

What Toleration Is*

Toleration has been called “the substantive heart of liberalism.”¹ Yet exactly what toleration is, is unclear. It has often been used by political philosophers and others as if this were not the case, but recent theorists have used and explicated the term in very different ways. In what follows, I offer a conceptual analysis of toleration in order to give a clear definition of this central liberal tenet. In the first part, I isolate toleration from other notions; this provides us some guidance by introducing the eight definitional conditions of toleration that I then explicate and defend in the second section. Putting the conditions together, I shall be defending the view that an act of toleration is *an agent’s intentional and principled refraining from interfering with an opposed other (or their behavior, etc.) in situations of diversity, where the agent believes she has the power to interfere*. (This definition, note, is neither normatively loaded nor sufficient for moral or political theory; as such, this article is at most a preliminary to normative discussions of toleration.)

* This article began as a short first section to a longer paper on the normative demands toleration places on liberalism. I began the project—and developed the basic line defended here—while a Visiting Scholar at the Social Philosophy and Policy Center at Bowling Green State University. I am grateful for the Center’s generous support of this and related work and thank Fred Miller, Jeff Paul, and Ellen Paul, for inviting me. The Center’s staff were all extremely helpful, especially Mahesh Ananth, Carrie-Ann Khan, and Kory Swanson. I also worked on the article while a Visiting Scholar at the University of Arizona and while I had a Summer Research Grant from the College of Arts and Letters at James Madison University. I am grateful for both the funding and the location to work. Chris Maloney was especially kind in bringing me to Arizona. The final touches to the article were completed while in residence at the Liberty Fund in Indianapolis and I am grateful to them for the invitation and the generous support. As always, many individuals helped me make the article better than it otherwise would have been. Chandran Kukathas sparked my initial interest in the topic. Allen Buchanan, Carrie-Ann Khan, Avery Kolers, Rick Lippke, and Dave Schmidtz all read prior versions and offered many useful suggestions and criticisms. Kay Matthieson offered especially helpful advice on organization that allowed me to vastly improve the presentation. In conversation, Tom Christiano, Doug Den Uyl, Don Fallis, Dave Schmidtz, and Jim Taggart (and probably several others) helped me clarify parts of the arguments. I am also grateful for helpful comments and criticisms from audiences in the Philosophy Departments at Bowling Green State University, the Universities of Waterloo and Arizona, Hampden Sydney College, and the Massachusetts College of Liberal Arts. Finally, Dan Brudney, John Horton, an anonymous reviewer, and several *Ethics* editors provided useful suggestive criticisms. I hope I responded suitably to at least some.

¹ Jean Hampton, “Should Political Philosophy Be Done without Metaphysics?,” *Ethics* 99 (1989): 791-814, p. 802.

“Toleration” can be applied to many different sorts of things; we have religious toleration and cultural toleration, and are willing to tolerate different patterns of behavior and different manners of speech. Moreover, we may tolerate or fail to tolerate in many different ways. There are, in any society, legal and social ways to fail to tolerate; that is, something may be illegal (e.g., we don’t tolerate marijuana usage) or something may be legal but socially censured (e.g., we don’t tolerate men wearing dresses—at least not well).² Moreover, as Walzer points out, “toleration (the practice) can be arranged in different ways.”³ Legal systems can refuse to tolerate any of the following: the sale of alcohol to minors, the purchase of alcohol by minors, or the drinking of alcohol by minors.⁴ There are, in short, different objects of toleration, different parties that may tolerate (the state, the citizenry, individuals), and different arrangements in which toleration can take place. There is, though, a core idea behind all of the permutations. It is that core idea that I discuss here.⁵

² Susan Mendus makes a similar point in her *Toleration and the Limits of Liberalism* (Atlantic Highlands, NJ: Humanities Press International, 1989), p. 4.

³ Michael Walzer, *On Toleration* (New Haven, Conn: Yale University Press, 1997), p. xi.

⁴ In the international arena, Walzer indicates multinational empires that use a “millet” system (e.g., the Ottoman Empire), international society, consociations (“bi- or trination states” (ibid., p. 22)), nation-states, and immigrant societies as different regimes of toleration (ibid., pp. 14-36; see also Will Kymlicka, “Two Models of Pluralism and Tolerance,” *Analyse und Kritik* 13 (1992): 33-56).

⁵ Galeotti notes that while “in the literal sense, contemporary toleration consists of an extension of personal liberty from the private to the public sphere ... this literal meaning ... by no means exhausts the meanings of toleration” (Anna Elisabetta Galeotti, *Toleration as Recognition* (Cambridge: Cambridge University Press, 2002), p. 11). She is concerned with the “symbolic meaning” of toleration (for one helpful explanation, see Galeotti pp. 100-101; for some defense of that approach, see pp. 87-95). Creppell also thinks we need a “broader language of toleration” (Ingrid Creppell, *Toleration and Identity: Foundations in Early Modern Thought* (New York: Routledge, 2002), p. xii). By contrast, it is the literal meaning that I am interested in. It’s worth noting, I think, that on many occasions, when I have heard the word used in a way that I thought mistaken (as discussed throughout), I have queried the speaker and generally found that people recognize that they are using the word loosely. (Of course, they may have wanted to avoid the discussion.) Nonetheless, I am not trying to engage in what might be called “linguistic legislation;” I am distinguishing toleration from the other concepts for conceptual clarity only and do not mean to be devising an artificial classification or dictating usage.

Understanding the core idea is important if we are seriously concerned *to tolerate*. That we should be so concerned will strike many—certainly anyone with any liberal tendencies—as obvious. Tolerating others, many argue, allows them autonomy and autonomy, it has been further argued, is a constitutive part of (one sort of) a good life. Of course, the important moral and political questions concern matters of when and what we should tolerate (when should we let people act on their autonomy?). Examples of things we might be obligated to tolerate or not to tolerate include:

Locally:

- loud music playing
- cigarette, cigar, and pipe smoking
- demonstrators marching outside city hall
- homosexual activity, living arrangements, and marriages
- cross-dressing

Nationally:

- home-schooling, religious schooling, no schooling
- software or music piracy
- religious rituals involving animal sacrifice
- arranged marriages, forced or not
- suicide, assisted or not

Internationally:

- Saddam Hussein's behavior in the 1990s (and the U.S. response)
- North Korea's recent moves toward nuclear capability
- Palestinian and Israeli behavior toward each other
- Chinese policies toward Taiwan and Tibet
- Russian policy toward Chechnya

In each of these cases, we need to know if we should tolerate. These questions should not be treated lightly or with overly simple assumptions—including about what toleration itself is. If we are going to have good arguments defending toleration and its limits (rather than, for example, noninterference), we need a clear understanding of toleration. It is with these concerns in mind that I offer the conceptual analysis below.

Although this article is primarily a work of conceptual analysis, it is also offered as something of a literature review.⁶ While I will not spell out in detail anyone else's view, I utilize much of the available work on the topic to settle some debates as to the precise nature of toleration. My analysis of toleration (section II), in fact, is partly derived by distilling the analyses of others. It is also partly derived, though, by paying attention to what toleration *is not*, as discussed in section I.

I. What we are *not* after

While we all likely have some inchoate ideas about toleration, it is also likely that these ideas are somewhat confused. Outside the academic world of philosophy, the term "toleration" is often used in different ways. Since much of that variation finds its way into scholarly thought, it is worth distinguishing toleration from other concepts with which it is often confused before engaging directly in conceptual analysis.⁷ This will also provide some guidance for determining what the core idea of toleration is as we begin to see certain conditions necessary for toleration. The concepts I distinguish from toleration are, of course, related to toleration (else there would be no confusion); some may be on a continuum with it. They are, though, distinct notions.

⁶ When I became interested in toleration, I did not want to "reinvent the wheel." To my delight, I found a wealth of excellent literature available in which toleration was conceptually analyzed. Much of that literature comes out of the University of York, with funding by the Morrell Trust. The authors of this school (broadly) include David Edwards, John Horton, Susan Mendus, Glen Newey, and Peter Nicholson.

⁷ The following list owes much to Robert Paul Churchill, "On the Difference between Non-Moral and Moral Conceptions of Toleration: The Case for Toleration as an Individual Virtue," in *Philosophy, Religion, and the Question of Intolerance*, ed. Mehdi Amin Razavi and David Ambuel (Albany: State University of New York Press, 1997): pp. 189-211, esp. pp. 193-198. In particular, A, B, E, and F are all suggested in his discussion, though I discuss them differently.

(A) Toleration is not indifference. If I see someone playing baseball (in which I have no interest) and I walk past without interfering, we would not say I tolerate the behavior. The reason for this seems straightforward: we think of ourselves as tolerating only when we recognize something and disapprove or, at least, dislike it. If someone is throwing a ball against my wall, I may tolerate it (or not)—in part because the behavior annoys. Some negative response is necessary for our lack of interference to count as toleration. Put another way, we must *care*.⁸

From this brief discussion, we already see that we are the sorts of beings that can tolerate, that toleration requires noninterference, and that behavior is something that can be tolerated. These three facts seem uncontroversial; they will be conditions one (agent), four (noninterference), and six (object). What is also interesting is that toleration requires that the tolerator have some negative response; as Williams explains, “If you do not care all that much what anyone believes, you do not need ... toleration ... Indeed, if I and others in the neighborhood said we were *tolerating* the homosexual relations of the couple next door, our attitude would be thought less than liberal.”⁹ Interestingly, then, a world populated by individuals indifferent to those they do not know and like might be better than a world populated by individuals who tolerate those others. One way people can tolerate more often, after all, is to have more negative reactions.¹⁰ The need for a negative reaction will be condition five (opposition).

