

# Toleration and recognition: Anna Galeotti on symbolic inclusion

*by Frederik Boven*

The last decade has witnessed a resurgence of interest in toleration, which often resulted in a plea to either abandon or to transform the concept. Michael Walzer, for example, claims that since "toleration is necessarily a relationship of inequality" today we should "aim at something better, beyond toleration, like mutual respect".<sup>1</sup> This 'something' may be conceived as either something different than toleration (as Walzer suggests) or as an extension of toleration, as Karl-Otto Apel proposes. He proposes that multiculturalism requires a replacement of the classical legal concept of "*negative tolerance*, based on *indifference*" with the ethical concept of "*affirmative tolerance*, based on *appreciating*" the value of other cultures and practices.<sup>2</sup>

The proposal reminds one of a similar transition in the field of multiculturalism, which can be summarized as a shift from the recognition of equal dignity to the recognition of unique identities (Charles Taylor).<sup>3</sup> It begs the question how that transition relates to the extension or replacement of toleration. The debate on recognition has focussed on another relationship, however. Nancy Fraser, in particular, has drawn attention to the relation of recognition to *distribution*, which was soon to be followed by other theorists.<sup>4</sup> It is therefore all the more interesting that Anna Galeotti, in her book *Toleration as Recognition* (2002), focuses on the relation between *toleration* and recognition.<sup>5</sup> Like Apel, she argues for an extension of toleration, but she turns to the concept of recognition to flesh out an 'affirmative' conception of toleration. She argues for the "extension" of toleration from the "negative meaning of non-interference to the positive sense of acceptance and recognition" (p. 10).

In this paper, I will attempt to shed some light on the relation between toleration and recognition through a critical discussion of Galeotti's proposal. My principal question is whether Galeotti's suggestion to place recognition within the framework of toleration is adequate. I will primarily focus on her explication of toleration, and only secondarily on her explication of recognition. My conclusion will be that Galeotti's fails to account for the normative value of some kinds of social conflict, especially those that are religiously or morally motivated. As a result, her conception of toleration *as recognition* is too one-dimensional.

The paper is in four sections. I will start with conceptual clarifications, followed by a clarification of my methodological assumptions, in comparison to Galeotti's approach. Next, I shall

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<sup>1</sup> "State and Toleration" (1997), p. 173

<sup>2</sup> "Plurality of the good?" (1997), p. 200

<sup>3</sup> Taylor, "The politics of recognition" (1994)

<sup>4</sup> Fraser, "From Redistribution to Recognition?" (1995); Tully, "Struggles over recognition and distribution" (2000), Fraser & Honneth, *Redistribution or Recognition?* (2003); Sayer, "Recognition and Distribution" (2005).

<sup>5</sup> Page references to *Toleration as recognition* will be placed parenthetically in the text.

discuss my criteria for evaluating liberal theories of toleration, again in comparison to Galeotti. In the third section, I will outline Galeotti's discussion of contemporary liberal theories of toleration, as well as her alternative. Finally, I will argue that Galeotti fails to adequately combine the concepts of toleration and recognition.

## 1. Conceptual and methodological remarks

### *1.1. Galeotti's approach introduced*

As the title indicates, *Toleration as Recognition* is about 'toleration' rather than 'tolerance'. This distinction is quite common in the literature, although it is used in different ways.<sup>6</sup> Galeotti uses 'toleration' for the "social virtue and political principle that allows for the peaceful coexistence of individuals and groups who hold different views and practice different ways of life within the same society" (p. 20); 'tolerance' refers to "the disposition to refrain from exercising one's power of interference on other's disliked actions and behaviours which are considered important for both the tolerator and the tolerated".<sup>7</sup> In brief, whereas tolerance is a moral disposition, toleration is a political principle. Recognition, the second part of the title, is defined as the acknowledgment that any culture "has some value in some respect as a human endeavour", and is "important for their bearers" (104). On this view, recognition and tolerance represent two models of toleration: peaceful coexistence may be attained negatively, by refraining from interference with disliked differences, or positively, by acknowledging the instrumental value of differences.

