On Tolerance and
the Limits of Toleration

Ioanna Kuçuradi

The Problem

Two main but discrepant tendencies characterize the intellectual climate of our world at the turn of the century. We promote, on the one hand, "respect for human rights," i.e. for certain *universal norms,* but on the other hand, equally promote "respect to all cultures,"which are differentiated among themselves by their different world-views and their *parochial norms.* Not rarely do we see that the demands that such parochial norms bring are contradictory to those of human rights.

We are not sufficiently aware of this discrepancy. Still our simultaneous promotion of these two discrepant tendencies has already produced its own facts, among which we see the revival of racisms, nationalisms, fundamentalisms and other similar intolerables.

How to tackle the problems created by these intolerables without giving damage to the so-called fundamental freedoms? This is the dilemma that humanity faces just at this moment, and especially in the so-called developed countries.

At the beginning of our century pragmatism, to face the problems created by the conflicting "truths" of the time, had suggested "pluralism" as an antidote to dogmatism – the corridor of William James. Instead of tackling the problem epistemologically, it tried to solve it by cutting the Gordian knot, i.e. by making out of fact an ideal and by introducing a new "theory of truth."[1]

This pragmatic ideal has become one of the mottoes of our time: the "pluralistic universe" has become now "pluralistic society" or "multicultural society." And now, in view of facing the "conflicts of cultures," and especially those within "multicultural societies," we promote tolerance.

Still, in the turmoil created by the spread of postmodernism, which claimed the equal value of all world-views, norms or cultures in a world in which the "right to freedom of thought, consciousness, expression, etc." is taken for granted and in which unscrutinized pluralism turned out to be a *laisser faire, laisser passer* in practice, i.e. in a world in which "anything goes"; when the increase of racist-nationalist-fundamentalist conflicts has led to an impasse in public life, the question of the limits of tolerance is brought onto the agenda of the intellectual world community.

Thus now, at the turn of the century, we feel, as a humanity, the need to reformulate tolerance "between intolerance and the intolerable," in other words, we feel the need to determine the limits of tolerance.

In our endeavor to do this, there is another recent intellectual development in the approach to human rights that has also to be taken into consideration: the well-minded, very pragmatic "cultural approach" to, or the quest for a "cultural legitimacy" of, human rights, which has led to the application of the "theory of overlapping consensus" to human rights.[2] This approach seems to be a compromise between the two, if unconditionally promoted, hardly compatible tendencies, which characterize the intellectual climate of our days. Probably it escapes attention that what distinguishes one given cultural group from another is its own specific, i.e. different, world-view and norms of evaluation and behavior, which secure the existence of that group *against* other cultural groups; while human rights are demands concerning how human beings have to treat and be treated by other human beings, whatever their specific characteristics – cultural ones included – might be. It escapes attention that cultural norms and human rights – though not all of those demands which *are now* called human rights – are deduced from epistemologically and axiologically different premises and by different kinds of reasoning.

We have to rethink tolerance in connection with all these intellectual and other developments,[3] which have led to the present situation of the world, and reformulate tolerance in connection with the intolerables of our days, still without losing sight of its historical origin, i.e. the historical conditions, in which the idea of

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tolerance was brought to the fore, in view of facing them. This is what I shall partly try to do in this paper.

What is Tolerance?

If we take a look at the various contexts in which the verb "to tolerate" and the terms "tolerance" and "tolerant" are used in certain European languages on the one hand, and on the other, at the historical conditions existing at the time when the idea of tolerance was brought to the fore, i.e. the religious-sectarian conflicts of the time, as well as all the conditions of the present world, i.e. the cultural-ideological conflicts of our time; we see that it is possible to deal with the question of tolerance at least from two different perspectives: from the view point of the "subject" of tolerance, i.e. to deal with tolerance as a *personal attitude*, and from the view-point of the "object" of tolerance, i.e. to deal with tolerance (toleration) as a *demand concerning the arrangement and administration of public affairs*, or, as a principle concerning an *in abstracto* non-determinable area of *different* views and practices related to the same issues, still an area delineated by the limits where the intolerables start.