⁸ See also Churchill, p. 193; David Heyd, “Introduction,” in *Toleration: An Elusive Virtue*, ed. David Heyd (Princeton, NJ: Princeton University Press, 1996): pp. 3-17, p. 4; and Edward Langerak, “Disagreement: Appreciating the Dark Side of Tolerance,” in Razavi and Ambuel, eds., pp. 111-24, p. 111.

⁹ Bernard Williams, “Toleration: An Impossible Virtue?,” in Heyd, ed., pp. 19-27, p. 20.

¹⁰ Horton makes a similar claim (John Horton, “Toleration as a Virtue,” in Heyd, ed., pp. 28-43, p. 34). It may be thought paradoxical (see John Horton, “Three [Apparent] Paradoxes of Toleration,” *Synthesis Philosophica* 9 [1994]: 1-18). Newey’s discussion of the “censorious tolerator” (Glen Newey, *Virtue, Reason and Toleration: The*

(B) Toleration is not the same as simply enduring what one does not like—a sort of resignation, “mere restraint”¹¹ or “a kind of moral stoicism.”¹² That form of noninterference may simply be the result of a recognition that one has no power to stop the disliked behavior, perhaps because others have rights “even if they exercise those rights in unattractive ways.”¹³ The person engaging in this form of noninterference—of, perhaps, the loud music player—resigns herself to living with others for the sake of peace, as if in a sort of *modus vivendi*¹⁴ or “pragmatic compromise.”¹⁵

If my descriptions are accurate, why don’t we consider these activities toleration? Why, that is, does one’s resignation to one’s inability to prevent some behavior not count as toleration? I propose that the answer is that we think toleration is something we must do *for the right reasons*. The presence of those reasons matters. Two prison inmates may be able to tolerate each other’s activities even though neither has any right to continue those activities and they both understand this. It needn’t be that they are merely resigned to suffering each other’s activities but if they were merely resigned, they would not be tolerating. We might say that one *endures*

Place of Toleration in Ethical and Political Philosophy [Edinburgh: Edinburgh University Press, 1999], pp. 107ff and elsewhere) is helpful in dispelling the paradox, but in my view, he too quickly rejects a simpler solution: the agent who has more negative reactions is less *tolerant*, but this is consistent with saying he *tolerates* more (see G below). Indeed, Williams’s point (in the text; cited in previous footnote) is simply that “being liberal” (this is the colloquial sense of the word) requires being tolerant, not tolerating. On my (here undefended) view, liberalism (in the philosophical sense) requires toleration. See also the first part of footnote 70 below.

¹¹ Heyd, p. 14.

¹² Walzer, p. 11.

¹³ *Ibid.* p. 11; see also p. 59.

¹⁴ For an explanation of a *modus vivendi*, see John Rawls, “The Idea of an Overlapping Consensus” in his *Collected Papers* (Cambridge, Mass: Harvard University Press, 1999), pp. 421-448, esp. pp. 430-433.

¹⁵ Heyd, p. 4; see also Walzer, p. 10.

what one (believes one) *has to*; one *tolerates* what one (believes one) *should*.¹⁶ Mere noninterference is not enough for toleration; nor is noninterference we resign ourselves to because we can’t do otherwise. We must *value* our noninterference for it to count as toleration; the noninterference must be properly *principled*. This will be condition three (value).¹⁷ It is obvious, but worth pointing out, that for a case of noninterference to be principled, it must also be intentional—one does not act on one’s principles by accident. This will be condition two.

Two admissions need to be made here. First, as motivations are often mixed and/or confused, there may be cases where determining whether an act is one of mere endurance or one of toleration is near impossible; indeed, it may be that there is no sharp line between the two. Second, complicating the first, there is a common sense of the word “tolerance” (itself discussed in (G) below) which is equivalent to endurance—one “builds one’s level of tolerance/endurance.” Given that and the oft conflation of tolerance and toleration, confusions are not infrequent.

(C) Toleration is not pluralism or “enthusiastic endorsement of difference”¹⁸ that might be better associated with certain sorts of multiculturalisms—one does not tolerate what one

¹⁶ As King points out, etymologically, the Latin root of toleration, “*tolerantia*,” is “broadly intended to label ... the general notion of enduring” (Preston King, *Toleration* [New York: St. Martin’s, 1976], p. 12; see also Creppell, p. 5). Even he, though, notes this as a distinct use. He labels one (my B) “‘acquiescence’ or ‘sufferance’ or ‘endurance’” and the other (which requires what I will call the *believed power* condition) “toleration” (King, p. 21). Fletcher points out that in German, Hebrew, and Russian, the “same root generates both tolerance and patience” (George Fletcher, “The Case for Tolerance,” *Social Philosophy and Policy* 13 [1996]: 229-39, p. 237, note 12). He also adds, though, that “people [have to] *care* enough to be tolerant rather than indifferent” (p. 237; emphasis added). There are often times when the concepts seem to overlap, at least in ordinary language. We say, for example, that one endures a pain and that one tolerates it (or builds one’s tolerance toward it). If something could be done (for example, taking an analgesic that one knows would work), but one intentionally and on principle refrains from doing so, it may be toleration on my account.

¹⁷ The prison inmate case also shows (again) that toleration is the refraining from interfering (4) by an agent (1) of behavior (6) the agent disapproves of (5). I will refrain from repeating these and other lessons.

¹⁸ Walzer, p. 11; see also Langerak, p. 111.

promotes. Cultural diversity and multiculturalism may or may not be values¹⁹—neither is my topic here—but while toleration makes them possible, it does not require them.²⁰ If no one brings different views to the table, as it were, there is nothing to tolerate and the advocate of toleration needn't be concerned; by contrast, the advocate of multiculturalism may seek to find different others to bring to the table. Of course, toleration, pluralism, and enthusiastic endorsement of difference may form a spectrum of related responses to diversity (with pluralism in the middle).

Though toleration does not require cultural diversity, it does require some form of diversity. This is obvious and follows closely from the fact that there must be opposition (i.e., there must be something we have a negative response to). If there were no diversity, there would be nothing to oppose. If there were nothing to oppose, there would be nothing to tolerate. The need for diversity will be condition seven.

(D) Toleration is not a strict general principle of noninterference. Such a principle would prohibit any interference with others, including rational dialogue aimed at persuasion. If I try to persuade my sister not to have an abortion, but then stand aside when she leaves to go to the family planning clinic, surely I may be tolerating her action. Toleration does not exclude rational dialogue; it is, thus, only a species of principle of noninterference. Cases where one should tolerate are cases where the only interference permissible is rational dialogue (throughout, I will not consider this interference).

¹⁹ Arguments in favor of them are familiar; see Susan Moller Okin, *Is Multiculturalism Bad For Women?* (Princeton, NJ: Princeton University Press, 1999) for an argument opposing multiculturalism.

²⁰ See Newey, pp. 4, 28-30.

The example used here is interesting in that it indicates something thus far unnoticed about toleration. I said that when I stand aside "I *may be* tolerating" my sister's action. Some readers may have thought that I was not tolerating my sister's action but merely enduring it—that because I had no (legal) right to interfere, I could do nothing and so must have resigned myself to her action. Indeed, this *may* be the case. It need not be. Perhaps I think I do have a (legal) right to interfere (wrongly, though that be). In that case, I am not merely resigning myself to her action. I am standing aside because, though I believe I *can* interfere, I also believe I *should* not (i.e., I value my non-interfering).²¹ This indicates that believing one has the power to interfere is relevant to toleration. It will be condition eight (believed power).

The eight conditions of toleration have now been (briefly) elucidated. For the sake of completeness, I indicate three more things toleration is not.

(E) Toleration is not mere permissiveness, wherein one cares (having a negative reaction) but is either (i) a relativist who believes that one's view cannot be shown to be better than that of the person not interfered with, or (ii) a pessimist about the possibility of (perhaps cross-cultural) dialogue. The pessimist about dialogue, it would seem, merely endures what he must—he does not value his noninterference. Relativism is, of course, too big of an issue to address here, but the relativist seems to be in the same situation as the pessimist about dialogue: he seems to think

²¹ For the sake of simplicity, I assume the reader invoked as an interlocutor is considering a legal right. Some readers may think it is a moral right that is at issue; i.e., they may claim that I have no moral right to interfere with my sister's action. For that to make it such that the case is not one of toleration but one of mere resignation to what I cannot change, the moral prohibition indicated by the absence of a right must be accompanied by an internal compulsion to abide by morality. If there were none, I would be able to interfere by disregarding morality. I have no stand on the internalism-externalism debate. If someone (a third party to the above debate) were to think (as I do not) that I had, in the example, a moral right (perhaps accompanied by a legal right) to interfere, then it is indeed possible that the case is one of toleration.

he can't do anything because he can't show that his view is better than his opponent's and so resigns himself to suffering the disapproved of activity.

