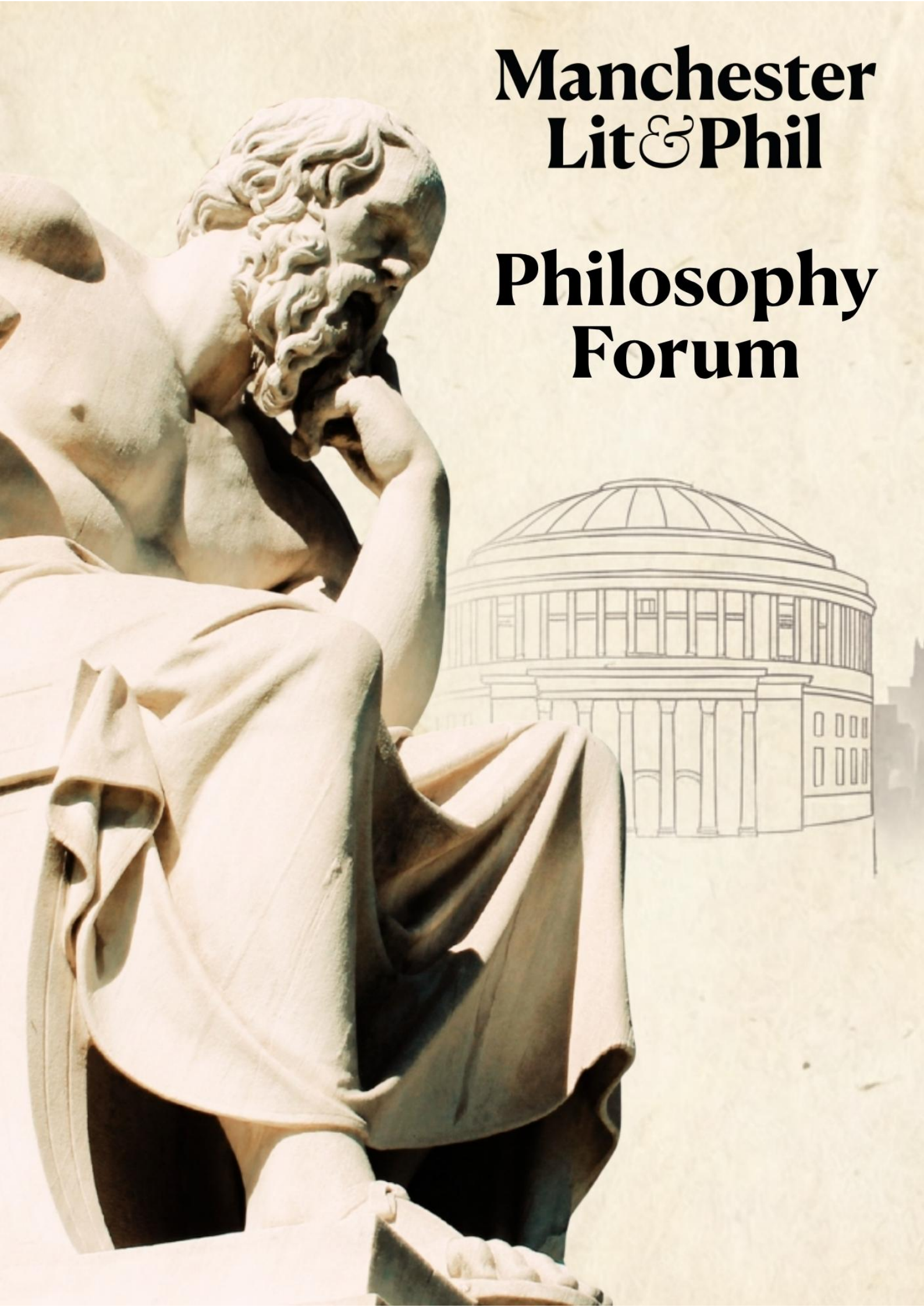
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Silver Medal Commemorating the 1689 Act of Toleration



The Paradox of Toleration

Must We Put Up With the Malign?

By Andrew Bailey

The word “toleration” derives from the Latin tolerare, which means to put up with, to countenance or to suffer.

In English usage it has to be directed towards behaviour or beliefs with which one is at variance; otherwise it would merely count as agreement.

