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# ACCEPT PLURALISM

## **Tolerance and cultural diversity in Europe: Theoretical perspectives and contemporary developments**

Jan Dobbernack and Tariq Modood

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### **2. Concepts and Theories State of the Art Report**



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ROBERT SCHUMAN CENTRE FOR ADVANCED STUDIES

# **Tolerance and cultural diversity in Europe: theoretical perspectives and contemporary developments**

**JAN DOBBERNACK AND TARIQ MODOOD**

Drawing on contributions from Veit Bader,  
Iseult Honohan, Per Mouritsen,  
Tore Vincents Olsen, Werner Schiffauer  
and Anna Triandafyllidou



**Work Package 2: Concepts and Theories on  
Tolerance and Cultural Diversity**

**D2.1. State of the Art Report: Tolerance and Cultural  
Diversity in Europe**

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## **Tolerance, Pluralism and Social Cohesion: Responding to the Challenges of the 21st Century in Europe (ACCEPT PLURALISM)**

**ACCEPT PLURALISM** is a Research Project, funded by the European Commission under the Seventh Framework Program. The project investigates whether European societies have become more or less tolerant during the past 20 years. In particular, the project aims to clarify: (a) how is tolerance defined conceptually, (b) how it is codified in norms, institutional arrangements, public policies and social practices, (c) how tolerance can be measured (whose tolerance, who is tolerated, and what if degrees of tolerance vary with reference to different minority groups). The ACCEPT PLURALISM consortium conducts original empirical research on key issues in school life and in politics that thematise different understandings and practices of tolerance. Bringing together empirical and theoretical findings, ACCEPT PLURALISM generates a State of the Art Report on Tolerance and Cultural Diversity in Europe, a Handbook on Ideas of Tolerance and Cultural Diversity in Europe, a Tolerance Indicators' Toolkit where qualitative and quantitative indicators may be used to score each country's performance on tolerating cultural diversity, and several academic publications (books, journal articles) on Tolerance, Pluralism and Cultural Diversity in Europe. The ACCEPT PLURALISM consortium is formed by 18 partner institutions covering 15 EU countries. The project is hosted by the Robert Schuman Centre for Advanced Studies and co-ordinated by Prof. Anna Triandafyllidou.

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### **Contact details:**

Dr Jan Dobbernack

Centre for the Study of Ethnicity and Citizenship  
School of Sociology, Politics and International Studies  
University of Bristol  
3 Priory Road  
Bristol  
BS8 1TX  
United Kingdom

Tel: +44 (0)117 33 10929

Fax: +44 (0)117 954 6609

Email: [jan.dobbernack@bristol.ac.uk](mailto:jan.dobbernack@bristol.ac.uk)

<http://www.bristol.ac.uk/ethnicity/>

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## Table of Contents

1. Introduction .....	4
2. Contemporary developments.....	5
3. Models and paradoxes of toleration .....	7
3.1. <i>Paradoxes of toleration</i> .....	8
3.2. <i>Toleration as a 'perceptual shift'</i> .....	10
4. The history of liberal tolerance .....	11
4.1. <i>Toleration and Jewish Emancipation</i> .....	13
5. 'Beyond': where toleration is not enough .....	14
6. 'Post': toleration discourses, boundary drawing and social regulation.....	17
6.1. <i>New 'principled intolerance'</i> .....	18
7. A minimalist, elastic framework .....	20
Bibliography.....	23

## Executive Summary

*Tolerance is an important feature in how European polities define their political objectives and see themselves. Yet the ‘circumstances of toleration’ are not static. Historically, the meaning and scope of tolerance has been revised in response to new constellations of cultural diversity, changing social attitudes and public debates. Today, there are in particular two challenges to the idea of toleration that require consideration. First, contemporary expressions of cultural difference are often seen to require responses that go ‘beyond’ toleration. Scholars and minority activists suggest that the social, political and cultural claims of minority groups are insufficiently addressed with tolerance; they require more demanding positions, including public recognition and respect. Second, across Europe a widespread contention is that there has been too much leniency, too much accommodation and too little insistence on shared values in the past. Fuelled by anxieties over terrorism, over a lack of ‘cohesion’ and ‘political unity’, social disorder and fragmentation along ethnic and religious lines, it is argued that too much tolerance has been afforded to minority groups.*

*Toleration is being challenged and these challenges require new perspectives. This report provides the intellectual underpinning and framework for fieldwork, case studies, country-specific and comparative analyses within the ACCEPT Pluralism project. It offers an encompassing and cross-disciplinary perspective on how European states and societies respond to challenging experiences of cultural diversity. While taking notice of its normative potentials, it suggests that we need to consider political functions and discourses of toleration. It is disputed when it might be appropriate to choose respect or recognition over forbearance and thus to exceed the minimum that toleration provides. This dispute throws up philosophical and political questions that need to be addressed. Equally, in the context of the ‘liberal intolerance’ that is newly registered in public debate, political phenomena and normative issues require exploration. We need to take notice of conceptual histories, sociological trends and political contestations. A multidisciplinary, flexible and minimalist approach is required in response to challenging experiences of cultural diversity in Europe.*

*The report develops this conceptual framework for the study of contestations about cultural diversity in Europe. There are three classes, we suggest, of how cultural difference can be debated, accepted or rejected. These ‘classes of Accept’ give us not merely analytical purchase to locate and classify responses to the challenges of cultural diversity. They allow us to explore connections between such responses and across a variety of dimensions, social attitudes, institutional regimes or public values. Moreover, they allow us to explore the critical boundary issues in-between the refusal and the concession of tolerance and between toleration and more demanding responses such as of equality, respect or recognition. We may think of Accept as consisting of:*

- i) **Non-toleration:** Individuals, groups and practices who seek or for whom/which claims of toleration are being made but to whom/which toleration is not granted, and the reasons given in favour of or against toleration;*
- ii) **Toleration:** Individuals, groups and practices who seek or for whom/which claims of toleration are being made and to whom/which toleration is granted, and the reasons given in favour of or against toleration;*
- iii) **Recognition, respect as equal and admission as normal:** Individuals, groups and practices who seek or for whom/which it is claimed that toleration is not enough and other normative concepts, namely those that focus on majority-minority relations and the reform of institutions and citizenship, are or should be more relevant. They also include claims and processes towards the reconsideration of difference as a ‘normal’ feature of social life. Such concepts include equality, respect, recognition, accommodation and so on, and the reasons given in favour of or against these propositions.*



*Each class is normatively more demanding than the previous one and consists of greater institutional accommodation and adjustment. Yet, it should be clear that there is no inherent telos leading from 1 to 3, such that the subsequent classes do better what the earlier classes are trying to achieve; or, are morally superior to the earlier classes. The concepts in the different classes are, if properly deployed, addressing different problems and so have their own 'fit for purpose' character. In any given situation we are faced with the moral and political question: which class of acceptance is most appropriate to the situation. This is where the political arguments and decisions lie – as indeed, the empirical work in ensuring that we have correctly identified the situation and in particular the meanings that the minority practices carry.*

## **Keywords**

Tolerance; respect; recognition; liberalism; cultural diversity; multiculturalism

## 1. Introduction

Many people would assume that toleration is one of the enduring values of European liberalism and few would openly reject it. Indeed, while some forms of intolerance may be growing, as reflected in the rise of certain far right parties, it would be generally acknowledged that with the ethnic, cultural and religious diversity that is now a feature of many European cities, the need for tolerance is great.

Yet, a predicament of toleration is evident in relation to two developments across European polities and societies. Firstly, contemporary expressions of cultural difference are often seen to require responses that go ‘beyond’ toleration. Some scholars and minority activists suggest that the social, political and cultural claims of minority groups are insufficiently addressed with tolerance. It is not just non-interference, but respect for and public recognition of ethno-religious identities that is sought. Toleration contains an element of disapproval and objection that, though balanced out and overridden by reasons for forbearance and acceptance, may be seen to perpetuate a smear on minority groups. If the desire is for the removal of stigma and for equal accommodation in the public sphere, then toleration may not do the trick.