Galeotti argues for a shift from the negative to the positive sense of toleration. Her defence of this shift proceeds in three steps. First, she identifies a historical and theoretical core of toleration, common to all liberal theories of toleration, which she then distinguishes from the 'interpretative frameworks' and 'normative doctrines' theories that may differ from theory to theory. Unlike the core, which is context-independent, an interpretative framework specifies "the circumstances in which toleration becomes a pressing issue" (p. 5), and a normative doctrine what liberal toleration "properly consists in – letting go, putting up with, non-interference or, maybe, even acceptance?" (p. 21). Finally, she suggests two evaluative criteria with regard to the *scope* of the interpretative framework and the *legitimacy* of the normative doctrine, and criticizes two contemporary liberal models of toleration on this basis.

By this three step approach, Galeotti attempts to explicate toleration *as recognition*. Roughly, her argument runs as follows: as the interpretative framework shared by contemporary theories is too narrow in scope, it must be extended, so that it does not relinquish the core of liberal toleration, and can be grounded on a legitimate normative doctrine. This extension requires a revision of the very concept of toleration, which on her view should be explicated in terms of recognition. Put in this order, Galeotti's whole argument appears to be shaped by the evaluative criteria regarding the interpretative frameworks and the normative doctrines. I think this impression is right, and I will therefore start, in the next subsection, with a clarifi-

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<sup>6</sup> Andrew Murphy suggests the same, in "Tolerance, toleration, and the liberal tradition" (1997), where he offers an overview of different uses.

<sup>7</sup> Galeotti, "Do we need toleration as a moral virtue?" (2001), p. 274

cation of Galeotti's evaluative criteria, and a discussion of their relation to conceptual criteria. It will provide me with a careful reconstruction of Galeotti's method, which can then be used to structure the rest of the paper.

### 1.2 Three levels of analysis

As I see it, Galeotti's book entails the explication of two so-called 'essentially contested' concepts: normative concepts that are internally complex and variously describable, and therefore open to periodic revision.<sup>8</sup> (Examples include equality, freedom, neutrality, and power.) Because of their essential contestability, the explication of 'toleration' and 'recognition' should be understood as imparting a specific meaning to "an essentially contestable universe of meaning[s]", as Micheal Freeden suggests.<sup>9</sup> This is not a matter of adequately describing the given meaning of a concept (it does not have one) but of "expressing a *cultural preference* concerning what is proper, relevant, edifying or intellectually justifiable to include within the compass of a concept".<sup>10</sup> In other words, conceptions of toleration should claim to capture the correct meaning, but explain why they are to be preferred.

Galeotti harbours similar ideas (p. 185). Like Freeden, she maintains that the meaning of a term is not fixed forever, but liable to change. On the other hand, she acknowledges that not all semantic shifts are possible, only those that are accepted by the speaking community. Not internal logic but external cultural preferences constrain the possible meanings of concepts. Hence, when revising a concept, we must ask whether a the cluster of culturally accepted meanings and uses contains any feature that prevents us from understanding the concept in the revised way. There is no need to show that the proposed meaning was recognized in the past, or is logically entailed by prior uses. But whereas the ideas are largely similar, Freeden's terminology is more precise.

Freeden says that not only the normative aspects of political concepts are contested, but also their intension: the range of properties that determine the class of things to which the concept applies. Concept revision is constrained by two preferences, one concerning the range of components that should be included, another regarding the characterization of these components. The meaning of an essentially contested concept cannot be stretched indefinitely, but should minimally include its ineliminable components.<sup>11</sup> As in Galeotti, these are not logically ineliminable, but features of actual linguistic usage: all known usages employ them. However, Freeden further acknowledges that complex concepts cannot be reduced to their ineliminable features, but derive significance from additional components. They are the quasi-contingent components: additional components that are "*individually* dispensable" but "occupy *categories* that may not be".<sup>12</sup>

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<sup>8</sup> The notion was introduced by W.B. Gallie, in "Essentially contested concepts" (1956). It has been applied to political philosophy by Gray, "On the contestability of political concepts"(1977), and more recently to political contestation by Collier et. al., "Essentially contested concepts" (2006).