It also needs to be practiced voluntarily; were it to be compelled you would just be enduring that with which you disagreed.

It is a key tenet of Liberalism that beliefs or practices considered to be wrong can still be tolerable; and so, instead of being prohibited or constrained, they may be accepted without interference.

Liberalism: the prioritisation of individual liberty, equality and rational governance.

But this raises a problem, called the paradox of tolerance by philosopher Karl Popper in 1945:

If a society is tolerant without limit, its ability to be tolerant will eventually be seized and destroyed by the intolerant.

It is this paradox that the following paper seeks to address.

1. A Brief(ish) History of Toleration

1.1 In antiquity Plato had referred to a "paradox of freedom": unchecked freedom for 'us' also implies the ability to limit the freedom of 'them'. Consequently, a 'true' democracy would inevitably lead to a tyranny. Instead, Plato's ideal was a state ruled by a "philosopher king".

1.2 Tertullian, an early Christian writer, began to use the concept of "toleration" as an attempt to reconcile religious difference. He rejected external compulsion, arguing that only a faith based on inner conviction was pleasing to God. Conversely, Augustine held that concern for another's eternal soul might entail having to use force to coerce them back to the path of righteousness. Hence, an individual conscience can, and sometimes must, be compelled. Meanwhile, Martin Luther preached that an individual conscience was bound only by the word of God

This tension has persisted beyond its original Christian context; for example humanists such as Erasmus advocated a reduced 'core' faith, to avoid conflicts over relatively 'trivial' doctrinal issues.

1.3 John Locke wrote his influential *A Letter Concerning Toleration* (1689) in response to Huguenots entering England having fled religious persecution in France. He maintained that whilst the state had to secure the "civil interests" of its citizens, "care of the soul" should be left between an individual and God. However, even this celebrated champion of tolerance conceded its limitations, arguing that those who refused to accept their 'proper place' in civil society might have to forgo its protections. Locke was referring to Roman Catholics, whom he feared were plotting a foreign-backed overthrow of the legitimate government. Nevertheless, his writing greatly influenced both American and French revolutionaries in their efforts to secure basic 'natural rights' of religious liberty.



One Morning in Front of the Louvre, Edouard Debat-Ponsan, 1880

1.4 Voltaire's *Treatise on Toleration* (1763), written in support of a persecuted Protestant family, took a more absolutist view on the moral necessity of tolerance than even Locke. He argued that doctrinal intolerance was against the law of nature: "The supposed right of intolerance is absurd and barbaric. It is the right of the tiger; nay, it is far worse, for tigers do but tear in order to have food, while we rend each other for paragraphs."

1.5 John Stuart Mill's *On Liberty* (1859) represented a transition to a more modern concept of toleration, broadened out beyond 'mere' theological differences. He offered

three main arguments for toleration. Coercion was only legitimate to prevent serious harm being done to one person by another, not just to enforce paternalistic ideas of what is good for you. Toleration was justified on the utilitarian grounds that supposedly false opinions might turn out to be ultimately productive. And finally, tolerating unorthodox "experiments of living" was justified in a 'romantic' way, as they tended to promote individuality and originality.

1.6 But perhaps most famously, Karl Popper's *The Open Society and Its Enemies* (1945), sought to address the central paradox of toleration in the aftermath of the Second World War. That is, a society that extends tolerance to the intolerant risks enabling the eventual dominance of intolerance, thereby undermining its own central values. Popper held that to be truly tolerant, a society must retain the right to deny tolerance to the intolerant. And, especially given the context of 1945, he rejected Plato's solution of a benevolent dictator as implausible, instead advocating for the institutions of liberal democracies and the importance of rational argument. Something he saw the authoritarian regimes of Nazism and Soviet Communism fatally rejecting in favour of their respective dominating dogmas.

2. The Mechanics of Toleration from the Stanford University *Encyclopedia of Philosophy*:

2.1 Tolerance is considered to be a "normatively dependent concept". That is, it cannot stand alone as a good, but requires backing by other independent moral or legal reasons (like preventing harm) for it to have value.



2.2 Toleration is not simply a matter of acceptance or rejection. Instead, there are three "realms" of toleration:

Practices and beliefs with which you agree.