As a second development, we see a reversal in the opposite direction, towards intolerance. In many European countries the contention is that there has been too much leniency, too much accommodation and too little insistence on shared values in the past. Fuelled by anxieties over terrorism, over a lack of ‘cohesion’ and ‘political unity’, social disorder and fragmentation along ethnic and religious lines, it is argued that too much tolerance has been afforded to minority groups. That which is tolerated must be consistent with the legitimate rights of others, especially in relation to women and children or freedom of sexual orientation. Toleration comes to be seen as the cause of pertinent social problems, a sign of weakness or confusion. A new principled intolerance is seen as necessary to protect the rights of individuals, and the rights, values and the identity of the majority.

More challenges arise as a result of changing political landscapes in which toleration changes its meaning. New populist movements on the right, including Geert Wilders’ *Partij voor de Vrijheid* or the English Defence League (EDL), contrast their hostility to ‘Islamization’ with an endorsement of diversity and the defence of liberal values. Within the political mainstream, a ‘muscular liberalism’ sees identities of European states newly mobilized to limit the claims of ‘illiberal’ others (Cameron 2011). In this changing environment, tolerance is a key element that is often used following the logic of the ‘clash of civilizations’: it is *their* intolerance that makes us revise *our* toleration. In such instances, tolerance plays a political role in the construction of images of ‘others’ that are said to be uniformly intolerant of the liberal ‘self’ (Butler 2010; Lentin and Titley 2011, 224-5).

In light of new challenges and political debates, toleration appears to be at risk of being fragmented between various concerns: the demanding claims of identity politics, a concern with moral and legal limits, and a new anxiety about social cohesion or political unity. In the current situation, it is a compromise with few defenders and many detractors.

This report elaborates on the conceptual background of the ACCEPT Pluralism project and develops an analytical framework for the study of diversity challenges. It argues that despite the predicaments that toleration faces, the concept requires a qualified defence. Yet, toleration alone cannot provide solutions to European diversity challenges; these challenges are multifarious and toleration itself, as will be shown in this report, is a concept that is contested and ambivalent. Instead, we suggest that toleration should be seen as one of a number of responses, including intolerance and notions such as respect and recognition. It

should be seen as part of a continuum ranging from less to more demanding positions. We shall refer to these positions as the ‘classes of Accept’. As is the case in many difficult situations, each of these classes can be justified but also challenged on conceptual, normative and political grounds. The type of response that challenging experiences of cultural diversity are seen to require will usually be open to divergent opinions and public debate.

As a result, we require a flexible framework that allows for the consideration of such debates within their respective regional, social and discursive contexts. This framework needs take notice of new constellations of diversity in Europe and consider how strategies of social and political accommodation can respond to these. Where tolerance is used, boundaries are drawn and identities constructed, which means that we need to understand toleration as a political phenomenon. However, there also has to be concern for the normative value of tolerance and other concepts. Among European polities, a rhetoric of toleration and respect is widespread; it requires scrutiny for whether it corresponds to social practice. Yet it also needs to be considered for the ambitions that it reflects and the political opportunities it provides. This political value of notions such as toleration and respect becomes particularly evident when minority groups coin their claims for equality and decent treatment by drawing on these concepts.

The conceptual framework for the Accept Pluralism project that this report develops thus seeks to establish an encompassing perspective by drawing on concerns from within political science, sociology and political philosophy. In light of the new diversity in many European cities, but also in response to new cross-cultural encounters with parts of the world that are undergoing radical transformations, such as North Africa, this is an important objective. To be sure, this framework will not resolve challenging cases where tolerance is a live issue; these can only be addressed and understood by country-specific analyses that pay close attention to issues and debates. But the report can be used to obtain a more encompassing view on responses to cultural pluralism across Europe. It seeks to provide a minimalist framework that can cover diverse analytical concerns and regional particularities and that allows for meaningful comparative perspectives on shared trends and contextual particularities.

The report first situates the Accept framework in relation to contemporary diversity challenges and the history of ideas on toleration. It considers toleration as a contested concept that is subject to disputes and challenges that are changing over time, such as the debate about multiculturalism. The report introduces elements of a conceptual definition of toleration, its models and paradoxes. It then explores aspects of the history of toleration, beginning with the settlement of religious strife in 16<sup>th</sup> and 17<sup>th</sup> century Europe. We then lay out and discuss challenges to ideas and theories of toleration: this is, firstly, how toleration may account for new claims towards recognition and respect and, secondly, how toleration works as a device of social regulation, boundary drawing and the demarcation of what is tolerable and what is not. We conclude with a statement of our framework and its three modalities of acceptance: intolerance, toleration and spaces ‘beyond toleration’.

## **2. Contemporary developments**

After the relative prominence of multiculturalism debates both in political and scholarly arenas, we witness today a change in the direction of debates and policies about how to accommodate cultural diversity. Europe has experienced increasing tensions between national majorities and ethnic or religious minorities, more particularly with marginalised Muslim communities. Such conflicts have included the violence in northern England involving British Muslim youth (2001); the civil unrest amongst France’s Muslim Maghreb communities

(2005); and the Danish cartoon crisis in the same year following the publication of pictures of the prophet Muhammad. Muslim communities have also come under intense scrutiny in the wake of the terrorist events in the United States (2001), Spain (2004) and Britain (2005) and there is growing scepticism amongst European governments with regard to the possible accession of Turkey, as a Muslim majority country, into the EU (European Monitoring Centre on Racism and Xenophobia 2006). Tensions are also exemplified in local mosque building controversies in Italy, Greece, Germany, France and Britain (Saint-Blancat and Friedberg 2005), the referendum on the building of minarets in Switzerland (2009) and the ban on some forms of Muslim modest female dress in a number of countries (laws passed in France and Belgium in 2010 ban became effective in 2011).

During the first years of the 21<sup>st</sup> century, politicians and academics have been intensively debating the reasons underlying such tensions, notably giving new emphasis to concerns with political unity and ‘social cohesion’.<sup>1</sup> The question that is being posed, with more or less populist undertones, is how much cultural diversity can be accommodated within liberal and secular democracies. A number of thinkers and politicians have advanced the claim that it is almost impossible to accommodate certain minority groups, notably Muslims, in European countries because their cultural traditions and religious faith are incompatible with secular democratic governance. Others have argued that Muslims can be accommodated in the socio-political order of European societies provided they adhere to a set of civic values that lie at the heart of European democratic traditions and that reflect the secular nature of society and politics in Europe. Some writers have argued that citizen attitudes in Europe are not anti-religious as such but tend towards individualised forms of religiosity. Others have questioned whether this is an accurate analysis of the kind of secularism that underpins state institutions in Europe. It has been argued that European secularism is marked by an accommodation of organised religion, with one or more set of churches in nearly every state having certain constitutional privileges and receiving state funding for certain educational, pastoral and welfare activities (Bader 2007a; Modood 2010). Nevertheless, there is much public anxiety and disapproval of certain Muslim practices and their suitability for actual accommodation.

The question of ethnic minority integration becomes more complicated, perhaps paradoxically, due to the European integration process. Old and recent member states strive to accept cultural diversity within Europe as well as to define their geopolitical and cultural position within the continuously enlarging European Union. National identities are under pressure by the Europeanisation process – especially as regards the former Communist countries that joined the EU in 2004 and 2007 (Triandafyllidou and Spohn 2003; Kuus 2004; DeBardeleben 2005; Dell’Olio 2005). The question of Turkey’s accession into the EU has given rise to fervent debates about: the Christian roots of European values; the compatibility between a predominantly Muslim country with a secular constitution and an Islamic governing party and the rest of the EU; and the borders of Europe – the question of where does Europe essentially end?