Tolerance as a Personal Attitude

As a personal attitude tolerance is closely related to a given conception of being human, which may underlie the way a person looks at others: his looking at other persons – each of whom is unique, and consequently "different"- as *human* beings, whatever their differences, personal characteristics or conditions might be.

What mainly marks the tolerant person is that in concrete situations he *does not do damage* though he is in a position to do so *to the rights* of another person, who is "different", i.e. who possesses a view, opinion, or norm radically different from that which the tolerant person possesses *on the same issue*, and/or who takes an attitude, acts in a given situation or behaves in general, in a way radically different from that which he approves.

The following points have to be emphasized. What the tolerant person "tolerates" is *not* the radically different views, opinions,

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norms or attitudes, ways of behavior, practices, and given actions of the others, but *the existence of these others.* What, on the contrary, the intolerant person does not or cannot tolerate, is *the existence of views, opinions, norms* which are "different" from those that *he* strongly believes to be "true," or of *the ways of behavior and practices* radically different from those *he* strongly believes to be "good," no matter who possesses or shows them. The tolerant person does not identify the other person with his ideas and practices, which he strongly disproves of, while the intolerant person does so.

What determines the actions of the intolerant person to those who possess radically different views or opinions and behave or act in ways he strongly disapproves of – if it is not his personal interests – is his concern to "defend" what he takes for granted to be "true" or "good." To eliminate the "erroneous" ideas and "bad" practices, he eliminates those who possess or show them, i.e. he causes damage to their rights, if he is in a position to do so. If he is not, as we often see, the intolerant person has recourse to violence: to eliminate the ideas he annihilates – or threatens to annihilate those who, he thinks, personify them.

What, on the other hand, determines the actions of the tolerant person is his looking at others, be they themselves tolerant or intolerant, as *human* beings who, for one reason or another, possess different ideas, opinions or norms from those he approves, but which however are not guises of personal interests.

Thus it appears that what the tolerant person "respects" is not "differences," but that which is *identical* in all human beings. Hence he consciously rejects doing damage to their rights, i.e. he "respects" their rights. This seems to be the reason why bigots can easily exploit tolerant persons, as we sometimes observe in public life.

At this point we can also see why tolerance, as a personal attitude, does not imply that the tolerant person *should not oppose,* or fight against, the views, opinions, norms, practices he disapproves of; or, to use the fashionable expression, that he should "respect" others different views and cultures. Why, for instance, should one "respect" polygamy or blood feud?

In the light of these considerations it appears that "respecting others' different views" is not tolerance, as is usually assumed. Tolerance, as a personal attitude, is respecting *the rights* of those

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who possess radically different views on a given issue and act in a different way from that which one approves, i.e. it causes no damage to their rights, though it could.

Understanding by "tolerance" a "respect for others' different views," and nevertheless rejecting to tolerate the outcome of some of them, betrays a lack of sufficient philosophical *knowledge* on world-views and norms – a lack which leads many people to conclude from the difficulty of evaluating epistemologically and axiologically given views, norms etc., the impossibility of such an evaluation. In practice such a "respect" amounts to choosing, in the name of "objectivity," to remain indifferent to *any* view, opinion, norm, way of behavior or practice and to let "anything go." It amounts to closing one's eyes to the intolerables.

Tolerance as a Principle of Public Affairs

These considerations, put forward by bringing into focus the subject of tolerance, i.e. the tolerant person, lead us to the core of our inquiry: the philosophical problems we are faced with, when we bring into focus the object of tolerance, or, the question of the tolerable and the intolerable.

This question, raised in connection with the arrangement and administration of public affairs, amounts in fact to three questions of different order. The first is the question of what *can* be tolerated though strange or unusual, i.e. the question of the *permissible*; the second is the question of what *should not* be tolerated and consequently what must be prohibited; and the third is the question of what, though not approved by the majority or a powerful minority in a given place at a given time, *should* be tolerated in public life. The first two questions concern the boundary between the tolerable and the intolerable, or the problem of the limits of tolerance; the third question, in relation to the first one, concerns the boundary between the permissible and the non-prohibitable.