As has been frequently noted, moreover, the relativist cannot offer any defense of toleration; all he can say is "I approve of it." I will not defend this claim here, but I believe that toleration *is* held to on well-argued objective grounds. What I discuss below, then, is not "an indiscriminate toleration at times indistinguishable from relativism."²² This is important for "toleration does not mean we lack commitment to our own ideals, or are surrendering them. We are enjoined not to suppress ideas of which we disapprove: we are not being asked to like or support or encourage them."²³

(F) Toleration is not the same as neutrality. One can remain neutral between two parties by failing to tolerate either (perhaps even by killing both).²⁴ Moreover, a state can tolerate X (say a disliked religion) while clearly being nonneutral with regard to it (and perhaps other

²² Adam Wolfson, "What Remains of Toleration?," *Public Interest* 134 (1999): 37-51, p. 39. For arguments in favor of toleration, see my "The Value of Toleration," ms. For arguments that toleration accords better with objectivism than subjectivism, see Gordon Graham, "Tolerance, Pluralism, and Relativism," in Heyd, ed., pp. 44-59, esp. pp. 46-48 and 55-58 and Bernard Williams, "Subjectivism and Toleration," in *A. J. Ayer Memorial Essays: Royal Institute of Philosophy Supplement 30*, ed. A. Phillips Griffiths (Cambridge: Cambridge University Press, 1991): pp. 197-208, esp. pp. 204-8, and Hans Oberdiek, *Tolerance: Between Forbearance and Acceptance* (Lanham, MD: Rowman & Littlefield, 2001), pp. 14-16.

²³ Peter P. Nicholson, "Toleration as a Moral Ideal," in *Aspects of Toleration: Philosophical Studies*, ed. John Horton and Susan Mendus (London: Methuen, 1985): pp. 158-73, p. 170.

²⁴ Throughout, I am considering neutrality as a term of comparison and, moreover, as a form of behavior, rather than attitudes. Much of what I say applies also to a neutral comparative attitude. That is, if one feels neutral with regard to two or more things (i.e., she feels the same about them both), she may or may not have a negative response to them. By contrast, having a neutral attitude toward a *single* thing (noncomparative) implies that there is no negative response; this would rule out the possibility of toleration and allow for indifference.

religions)—a state can even have a state-endorsed (and tax-supported) religion while tolerating another religion.²⁵

(G) Finally, it is worth distinguishing toleration and tolerance.²⁶ It is helpful here to consider grammatical usage of the terms. While “tolerant” is an adjective, “tolerate” is a verb. “Tolerance” and “toleration,” on the other hand, are both nouns. As acts of toleration are, it is likely to be thought, tolerant actions, there is certainly a sense of “tolerance” which is synonymous with “toleration.” “Tolerance,” though, is ambiguous between that sense and (at least) two others: in a second sense, tolerance is simply endurance (this is the sense of the term in the phrase “building one’s tolerance” mentioned above in (B)); in the third and final sense, tolerance is a moral attitude or virtue (for the sake of simplicity, I will hereafter treat these as equivalent; they are not).²⁷ While I do not deny that the first sense is common, I would suggest that as the others are also common, we do better, in the name of clarity, to reserve “toleration”

²⁵ Elsewhere, however, I suggest that *liberal* neutrality is something akin to a manifestation of toleration (though without the opposition requirement) in the political setting such that a state is neutral toward conceptions of the good when it tolerates them all (see my “Defending Liberalism Against the Anomie Challenge,” *Social Theory and Practice*, forthcoming). By contrast, Oberdiek (p. 116) claims that a substantive liberalism based on toleration must abandon neutrality. In her discussion, Galeotti is concerned about “the acceptance, and hence the inclusion, of a different trait, behavior, practice, or identity in the range of the legitimate, viable, ‘normal’ options and alternatives of an open society.” While this, she says, does not evaluate “the actual content” of the difference, it negates “the majoritarian definition of something as different” (Galeotti, pp. 14-15). She may be right, but this reads like a definition of neutrality, not toleration. She discusses neutrality more extensively on pp. 53-65.

²⁶ This section has been much improved due to prompting from John Horton and help from Dave Schmitz.

²⁷ Walzer distinguishes between tolerance as an attitude and toleration as behavior (p. xi) and Oberdiek distinguishes between toleration as a practice and tolerance as a virtue (pp. vi, 23-24). (For my purposes here, we need not worry about the difference between attitudes and virtues or between practices and behaviors.) I should note that though he makes the distinction (between virtue and practice), Oberdiek also sometimes confuses the two (see, e.g., pp. 10, 17, 29-31). For an argument that we should not be concerned with the difference, see King, p. 13. Newey develops what is likely the most sophisticated areteic account related to this discussion (p. 105; see all of his chapter three). In doing so, I would argue, he is analyzing tolerance rather than toleration. In fact, he notes in advance that he will employ a shift in terminology from toleration to tolerance, but claims that this is “not indicated to align itself with any systematic semantic distinction in ordinary-language uses of the terms” (p. 52, note 35).

for the activity, using “endurance” for the second sense, and “tolerance” for the attitude (or virtue). I shall do so in what follows.²⁸

While toleration and tolerance are related, the relation is unclear. Though one can seemingly (though perhaps *only* seemingly) tolerantly tolerate (as one cannot indifferently or resignedly tolerate), one can tolerate another’s behavior without at all being tolerant of it. Fletcher points out that some forms of intolerance may be more of a “psychological condition than a moral failing,” as, for example, when Kant is intolerant of noise.²⁹ Perhaps I simply can’t stand, but nonetheless value not interfering with my neighbor’s playing rap music—and so don’t. My increasing aggravation makes clear my lack of tolerance even while I tolerate the rap music.

It looks like “having tolerance for X” is akin to “not minding” (or even “appreciating”) X and intolerance is akin to dislike. Clearly, one can lack tolerance and practice toleration (as in my example above: I am intolerant of, but tolerate, the music playing). One might have tolerance for (“be tolerant of”) a behavior that one does not tolerate: one might be tolerant of profanity from neighbors and fail to tolerate it, at least in particular circumstances (when one’s child is nearby, for example, one might interfere with the behavior that one does not find particularly offensive). Of course, one can lack tolerance and fail to tolerate: one might not tolerate the loud parties of a neighbor (by calling the police) because one is intolerant of such public nuisances.³⁰ Oddly, it is less clear whether one might have tolerance for a behavior one tolerates. Does one have tolerance, for example, if one is hoping that by tolerating the behavior

²⁸ We can now see another reason indifference (section I A) and endurance (in the sense of section I B) are not toleration: they are attitudes, not behaviors.

²⁹ Fletcher, p. 231.

³⁰ One might lack tolerance and fail to tolerate for a very different reason: one might not interfere with the behavior of a despised rival whom one is intolerant of just so that rival will face more dire consequences than one can mete out oneself. This is not toleration (see the discussion of the value condition below).

(the playing of opera, perhaps), one will come to appreciate it? Again, it is unclear, for that may render tolerance mere endurance, or it may too much resemble endorsement of the behavior to be indicative of toleration.

While the examples I have provided (or my interpretations thereof) might be questioned, they show that tolerance and toleration are distinct. That the examples are open to debate is, I think, indicative only of the fact that we are not clear about what tolerance is. While a conceptual analysis of the attitude would certainly be valuable, that task must await another occasion. Here I note only that I think Peter Gardner is right to distinguish between two different senses of the attitude when he tells us that: "dispositional tolerance need not involve disapproval or dislike by the person who is dispositionally tolerant, though its objects are what attract, or are likely to attract, dislike or disapproval from some quarters. Deliberative tolerance, however, always seems to involve disapproval or dislike by the person who is deliberately tolerant, at least initially, for then there is the temptation not to be tolerant and deliberation about whether he should or should not be tolerant."³¹ I take it deliberative tolerance is often what we think of in discussions of toleration. This explains our unwillingness to say that we are being tolerant if we refrain from interfering with someone in order that further harm befall him—as I discuss in connection with the value condition (3) below.³² We would not, at least, be displaying dispositional tolerance in such a case. Nor, I presume, would this be deliberative tolerance—presumably, it is deliberative intolerance.

³¹ Peter Gardner, "Tolerance and Education," in *Liberalism, Multiculturalism and Toleration*, ed. John Horton (New York: St. Martin's, 1993): pp. 83-103, p. 92.

³² Fletcher (p. 230) claims that not tolerating the intolerance of neo-Nazi skinheads is not itself intolerance, but rather a matter of expressing tolerance (see also T. M. Scanlon, "The Difficulty of Tolerance," in Heyd ed., pp. 226-39, p. 234). It might not be intolerant, but it is a (perhaps warranted) failure to tolerate. For one way that toleration and tolerance may relate, see footnote 39 below.

The rest of this article is concerned with toleration (behavior)—not tolerance (the attitude). The two are related, but I will say little more about that relationship and little about the attitude.

II. Conceptual Analysis

We now have a good idea of what toleration is not and some indication of what it is.³³ The discussion of the previous section introduced us to the definitional conditions of toleration. Remember, my thesis is that an act of toleration is (1) an agent’s (2) intentional and (3) principled (4) refraining from interfering with (5) an opposed (6) other (or their behavior, etc.) (7) in situations of diversity, where (8) the agent believes she has the power to interfere. In this section, I discuss these conditions further.³⁴ In the process, I note authors who have agreed with my assessment and others who have disagreed. When disagreements are raised, I respond to them in defense of the proffered definitional condition.