The process of European integration has been coupled with identity negotiation and geopolitical re-organisation within the member states. In this context, the question of immigrant minorities comes as an additional layer of cultural diversity and complexity. The difference of immigrant minorities is perceived as less desirable and more alien than intra-

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<sup>1</sup> Over the last two decades the notion of ‘social cohesion’ has become a widely used theme in public policy. Its meaning is often ambiguous, although cohesion has recently been drawn on in support of restrictive immigration policies (Holtug 2010). Sober sociological analyses tend to point out that ‘modern societies’ can, should and have to do with much less ‘social cohesion’, in the same way that modern politics does not require an emphatic ideal of ‘national unity’ (Bader 2001).

European cultural diversity, and the according identity claims of minority groups are seen to be over-demanding. Although the EU indirectly and sometimes even directly supports minority protection and combats discrimination, the overall Europeanisation process has certainly not made the integration of immigrant minorities, and especially Muslims, in specific member states any simpler. On the contrary, 'Third Country Nationals' (TNCs) that are socially integrated in their country of settlement discover they are sometimes at a disadvantage compared to citizens of other EU member states who may be newcomers but who enjoy the advantages of European citizenship. Moreover, whilst most EU citizens are being encouraged to think of themselves less in national terms, migrants are encouraged to assimilate to the dominant national majority.

In fact, for national majorities to deal with the challenges of diversity (both migration related and native) it is necessary to recognise that minority 'difference' is internally diverse. There is no single type of minority group, no single type of cultural difference: some markers of difference and some claims are more important for one minority rather than for another (e.g. religion, race, language) and not all individuals experience their group identity with the same intensity at all circumstances (Modood 2007). Naturally the same is true for members of the dominant nation: not all members of the national majority experience their identity in the same way and specific nations value specific features more than others. Of course, the salience of a feature – what makes it a marker of difference and contention between the national majority and the immigrant or native minorities – is constructed in interaction. In other words, religion may not be an important marker of German national identity until Muslim immigrant challenge the religious features of the nation and hence transform Christianity into a constitutive element of the German national identity.

It is perhaps this very element of internal difference within the national majority that can offer the starting point for a self-reflexive re-consideration of national identity which by starting to recognise the diversity in its origins and in its constitution (including native minorities where relevant) can begin to consider how to open up its diversity spectrum. This self-reflexive re-consideration and negotiation of national identity is a challenge facing most if not all EU states, though few are actively and unambiguously reconsidering their 'national story' (CMEB 2000). Arguably, these developments—the new diversity in Europe and the new salience of majority and minority identities in political debate—have created challenges for the concept of toleration, its applicability and scope.

These challenges inform the following discussion. Firstly, issues regarding toleration are often framed in terms of how much cultural diversity can be accommodated within liberal and secular democracies. This question needs to be unpacked. Rather than being static, secularism and liberalism – as we suggest in a brief account of the history of liberal tolerance in section 3 – reflect contemporary concerns and anxieties. Secondly, the plurality of claims for accommodation, toleration or respect in society needs to be met with a pluralized perspective. For the act of toleration, as the following highlights in a discussion of models and paradoxes of toleration, perceptions matter. Disrespect towards minority claims and identities are often a result of biased perceptions and misrecognition. Intolerance, toleration and respect thus need to be viewed within social relationships that facilitate or prevent understanding and respect.

### **3. Models and paradoxes of toleration**

There is a tendency to conceive of liberalism as synonymous with tolerance. Liberalism, however, is conventionally not the same as complete licence to do whatever one wants to do to oneself and others. Liberalism entails intolerance towards actions that harm the essential

interests of others as equal moral and political subjects. Liberalism may also place certain limits on the actions of individuals who inflict harm on themselves. The latter is more disputed than the former. Arguably, some versions of libertarianism are based on a strong notion of self-ownership, including even the idea that one can sell (parts of) oneself off to others as any other piece of property. This is often meant to be as a strong defence against (state) paternalism.

In relation to others, the limits of liberal tolerance are clearer. First, liberalism insists on equal rights and opportunities for all adults and hence rejects legal rules that for example enforce gender inequality. Secondly, the limits of liberal tolerance are set where actions harm those interests of others which are so important that they should be protected by rights (McKinnon 2006, ch. 5). The liberal difficulty here is to establish the exact definition of which interests are important – and should be protected by rights – and what constitutes harm and therefore a violation of those rights. From the very beginning, this points to some ambiguity in liberal toleration and to its context-dependence. We illustrate such difficulties of toleration in more detail after the following introduction of meaning, scope and conceptual structure of toleration in political theory.

Although we will use the two interchangeably, *tolerance* usually signifies an articulated normative principle whereas *toleration* refers to attitudes, virtues, practices and institutional regimes (Bader 2011). Toleration, according to a broadly accepted definition by Preston King (1976) means that a tolerator tolerates objected beliefs or practices even if he or she has the power not to tolerate. This power to interfere is not something that is forgotten (as in acquiescence) or omitted: the tolerator explicitly and consciously refrains from interference (see also McKinnon 2006, 14). The reasons and motives to interfere or not to tolerate, as we will suggest in part 2, can be as manifold as the reasons and motives for self-restraint.

The object of toleration can be ‘individual conscience’, ‘belief’ and ‘collective practices’ and groups that are defined by beliefs or practices. In the case of individual tolerance, the tolerator (which may be individuals or collective actors) tolerates objected beliefs of individuals even if he has the power not to. The tolerated individual raises a claim, such as to be allowed to practise religion at least ‘in private’ or for the freedom of exit from or entry into religious communities or organizations. In the case of collective toleration, the tolerator tolerates objected collective practices of individuals as belonging to and/or identifying with a specific group of practitioners in a situation where collective actors, for example states or religious majorities, have the power not to tolerate. The tolerated groups, associations, or organizations raise claims or rights to practise their religion collectively and publicly and also to various degrees of associational freedom or collective autonomy.

The conceptual structure of toleration may be seen as implying a tension between two ‘components’ (King 1976, 44-54), objection and acceptance. Those two components need to be balanced so that acceptance is sufficient for non-interference without invalidating the reasons for objection. Toleration is never pure or complete: it includes the “ineliminable reference to the less than ideal” (Horton 1992, 65), and the forbearance of toleration is motivated by reasons that override but *that do not cancel out reasons for rejection*. Reasons for rejection and reasons for acceptance thus stand in a difficult relationship that makes toleration a balancing act. This balance is not only historically changing, as we will suggest in part 2 in relation to Jewish emancipation, but also conceptually unstable. As such, it has led political theorists to consider various paradoxes running through the very idea of toleration.

### 3.1. Paradoxes of toleration

The first one is the paradox of the ‘tolerant racist’ (Forst 2003, 33; McKinnon 2006, 22). Arguably, toleration is all the more commendable the more difficult it is for the tolerator to

overcome his or her initial objection. What, however, are we to make of this effort when the initial reasons for rejection are obnoxious and morally objectionable? Paradoxically, a racist with strong ideological convictions on the biological inferiority of certain ‘races’ may appear to be particularly tolerant when he or she refrains from acting on his or her reprehensible beliefs. Undoubtedly, those beliefs may be deeply felt and thus difficult to ‘override’. This has led some normative theorists to specify criteria as to what might count as legitimate reasons for objection and to exclude those that do not pass a test of moral justification. Racism, for example, may be seen to fail this test of ‘moral appropriateness’, and racists, accordingly, may not be considered as tolerant when failing to act on their convictions (McKinnon 2006, 26).

A second paradox arises just in relation to this test. For toleration to count as a virtue, initial reasons for objection need to be morally defensible. But if this is so, we might as well ask why objection should be overridden at all (Mendus 1989, 19; Forst 2003, 35-6). How can we prioritize moral reasons for acceptance over moral reasons for objection? The concern is that this would open the doors to some kind of value relativism. Toleration would then seem to be a position of moral cowardice, and this, in fact, is very much the thrust of contemporary attacks on tolerance (see part 5). This ‘paradox of moral toleration’ has led political theorists to invoke the distinction between moral and ethical reasons, and to specify toleration in terms of acceptance that is ethical rather than moral. Morality is about the evaluation of specific actions. An ethical reason for toleration, by contrast, would be the appreciation of human beings—regardless of their particular convictions and actions—as involved in ongoing efforts to justify their values and their conduct. This would be a human characteristic that is worthy of consideration and some form of qualified respect (Forst 2003, 528-9, 588-600). Regardless of whether we follow this particular resolution of the paradox, it shows that toleration involves difficult decisions and the weighing of reasons.