<sup>9</sup> Cf. Carnap, "On explication" (1950) and Freeden, "Political Concepts and Ideological Morphology" (1994).

<sup>10</sup> Cf. Freeden, "Political Concepts", p. 143-6. Freeden stresses that it also involves analytical judgment, but I will leave that aside here.

<sup>11</sup> Ibid., p. 146

<sup>12</sup> Ibid., p. 150

Freedden's distinctions help to clarify Galeotti's approach, which can now be seen to involve three levels. Galeotti distinguishes two kinds of features of the intension of the concept of toleration. What Galeotti calls the core of toleration can be read as referring to the concept's ineliminable features. Galeotti identifies two ineliminable features: [1] the presence of potential or actual "conflicting social differences", and [2] a "relationship between the tolerator and the tolerated" that is somehow "asymmetrical" (p. 20). I will call them the *conflict feature* and the *asymmetry feature*, respectively. They constitute the first level, which will be discussed in section two.

We enter the second level with the notion of 'interpretative framework', which can be explained as a constellation of quasi-contingent features. According to Galeotti, any conception of toleration involves an asymmetry of power, but views on the nature of that power vary. In the same token, toleration is always the solution to a conflict, but views differ on the range of differences for which toleration is deemed an adequate solution. The *power feature* and *difference feature* are then quasi-contingent features, required to flesh out the conflict and asymmetry features, respectively. They make up the second level, which will be discussed in the third section.

Finally, Galeotti's notion of 'normative doctrine' addresses the normative rather than intensional aspects of the concept of toleration. Specifically, it involves her distinction between toleration and tolerance. In this paper, I will not enter into the differences between these normative positions, which are well-known, but merely indicate the normative criteria as Galeotti uses them. Rather, I would like to concentrate on her analysis of the intension of the concept of toleration, which is more novel and controversial.

To sum up, *Galeotti's argument involves three levels of analysis: [1] a factual description of the indispensable features of the concept; [2] an interpretation of its quasi-contingent features; [3] the normative justification of this interpretation.* In the remainder of this section, I shall discuss which criteria Galeotti proposes for the evaluation of each level of analysis.

### 1.3 Three evaluative criteria

I already mentioned that Galeotti employs two criteria, one regarding the scope of the interpretive framework, the other regarding its normative justification. They are contestable specifications of two more general criteria, which any liberal model of toleration should meet: (1) it should address the full variety of problems that come under the generic topic of toleration; (2) it should be based on presumptions all citizens can share.<sup>13</sup> . The question, then, is whether Galeotti's specifications are broad and sensitive enough to assess the resources different theories of toleration may offer for dealing with inter-personal conflicts in contemporary liberal-democracies.

First of all, the normative doctrine must be compatible with the liberal ideal of neutrality; in other words, the *grounds* of toleration should be legitimate.<sup>14</sup> This criterion shapes Galeotti's

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<sup>13</sup> These criteria are based on two expectations of political theories of toleration put forward by Sheldon Leader in his article "Toleration without Liberal Foundations" (1997), p. 139.

<sup>14</sup> Somewhat confusingly, Galeotti uses 'neutrality' in two distinct ways (p. 27). First, as a "general tendency in the direction of a lack of discrimination". So conceived, neutrality is "part of the liberal tradition in general". But in the second, stronger, sense of "the independence of liberal politics from any substantive moral outlook" neutrality

approach in *Toleration as Recognition*, which becomes clear when one reads the book in conjunction with her article *Do we need toleration as a moral virtue?*, which appeared at about the same time. In this article, Galeotti explicitly discerns two models of co-existence.<sup>15</sup> On the *moral* model, the moral virtue of *tolerance* constitutes the ‘micro-foundation’ for the political toleration principle. The virtue is defined as an attitude of non-interference, based on moral reasons to overcome one’s disapproval or dislike. On the *political* model, by contrast, toleration should not be founded upon tolerance (or any moral virtue, for that matter) but on political principles of justice, which John Rawls describes as a ‘virtue of institutions’.<sup>16</sup>

Galeotti defends the political model, drawing on Rawls’ *Political Liberalism*. As is well known, his suggestion is that in pluralist societies constitutional essentials should not be based on a single comprehensive doctrine, but rather on an overlapping consensus on political principles of justice. Unlike their comprehensive counterparts, *political* principles will be supported from a diversity of reasonable conceptions of the good (i.e. of the meaning and value of human life).<sup>17</sup> It does not, as far as possible, involve a commitment to any wider moral or philosophical doctrine.