It is not possible to formulate positively, in the technical sense of the term, the tolerable, but only negatively, in connection with the intolerable; because to determine whether something may or may not be permitted, it must be evaluated cognitively in connection with the existing conditions, independently from whoever approves or disapproves of it.

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It is possible, on the contrary, to positively formulate the intolerable, i.e. to put forward the common characteristics of the intolerables, because what has to be done in this case is not to put forward what should not be tolerated, but what *should not be tolerable for the human being*.

Intolerables are facts that result, directly or indirectly from human decisions or actions, or are the fruit of indifference and inertia. Be they conditions, situations, practices, customs, acts etc., they *are* intolerable, because in one way or another hinder the actualization of the potentialities that constitute the specificity of the human being, or they cause damage to what we call human dignity. Still they are: at the moment we are confronted with them, it is never possible to prevent or hinder them.

To "fight" against them, that is, to change them or ensure that they not be perpetuated, it is necessary to dig out the views and norms underling them, and to evaluate those views and norms philosophically, and then subsequently find and carry out what in the given conditions has to be done – in legislation and education – to make them ineffective.

Thus the question at hand can be re-formulated as follows: what are the specific views and norms underlying intolerable facts – be they different or not from the views and norms approved at a given moment by the majority or a powerful minority in a country or in the world as a whole?

This is the question of the epistemically justifiable criteria for selecting norms for legislation on national and international levels, and for the administration of public and world affairs, i.e. the criteria for deciding what in general and in given conditions should be tolerable, intolerable or non-prohibitable.

In the present state of affairs, this question of criteria is a crucial one, not only because groups possessing different cultures – different and often incompatible views and norms on the same issues – are living intermingled in the same space, and because liberal pluralism, justified by postmodernism, and our unscrutinized conception of "freedoms" has already led to the dilemma I mentioned at the beginning of this paper; but also because now, after the collapse of the "Second World," the tendency to "minimize the State"and promote international civil cooperation is gaining more

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and more ground, still without paying special enough attention to the question: "cooperation for and in view of what?" – as is the case today with the unconditional promotion of a "free market" on national and international levels, which seems pregnant with further intolerables.[4]

Viewed philosophically, the core of the question concerns determining the ground to stand on in approving and tolerating or opposing and rejecting a *given* view or norm. It concerns the problem of the *right* evaluation of views and norms. This is the evaluation in order *to know* their epistemological and axiological specificities, and *not* the evaluation from the viewpoint of any different view or norm touching on the same issue.

By emphasizing this point, I wish to call attention to the following: the *difference* of an idea, view, norm, or practice, way of behavior, etc., with respect to the prevailing ones at a given place and time, does not automatically necessitate its becoming an object of tolerance: it is enough that it is an object of philosophical evaluation. What determines whether it may, or may not, or even should at least, be an object of toleration, is not its being "different," but its epistemological and axiological quality. It is not excluded that such an evaluation might even show that a given norm or practice which is radically different from the prevailing one on the same issue, may be not only tolerated should be promoted as well.

If we know the epistemological and axiological specificities of norms, i.e. what distinguishes them from knowledge, and their kinds, we may become able to evaluate single norms and see *the limits of tolerance* to be drawn in legislation, as well as distinguish between what may be and what should be tolerated in public life.

In the light of these considerations, it appears that it is only possible to conceptualize tolerance, as a principle of public affairs, in relation to intolerance, still in relation to two different objects of intolerance, those which *are not* tolerated in public life, those which are not though may be tolerated; and those which are not though they should be.