A third paradox regards the question of boundary-drawing. On one hand, the argument goes, there must be boundaries as tolerance would otherwise be meaningless. On the other hand each boundary that is drawn reflects particular values. It can always be questioned by whom and in what name boundaries are drawn. This holds true also for the construction of the refusal to tolerate intolerance as the definition of intolerance is also subject to particular values. Toleration means that one agent assumes evaluative authority over the beliefs and practices of the other. It is thus at risk of perpetuating social hierarchies and relationships of domination.

This final ‘paradox’ of toleration raises the difficult question of how to think of the nature of power in toleration. After all, even in situations of non-interference power may continue to be exercised and positions of subordination or domination may be perpetuated. Toleration may appear to involve a discretionary exercise of power, based on the arbitrary will of the tolerator. Those who (or whose practices) are tolerated, may still be subject to the threat of interference, should the tolerator change his or her mind about refraining from interfering.

The situation in which people are systematically subject to the threat of interference, without necessarily being interfered with at a particular point in time, has been identified by contemporary neo-republican theorists, notably Philip Pettit (1997), as one of *domination*. The classic examples are those of the slave or the wife in a Victorian marriage; the master or husband has the right to interfere, but if well-intentioned or absent, may not choose to do so. But the status of the wife or slave remains one of subordination, since a change of master or of inclination may result in their physical or psychological abuse.

On this account, freedom is understood as *the absence of domination*, not simply the absence of interference, and involves a more secure status. One of the central aims of

government should be to promote non-domination, by providing such a secure status against arbitrary incursions both by other individuals and institutions in society, and by government itself. This conception is more demanding than the conventional idea of liberal toleration, understood as the absence of interference. Whereas non-interference requires only that someone is not currently interfered with, non-domination requires that they have a status, and structures that secure this, which protects them from the constant threat of arbitrary interference. It also requires that people, instead of accommodating themselves to domination, can look others in the eye as equals. Institutions alone do not secure non-domination, which also requires the cultivation of attitudes of civility. Tolerance thus requires more than the absence of particular instances of interference, but a structure of institutions and relations that secures citizens from the arbitrary will of the state or others. This points to how toleration may be understood, rather than the simple absence of non-interference, along a spectrum of positions, some of them more demanding than others. This is a point that we will pursue in part 4.

### 3.2. *Toleration as a ‘perceptual shift’*

The standard model of liberal toleration that we have discussed before considers a relationship between two agents, individuals or groups, where one agent passes judgment on the other. In its concern with the act of moral evaluation, this model to some extent fails to recognize that the parties to any given relationship of toleration are socially situated and do not usually encounter one another *ex novo*. Toleration is predicated on prior social contact, encounters, relationships and learning.<sup>2</sup> The ‘overriding reason’ that makes toleration possible does not usually come in a flash of inspiration but as a result of drawn-out social relationships.

A perspective that appears to take better account of this relational character of toleration and its social logics has been proposed by David Heyd.

Tolerant people overcome the drive to interfere in the life of another not because they come to believe that the reasons for restraint are weightier than the reasons for disapproval, but because the attention is shifted from the object of disapproval to the humanity or the moral standing of the subject before them... [Toleration] consists of the capacity to ignore, or rather suspend or ‘bracket,’ a set of considerations, which do not thereby lose any of their original force. (Heyd 1996, 12)

The movement towards toleration is thus to be understood as a ‘perceptual shift’ or a “switch of perspective, a transformation of attitude, based not on the assessment of which reasons are overriding but on ignoring one type of reason altogether by focusing on the other” (Heyd 1996, 13).<sup>3</sup> Heyd draws attention to how the reasons of toleration are not beyond reappraisal, which may not least be a result of learning and one’s exposure to cultural difference. Put simply, experiencing difference in actual social relationships may change one’s estimation as to how what is different can be tolerated. Where too much emphasis may be placed on normative evaluation and doctrinal learning, the ‘perceptual shift’ model thus highlights what has become apparent in recent years: when the question of toleration is posed, this is often not

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<sup>2</sup> Veit Bader, for example, argues that learning toleration by doing and institutional learning are eventually at least as important as doctrinal learning of the principles of individual and collective tolerance or individual and associational freedoms of religion, which in themselves are often in conflict with each other.

<sup>3</sup> Although it is contested how far this act of ignorance may go for us to still be able to speak of toleration as the balancing of opposition and acceptance (Forst 2003, 34-5).



a result of moral re-evaluation. Toleration, Ingrid Creppell (2008, 322) suggests, “does not come about because people ‘resolve their differences’ but because they come to rebalance those differences through seeing their commitments and beliefs as broader than they did at the beginning of the encounter.” Toleration is about relationships between individuals and groups in society; it is dependent on how differences and identities are socially perceived and negotiated.

This social dependence of toleration may also work in the opposite direction, towards intolerance. Current anxieties over the public visibility of Islam in Europe are, for example, not necessarily best understood as expressions of a new intolerance that is based on moral evaluations. Cultural contact, such as the encounters with an increasingly publicly visible Islam, need to be considered to understand the social nature of both toleration and intolerance (Göle 2005). Intolerance becomes a stronger possibility the more what was previously unrecognized, underreported, or considered to be a private matter, is perceived to be an issue of public concern. “Usually issues become politicized and groups or peoples come to see each other in political terms that need working out” (ibid., emphasis in original). The history of tolerance that we will turn to in the following has seen a variety of such perceptual shifts and re-appraisals as well as processes of learning and exposure to difference.

#### **4. The history of liberal tolerance**

The current vulnerability of toleration stands in perplexing contrast to familiar readings of the European Enlightenment heritage. In this understanding strong emphasis is placed on the gradual expansion of spheres of toleration, first of the freedom of religious belief and practice and then encapsulating new and different claims, lifestyles, sexual orientations and belief systems. This understanding of how toleration “came to the west” (Zagorin 2003) and was expanded, culminating in the liberalisation of the 1960s and 70s, accounts for a powerful narrative. The story, as we will point out in the following, is not without problems. The changing nature of what are considered the appropriate *objects* of toleration—beliefs, lifestyles, political commitments or group characteristics among them—makes it difficult to speak unequivocally of an expansion or contraction of spheres of toleration, of more or less tolerance.

The history of how practices of toleration emerged and how the related ideas were thought up, experimented with and transmitted in response to the religious diversity and religious strife of 16<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> century Europe has been written in a number of ways (see Collins 2009 for a recent overview). Accounts reflect preoccupations of their time, among them a narrative of triumphant liberalism that presented a storyline of how universal persecution gave way under the pressure of Enlightenment ideals. The ‘persecuting society’ (Moore 1987) of medieval and early modern Europe is thus contrasted with contemporary liberalism and strong emphasis is put on the role of public intellectuals, *philosophes* and *hommes de lettres*, spreading Enlightenment ideas in an emerging public sphere (e.g., Jordan 1936; Kamen 1967). 17<sup>th</sup> century ideas are seen to provide the early-modern point of departure for the journey towards contemporary liberalism.

This emphasis on the role of philosophical innovation has been challenged on several accounts (see in particular Laursen and Nederman 1998). *First*, a history of tolerance in terms of ideas may neglect everyday practices preceding the development of philosophical principles. In her social history of toleration in England, Alexandra Walsham (2006, 5) forcefully suggests that “to situate ‘persecution’ and ‘toleration’ at opposite ends of the intellectual and political spectrum is deeply misleading”. John Locke, as is well known, envisaged tolerance to Protestant dissenters without carving out a sphere for religious

toleration that was complete (Locke 2006). To the contrary, Locke's justification of tolerance reaffirmed the intolerable presence of Catholics and atheists (Creppell 1996). His concern "to distinguish exactly the Business of Civil Government from that of Religion, and to settle the just Bounds that lie between the one and the other" (John Locke, Letter Concerning Toleration) meant that whilst boundaries were shifted, they were not removed. Not all "speculative opinions & religious worship" (Locke 2006, 288) were considered as harmless to continued civil peace and could thus claim a "title to universal toleration". In fact, in Locke's time as well as today, toleration for one group is perfectly compatible with the continued discrimination of another.