³³ For an interesting different approach to identifying phenomena that are related to, but different from toleration, see King, pp. 54-60 (see also Creppell, pp. 20-21). For an entirely different approach, see Nick Fotion and Gerard Elfstrom, *Toleration* (Tuscaloosa: University of Alabama Press, 1992); they discuss toleration as a far broader notion than I do, one that includes most, if not all, of what I exclude in section I. Rather than exclude these (A through G), they analyze all the ways we talk of tolerating. Galeotti also seeks to broaden our understanding of toleration; she does so in order to argue that when we claim we should tolerate minorities we mean (or should mean) more than that we should allow them freedom to pursue their own conception of the good—we also mean (or should) that we must grant them recognition (i.e., endorsement as morally acceptable (p. 10); see also Creppell, esp. pp. 4-6). This, of course, conflates toleration with endorsement. In contrast to Fotion and Elfstrom, and Galeotti, and Creppell, I am interested in the core idea of toleration and am quite willing to admit that people often speak more loosely (see footnote 5 above). Finally, see also J. Budziszewski, *True Tolerance: Liberalism and the Necessity of Judgment* (New Brunswick, NJ: Transaction, 1992).

³⁴ To some extent, the division of the conditions is arbitrary. One could, for example, have one condition combining what I call the “agent” and “object” conditions into a relational factor. In Newey’s account, there are only 3 conditions of toleration. In his analysis, my conditions (1; agent), (2; intentional), (6; object), and oddly enough (4; refraining) are left implicit. Conditions comparable to my (3; value) and (5; opposition) are explicit in his T2 and T1, respectively. He considers my condition (7; diversity) a *circumstance* of toleration rather than a condition. He has a condition comparable to my condition (8; believed power), but I am not certain he believes the power can be merely believed (see Newey, pp. 30-34, discussion of his T2a, b, and c).

1. *Agent* (“An *agent*’s...”). Toleration is practiced by an agent. This should be obvious. Still, it must be remembered that the agent is required to refrain from interference (condition four below);³⁵ not that the agent must have (or develop) a particular attitude. The latter is tolerance, not toleration. When Churchill claims that toleration is “an attribute of moral character; it pertains to the attitudes, motives, and behavioral dispositions of those who voluntarily forbear from interference with speech or conduct,”³⁶ he conflates the two. Distinguishing them makes clear that it is properly a requirement of the *behavior* of an agent that this condition makes explicit. We could consider that a subcondition:

a. *Behavioral*. Toleration is a behavioral matter; *to tolerate* X is to engage in a particular type of behavior.³⁷

I will not consider this a separate condition as it is also brought out in condition four: refraining from interfering is behavioral. (A problem for this view will be raised in the discussion of condition four.)

2. *Intentional* (“An *agent*’s *intentional*...”). Acts of toleration must be intended. This, too, should be obvious. We do not say of an agent that she tolerates X if she does not interfere with X merely because she never considered doing so. She must intend to refrain from interfering if the noninterference is to count as toleration. Hence, Churchill tells us that toleration requires

³⁵ That toleration requires refraining from interfering is widely accepted and I will be mentioning it before I discuss it (as condition four).

³⁶ Churchill, p. 199; see also Oberdiek pp. 40-41.

³⁷ This is actually rather murky as the behavior exercised in toleration is negative: one *refrains* from performing a certain action (this may or may not require some performance). I assume this is clear, even if analytically difficult to explain (a thorough explanation would involve intentions—as also with condition two below).

"voluntary forbearance or voluntary leaving others alone."³⁸ Inaction is not enough; it must be chosen. One does not tolerate one's child smoking, for example, if one does not know one's child is smoking and for that reason alone forms no intentions regarding the child's smoking. Given this, there is, minimally, one subcondition:

- a. *Belief*. One must believe one is not interfering with the doing of X. Toleration "involves awareness; one cannot ... [tolerate] what one is ignorant of."³⁹

3. *Value* ("An agent's intentional and *principled*..."). To be tolerating some X requires that one's refraining from interfering is based on principle; put another way, one's noninterference must be due to a good (and we will see, particular) reason. This is not obvious (and, indeed, a difficult matter). Some may doubt the requirement. To see why it is necessary, consider again the case of tolerating (or not) one's child's smoking. Should one learn of the child's smoking, one must decide whether to interfere or not. I presume most parents would at least try to rationally persuade the child to discontinue the unhealthy habit. Some might go further, but others might not. Why would they not? I imagine this would be to allow the child to develop into an autonomous adult. That would, I think, indicate that the parent was tolerating the behavior. If the parent decided not to interfere because he thought there was nothing he could do

³⁸ Churchill, p. 192. I use "intentional" while Churchill uses "voluntary." Nothing, I think, hinges on this. What is voluntary is necessarily intentional, so Churchill would accept my requirement. What is intentional, though, is not necessarily voluntary. This may cause concern as my condition does not include Churchill's. However, the next condition is that toleration requires that one act on principle and if one intentionally acts on (not merely "in accord with") one's principles, one must be doing so voluntarily. Hence, if there is a difference here, it is merely verbal.

³⁹ Gardner, p. 85; he uses "tolerance." That an act of toleration must be intentional might seem to indicate that toleration requires a particular attitude (or one of a limited range of attitudes). This might be a form (or underlying component) of the attitude of tolerance. This attitude (or pro-attitude), however it is fleshed out, is *minimal*, by which I mean that it does not require any positive or negative *emotional* evaluation of the undertaken act of toleration; that act is positively evaluated (by the actor) only in that it is the result of a commitment to a particular value, as I discuss next. (As will be discussed below (with condition 5), a less minimal reaction toward the possible object of toleration will also be necessary).

(or because it wasn’t “worth the effort” or because he simply didn’t care), he would not rightly be said to be tolerating the smoking—he would be resigning himself to enduring it or merely being permissive (see B and E in section I). The difference is that in the first case the noninterference is principled—by which I mean, based on a value—while in the latter case, it is not.

In agreement with the value condition, Jordan notes that if “S morally tolerates P’s doing X” is true, “S believes that she is doing a good [or *right*] thing by doing nothing.”⁴⁰ The reasons S believes that, though, may vary. It may be that toleration (or one of its components) is itself taken as a value, or it may be that the value is autonomy, such that toleration is “a manifestation of respect for persons.”⁴¹ More precisely, Churchill tells us, toleration may be a “manifestation of the disposition to subject one’s [dislike or] moral disapproval of another’s belief or behavior to one’s respect for the other’s attachment to the belief or behavior in question.”⁴² The point bears repeating: the “decision to tolerate is [or may be] a decision that your respect for the exercise of choice by other people should have priority over your opinion that what they have chosen is bad or wrong.”⁴³ The point here is that for it to be an act of toleration, one’s noninterference must be based either on respect for the other tolerated or on a principled belief that toleration (or one of its components) is a value.⁴⁴

⁴⁰ Jeff Jordan, “Concerning Moral Toleration,” in Razavi and Ambuel, eds., pp. 212-29, p. 213; see also Galeotti, p. 22. (For my purposes here, goodness and rightness are treated equally as values.)

⁴¹ Churchill, p. 201.

⁴² *Ibid.*; see also p. 193.

⁴³ D. D. Raphael, “The Intolerable,” in *Justifying Toleration: Conceptual and Historical Perspectives*, ed. Susan Mendus (Cambridge: Cambridge University Press, 1988), pp. 137-53, p. 139; see also Nicholson, p. 160 and Oberdiek, pp. 24 and 39.

⁴⁴ It might be thought that the value could be tolerance. I think this mistaken as the attitude of tolerance may itself be based on evil (dis)values, thereby inviting, at a different level, the conundrum that follows in the text.

If the principle or value that satisfies this condition did not have to be either respect for the other tolerated or the value of toleration itself (or one of its components) but could instead be a variable value, there would be a conundrum that can be seen by considering an example provided by Gardner. In his example, “I do not stop a person from doing something I regard as wicked precisely because I believe far harsher treatment than I could ever mete out, awaits that person if he carries on what he is doing ... [or] because I recognise that it would be disadvantageous to me to do so.”⁴⁵ If any value will do, either of these reasons would provide an example of toleration. Yet surely they do not. The reason, it seems, is that in Gardner’s example, my restraint is due to improper reasons—perhaps because I value pain (in others).⁴⁶ Such conundrums do not arise with the current formulation: not interfering because pain is valued is not refraining from interference because one respects the other or because of a principled belief that toleration (or one of its conditions) is a value. (If this is circular, I do not think it is viciously so.⁴⁷)

For related discussions, see Horton 1996, pp. 31-32, 38-41 and Joseph Raz, “Autonomy, Toleration, and the Harm Principle,” in Mendus, ed., pp. 155-75, p. 162. For a contrast, see Barbara Herman, “Pluralism and the Community of Moral Judgment,” in Heyd, ed., pp. 60-80, p. 61. Rawls invokes respect for other “peoples” (in the international arena) when he tells us that “To tolerate also means to recognize these nonliberal societies as equal participating members in good standing of the Society of Peoples” (John Rawls, *The Law of Peoples* [Cambridge, Mass.: Harvard University Press, 1999], p. 59) and that regarding peoples as “*bona fide* members of a reasonable Society of Peoples” is toleration (p. 84, italics in original; he talks directly of “mutual respect” on p. 122).

