Liberalism, neutrality and the limits of tolerance

The syllabus asks ‘Should a liberal society tolerate a minority culture that doesn’t respect its values?’ and ‘Could a liberal society nourish a particular culture and make judgements about the relative worth of diverse lifestyles without becoming intolerant?’. Both questions point towards paradoxes in tolerance.

TOLERATING THE INTOLERANT

Suppose a minority culture rejects the values of autonomy and tolerance. For pragmatic reasons, it does not attempt to enforce its views on others outside it. However, it actively maintains the cultural community: it brings social sanctions against its own members that dispute its views. Perhaps some conservative Islamic communities in the UK are an example.

Suppose further that in rejecting the exercise of individual autonomy and rationality, and subjecting both to the authority of tradition, the culture refuses to acknowledge that other points of view could be true. It does not display tolerance in that, if it were the culture of the majority, it would advocate legal or social sanctions against those who held these other points of view. Should a liberal society tolerate such a culture?

This reveals a paradox in tolerance: tolerance is only really needed when the beliefs and values to be tolerated are intolerant or intolerable. If two otherwise different moral points of view agree that autonomy must be respected, little tolerance is needed, because underlying the opposition of views is agreement. Tolerance becomes much more necessary when one side rejects the very values that tolerance is based upon.

If the reason for tolerance is to respect autonomy, why would we tolerate a view that did not respect autonomy? Let’s put the point another way. If we are tolerant, we increase autonomy – more people are able to live their own lives in their own way. But a view that rejects autonomy seeks to get people to their lives in a way it prescribes. So do we increase autonomy more by not tolerating this view?

Consider how children are raised. The conservative culture wants to raise its children to adopt traditional views. A liberal culture wants children to be raised in a way that allows them to reflect on, evaluate and choose their views so they become autonomous. If the conservative culture is tolerated, then people raised within that culture may not be as autonomous as they would be if the culture was not tolerated.

On the other hand, being part of a conservative culture can be an expression of autonomy, an expression of living life as one thinks it should be lived. Not to tolerate the culture would mean this conservative way of living was no longer available in society. But the arguments from autonomy and fallibility mean that a liberal society should not undermine other ways of living. If a liberal society could only tolerate cultures that accept liberal values, how would this be tolerance at all?
However, there will be practical limits to the nature of the tolerance extended to the culture. The beliefs and values of the culture can be tolerated without contradiction. However, since the society is liberal, individuals will have certain rights that protect them against harm. If the culture’s practices violates those rights, e.g. by using force against members of the community, then a liberal society cannot tolerate those practices.

THE IMPOSSIBILITY OF TOLERANCE?
Describing certain beliefs and values as intolerant has, historically, often been the result of intolerance, misunderstanding and prejudice. If every attempt to draw a line between what can be tolerated and what cannot is an act of intolerance, then tolerance ends before it begins. Defining the limits of tolerance is an expression of intolerance.

This argument rests on a confusion between two meanings of ‘intolerant’. Views which are intolerant deny that tolerance is valuable. The attempt to draw a distinction between these views and others is not intolerant in this sense. To argue that intolerant views cannot be tolerated is not to deny that tolerance is valuable. (Even then there is no need to say that beliefs and values can’t be tolerated, only that certain practices cannot.) This ‘intolerance’ is quite different from the intolerance of a view that tries to impose a specific way of living on people.

We can object that to make any value judgment about different cultures is intolerant. Tolerance involves recognising that there are different standards of value in different cultures (or lifestyles). If a liberal society nourishes and supports a culture based on individual autonomy, then it displays intolerance towards different standards of value.

The difficulty with this argument is that we lose any general reason to be tolerant – because the arguments for tolerance all invoke value judgments. To say that one should be tolerant is itself a value judgment, one that rejects intolerance. It compares different standards of value (tolerant and intolerant ones), and sides with tolerance. And if we think tolerance is right, then why is it? Well, we have seen the values that support tolerance, and they are values that liberalism endorses.

Making value judgments is, in any case, not itself intolerant. Tolerance requires opposition. Value judgments express this opposition. Intolerance is not opposition, but acting on this opposition in a way that suppresses the view one disagrees with.

We can still object that in a liberal society, it may be harder to live according to a way of life that promotes submission to tradition than a way of life which is based on individual rationality and choice. Tolerance would seem to advantage those views that accept autonomy over views that do not. We can argue that this result shows that tolerance isn’t really possible.

TOLERANCE AND NEUTRALITY
Someone’s ‘conception of the good life’ is their view of how to live. It is not necessarily explicit or systematic. It includes their ideas about morality and religion, perhaps also ideas about progress, human nature, and society. If a society adopted some particular conception, then its structures and laws would reflect and promote the way of life of that conception, and the kinds of reasons given for passing laws would appeal to the values of
that conception of the good. For example, in a theocracy, laws are passed on the basis of being in accordance with the will and commands of God, as a particular religion represents these (as in Islam’s sharia law).