More than that, the boundary shifts that bring one group into the domain of toleration may introduce new reasons for intolerance towards others. In Locke's political philosophy, emphasis on the freedom of individual conscience coincided with *raisons d'état* for intolerance. Where Protestant dissenters become tolerable, the intolerable presence of Catholics – whose perceived allegiance to the Pope made them a threat to civil peace – was reaffirmed in a different way. Similar boundary shifts occur today: toleration in regard to freedom of sexual expression, for example, may go hand in hand with more intolerance with regard to religious expression (see part 5).

Secondly, in addition to the changing philosophical justifications of toleration, the kind of social histories that Walsham or Benjamin Kaplan (2007) have provided, show a somewhat muddled picture. Accommodation and compromise were not necessarily sustained by philosophical principles but by localized and contextual moral reasons. Social practices of accommodation were often the result of local conditions, notably the need to share social spaces. Tracing social practices of toleration, however, is complicated by a lack of source material and for the simple reason that "persecution, because it requires positive action and leaves a historical record, is easier to document than everyday toleration" (Collins 2009, 614). This may well remain an obstacle for contemporary analysis, which is at risk of putting too much emphasis on principles and ideals. To remedy this bias and to arrive at a more complete picture of the social realities of toleration, we need to be concerned with local practices of accommodation and conviviality that are often supported by pragmatic reasons, as well as with local and contextualized moral reasons for granting toleration.

Thirdly, the notion of continuity between modern and early-modern Europe makes it easy to dismiss ideas and practices that do not conform to the standards of liberal toleration. Practices of accommodation, for example in decidedly non-secular contexts, might not find a place in such histories. The values and types of reasoning underpinning Islamic practices of toleration or the group accommodation of the Ottoman millet system preceded the 17<sup>th</sup> century and are not grounded in European Enlightenment philosophy (Braude and Lewis 1982; Friedmann 2003; Barkey 2008). Equally, Buddhism has historically provided resources for toleration, such as when Ashoka propagated moral principles of both public and individual conduct intended to respond to the immense socio-cultural heterogeneity of his Indian Empire (Ashoka 1993; Bader 2010). But medieval Europe too, it is suggested, was not without resources for toleration. *Tolerantia* was present in medieval canonical law (Bejczy 1997). Cary Nederman (2000, 5) illustrates one horizon of toleration that he locates in Latin Christian theology of around 1100.

Tolerance is required because intolerant practices are not and cannot be efficacious in light of some significant and irremovable dimension of human existence. Toleration is, therefore, not a good or an end in itself, but a course of action or inaction sanctioned, ultimately, by God himself inasmuch as He created and endowed humanity with certain capacities and frailties.

Toleration can thus be justified on strictly religious grounds, such as by the idea that God's omnipotence and the ultimate incomprehensibility of his actions should lead humans towards humility in their judgments—thus towards toleration.

These alternative sources of toleration may not fit easily with conventional definitions of liberal-secular tolerance as they may draw on different horizons of justification. They serve as a useful reminder that the history of tolerance can hardly be considered to be a unidirectional movement towards a contemporary state of affairs. The awareness of the “diversity of intellectual frameworks that have generated viable defenses of toleration” (Nederman and Laursen 1996, 5), and of everyday social practices of tolerance and accommodation, casts some doubt whether it was an intellectual movement of the 17<sup>th</sup> century that made toleration, as Perez Zagorin (2003) puts it, ‘come to the west’.

#### **4.1. Toleration and Jewish Emancipation**

This history is thus one of changing justifications and changing objects that can plausibly lay claim to becoming candidates for toleration. This is particularly evident in relation to Jewish emancipation, where religious and ‘racial’ difference were seen to be of either more or less significance. Commercial or civic reasons for granting equality were often already articulated in the 17<sup>th</sup> or 18<sup>th</sup> century. But they remained difficult to mobilize for the social, legal and institutional changes that were required for emancipation and full citizenship.

The protracted process of emancipation occurred with many reversals. It thus illustrates that movements towards toleration are frequently not best understood as all-out progress but as the gradual extension of spaces, often pragmatically responding to the social, economic and political exigencies of the day. Jews, expelled from medieval Britain in 1290, were readmitted in the 1650s as part of Oliver Cromwell's commercial policy.<sup>4</sup> Though informally tolerated, their position and legal entitlements remained precarious well into the 19<sup>th</sup> century. Regarding their naturalization and citizenship entitlements a notable obstacle was the form of various Christian oaths that remained a requisite for citizenship, for membership in Parliament or even commercial activity in the City of London.

The Jewish Naturalization Act of 1753 envisaged a pragmatic solution, namely, in the words of Joseph Salvador, one of its chief lobbyists, “that any person professing the Jewish religion whom it may in future be thought proper to naturalize, shall in lieu of taking the Holy Sacrament, take the oaths of Supremacy and Allegiance, or such other oaths as may be thought proper” (quoted in Perry 1962, 19). After intense opposition it was repealed in 1754. Naturalization without a statement of allegiance to Christian faith was only granted in the 19<sup>th</sup> century, as one step in the slow removal of obstacles and disabilities. Geoffrey Alderman (1995, 129) then remarks that

Anglo-Jewish emancipation did not proceed from the top downward, by some great single act of emancipation emanating from the highest level of the state and imposed upon society as a whole. Rather, it grew, as a process out of a mosaic of changing social, economic, and religious circumstances over which the Anglo-Jewish community as a whole had relatively little control.

Jewish emancipation equally serves to point towards a different set of issues, that is to how the granting of toleration may coincide with new definitions of difference and otherness. In early modern Europe Jews had been counted as a separate ‘nation’, as a community separate

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<sup>4</sup> See the collection edited by Birnbaum and Katznelson (1995) *Paths of Emancipation* for a selection of international accounts on Jewish emancipation.

from the remainder of a population that was in itself variously subdivided into estates or guilds. By being brought into the fold of the nation state, Jewish difference had to be redefined if it was to be maintained. As a leading figure in the 1789 debates on Jewish emancipation in revolutionary France puts it: “as a nation the Jews must be denied everything, as individuals they must be granted everything.” (quoted in Brown 2006, 51). Wendy Brown draws on this example to make the point that the history of toleration is one of reinterpretations of separateness and of the regulation of otherness. For Jews this meant that within the nation state their difference was individualized, the trait of difference becoming ‘racial’: “Defined racially, Jewishness was something one carried individually, everywhere and always. Again, this meant that tolerance would change the definition and circumscription of its object: Jews might still be thought of as a group, but the structure of affinity so rendering them was race rather than the nation” (Brown 2006, 55). Accordingly, [p]olitical and civic tolerance .. emerges when a group difference that poses a challenge to the definition or binding features of the whole must be incorporated but also must be sustained as a difference: regulated, managed, controlled” (ibid., 71).

A question remains whether this regulation of difference is something necessarily problematic and sinister, as Brown or Zygmunt Bauman (1989) may be seen to imply, or may more appropriately be considered as an everyday feature of self/other relationships that is not beyond progressive reconsiderations that may take the sting out of the social regulation of difference. Regardless of this, Brown and others make a convincing case that the way in which ‘challenging difference’ is resolved depends on the discursive construction of the difference in question but also on how the identities of social or national majorities are perceived. Both from a social-psychological and a sociological perspective, the co-existence of different nations or ethnic groups within the same territory requires the identity of each group to be constantly reproduced and re-affirmed if the sense of belonging to the group is to survive. It requires the constant re-definition of the ‘We’ that must be distinguished from a ‘They’ that is geographically, and perhaps also culturally, close. Current questions regarding the ‘challenging difference’ of others thus require us to be attuned not only to the otherness of minorities but also to majority identities.