This means that it is not possible to develop *positive* criteria to use as touch-stones for selecting those ideas, norms, practices which may be tolerated in general. Even the fact that certain prac-

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tices and ways of behavior may be tolerated in real given conditions does not necessitate that they be tolerated in different conditions as well. But it is possible, by looking at the intolerables and finding out what makes them "intolerable," to formulate certain *positive* criteria to use for distinguishing the views, ideas, norms, practices, etc. – be they different from the prevailing ones, or, be they the most prevailing ones, which should not be objects of toleration, i.e. whose propaganda, teaching, or exercising should be prohibited in public life.[5] In other words, this means that we have first to formulate the criteria of the intolerables, so as to distinguish intolerance -can be shown with respect to anything which differs from what is accepted as "true" or "good" – from the intolerable: *that which should not be tolerable* for the human being.

Regarding views, it is knowledge that draws the limits of the intolerable. This means that if there is a clash between a *view* and *knowledge* on a given issue, this view should not be allowed to become a determinant in public affairs. This criterion is especially important when it is put in connection with our promotion of "democracy," because, while the truth or falsity of a piece of knowledge is not a question of "democratic" decision, its becoming or not becoming a determinant in public affairs mostly is, as it is the case with *all kinds* of views.

Regarding norms, customs, practices, the limits of the intolerable start where cultural-religious and other norms and practices of empirical origin[6] cause direct or indirect damage to *basic human rights*. When such a norm or practice clashes with a clearly conceived human right and prevents it, directly or indirectly, from determining the arrangement and administration of public affairs, it may not be an object of toleration: in other words, it should not be allowed to determine the course of pubic affairs.

Thus knowledge and human rights constitute not only the criteria of the tolerable and the intolerable, but are also the criteria of what *should be tolerable*, without consideration of whomever likes it or not: these are the implications and consequences of knowledge and human rights in given concrete conditions.

Thus, the tolerable – that which may be object of toleration – has to be distinguished from what should be tolerable, because they have different implications for legislation.

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Keeping this distinction in mind, we may understand tolerance, as a principle of public affairs, as a double imperative: what may be tolerable *in given conditions,* no matter how different from what prevails, *must not* be prohibited; and what should be tolerable *may not* be prohibited, no matter who approves or disapproves of it.

The issue of tolerance as a principle of public affairs is closely related today with the so-called cultural rights and with the question of group rights in general.

In the present state of affairs, tolerance may be formulated as the demand that the transmission of collective views and the collective exercise of practices, that are different from the prevailing ones in a given place and *do not clash, directly or indirectly, with knowledge and human rights,* should be permitted; as well as the demand that the implications and consequences of knowledge and of human rights *at least* should not be prohibited in public life.

Some Implications and Difficulties to be Faced

If we look at the issue of tolerance from the two perspectives mentioned above, we can also see that the problem of the limits of tolerance concerns tolerance only as a principle of public affairs, but not as a personal attitude. Tolerance as a personal attitude has *no* limits.

It has no limits, because its object is not the radically different views, norms or practices of other persons, consequently it is an attitude taken independently from the epistemological and axiological quality of those views and norms, and because there is no limit to respecting others' rights, which have, nevertheless, to be carefully distinguished from others' interests.

This understanding of tolerance which consists in respecting, or not causing damage to, the rights of those who think or behave in a way radically different from that which we approve, secures the possibility of its sincere exercise in life; while the widespread understanding of "respecting the different views, beliefs, behaviors and practices of others," unless equated with indifference, makes such an exercise impossible.

This understanding makes possible its exercise by those who possess divergent world-views and cultural-religious-ideological

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norms, because it does not expect from them an attitude in and of itself impossible: "respecting" something held as "false" or "bad." It also makes possible its exercise, because it does not exclude intolerance – especially while exercising public functions – against views and norms underlying the intolerables.

As a principle of public affairs, tolerance is related to questions concerning the object of toleration and consequently to problems of legislation. Here I shall confine myself to pointing out only a few of the theoretical difficulties relevant to the problem of the limits of toleration, and in fact only those related to norms.