⁴⁵ Gardner, p. 90.

⁴⁶ See Newey, p. 20.

⁴⁷ If there is a circularity, it is because the value in the value condition of the analysis of toleration can be toleration (I’ve been saying that the value is either the other—i.e., respect of the one tolerated—or toleration or one of its conditions.). Toleration would then be analyzed, in part, with reference to values, one of which might be toleration. I doubt that this is viciously circular as “my valuing X” might be analyzed without analysis of X. Perhaps I should say that “when I tolerate, I may be acting on a principle such that ‘I will tolerate’.” Is that viciously circular? I do not think so, but if it is, I am inclined to think the solution is to define the value condition as satisfied either by the value of the other—i.e., respect—or any of the *other* conditions of toleration. The value could not, then, be toleration or (obviously) the value condition, but could be any of the remaining seven conditions. Several of my examples below are cases where noninterference is the value.

It may now be asked why we cannot simply say that toleration requires respect for the other(s) tolerated—full stop.⁴⁸ Why, that is, do I insist that this condition can also be met by a principled belief that toleration (or one of its components) is a value? The answer is simply that there are times when we claim—appropriately, I think—to tolerate the behavior of X when X is not a being we respect (or, in any case, when such respect does not explain our toleration). X may be a small child whose constant demands irritate or X may be a pack of wild animals whose behavior is destructive of one’s property. We do not, I think, respect such beings (certainly not as equals) but we do (at least, *may*) value their being able to do as they are doing—that is, we value tolerating them. Our refusal to interfere with them counts as toleration, in part, because we value the noninterference.

Further discussion is required regarding this difficult condition.⁴⁹ Imagine that you cultivate a garden for aesthetic reasons and a deer comes in and eats at it, detracting from its aesthetic value. You deplore this loss of aesthetic value, but you choose not to interfere—perhaps because you think the deer is due respect, but perhaps not. If you do think the deer is due respect, it may be that your refraining from interfering is toleration. The point I shall make now, though, is that even if you do not think the deer is due respect it may be a case of toleration.

⁴⁸ In his “perceptual” conception of toleration, Heyd suggests that “to be tolerant one must be able to suspend one’s judgment of the object, to turn one’s view away from it, to treat it as irrelevant, for the sake of a generically different perspective ... [It] require[s] an impersonal judgment of beliefs and practices, that is, in abstraction from the person holding them” (Heyd, p. 11; see also Creppell, p. 29). “Toleration is,” he claims, “thus a sub-category of respect” (p. 12; see also Scanlon, p. 235). Because he believes this (that the value endorsed when tolerating must be that of the other) and that persons are the only beings due such respect (and because he equates persons with human beings), Heyd concludes (on p. 14) that only human beings can be the objects of toleration. Here, I reject his claim about the value endorsed; I provide independent reason to believe that other sorts of things can be the objects of toleration in my discussion of the object condition (#6).

⁴⁹ This section has been much improved due to the prompting of an anonymous reviewer and help from Dave Schmitz.

Importantly, if you are to be tolerating the deer, the value preventing you from interfering with it cannot be mere aesthetic appreciation of it (or the scene with it, or all of nature). If you refrain from interfering because you aesthetically value the deer (or the scene, or all of nature) more than keeping the garden, you are not tolerating the deer, because you do not oppose it or its activity, as required by condition 5 (below). It would, in fact, seem that you are endorsing the deer or its activity (see section I C). On the other hand, your opposition to the loss of the aesthetic value of your garden may allow that you tolerate *that loss*, which is conceptually distinct from tolerating the deer or its activity.

Toleration of the loss of the aesthetic value of your garden may be based on your aesthetic appreciation of the deer or it may, of course, be based on value you find inherent in the deer. Toleration of the deer itself—or, perhaps more appropriately, its activity—is also plausibly based on the value of the deer (or some value inherent in the deer—one might recognize an inherent value in X or Xness while opposing X or this particular X),⁵⁰ but it need not be. One might not value the deer at all and still tolerate it if one refrains from interfering because one values not interfering (I’ll say much the same about people as objects of toleration when I discuss that condition # 6 below).

Some may find it implausible to think noninterference can be valued for its own sake and insist that it can only be valued instrumentally as a means of showing respect or preserving aesthetic value. That the latter is mistaken can be seen by considering Stoicism (in the classic sense, not that of section I (B) above).⁵¹ The Stoic refrains from interfering as a means of

⁵⁰ I alternate talking about the related values of the other, respect, and autonomy (or some other value inherent in the other). These can be fleshed out differently, but for my purposes the point is that there might be a value in the other—whether the other itself or something else, perhaps autonomy—that demands toleration as it is due respect in virtue of that value.

⁵¹ For related discussion, see Newey, chapter 3.

achieving eudaimonia. Noninterference in such cases is valued instrumentally on that ground alone and not as a means of showing respect or preserving aesthetic value. To see that the value might not be instrumental at all, another example may be helpful.

In cases of extremely ravaging animals (e.g., elephants in southern Africa), we may well want to refrain from interfering with their behavior though the resulting devastation would certainly not be considered a positive aesthetic value and though we do not think it will aid our achieving eudaimonia. While some may grant respect to the animals, even those who do not might think we should refrain from interfering, the *should* indicating it is not mere endurance. They might simply value, for example, not poisoning (or trapping, or what have you) the animal in question (deer, elephant, or other); this is decidedly different than thinking one should not poison the animal because of *its* value (or because of one’s pursuit of eudaimonia, or because of some aesthetic value). Though autonomy may be the more canonical value in cases of toleration (demanding toleration as respect),⁵² so long as either of these values—of the other or of toleration (or one of its components)—provides the basis for noninterference, we would have a case of toleration (assuming the other conditions are also satisfied).⁵³ The important point, again, is that if it isn’t respect that is satisfying the value condition, it seems that it must be toleration itself or one of its components—perhaps noninterference.

One further point should be recognized here. Including “value” as a condition of toleration may seem to make toleration ineliminably normative. This is not quite right. There is an ineliminably normative component of the definition. The value behind the principled

⁵² See Creppell, p. 21.

⁵³ Newey comes close to this point at pp. 158-59 when he says “non-prevention [may] be regarded as an end in itself,” but he backs off when he says the nonprevention “might be counted as an instance of respecting” autonomy (p. 159).

noninterference, like any value, is normative. That value, though, is prespecified: it is either respect of the other or toleration (or one of its components) itself. While there might be a normative question as to whether these are genuinely values (I think they are), that question is separate from an analysis of toleration. To know whether act X counts as an act of toleration, one needs to know if the actor acted according to one of these values, not whether or not we should consider them values or whether or not we should act according to them.⁵⁴ Put another way, if it turned out that these values were not genuine values, it would make no difference—toleration would still be acting in accord with them.⁵⁵

4. *Noninterference* (“An agent’s intentional and principled **refraining from interfering**...”).

This is the condition at the heart of toleration. Questions about whether someone is or is not properly said to be tolerating another usually arise only when the person is not interfering and claims to be tolerant or tolerating. Philosophically, this is where things get interesting and we begin to ask questions like “Did she mean not to interfere? If so, did she mean to tolerate when she refrained from interfering? Were her reasons appropriate to toleration?” If, by contrast, you

⁵⁴ To ask whether we should act in accord with these values is to ask whether we should tolerate (assuming I’m right about the value condition). This can either be a question of the value of toleration or a narrower, more applied question about whether we should tolerate a particular object.

⁵⁵ In the text, I allow that one may value noninterference as instrumental to the attainment of some other good and be tolerating. If this were not the case—if, for example, one would not be tolerating if one refrained from interfering in order to promote peace—then some views usually considered liberal (perhaps Judith Shklar’s “liberalism of fear” or any view relying on a *modus vivendi*), would not be liberal if liberalism required toleration (for Shklar’s view, see Judith N. Shklar, “The Liberalism of Fear,” in *Liberalism and the Moral Life*, ed. Nancy L. Rosenblum [Cambridge, Mass.: Harvard University Press, 1989], pp. 21-38). This may be. I am inclined to think, though, that noninterference may be valued instrumentally for some goods, but not others. The aesthetic value one gets from not interfering with the deer, for example, seems not to allow noninterference to be toleration. On the other hand, I am inclined to think that the Stoic does tolerate when he refrains from interfering in order to attain eudaimonia and (with less confidence) that when one refrains from interfering to promote peace, one can be tolerating. The range of values for the sake of which one might instrumentally value noninterference and be tolerating properly speaking, is not one that I can fully specify. I would suggest, though, that guidance can be derived from consideration of what toleration is not (see section D). An *Ethics* editor and Tom Christiano separately made clear the need for this note; I appreciate their comments. I am also grateful to Julia Annas and Lawrence Becker for help with my understanding of classic Stoicism.

interfere in my behavior, you clearly fail to tolerate it and these sorts of questions do not arise (though we may ask if you should have refrained from interfering, we will not ask if your action counts as an act of toleration). If "S morally tolerates P's doing X" is true, then "S takes no steps to interfere with P's doing of X."⁵⁶ Put simply, toleration requires that the behavior in question not (negatively) be interfered with—there must be no action aimed at preventing the behavior in question.