Practices and beliefs that you find wrong, but are still able to tolerate.

Practices and beliefs that you find intolerable, and so reject.

2.3 The encyclopaedia introduces three associated "components" of toleration, but also identifies paradoxes associated with each of these components:

Objection: tolerated beliefs or practices have to be considered wrong. Otherwise, you are merely demonstrating 'indifference' or 'acquiescence' rather than toleration.

Paradox: for example the "tolerant racist". If you believe that certain 'races' are inferior but don't act on this, you could be called tolerant. Hence, an immoral position (racism) is being praised as moral (tolerant); and presumably the more racist this person is the more tolerant they would be for 'holding back'.

Acceptance: you must have good moral reasons to allow the thing that you dislike. That is,

you must decide that intervening to stop something would cause more harm than just letting it happen.

Paradox: but if we're viewing both sides through a moral lens, how can it ever be morally right, even morally required, to accept something that we have already decided is morally wrong?

Rejection: toleration cannot be limitless. A line must be drawn where toleration ends and a decision made when a certain behaviour is deemed too harmful to be allowed.

Paradox: but if the intolerant need not and cannot be tolerated, we arrive at another paradox. Deciding who is intolerant is often a one-sided affair. Drawing a border between a tolerant 'us' and an intolerant 'them', can itself be seen as an intolerant, arbitrary act. Accordingly, toleration may be said to defeat itself at the very moment you try to define its limits.



Tolerance. Marv Mackev. 1990-2009

2.4 But not finished there, the encyclopaedia goes on to define four "concepts" of toleration:

Permission: where toleration is a vertical relationship between a superior and an inferior.

The powerful give permissions to the less powerful to live according to their beliefs, on the proviso that they recognise and do not challenge the status quo. This arrangement contains both pragmatic and principled positions. Pragmatic: as the powerful often find that allowing a degree of latitude to their 'lessers' reduces civil disorder and makes governance easier. Principled: because it is morally 'problematic' to attempt to force

people to give up their deep-seated ideas and practices. However Goethe, for one, disapproved of the hierarchical nature of this arrangement; “Tolerance should be a temporary attitude only: it must lead to recognition - to tolerate means to insult.”

Coexistence: instead of a vertical power relationship, this is a horizontal one between two roughly equal groups pursuing mutual toleration for the sake of peaceful coexistence.

However, this lacks any guarantee of prolonged stability, because any shift in the balance of power will produce a ‘dominant’ group who may no longer see any *realpolitik* reasons to remain tolerant of their now ‘inferiors’.

Respect: here the tolerating parties respect one another in a more reciprocal sense.

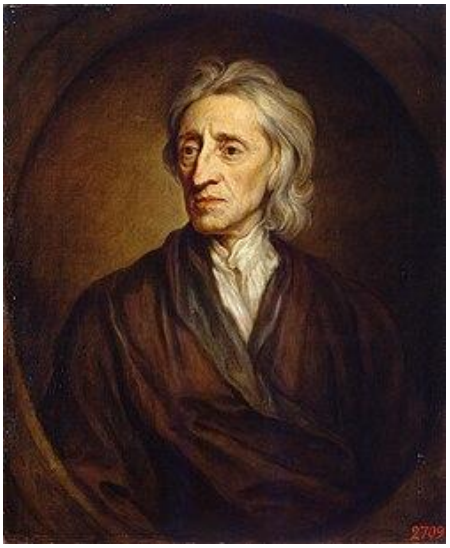
Although they may differ in their ethical views of the best way to live, citizens in this society recognise one another as moral-political equals; guided by norms that all can accept without favouring one particular community. There are two models of this concept: the formal and the qualitative. In a formal equality there is a distinction between the private and public realms. Citizens are expected to keep potentially divisive practices private and not bring them into the political sphere: for example, the ‘banning of ‘headscarves’ in the secular French Republic. In the qualitative version, it is recognised that certain practices are so fundamental to certain groups that it would be egregiously severe to ban their public expression: for example, the (current) aversion in the UK parliament to this French ban.

Esteem: not just respecting the right of others to be different, but having some form of estimation for this difference.