### **5. ‘Beyond’: where toleration is not enough**

Toleration, Peter Jones (2006, 140) suggests, “fits uncomfortably into a world constructed in terms of identity and difference rather than belief and value.” In light of the new challenges of cultural diversity, immigrant integration and identity politics, the concept of toleration has been revised to respond to new demands. Some theorists have tipped the balance and extended the concept of toleration to move beyond its inherent imperfections. Considering the various shapes of toleration, Michael Walzer (1997), for example, defines toleration as a continuum stretching from a minimum to a maximum: ‘resignation, indifference, stoicism, curiosity and enthusiasm’. Rainer Forst (2003, 42-48) proposes four conceptions of toleration along a similar continuum, from less to more demanding motivations, grounded on permission, coexistence, respect or esteem. Forst, however, is concerned to retain the balancing of reasons of rejection and acceptance that marks toleration and thus qualifies the extent to which *esteem* can be seen to support a position of tolerance. Esteem needs to be constrained and qualified as it would otherwise run the risk of exploding toleration and substituting its conceptual core with that of unqualified and enthusiastic endorsement (Forst 2003, 47-8).

Other theorists have been concerned with a more wide-ranging redefinition that indeed strikes at the core of toleration as a balancing act. The aim is to respond to the challenge of

post-immigration diversity and the suggestion is that traditional conceptions of toleration as non-interference are inadequate. Elisabetta Galeotti (2002, 193-4) has strongly argued for an understanding of toleration not as non-interference but *as recognition*.

[P]eople marked by differences which are tolerated in the private sphere but which are invisible or marginalized in public life, and subject to prejudice, stigmatization, and discrimination in social interactions, cannot be fully participating members of social and political life on the same footing as the majority. ... Public toleration should reverse the invisibility and marginality of different identities which public blindness, far from dispelling, in fact reinforces.

This idea of public toleration that is at the core of Galeotti's argument may require a brief review of what is at stake in the public recognition of identities. Tariq Modood (2007), for example, suggests that identities and cultures are important because they are important to the bearers of those identities, people who are members of our society, fellow citizens, and so have to be included into the polity in ways consistent with respect and equality. As Galeotti (2002, 104) puts it: "[d]ifferences should be publicly recognized not because they are important or significant per se, though they may well be, but because they are important for their bearers and because expressions of public contempt for them, on the grounds that they depart from the social 'norm,' are a source of injustice."

As with the 'balancing act' of toleration, there is a distinction between the public recognition and respect for identities and beliefs and the moral evaluation of the same; the former is possible without the latter. Recognition may be seen to be part of the *ethics* of citizenship, of how citizens should relate to each other in a civil manner, and not part of the *morality* of evaluating persons and their conduct in personal relationships. When we argue for recognition of a difference we are not necessarily morally approving or disapproving of that difference. This does not mean that recognition is beyond the scope of moral principles for moral principles will indeed *limit* what we can recognise: child sacrifice, cannibalism and *sati* (widows' self-immolation) would be unacceptable for just about everybody and female genital mutilation would also be unacceptable for many. Recognition should not infringe the fundamental rights of individuals or cause harm to others. What this means in practice will sometimes be unclear and contested. The important point is that the instancing of unacceptable cases does not necessarily damage or undermine the argument for recognition. All laws and public policies have these kinds of limits, but nevertheless most laws and policies are accepted as legitimate without a moral evaluation of their content – a law requires compliance from all regardless of how different individuals may evaluate them. Another way of putting this is that laws and the policies of legitimate governments have a moral standing—or at least a public legitimacy—without each law or policy being subject to a moral evaluation – though the legitimacy can be undermined if they are shown to be immoral by reference to a higher morality. Similarly, the legitimacy of recognition does not depend upon a moral evaluation of the difference in question; but recognition works within moral limits.

We are not being asked to approve or disapprove in an ultimate way but to allow co-presence, public support, interaction and societal redefinition. Of course the giving of a new public status to an identity group is not just to legitimise their presence and to include them in the self-definition of one's society or country, it is also to allow them to influence the attitudes, mores and practice of the rest of society. For example, encouraging greater public participation by women, gays or Muslims may come to mean that their critical perspectives upon existing practices and values are openly discussed, that marginalized sensibilities become de-stigmatised and come to be more influential and that certain concerns, styles, aesthetics, discourses and literatures come to be produced and shape the mainstream. In these

various ways, the broader culture and specific minority perspectives will interact and mutually influence each other.

Despite such argument in favour of recognition, there remain reservations and concerns (see for example Lukes 1997; Markell 2003). Given the variety of demanding claims that may all be proposed in the language of identity, one such concern is with how the space beyond toleration can accommodate a plurality of positions. Ethno-religious groups may argue for respect towards their religious identities when they are expressed publicly. Other groups, however, may be more interested not in respect for differential identities but in the fusion of majority and minority positions so that aspects of the minority identity are written into majority culture or into the representation of a ‘national story’ (CMEB 2000). This makes it necessary to consider the ‘beyond’ toleration as a space where various minority claims may require a mode of coexisting with one another if they are not to appear conflictual or antagonistic (Modood and Dobbernack 2011).

A second concern is with the political strategies required for achieving the more demanding ideal of public toleration that Galeotti introduces. Peter Jones for example observes that where traditional, liberal toleration may be achieved by means of legal and political intervention of the state and its institutions, Galeotti’s public recognition appears to rely on a more complicated set of requirements.

It would seem impossible to achieve those consequences [of self-respect and self-esteem for groups that were previously marginalized] through government-driven institutional changes that leave undisturbed the hostility of the majority and its refusal to accord recognition to the minority. Rather the whole social context in which the minority conducts its life must change. It would seem then that, if we are to secure toleration as recognition, those who dislike and disapprove must also be those who recognise. (Jones 2006, 131)

What is clear then is that toleration as recognition is a more demanding idea than toleration in its conventional liberal versions. It is more demanding in the sense that more and different resources may be required for its accomplishment and that the social and attitudinal changes required may be far-ranging and not beyond dispute. This undoubtedly makes it problematic, as Veit Bader (2011) suggests, to rank the minimalist conception of non-interference as *inferior* to the more demanding notions of public recognition.<sup>5</sup>

The minimalist moral principle of tolerance is a crucial peacekeeping safeguard needed to avoid massive violations of moral values of ‘life and security’. One should be very careful to avoid more demanding egalitarian and substantive ‘respect’-conceptions and, particularly, maximalist principles of ‘pluralist tolerance’ infringing upon these, especially if they are imposed upon dissenting people or legally enforced (Bader 2007a, 81). If principles of respect or public recognition were to be internalized, then ‘strange’, ‘deviant’ or ‘obnoxious’ beliefs and practices would not be objected but actually praised, emphatically endorsed and toleration would be unnecessary. No ‘self-restraint’ would be needed because both individuals and collective actors would not even be tempted to act in an intolerant manner: the ‘power not to tolerate’ would be effectively blocked from the inside and the ‘paradox of toleration’ would disappear.

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<sup>5</sup> Veit Bader also criticizes more broadly the notion that collective identities are in need or deserving of public recognition. He suggests that we should ‘respect’ persons and ‘recognize’ beliefs and practices and consider the negative impacts of misrecognition. But the public recognition of collective identities should be avoided for its intrusive and ‘totalitarian’ tendencies (Bader 2007b).

Perceptions may change and instances that had been considered objectionable, such as homosexuality, or that have historically generated significant conflicts, such as between Catholics and Protestants, may have become – at least in some places – normalized to an extent that toleration may not even appear necessary. But on the whole, minimalist tolerance and prudent measures of legal enforcement, backed by the virtue of toleration or self-restraint remain crucial. Obviously, it is most welcome if more demanding principles and virtues are promoted – in ‘addition’ to instead of as ‘substitutes’ for (Lægaard 2010, 29) – preferably by avoiding ‘evil’ and by providing opportunities for people to practice their widely divergent conceptions of a good life. “Toleration as recognition of difference” and related concepts of ‘respect’ among citizens may mark a new frontier for cultural diversity but they do not eliminate the need for a more traditional and minimalist concept of toleration.