Despite the wide agreement about this condition, some might claim that it is not quite right and that *condemning* a behavior even without interfering with it would be to fail to tolerate it. Gardner, for example, claims that "not condemning something as disgusting and corrupting, despite one's inclination to do so, may be a matter of being tolerant" or, someone (perhaps not Gardner) may add, a matter of toleration.⁵⁷ Depending on what is meant by "condemnation," this view may be mistaken.

It seems clear that Maria can express her dissatisfaction to Tina with the latter's lateness to work and yet tolerate the behavior—by, for example, not firing her. Condemnation, there, is a matter of dialogue aimed, presumably, at persuasion (not to repeat the behavior). As others have noted, people can tolerate when they "condemn and then stay their intervention;"⁵⁸ "I may tolerate someone's behavior while expressing disapproval of it."⁵⁹ Toleration does not rule out

⁵⁶ Jordan, p. 213. See also Churchill, p. 191; John Horton, "Liberalism, Multiculturalism and Toleration," in Horton, ed., pp. 1-17, p. 4; John Horton and Peter Nicholson, "Philosophy and the Practice of Toleration," in *Toleration: Philosophy and Practice*, ed. John Horton and Peter Nicholson (Brookfield: Avebury, 1992): pp. 1-13, p. 3; Nicholson, p. 160; Oberdiek, p. 66; Raphael, p. 139; and Rawls, *The Law of Peoples*, p. 59.

⁵⁷ Gardner, p. 85; see also Fotion and Elfstrom, p. 5.

⁵⁸ Fletcher, p. 237.

⁵⁹ Mark O. Webb, "Trust, Tolerance, and the Concept of a Person," *Public Affairs Quarterly* 11 (1997): 415-29, pp. 415-16.

rational persuasion. If, however, condemnation means something more powerful, such as coercion, it would be incompatible with toleration—because it would be interference.

I have been too quick here.⁶⁰ Gardner’s point, after all, is about one’s behavior when one refrains from condemning—not about what happens when one *does* condemn. I assume he does not mean to be discussing occasions where one simply refrains from voicing one’s condemnation (which may itself be seen as a behavioral form of noninterference). His point, rather, is that despite having a negative *emotional* response to some activity—the homosexual behavior of Jack and Jim, for example—George might recognize that his feelings are not sufficient reason even for condemning the activity, much less legally or physically interfering with it, so that the question of whether to interfere is never raised (even to himself). George does not allow himself to make an intellectual judgment based on his purely emotional response—he intentionally and on principle refrains from forming the condemnatory judgment.⁶¹ That sounds (superficially, at least) like toleration and some may think such restraint is a way of tolerating even though it is nonbehavioral. I suggest, instead, that what is going on in such cases is the cultivation of the virtue of tolerance.⁶² Doing so is likely a valuable character-building activity, but it is not toleration (of course, practicing toleration may also sometimes serve as an aid in a character-building process).

⁶⁰ John Horton pointed this out and I am grateful for his doing so—it prompted the formulation of this and the next paragraph.

⁶¹ I assume, for the sake of argument, that such is psychologically possible.

⁶² Alternatively, one might merely be “building one’s tolerance”—i.e., endurance level—as discussed in Section I, (B) and (G). Note that this is where the analogy to mechanical tolerance comes in: it is a matter of variation that can be accepted. The more variation one can “tolerate,” the more tolerant one is; the more variation a mechanical apparatus can “tolerate” in its component parts, the greater its degree of tolerance (for example, if it requires a 5 mm screw but can tolerate a 4 mm or 6 mm screw, it has greater tolerance than if it can only tolerate a screw as small as 4.5 mm or as large as 5.5 mm). I am grateful to Emilio Pacheco for the example.

This is not simply a question of how to properly describe George’s nonbehavioral activity—as if offering a better description would show it to be (or not to be) properly called an example of toleration. If, in this example, George is tolerating, the “refraining from interfering” condition can be no part of toleration. Who, after all, is it that George is refraining from interfering with? Not Jack and Jim—*ex hypothesi*, the question of doing so is not even raised (that there is no interference does not mean there is *refraining from interfering*). Is it George himself? Apparently not—indeed, he seems to be clearly interfering with his own mental life (stopping himself from forming the condemnatory judgment). It might even be accurate to say that George *fails to tolerate* his own otherwise natural response (though for good reason). While there is no need to deny that George’s nonbehavioral activity is *related* to toleration, we do have to recognize that either it is not toleration or toleration is here (and by most theorists) radically misconceived. The former seems more plausible.

It seems to me that tolerance (the attitude or virtue), the activity of developing such tolerance, and toleration—and other concepts—are part of a cluster of related notions. Moreover, someone who, like George, works to cultivate tolerance (or any virtue) is surely different from (and perhaps better than) the person who simply does not care at all about his negative responses to others. He is also different from (and perhaps better than) the agent who tolerates without trying to change his views.

Again, toleration is a behavioral matter (condition 1a) that requires that one not interfere. “To tolerate an action or behavior is to permit it to take place, to take no steps to stop it.”⁶³

⁶³ Webb, p. 415. Horton claims that because there may be a lack of clarity regarding whether a particular act counts as interfering, “toleration is often a matter of degree” (“Toleration as a Virtue”, 28; see also John Horton, “Toleration, Morality and Harm,” in Horton and Mendus, eds., pp. 113-35.). I think he is right that there can be a lack of clarity in this regard—and must again thank him (and an editor) for prompting a better response than I initially prepared—but I do not think the conclusion is warranted: in such cases, we wouldn’t say there was “more or less” toleration, but that we were *unsure* if there was toleration. However, it is certainly the case that people can be

5. *Opposition* (“An agent’s intentional and principled refraining from interfering **with an opposed...**”). Toleration requires that what is tolerated is, in some sense, opposed by the one tolerating it. There is disagreement about whether that opposition must be moral opposition or if it can be mere dislike.⁶⁴ I side with those that make this requirement more inclusive, so that “there must be some conduct which is disapproved of (*or at least disliked*).”⁶⁵ Ordinary language seems to agree that there must be a “dislike or antagonism to the behavior, character, or some feature of the existence of its object.”⁶⁶ Still, several authors take moral disapprobation to be necessary, claiming that mere dislike is not enough.

more or less tolerant. Consider that two people, X and Y, may both disapprove of pornography and yet disagree about what should be done. X may think she has no moral right to interfere with its sale or consumption while Y thinks that its sale can be restricted to licensed purveyors (and so not strictly prohibited). X seems more tolerant than Y, but if X tolerates more it is solely because more acts (and/or kinds of acts) are tolerated on her legal scheme than on Y’s. There is no real question of “degrees of toleration” where this means a particular act may be more (or less) an act of toleration than another act, vis-à-vis the same object. One either tolerates an object or not. While there may be a question of degree of tolerance, there can only be questions of scope of toleration. One more example might be useful: if one uses an only partially effective spray (“Deer-Off”) to prevent deer from eating at one’s garden, one may realize that one will fail to interfere effectively with as many deer as one would interfere with using an electric fence (perhaps costs make the latter less feasible). Still, one can try to *not tolerate* and fail; this is, I think, the case here: the person is not tolerating the deer when he uses the Deer-Off, but he is unsuccessful. Given the second condition (intentional), *unsuccessfully not tolerating* is not the same as *successfully tolerating*. Again, though, the Deer-Off user may be more tolerant than the user of an electric fence.

⁶⁴ Creppell (alone, I think) seems to reject the opposition requirement as making toleration less (or ir-) relevant to political discourse since much of what we talk about is not interfering when we merely have differences (pp. 3-4). While the latter is true—we are concerned not to have interference in situations where there is diversity but no real opposition—I do not believe it is a weighty enough factor to alter this central component. We have a related concept about state interference that does not require opposition: neutrality (see footnote 25 above).

⁶⁵ Horton “Liberalism, Multiculturalism and Toleration,” p. 4 emphasis added; see also Mendus, p. 15, Newey, p. 42, Monique Deveaux, “Toleration and Respect,” *Public Affairs Quarterly* 12 (1998): 407-27, p. 409, Oberdiek, pp. 38, 48-51; and Galeotti, pp. 20-22 (but see also Galeotti, pp. 50-51 for the claim that only moral disapproval results in “an intriguing moral puzzle”).

⁶⁶ Raz “Autonomy, Toleration, and the Harm Principle,” p. 163 and Joseph Raz, *The Morality of Freedom* (Oxford: Oxford University Press, 1986), p. 403. Raz adds a condition such that “the intolerant inclination is in itself [at least in the eyes of the person experiencing it] worthwhile or desirable” (“Autonomy, Toleration, and the Harm Principle,” p. 163 and *The Morality of Freedom*, p. 403; bracketed material in the latter; see also Newey, pp. 21-24, on his condition T1). This may indicate that he accepts the narrower opposition requirement as it seems to demand a principled opposition. Raz offers two more “features”: “First, only behavior which is either unwelcome to the person towards whom it is addressed or behavior which is normally seen as unwelcome is intolerant behavior. Secondly, one is tolerant only if one inclines or is tempted not to be” (Raz “Autonomy, toleration, and the harm

Jordan claims that if "S morally tolerates P's doing X" is true, "S believes that the doing of X is morally wrong."⁶⁷ What is necessary, Churchill also claims, is "moral disapproval, that is, disapproval based on reasons rather than on simple dislikes, negative feelings, or biases."⁶⁸ Regarding the sort of opposition involved in toleration, these authors have a more restrictive view than that which I am endorsing.