But for this to actually count as toleration, there still has to be some reservation. The difference has to be less attractive in this regard than is your own practice. Although in practice, this esteem concept has been an historical rarity. An example being the interaction between the Native Americans and the early Quaker settlers: a peaceful relationship that quickly collapsed when less idealistic European immigrants began to outnumber the Quakers, leading to catastrophic consequences for the Native Americans.

3 Case Study One: John Locke *A Letter Concerning Toleration* (1689)

3.1 Locke was a liberal who prioritised individual conscience and opposed state coercion in respect of religion on the grounds that it was both unchristian and irrational.



Portrait of John Locke, Godfrey Kneller, 1697

3.2 Unchristian, because if Christ didn’t coerce then why should Christians? Hence, those arguing that compulsion was a charitable act intended to save the souls of sinners were simply hypocrites. Concentrating on minor doctrinal differences with typically peaceable dissenters was a ruse to disguise their real motive: the revenge of the rejected. Why, he asked, seek out the meek few to

“maim... starve and torment... even take away lives”, while suffering “whoredom, fraud, malice and such like enormities” amongst the majority population?

3.3 Irrational, because true salvation lay in an individual’s beliefs. And although the state might be able to compel behaviour, it couldn’t coerce belief: you can be tortured to recant your beliefs, but not to actually stop believing. For Locke “the inward persuasion of the mind” can’t be changed by torture, as “it is only light and evidence that can work a change in men’s opinions, and that light can in no way proceed from corporal suffering.” Torture can make you profess to a belief, and even make you want to believe something; but it can’t actually make you believe it, because “to believe this or that to be true is not within the scope of the will.”

3.4 Bernard Williams (1929-2003) agreed. Beliefs aim to represent reality, and so the link between belief and reality will be severed if they can just be adopted at will. For example, I believe that we are in Manchester, and although I can imagine that I am in Paris, I can’t just simply choose to believe this. Therefore, there can be no justification, moral or otherwise, in trying to force someone to stop believing something and to believe the contrary. As Locke put it, “In vain, therefore, do princes compel their subjects to come into their church communion, under pretence of saving their souls. If they believe, they will come of their own accord; if they believe not, their coming will nothing avail them.”

3.5 However, Jeremy Waldron (b.1953) disagreed. Wasn’t Locke basing his argument on a “distorted simplification” of the complexity of religious belief? Waldron cited forms of indirect coercion that he believed invalidated Locke’s objections. For example, confronting all but the most committed with the ‘truth’ and compelling them to engage with it, would effectively ‘force’ conversions. And as for those with the potential to be stubbornly devout, couldn’t a coercively-minded ruler ‘simply’ remove the seeds of unorthodoxy in the first place? For example, if Darwin were to be banned why would anyone grow up doubting Genesis? And more bluntly, isn’t ‘brainwashing’ an effective means of direct coercion? In George Orwell’s *1984*, O’Brien’s torture of Smith eventually compels in him the belief that two plus two equals five.

3.6 However, Susan Mendus (b.1951) sided with Locke, and argued that coercing belief either directly or indirectly would still be irrational as it wouldn’t generate “the right kind of belief... held in the right way”. Don’t beliefs, especially for salvation, have to be genuine rather than ‘merely’ sincere?

Conversely, aren’t all our beliefs ‘induced’ to some extent? For example in our formative years, parents, teachers and wider society teach us certain specific things, not just anything and everything. Do these ‘persuaded’ beliefs count as somehow less genuine then, and is this instruction really the same as coercion?

3.7 Should we conclude from this that Locke’s claim that coercion can *never* alter

religious belief is too strong to stand? But might we also be justified in concluding that actual coercion works rarely, and then only with great difficulty? And so that Locke still presents a cogent argument against intolerance?

4 Case Study Two: Karl Popper - *The Open Society and its Enemies* (1945)

4.1 Popper, in seeking to address toleration's central paradox: that tolerating the intolerant will ultimately be self-defeating also recognised the complexity of the issues this raised around the limits of freedom; especially concerning free speech and the protection of liberal democratic values. For Popper a key aspect of liberality was the willingness to understand those who think differently. However he also held that to be truly tolerant, a society must retain the right to deny toleration to the intolerant. The most effective way of negotiating this tightrope, he wrote, was via the institutions of liberal democracies. In particular, access to disinterested justice and free and fair elections with ongoing constitutional safeguards.