We can argue that for a society to be tolerant, it must be ‘neutral’ between conceptions of the good life, a view defended by John Rawls in *Political Liberalism*. A tolerant society will not exercise power, e.g. through legal or social sanctions, except by appealing to reasons that everyone reasonable can accept. To enforce a value or policy on the basis of reasons that depend on your own particular conception of the good, reasons that others would reasonably reject, is to be intolerant. To be neutral, social structures and laws must not favour one conception of the good over another.

Rawls faces three challenges. First, we may argue that to be tolerant, a society need not be neutral. Second, we can argue that neutrality is inconsistent with the values of tolerance. Third, we may argue that neutrality is not itself a neutral ideal.

**The tolerant society need not be neutral**
A tolerant society, we can argue, is one that does not impose the majority (or minority) view on morality, religion, etc. But it can still adopt a particular conception of the good, as long as laws still allow for the private pursuit of conceptions of the good that are different. (This is sometimes called a ‘permission’ conception of tolerance – views are allowed to exist within a society that, on the whole, disagrees with them.) An intolerant society is only that tries to get citizens to live – not just in public life, but throughout their lives – in accordance with its conception of the good.

But we can object that this is not enough. Tolerance requires greater recognition and equality, and the state should be responsive to all conceptions of the good equally. In practice, this is only possible if it is neutral. For example, as Rawls argues, laws are passed on the basis of reasons that everyone can accept. No particular conception of the good enters into public life.

**Neutrality is inconsistent with the values of tolerance**
In *The Morality of Freedom* (Ch. 5, 14), Joseph Raz argues that the point of tolerance is to respect and encourage autonomy. However, neutrality undermines autonomy, because people will not be able to pursue certain ways of living if society is completely neutral. Some conceptions of the good, or rather, the possibility of living according to those conceptions, will be unable to sustain themselves without support from society. For example, for many people, art forms part of a good life, and a life without art would be very impoverished. In the UK, there is strong government support for the arts – museums are kept free by government subsidy, there are many government awards for new artists and for organizing exhibitions. Without this support, many people think, art would suffer terribly, and fewer people would be able to enjoy art. But if society was neutral between conceptions of the good that involve art and those that don’t, it could not support art.

Raz concludes that the state should preserve a range of valuable options for individuals to choose between. Without valuable options, the value of autonomy diminishes. Of course, options may only appear valuable within certain conceptions of the good, and so in this sense, society cannot remain neutral between conceptions of the good.
We can object that this is not to abandon neutrality – society is just ensuring that conceptions of the good are preserved. If it would do this for any conception of the good, then surely it remains neutral.

But this overlooks the point that society must appeal to values that not everyone shares, while neutrality requires that laws are based on reasons every reasonable person can accept.

**Neutrality is not neutral**

Neutrality will not appeal to everyone. Not every conception of the good accepts the restriction of giving only neutral reasons in support of legislation. However, Rawls argues that every reasonable conception of the good accepts the project of basing society on ‘reasonable agreement’. Liberals endorse this because they see individuals as free, equal and autonomous. Other conceptions of the good may find different reasons.

But this seems to require accepting the values of justifying power to individuals, of equality, and of reason. Unless a conception of the good ranks freedom more important than truth, say, why should its believers acquiesce to giving only reasons all can accept rather than reasons based in their conception of the good? And this, we can argue, is not neutrality.

Furthermore, to say that conceptions of the good that don’t accept these values are ‘unreasonable’ is itself unreasonable. Rawls defends his idea of what is reasonable in terms of the burdens of judgment. But the burdens of judgment allow us to say that ideas of freedom, equality and reasonableness are themselves contentious. For example, fundamentalists could argue that it is reasonable to believe that individuals’ reason is weak and sinful (used in the service of pride, self-interest, and so on, not in the service of what is truly good), and so should not be trusted. Rawls’ idea of the reasonable will appeal only to those who are already reasonable by its standards – but this standard can be (reasonably?) contested. So Rawls’ idea of neutrality is not itself neutral.

This doesn’t entail that society can’t be tolerant, only that we shouldn’t understand tolerance in terms of neutrality.

**TOLERANCE AND A LIBERAL CULTURE**

How can a society support both liberalism and tolerance? By basing social and legal sanctions on values that themselves support tolerance. In a sense, this imposes a (minimal) conception of the good, one that recognises tolerance and the values that support it, on people who do not accept this.

What makes a society tolerant is not neutrality, but the response of the society to ‘unreasonable’ views and the people who hold them. To actively discourage unreasonable views strays too far from tolerance, a case of intolerant liberalism. Yet the unreasonable view cannot extend into the public sphere in a way that would suppress other views. So a tolerant society must attempt to contain unreasonable views, to prevent them from undermining what consensus of the reasonable exists.

For example, to maintain a commitment to reasonableness and tolerance in society, Rawls insists that children are taught their rights, in particular freedom of conscience, that they understand the importance of the division between public reasonableness and
private conceptions of the good. He recognises that this could well undermine unreasonable conceptions of the good over time, but if the values of individual autonomy and reasonableness are upheld, this may be an inevitable consequence.