A bundle of difficulties faced in this respect consists of epistemological problems. Put very briefly, it concerns the concept of "truth" and is due, so far as I can see, to the lack of ontological differentiation among the objects of knowledge. This latter prevents, among others, from differentiating epistemologically between universal and parochial norms and leads to understanding by "universality" not an epistemological specificity of a kind of norms, but "worldwide validity." It escapes the attention that it is possible, by following the due procedure, to enforce, i.e. make valid, any norm.

Another bundle of difficulties consists of axiological problems. These problems stem from the lack of distinction between "value" – the value of something – and "values," but also between "values" and "value judgments," i.e. claims about that which is "good" or "bad" etc.

This makes it impossible to differentiate among epistemologically different activities, all carried out *in the name* of evaluation and leads, in the face of varying and often discrepant judgements on a given object of evaluation, to the skeptical assumption of the impossibility of carrying out evaluation as a cognitive activity – i.e. as an activity whose outcome is verifiable and falsifiable, but only "rationally" justifiable (in the sense of the German *begründen*) or unjustifiable.

As a chain result, norms and other kinds of *claims* become objects of "rational" or "scientific" justifications, which do not take into account their epistemological specificities. It escapes the attention that many opposite or contradictory justifications are both made "rationally" or "scientifically," i.e. not "metaphysically," as we see today for example in bio-medical ethics.

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These are only a few of the theoretical problems we are faced with when we deal with questions of norms – problems which nevertheless have consequences for national and international legislation and which at this moment, on the one hand, lead to the enforcement of norms which exclude each other,[7] and on the other hand, prevent the enforcement of certain other norms, e.g. the introduction of obligatory AIDS tests. In other words, these problems make us tolerate intolerables and not tolerate positive or negative implications of human rights.

This understanding of tolerance makes me think that "education for tolerance" cannot be separated from philosophical education – an education for all, aiming at helping those who undergo it, become conscious of their human identity through a training in philosophical ethics and the philosophical teaching of human rights.

Notes

1. See also I. Kuçuradi, "Introduction to the Seminar," in: I. Kuçuradi and R.S. Cohen (eds.), *The Concept of Knowledge. The Ankara Seminar*, Dordrecht, 1995, pp. IX-XV.

2. T. Lindholm, "Prospect for Research on the Cultural Legitimacy of Human Rights," in: in: A.A. An-Na'im (ed.), *Human Rights in Cross-Cultural Perspectives*, Philadelphia, 1992, pp. 387-426; J. Rawls, "Lecture IV. The Idea of Overlapping Consensus," in: Idem, *Political Liberalism*, New York, 1993, pp. 133-72.

3. For these other developments see I. Kuçuradi, "Les droits de l'homme et la décennie du développement culturel," in: *Birlesmis Milletler Türk Dernegi 1988 Yilligi*, Ankara, 1990, pp. 25-33, and "Cultural Morals and Global Morality in the Light of Ethics," in: *WASCO '88. The World Community in Post-Industrial Society 4*, Seoul, 1989, pp. 41-47.

4. See also I. Kuçuradi, "Economic Disparities and the Fashionable Linking of Human Rights, Democracy and Free Market," in: *Violence and Human Coexistence*, Vol. V, Montreal, 1995, pp. 330-36.

5. I am well aware that I am saying something here that seems at variance with a widespread understanding of notions of "freedom of thought" and that this is something dangerous *so long as* this understanding prevails. But are we obliged to take this understanding for granted?

6. On the specificity of such norms see I. Kuçuradi, "Normlarin Bilimsel Temellendirilebilirligi (The Scientific Justifiability of Norms)," in: *Çagin Olaylari Arasinda (Among the Events of Our Time)*, Ankara, 1980, pp. 182-89.

7. On this point see I. Kuçuradi, "Human Rights Instruments Questioned in the Light of the Idea of Human Rights," in: I. Kuçuradi (ed.), *The Idea and the Documents of Human Rights*, Ankara, 1995, pp. 75-92, in which articles 18 and 19 of the International Covenant on Civil and Political Rights are given as examples.