## **6. ‘Post’: toleration discourses, boundary drawing and social regulation**

Toleration requires the drawing of boundaries between what is considered tolerable and what is intolerable. As such, it entails a position of evaluative authority that places the tolerator in a position of power. This has led political theorists to consider toleration as a device that not only resolves moral conflict but also produces social arrangements, defines agents and groups—a concern that we have already mentioned above in relation to Jewish emancipation. The concern is, as Wendy Brown puts it, to “reveal the operations of power, governance, and subject production entailed in particular deployments of tolerance” and to puncture “the aura of pure goodness that contemporary invocations of tolerance carry” (Brown 2006, 10). Brown in particular makes suggestions on the practices of *boundary drawing* that she sees at the core of such deployments of tolerance: “Its invocation involves drawing spatial boundaries of dominion and relevance, as well as moral boundaries about what can and cannot be accommodated within this domain” (Brown 2006, 29). The concern with the changing boundaries and the circumstances of contemporary boundary-drawing allows us to develop a grammar of toleration, which might serve as a basis of comparison and analysis.

Let us start with the realm in which toleration is not an issue. This does not necessarily have to involve embracing difference. It suffices if the occurrence of difference is considered to be a normal state of affairs, a state which is likely to be an outcome of earlier struggles about the place and the meaning of boundaries. A behaviour which was once discussed in the terms of toleration (like kissing in public, nudity in certain spaces) has moved into the realm of normality in many European countries. It is the moment when difference does not anymore make a difference: it becomes more or less invisible.

A second sphere is defined by practices which *must* be tolerated. The necessity of acceptance is related to standards which mean something to us, and religious difference is a case in point. Although sometimes severe criticism might be directed against concrete religious practices and groups that are considered to be problematic (in Germany: Jehovah’s Witnesses, Scientology, conservative Islam) the principle of religious freedom itself may not be questioned. In contrast to the first sphere, however, the proposition for boundary shifts is met with skepticism. After all, a greater public presence of religion is in most European societies considered to be problematic by a majority.

The realm of what *should* be tolerated is yet different again. This is usually a value statement: it is better to tolerate a certain type of behavior than not to tolerate, even where both toleration and non-toleration would be feasible and compatible with one’s values. Discourses of deliberation are characteristic of this space. Is it better to tolerate or not to tolerate (the headscarf in public spaces; drinking in public)? The argument in favour of toleration usually argues that intolerance would produce resilience and withdrawal; the

counterargument says that public acceptance would encourage more instances, be a slippery slope, and therefore lead to an undesired boundary shift.

The next realm is the zone where toleration is problematic. This is the border zone of what *could* (still) or (better) should not be tolerated. This is usually a heavily debated question in public, as the issues within this field are frequently emotionally charged. There are strong calls by parts of the public upon the government to set an end to certain practices, such as when they are seen to be potentially harmful. Arguments usually focus on the question whether this can be proven.

Corresponding to these boundaries on the side of toleration are boundaries on the side of non-toleration. The realm of what *should not* be tolerated, what *cannot* be tolerated and what *must not* (under no circumstances) be tolerated mark lines and political sensitivities.

These processes of boundary construction become even more complicated when one considers the complex *modalities of boundary drawing*. Given that some behaviour is (more or less) acceptable in some places and situations but not in others, boundary management becomes a crucial activity. A first key distinction with regard to such modalities is the distinction between private and public: some behavior can be tolerated in private but not in public (see below). Again the public sphere can be subdivided into areas where certain behaviour can be tolerated and those where it is not permissible. The headscarf is tolerated in public spaces (like parks) and offices in France, but not in schools, whereas the burqa is permitted in neither. Another dimension is the difference between ‘ostensive’, or highly visible, and non-ostensive behavior. In France non-ostensive religious symbols are accepted in schools whereas ostensive symbols are forbidden. Again, the boundary between the ostensive and the non-ostensive is anything but clear.

Boundaries are of great relevance for the analysis of the spatio-temporal structuring of the political space. Generally the issue of tolerance emerges in the media when the boundaries between what must, should, can or cannot, should not, must not mentioned above are questioned. This may occur in two directions: on the one hand we have groups and practices which had been tolerated so far, but which at some point of history are considered to be problematic. This arose for example when in Germany Islamic summer schools were questioned with regard to the children’s need for integration. The other direction is when practices, which have not been tolerated so far, compete for toleration, e.g. the case with the Turkish headscarf movement. Usually cases of precedence are used as arguments and past fights for tolerance are used to demonstrate that fears related to more tolerance are not justified.

The crucial idea of the drawing of boundaries of toleration refers to what we have discussed as one paradox of toleration in normative theory. Even when it is granted, toleration as non-interference may not be enough (and what we require may be along the lines of non-domination understood, potentially, as freedom from arbitrary and unjustifiable boundaries). At this point, however, rather than asking for a normative solution for boundary conflicts, we should also be interested in the social analysis of the power relations that underpin the boundary drawing process. We need to analyze the political field in which the limits of tolerance are debated and the arguments which are employed in this process. The following does so with an interest in the modalities and argumentative resources of new kinds of ‘liberal intolerance’ that has experienced a recent upswing in European discourses on cultural difference.

### **6.1. New ‘principled intolerance’**

Liberalism, as we have suggested in the beginning, has always had its limits of toleration. What is interesting, however, is that we see new forms of principled liberal intolerance in



political argumentation. We suggest that there are three modalities of this new principled liberal intolerance. The first regards the protection the cohesion of liberal society, the second the liberal divide between public and private, and the third the creation of a particular type of 'liberal people,' who lead responsible, autonomous lives.

*The first modality* of the new liberal intolerance foregrounds a concern with cultural cohesion as a precondition of liberal-democratic societies and institutions. Discussions about *Leitkultur* and common values in Germany, the Netherlands, Norway and Denmark are all concerned with Islam as the carrier of different values and practices that are potentially so alien to the host society, so entrenched and difficult to change, and so widespread and/or characteristic of segmented groups (parallel societies), that the cultural homogeneity of the host society is threatened.

The result in each case is an unprecedented emphasis on the requirement that citizens share values, outlooks and practices, not just that they accept shared institutions and laws (Favell 1998), and interact productively in the economy. This paradoxical *re-substantialization* of modern solidarity translates to general societal intolerance of 'too much diversity'. On the 'new right' it may crystallize opposition to practices, which most provocatively are seen to symbolize what is alien from national culture, such as the building of minarets on Mosques; or which are seen to perpetuate segregation, such as speaking Turkish and Arabic in public schools and not sending children to public kindergarten. More mainstream political concerns of the need for a shared (civic) culture usually influence milder attempts to encourage individuals to cultural adaptation or integration.

*A second modality* of liberal intolerance reflects a principled concern with the neutrality or universalism of the public realm, and the proper form of the private-public distinction. Firstly, this intolerance issue concerns how citizens should 'be' in the public realm. The French *Affair de Foulard* also tapped into other concerns (e.g., gender equality), yet no doubt reflected a very strong ideal of citizenship and civic conduct, which recurs in other national headscarf debates, e.g. in the recent Danish ones about veiled MPs and criminal judges (the latter a purely hypothetical discussion, which still provoked pre-emptive legislation). The point of such debates, of course, is not merely that public identities in specific functions or spheres must appear free from particular loyalties and hence as 'neutral' or impartially respecting a larger common good. It is also, and more particularly, that *some* loyalties, if only symbolically expressed, are regarded as particularly contrary to the ideals of civic equality, independence, and reason.