One reason to think we should include that which is disliked in the category of things that can be tolerated is that if we assume one must morally disapprove of X in order to tolerate X, it may be difficult to argue for a moral limit to toleration. If one tolerates what one dislikes, one can say we should not tolerate immoral behavior but should tolerate other things. If one tolerates only what one morally disapproves of, it is less clear what should not be tolerated. One would need a way to distinguish between acts (etc.) morally disapproved of that should be tolerated and those that shouldn't. While I do not think this impossible (indeed, we typically think we should tolerate many minor moral infractions), I do think it counts in favor of including the merely disliked in the category of things that can be tolerated. We can then say that we should tolerate things we merely dislike and *some* of what we morally disapprove of. Thus far, though, this is inconclusive.

On the more broad understanding of toleration that I am advocating, someone can tolerate another's behavior (say listening to or playing rap music) that one dislikes, though one recognizes that there is nothing morally wrong with it. Surely, this is the way we ordinarily

principle", p. 163 and *The Morality of Freedom*, p. 403). He is discussing tolerance, but I want to cast doubt on the idea that the behavior one refrains from when one tolerates need be behavior that would be unwelcome or normally seen as unwelcome: I can fail to tolerate Cindy's continuous self-deprecation and this may well be appreciated (she may not welcome my tolerating it). The idea that one cannot be tolerant if one is not tempted not to be accords with deliberative tolerance (see penultimate paragraph of section I G).

⁶⁷ Jordan, p. 213; see also Raphael, p. 139.

⁶⁸ Churchill, p. 199; see also Raphael, pp. 139, 142; Horton and Nicholson, p. 3; Nicholson, p. 160.

speak—we do tolerate things like rap music that are clearly not immoral.⁶⁹ It is important, though, that it is not enough that one merely *not like* the behavior not interfered with—for one may be merely indifferent to X when one does not like X, and one does not tolerate what one is merely indifferent about (as per A in section I).⁷⁰ What is indicated on either the narrow or broad formulation is that diversity alone is not enough, for there can be diversity without any toleration in a utopian state where all individuals are either indifferent to one another (as, again, per A in section I) or love one another and embrace one another’s differences (perhaps as in C in section I). “The point to notice is that everyone in this debate agrees that toleration is to be sharply distinguished both from indifference toward diversity and from broadminded celebration of it.”⁷¹ It is necessary that the behavior tolerated be *opposed* by the tolerating agent—whether that opposition be dislike (in contrast to mere “not liking”) or moral disapprobation. There must be “objection to the item said to be tolerated.”⁷²

⁶⁹ Warnock claims that the distinction cannot be maintained “between the moral and the non-moral” (Mary Warnock, “The Limits of Toleration,” in *On Toleration*, ed. Susan Mendus and David Edwards [Oxford: Clarendon, 1987]: pp. 123-40, p. 126; but see also King, pp. 41-43). Langerak says: “I agree with those who argue that we probably cannot draw a line between what we dislike and what we disapprove and that, in any case, the issue of toleration can arise whenever there is disagreement about any matter regarded as important, be they mores or morals” (Langerak, p. 111). With Langerak, I will remain agnostic about whether the distinction can be maintained. I note, though, that if Warnock is correct, the broader understanding I endorse is given further support.

⁷⁰ When Gardner suggests that claiming that the Dutch are tolerant (dispositionally) does not necessarily mean that they disapprove of many things, he adds that we “might think that one of the reasons for the Dutch being so tolerant is that they disapprove of so little” (Gardner, p. 86; see also Newey, p. 180). If, though, they act as they do because they are indifferent to so much, it hardly seems appropriate to say they frequently tolerate (see footnote 10 above). They must at least dislike what they tolerate. But Gardner also claims: “People can be tolerant where they dislike or disapprove, but they can also be tolerant where others, but not they themselves, do, would, or would be likely to, dislike or disapprove. In fact, people may be tolerant about what they, but not others, like or approve ... People can be tolerant without realizing it” (Gardner, p. 87). It hardly seems appropriate, though, to say that one rap musician *tolerates* another rap musician’s making rap music that the first likes just because others dislike it. “Whether a person is tolerant or not depends on his reasons for action. Himmler did not tolerate Hitler when he did not kill him” (Raz, *The Morality of Freedom*, p. 402 and “Autonomy, Toleration, and the Harm Principle,” p. 162). Still, Gardner is talking of tolerance rather than toleration and this may be one area in which the attitude and behavior differ.

⁷¹ Langerak, p. 111.

⁷² King, pp. 25-26; see also pp. 44-51. It is worth noting that condition five stalls any argument against toleration of a particular behavior that claims such toleration involves endorsement (for example, claims that we should not have

6. *Object* (“An agent’s intentional and principled refraining from interfering with an opposed *other (or their behavior, etc.)...*”). This condition is obvious: there must be something tolerated. What is less obvious is what sorts of things can be included in the class of objects one can tolerate. I will argue that one can at least be said to tolerate persons, beliefs, behavior, and practices. I will not claim that this list is exhaustive; I am inclined to believe that a great number of things can be tolerated.

Churchill claims that the “objects of toleration ... are not persons per se, but beliefs, attitudes, behavior (including verbal), and practices subject to change or alteration by the persons who hold these beliefs and attitudes or exhibit or participate in the behaviors in question.”⁷³ If this is correct, when we speak as if we tolerate a person or a group, we are elliptically indicating that there is something about the person or group or what they are doing that we are tolerating. On this view, properly speaking we do not tolerate John, but something John does—perhaps his loud music playing.⁷⁴ On its face, this sort of claim seems plausible. However, as Mendus notes, this means that strictly speaking, talk of “racial toleration” is misleading: what is involved is not

laws tolerating homosexuality or abortion or condom usage because we do not endorse those behaviors). If we can only tolerate X when we oppose X, we can’t be endorsing X when we tolerate it. This point is made by Webb (p. 422). To the unlikely suggestion that one can be opposed to something and not be aware of that opposition, I would reply that toleration requires such awareness. Indeed, this is made explicit in subcondition 2a.

⁷³ Churchill, p. 201; see also Mendus, p. 16 and Oberdiek pp. 40-46; see footnote 48 above regarding the opposite view—which I also reject—that only human beings can be the objects of toleration.

It might be thought that we tolerate the special needs of disabled people and that these are often not changeable. I do not think we *tolerate* in such cases; it seems to me that we may *endorse the difference* (as in C from §I)—certainly, it is not the case that we *oppose* the people with the disabilities (as per requirement #5).

⁷⁴ In such cases, toleration is “quite compatible with full respect for those with whom we disagree” (Scanlon, p. 226). Indeed, see footnote 48 above.

so much tolerating a racial group, but tolerating certain behavior or activity of the group (she endorses this view).⁷⁵

Consider further racial toleration. There are obviously racists who are racists because they falsely associate a particular set of behaviors with people from the racial group they hate. Perhaps they hate black people because they think black people and only black people create and listen to rap music. In such cases, Mendus's (et al) view seems plausible. But there are also racists who would recognize the mistake of these naïve racists—they recognize that white people make and listen to rap music too so that this fails to distinguish whom they hate from whom they don't hate.⁷⁶ Such racists simply hate a class of people, where that class is typically determined by some factor members of the class cannot change (black people for example cannot ordinarily change their skin color). Such racists might, despite their racism, be able to tolerate those they hate. They may choose not to stand near such people, but they may be prepared, for good principled reasons (perhaps the value of noninterference as discussed in (3) above, perhaps the value of diversity as discussed in (7) below and (§ I C) above), not to interfere with those people nonetheless (for example, they might not try to interfere with the other's riding the bus with them). They might, then, be tolerating the people they hate and not merely the behavior those people manifest.

So we can tolerate people. Examples will be enough to indicate other things we can tolerate. We can tolerate behavior, as we've seen in various examples (we tolerate the playing of rap music, smoking, etc.). We can tolerate beliefs (some people apparently sincerely believe that anarchy would be a good thing, for example, and we tolerate those beliefs—and a person's

⁷⁵ Mendus, p. 17.

⁷⁶ Kay Matthieson pointed this out to me.

having of those beliefs). We can tolerate practices (for example, we might tolerate male circumcision though the evidence for its costs and benefits is unclear). I won’t continue. It is important to note, though, that the fact that there are so many different sorts of things that can be tolerated means that toleration is not, as some suggest, an unfortunate behavior which we’d do better without if only we could get ourselves to lose irrational dislikes or disapprobations (racial prejudice, for example).⁷⁷ There are objects that we should tolerate though we do not like them (the playing of rap music, for example) and for which there is no reason to think we should work to lose our opposition (condition five). Of course, there may be things—even things generally and rightly associated with particular groups—that we should not tolerate (female circumcision may be in this category).⁷⁸

7. *Diversity* (“An agent’s intentional and principled refraining from interfering with an opposed other (or their behavior, etc.) **in situations of diversity** ...”). This condition is one of the most obvious. If there is no diversity, there are no differences and if there are no differences, there is nothing to oppose or tolerate. “Toleration arises in ‘circumstances of diversity,’ i.e., when people are aware of salient differences existing among them.”⁷⁹ Of course, there is quite a bit of

⁷⁷ See, e.g., Maurice Cranston, “John Locke and the Case for Toleration,” in Mendus and Edwards, eds., pp. 101-21, p. 101; and Fotion and Elfstrom, p. 129. Most making such claims frame them in terms of toleration as a virtue. I don’t think this added complication has any substantive import, however, as a parallel claim like that in the text is also one such authors would plausibly assent to.