Popperian, Rian Hotton, 2021

4.2 Like Locke, Popper viewed dogma as inherently anti-rational, relying as it did on unchallengeable truths to maintain power. Toleration, meanwhile, he saw as more likely to foster the goods of scepticism and falsifiability. Consequently, he stressed the importance of rational argument, and denigrated its rejection in those intolerant regimes that he had seen flourish around Europe and beyond.

4.3 But he also recognised that "unlimited tolerance must lead to the disappearance of tolerance." That is, "If we extend unlimited tolerance even to those who are intolerant... then the tolerant will be destroyed and tolerance with them."

Not "that we should always suppress the utterance of intolerant philosophies; as long as we can counter them by rational argument and keep them in check by public opinion, suppression would certainly be most unwise. But we should claim the right to suppress them if necessary even by force; for it may easily turn out that they are not prepared to meet us on the level of rational argument."

Instead, "we should therefore claim, in the name of tolerance, the right not to tolerate the intolerant. We should claim that any movement preaching intolerance places itself outside the law and we should consider incitement to intolerance and persecution as criminal, in the same way as we should consider incitement to murder, or to kidnapping, or to the revival of the slave trade, as criminal."

Therefore, the limits of toleration couldn't extend to those who used or advocated the use

of violence in their attempt to undermine the institutions of a democracy. And this included those who sought to remove rational discourse from the public realm. But Popper didn't simply argue that every intolerant opinion should immediately be suppressed. He was particularly concerned with cases where intolerant movements reject rational argument and resort to coercion or violence.

This was so even if the suppressors had previously been democratically elected: "If the majority decision should turn out to be a tyranny, then the minority has the right to appeal to the principle of freedom and to resist the majority in order to preserve the democratic framework." So that, "the use of violence may be justified in extreme cases where the democratic system is threatened with destruction, but only as a means of re-establishing the conditions under which free discussion and decision by the majority are possible."

4.4 However, John Rawls in *A Theory of Justice* (1971) thought that Popper had gone too far here. Rather, a just society must tolerate the intolerant; otherwise the society would then itself be intolerant, and therefore unjust. Nevertheless Rawls couldn't completely escape the paradox, and qualified his assertion by conceding that under extraordinary circumstances a tolerant society had a right to self-preservation by acting against intolerance; but that the liberties of the intolerant should be constrained only insofar as they demonstrably affect the liberties of others.

4.5 Popper's defenders counter that this objection is only one of a matter of degree: of how much intolerance may be tolerated. They also hold that Rawls is mischaracterising Popper here, as Popper also believed that rational debate should always be the preferred way forward, and that force should only be used as a last resort when democracy is actually confronted with the danger of "fists or pistols". And that Rawls, in order to make his case, has had to use a tendentious definition of the word "intolerance", one that would effectively include self-defence.

5 Toleration Sceptics

5.1 Whilst this Rawls / Popper spat was very much liberal on liberal: both assuming that toleration is a virtue whose limits should be extended as far as possible, and only being restricted in extremis. What of those who are less convinced of the inherent rectitude of toleration? Philosophical arguments against toleration typically stem from concerns about the moral, social, or political consequences of tolerance.

5.2 Plato, as well as fearing the hegemony of the *demos*, argued that toleration could also undermine absolute moral or divine truths. Similarly, Thomas Aquinas held that certain beliefs or practices, such as heresy or immorality, were objectively wrong and harmful, and that tolerating them in defiance of divine law could erode the moral fabric of

society.

5.3 Thomas Hobbes placed an emphasis on the need for a strong social order to ward off chaos; suggesting in *Leviathan* (1651) that a sovereign must limit toleration in order to maintain peace as unchecked diversity of thought risked civil conflict.

5.4 Conservative theorists, such as Edmund Burke (1729-1797), argued that tolerating all ideas risked diluting standards of truth, virtue and tradition; so leading to moral decay via the legitimisation of harmful or misguided practices in the name of freedom. Instead, he suggested that tradition and established norms should guide what is tolerated. More prosaically, Niccolò Machiavelli argued that in practice toleration would weaken political authority. In *The Prince* (1532), he advised rulers to suppress dissident factions in order to maintain power, because toleration would merely invite challenges to their authority.