Secondly, even liberal-pluralist countries increasingly adopt limits on the 'special' accommodation of religious group needs. Private religious activities and organisations in general as a visible and influential aspect of public life (including in schools) are welcomed and protected by the state. But this does not mean that the same state should intervene to enforce and thereby endorse specific positive rights or exemptions. This understanding of 'legitimate' religious pluralism thus depends on the preconception of religion as private and civil society based. It would seem to fall short of 'multicultural' accommodation of a different, more practice based religion, such as Islam (Modood 2007, 71). Rather, religion is considered *special* and it is argued that it should be taken out of the liberal equality equation altogether, by separating churches from state authority and privatising religious education. There is, it seems, also a negative political logic of mis-recognition at work whereby some practices (head scarves, public prayer rooms, school exemptions), come to represent a *kind* of religion, which is outside the bounds of acceptable pluralism, so that it, along with its practitioners should not be accepted. Rather, the state is being asked to reform such religious people so that they fit the accepted 'privatised' model.

This call for public neutrality tend to slide from intolerance of practices and institutions that undermine public neutrality towards requiring dispositions as good citizens, e.g. the capacity be to autonomous, reasonable, and deliberative, and to be religious in a reflective, individualistic way. They thus point towards *the third modality of liberal intolerance*, which is the perfectionist requirement to qualify as ‘liberal people’ (Joppke 2010, 140) or to *practice* liberalism as an identity, character ideal, or even a shared way of life. Faced with “Islamic terrorism”, Christian Joppke (Joppke 2008, 544) suggests, “toleration liberalism has receded behind a less procedural, more substantive variant of liberalism that prescribes a shared way of life, in which, say, men and women are equal and the secular trumps the religious. Such liberalism is potentially an identity, separating liberal from illiberal people.”

Perfectionist liberalism is not intolerant *per se*. All states of any complexity will be non-neutral towards forms of life, whether through the unintentional effects of institutional arrangements or the more deliberate design of education systems, official discourse and public policy. Intolerance enters at the point where officially promoted ideals of good liberal citizenship come to be seen as so important, so threatened, and so much in conflict with specific *un-civic* (religious) practices and dispositions, concentrated in defined and targetable out-groups, that attempts to change, penalize or even outlaw them become legitimate.

### **7. A minimalist, elastic framework**

This report has explored various challenges to toleration, not to make the case for its dismissal but to point out where it needs to be reconsidered and supplemented. Toleration may seem insufficient where more demanding forms of accommodation are sought, such as the public recognition of collective identities. It equally needs to be amended where what is at stake is not the toleration of difference, but the question of how visibly ‘abnormal’ difference may become ‘normal’—and thus potentially invisible. And toleration needs to be considered for its discourses and for how it perpetuates social relationships of domination. We also need to consider the changing boundaries of toleration and why some aspects of difference become the subject of heated debates. And we need to study the political deployment of toleration and how tolerance is intertwined with the construction of images of self and others. ACCEPT Pluralism thus follows a double interest in the value of toleration and acceptance in relation to contemporary diversity challenges *and* in its pivotal role in organizing debates, drawing boundaries and concealing power relationships.

In relation to the first concern, we suggest that the conflation of tolerance and recognition is not just normatively problematic but analytically unhelpful. While sympathetic to the strategy of developing a more demanding normative vocabulary, we think that there is a risk of conceptual confusion here, one result of which is that we may lose the normativity of toleration. Such forbearance is of normative and pragmatic value – as many minorities know historically and today – and to disparage toleration because it falls short of, say, respect is politically short-sighted. ‘Gritted teeth tolerance’ may be the most practical solution in many circumstances, and it makes little sense to denounce toleration where more demanding notions are unavailable. Moreover, there are indeed things that we should not tolerate or at least be able to discuss whether we should. These include not only negative and unjustifiable dispositions that most people do not want to condone, such as racism and sexism. There is also a host of concrete issues to do with post-immigration itself that are rightly discussed in this context. These include female genital mutilation, marriage at the age of puberty and/or under duress, polygamy and so on. Regardless of one’s position on these, we do need normative-conceptual space where what is tolerated and what is outlawed can be clearly discussed without being confused with recognition, respect and substantive equality. We thus

need to separate intolerance from toleration as well as toleration from more demanding positions.

As regards the latter, the concern with tolerance discourses and boundaries, we need to acknowledge that positions are not beyond contestation, that the objects and boundaries of toleration are historically changing, and that there needs to be a *political* concern with how the relationship between tolerator and tolerated entails elements of power, authority and domination. Such relationships, if they are concealed, need to be brought out and queried for the nature of the relationship, for the boundaries that are drawn and for the modalities of how it is being decided what can be tolerated and what not. This, we suggest, is a particularly urgent task in light of the new ‘liberal intolerance’ that makes pragmatic forms of cultural accommodation appear more difficult and fragile.

For ACCEPT Pluralism we draw on a particular conceptual perspective on contestations of cultural diversity in Europe. There are three classes, we have suggested, of how cultural difference can be debated, accepted or rejected. The classes of Accept give us not merely analytical purchase to locate and classify responses to the challenges of cultural diversity. They allow us to explore connections between such responses and across a variety of dimensions, social attitudes, institutional regimes or public values. Moreover, they allow us to explore the critical boundary issues in-between the refusal and the concession of tolerance *and* between toleration and more demanding responses such as of equality, respect or recognition.

We suggest that we need a wider concept, Accept, which includes toleration but also other forms of acceptance (and rejection) from which it is distinguished. We may think of Accept as a concept consisting of:

1. **Non-toleration:** Individuals, groups and practices who seek or for whom/which claims of toleration are being made but to whom/which toleration is not granted, and the reasons given in favour of or against toleration;
2. **Toleration:** Individuals, groups and practices who seek or for whom/which claims of toleration are being made and to whom/which toleration is granted, and the reasons given in favour of or against toleration;
3. **Recognition, respect as equal and admission as normal:** Individuals, groups and practices who seek or for whom/which it is claimed that toleration is not enough and other normative concepts, namely those that focus on majority-minority relations and the reform of institutions and citizenship, are or should be more relevant. They also include claims and processes towards the reconsideration of difference as a ‘normal’ feature of social life. Such concepts include equality, respect, recognition, accommodation and so on, and the reasons given in favour of or against these propositions.

It should be highlighted that each class is more normatively demanding than the previous one and consists of greater institutional accommodation and adjustment. Yet, it should be clear that there is no inherent *telos* leading from 1 to 3, such that the subsequent classes do better what the earlier classes are trying to achieve; or, are morally superior to the earlier classes. The concepts in the different classes are, if properly deployed, addressing different problems and so have their own ‘fit for purpose’ character; the later classes do not supersede the normative and practical value of the earlier classes. Nevertheless, they mean that in any given situation we are faced with the moral and political question: which class of acceptance is most appropriate to the situation. This is where the political arguments and decisions lie – as

indeed, the empirical work in ensuring that we have correctly identified the situation and in particular the meanings that the minority practices carry.

The classes of Accept are not set in stone but rather need to be understood as dependent on their area of application. Sometimes we may need to draw the boundaries differently or to expand or reduce the number of classes. As with the boundaries of toleration, they are empirically contested and shifting both in a broader historical perspective and descriptively when we compare different units, polities amongst them. Boundaries, we suggest, need to be examined across various dimensions, in norms and values, social practices and political institutions. ACCEPT Pluralism thus studies the boundary that separates the denial of tolerance from its concession—and the contestations that occur around this boundary. It considers the space beyond toleration, where rather than toleration's 'gritted teeth', notions of respect, recognition or substantive equality are at work.

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**Appendix: Papers partially incorporated**

- Veit Bader: *Concepts of tolerance and toleration. Moral minimalism and more demanding moralities*
- Iseult Honohan: *Toleration and non-domination*
- Tariq Modood and Jan Dobbernack: *Multiculturalism and multiculture: conversations across differences*
- Per Mouritsen and Tore Vincents Olsen: *Liberalism and the diminishing space of tolerance*
- Werner Schiffauer: *Tolerating the significant other: national identity, public fears and the limits of tolerance*
- Anna Triandayllidou: *National identity and the challenge of diversity*