⁷⁸ My account may rule out the possibility that one can tolerate oneself. I am inclined to think that this is correct, but note that the question hinges on one’s conception of the self (a homuncular view of the self would allow that one part of the self can tolerate another). Of course, it might be that one could be tolerant with oneself (as per section I, G).

⁷⁹ Churchill, p. 191. Churchill begins by presenting a reformulation of the account provided by Susan Mendus (see pp. 8-9), making explicit two things she leaves implicit and adding two additional conditions (those listed here from his work, pp. 199-201).

diversity. It is “because reasonable persons disagree about the value of various conceptions of the good life, [that] we must learn to live with those who do not share our ideals.”⁸⁰

Importantly, the required diversity is not necessarily a substantive diversity.⁸¹ It may be that particular differences make discussion of toleration interesting to philosophers and political theorists, but I do not believe (as an empirical matter) that there are any communities so homogenous that there isn’t diversity enough to allow room for toleration. The diversity can be over fairly minor things. Indeed, people often—and, I think, sometimes correctly—talk of tolerating the snoring of their partner even when they snore themselves (of course, sometimes they merely endure it). My snoring and your snoring are different and the fact that I snore does not mean I will not oppose your snoring (and this can be generalized).

8. *Believed Power* (“An agent’s intentional and principled refraining from interfering with an opposed other (or their behavior, etc.) in situations of diversity **where the agent believes she has the power to interfere**”). In order for an act of noninterference to count as an act of toleration,

⁸⁰ Charles Larmore, *Patterns of Moral Complexity* (Cambridge: Cambridge University Press, 1987), p. 23; see also Nicholson, p. 160; Deveaux, p. 409; Oberdiek pp. 38, 47-48; Rawls, *The Law of Peoples*, pp. 11-12, 131 ff.; and John Rawls, *Political Liberalism* [New York: Columbia University Press, 1993], p. 36 and elsewhere).

Creppell adds a condition to toleration (and takes it to be of fundamental import): “one stays in a relationship with the person or group with whom one is in conflict. ... The parties remain in the presence of one another in a nontrivial way” (p. 4). Depending on what is meant by “nontrivial” or “the commonality of the ensuing relationship” (p. 4), this is built into my condition 7—there remains a situation of diversity. If, as is likely, her “nontrivial ensuing relationship” means something more than remaining in the situation of diversity, I would (absent further argument) deny it. Importantly, an act of toleration is “a unilateral act of one person toward another” (p. 4)—when one person tolerates another, the other may be tolerating the first or not (indeed, may be doing nothing regarding the first). Of course, there remains (trivially) a relationship. I see no reason to replace the standard view of toleration with “one that acknowledges the fundamental feature of the maintenance of [nontrivial] relationship” as Creppell would prefer (p. 4). Again: I deny that “toleration is about what connects persons to one another in a significant way despite differences and conflict” (p. 6). Toleration is one possible way to react when there are differences—regardless of the presence or absence of a connection. To think otherwise is to think that there is no role for toleration in situations (perhaps international) where the two involved groups have no significant connection.

⁸¹ Dave Schmidtz pointed out the need for this paragraph.

the agent who refrains from interfering must believe she has the power to interfere. In one sense this is obvious: if the refraining from interfering must be intentional (as required by condition two), surely the agent must have to think about her not interfering and that implies that she thinks she could interfere (subcondition 2a requires only belief that one is not interfering—not belief that one could interfere). There is, though, some debate about how this condition should be formulated.

It has been claimed that a person who tolerates “must be in a position to be able to interfere with the behavior of the tolerated; that is she has the ability to suppress, disrupt, or censure the offending speech or behavior, but refrains from doing so.”⁸² According to this, a person is not tolerating the opposed behavior if her refraining from interfering is, for example, due to state (police or military) prohibition—if S is physically or coercively prevented from interfering with P’s doing X, but absent that prohibition S would interfere (here, the law is assumed to be disabling), then S cannot be said to be tolerating X when S does not interfere. This is plausible, but there may be other sorts of cases where one cannot interfere and where we would nonetheless say one does tolerate.

If someone voluntarily refrains from interfering, on a principled basis, with opposed behavior that she *believes* she has the power to interfere with, though she does not have such power, it seems that she is properly described as tolerating the said behavior—actual power to interfere is not necessary. If Maria believes she can fire Tina for showing up late to work (and is opposed to the lateness) but refrains from doing so, Maria tolerates Tina’s lateness—even if, as it turns out, only Helen has the authority to fire Tina. If on the other hand, Maria knows that only Helen can fire Tina, then her lack of interference seems not to be toleration, but endurance (see B

⁸² Churchill, p. 192; see also Raphael, pp. 139-41; and Oberdiek, pp. 51-52.

in section I)—she “puts up” with Tina’s lateness because she has no choice.⁸³ In short then, this condition requires that if “S morally tolerates P’s doing X” is true, then “S *believes* that she has it within her power to interfere with P’s doing of X.”⁸⁴ This accords with what we saw in section I (in B), that “refusal to interfere must be more than mere acquiescence or resignation.”⁸⁵

It is also worth noting that the believed power does not have to be legitimate authority. In the example just used, Maria believes she has such, but it seems clear, to return to an earlier example, that two prison inmates can tolerate each other’s activities, even though it is understood that neither has any right to continue those activities, nor to prevent the other from doing so. They each may believe they have the physical power to prevent the other from continuing the opposed activity, though they clearly do not have legitimate authority to do so (and, perhaps, they know this). That would nonetheless be enough to allow that they can tolerate each other.

Conclusion

To summarize: an act of toleration is (1) an agent’s (2) intentional and (3) principled (4) refraining from interfering with (5) an opposed (6) other (or their behavior, etc.) (7) in situations of diversity, where (8) the agent believes she has the power to interfere. I take these eight conditions, jointly, to be both necessary and sufficient for toleration (but I await counterexamples).

⁸³ It may not be mere endurance; Maria may have a tolerant disposition. Of course, S may believe she has it in her power to interfere when she does not and she may have the power to interfere and not believe it. One result of this is that Maria may be tolerating Tina’s behavior at 11 am, when Tina shows up late and Maria refrains from firing her though she believes she can, but *not* tolerating Tina’s behavior at noon, when she learns that only Helen can fire Tina.

⁸⁴ Jordan, p. 213; emphasis added.

⁸⁵ Horton “Liberalism, Multiculturalism and Toleration,” p. 4; see also Horton and Nicholson, p. 3, Nicholson, p. 160, and Deveaux p. 409.

It is important that the above presents no normative claims about when toleration is called for—that is, about what is to be tolerated. Here I agree with King that toleration in its definitional “*logical* form is value-free; which is to say that the substantive instances which the form will embrace are not converted by that embrace into acts of restraint which will necessarily be adjudged right or good.” Toleration “is in itself neither good nor bad.”⁸⁶ Of course, this is not true of moral or political toleration, which will specifically incorporate limits to what *should* be tolerated so that any act of toleration will be either good or bad. “Toleration as a moral ideal cannot be value-neutral, and for this reason too it must be distinguished from the descriptive concept of toleration which can and should be value-neutral.”⁸⁷ But that is a topic for another occasion.⁸⁸

⁸⁶ King, pp. 37 and 39. Noticing this wards off the claim that toleration is paradoxical as we can be required to tolerate what we think is wrong, and hence what should not be tolerated (see Mendus, pp. 18-19 and Williams “Toleration: An Impossible Virtue?”). One *can* tolerate what is morally wrong, but it is not necessarily the case that one *should*.

⁸⁷ Nicholson, p. 161. Newey claims not to “pronounce” whether a theory of toleration must already have normative commitments and says that his (quasi-naturalistic) account “leaves it open that we can identify acts of toleration by reference to reasons for action which are identifiable without any normative commitment beyond that which is made by the very idea of a reason for action” (p. 43). I assume he does not mean to be distinguishing between reasons that are normative (say, moral reasons) and reasons that are not, or are less normative (say, prudential reasons) for I would think that for a consideration to be a reason for (i.e. in favor of doing) an action is just for that consideration to possess practical normativity—i.e., practical normativity and reasons for action are conceptually bound up with one another and prudential reasons are normative in the same way that moral reasons are (which is not to deny that the two may have different force; one may override the other). Given that assumption, when he mentions normative commitments that are not “beyond that which is made by the very idea of a reason for action,” I take him to be in agreement with what I say in footnote 39 about the minimal attitude necessary; that attitude, recall, is based on the prespecified values I discussed (in the value condition). I am grateful to Jim Taggart for helpful discussion regarding this matter; indeed, some of this footnote is taken directly from correspondence from him.

⁸⁸ See my “What Toleration Does and Does Not Require from Liberalism,” ms.