5.5 Modern Catholic thinkers, such as Alasdair MacIntyre and G.K. Chesterton looked back into their traditions to argue that toleration had become mired in liberal relativism, and was thereby eroding cultural and communal values: if everything is tolerated, no shared moral framework can survive, and cultural fragmentation or nihilism results. In *After Virtue* (1981) MacIntyre critiqued modern liberalism's tendency to prioritise individual choice over collective moral traditions. And Chesterton wrote in 1908 that, "modern toleration is really a tyranny... because it is a silence" that is unwilling to engage with differing viewpoints. Toleration without strong convictions, he believed, would lead to a disjuncture from truth and morality: "in real life, people who are the most bigoted are the people who have no convictions at all." And so, modern liberal "toleration" erred in presenting itself as "impartiality", because "impartiality is a pompous name for indifference, which is an elegant name for ignorance."

5.6 Contemporary critics of toleration often focus on its perceived limitations within pluralistic 'multi-cultural' societies. They accuse liberals of having naive and idealising notions of the levels of rational goodwill in these societies: claiming virtues which don't actually exist in the 'real' world.



6. Questions, Discussion Topics and Personal Parameters

6.1 Questions Concerning the Paper

Is toleration a virtue in and of itself?

Can you have too much of a virtue?

Does toleration always entail a paradox?

Is morality determined by public conduct rather than private beliefs, or are moral beliefs important regardless of their expression: is the paradox of the ‘tolerant racist’ relevant here?

Can the toleration of moral wrongs ever be morally right?

Is John Locke correct when he says: “to believe this or that to be true is not within the scope of the will”? What of the counter examples of direct and indirect coercion?

Do you agree with Popper that toleration must have boundaries; if so, what criteria can be used to determine these boundaries?

Is it ever justified to use force to overthrow a democratically elected government; or should people have the right to choose a tyranny?

Is it practicable to wait for actual “fists or pistols”; or will calls for violence, especially in a social media age, suffice to limit toleration?

Is “toleration” just an effete liberal excuse for permissive behaviours that will eventually overturn the moral order of society and destroy the bases for stable governance?

6.2 Possible Discussion Topics

Is the banning of organisations such as Palestine Action the act of an intolerant government or the justified suppression of an intolerant faction?

Were protestors during The Battle of Cable Street in 1936 justified in using force to attempt to prevent a march by the British Union of Fascists; and what of contemporary demonstrations by pro and anti-immigration campaigners?

Should a society tolerate so-called ‘parallel’ legal structures such as Jewish Beth Din or Muslim Sharia Councils?

Is the French ban on public headscarves a justified measure to preserve secularism; or is the toleration of overt religious symbols in the British prioritisation of personal liberty more persuasive?

What of colliding freedoms? E.g., where some feminist groups wish to preserve ‘female-only’ spaces, whilst some trans-right activists insist on a right of ‘self-determination’?

Consider perhaps the tensions between social media companies and their government regulators calling for greater content moderation. Platforms claim to champion free expression, but does this absolve them of the toleration of disinformation, targeted harassment and radicalising rabbit-holes that many perceive as their business models? Conversely, can we trust the state to be tolerant in its regulation of online content?

What of campus free speech issues? Higher education institutions are meant to foster open intellectual inquiry, but they also have a duty of care to protect students from hostile environments. The 'no-platforming' of controversial speakers and the creation of institutional 'safe spaces' have been seen by some as promoting intolerance and the suppression of free expression.

6.3 Where Do You Stand?

Which one of the following positions best describes your position on the tolerance / intolerance spectrum, or can you suggest your own?

A. Tolerate everyone.

B. Tolerate everyone who tolerates others.

C. Tolerate intolerant beliefs, but not their utterance.

D. Tolerate intolerant utterances, except where they threaten rational argument.

E. Tolerate intolerant utterances, except where they deny the equal rights of others.

F. Tolerate intolerant utterances, except where they incite intolerance and persecution.

G. Tolerate intolerant utterances, but not intolerant actions.

H. Tolerate intolerant actions until they pose a serious threat to others.

I. Tolerate intolerant actions until they pose a serious threat to society as a whole.

Are you able / willing to justify your choice?

And, perhaps more pertinently, can you also identify the biggest drawbacks of your own position?