Galeotti’s second criterion specifies that an interpretative framework should be brought enough in scope to address the most salient contemporary issues. She emphasizes that liberal theories of toleration should be able to explain why toleration is still a problem, and to make plausible that they have the means to address this problem (p. 1). Consider for example the ban in France on religious symbols and apparel (i.e. the *hijab*), or the recent Gay Pride ban in Riga (Latvia). Why do these matters continue to evoke struggles over toleration, even in liberal democracies where the ideal and practice of toleration are firmly established?

The reason, says Galeotti, is that the public expression of identities remains controversial, since citizens are tolerated *qua* Muslim or *qua* homosexual only in private. Liberal theories of toleration should acknowledge such issues, and look beyond the traditional liberal focus on moral disagreements between individuals. Even though these conflicts are still issues of toleration, what gives rise to (the most salient) issues of toleration today is rather conflicts over the social standing of minority groups. Therefore, the difference and power features should to be interpreted in a way that allows for the incorporation of such differences in social standing within the ideal of liberal toleration.

Finally, the question remains whether Galeotti employs a specific criterion for the evaluation of the description of the ineliminable features, on the first level. I believe she does not, and will later argue that this leads to a one-sided conception of toleration that does not exhaust the potential of Galeotti’s approach. In fact, only three pages of the book are explicitly assigned to a discussion of the core of the concept of toleration (p. 20-23), before turning towards the practical question how toleration works as a political principle. Galeotti defends it with an appeal to the limited relevance of the philosophical discussion on the virtue of tolerance for the political issue of toleration. Granted, this hastiness is partly due to her refresh-

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is what distinguishes neutralist liberals from their perfectionist antagonists. In the following, I shall use the term ‘non-discrimination’ for neutrality in Galeotti’s first sense, and reserve ‘neutrality’ for the second.

<sup>15</sup> Galeotti, “Do we need toleration as a moral virtue?”, p. 274

<sup>16</sup> Notice that the use of the adjective ‘political’ is different here than in the term ‘political toleration’, where it refers to a dimension of the conflicts involved. Political toleration in the first sense concerns conflicts where a political authority is called upon to resolve conflicts, and may be grounded upon a moral or political basis.

ing, and praiseworthy attempt to get beyond a merely theoretical discussion of the concept. However, I believe Galeotti has been too hasty, and, as we will see in the next section, her theory may benefit from further scrutiny of the ineliminable features of the concept of toleration.

## 2. The ineliminable features of toleration

### *2.1 The 'core of toleration' in Galeotti*

Galeotti anticipates her argument for its extension with an investigation into the historical roots of the practice of toleration, and its original place in liberal theory. Historically, toleration was a response to the religious wars in Europe after the Reformation. Toleration, then, is “the political principle that allows for the peaceful coexistence of individuals and groups who hold different views and practice different ways of life within the same society” (p. 20). But *liberal* toleration, Galeotti asserts, not only aims to make peaceful coexistence possible, but also to minimize state interference. This twofold commitment constitutes the political paradox of toleration: how can we achieve peaceful coexistence with minimal state interference? The practice of liberal toleration originated as a solution to this paradox.

This initial solution was a demarcation between the public realm of order and peace, in which the state gained autonomy vis-à-vis the church, and the private realm of faith and conscience, in which the church became autonomous vis-à-vis the state.<sup>18</sup> By restricting their control to a limited sphere, both religion organisations and the state achieved a certain autonomy. Toleration was confined to the “absence of political coercion in matters of faith” and a corresponding “delegitimization of religious interference in politics”, without any reference to a “religious neutralisation of politics” (p. 25). The state is secular only in the sense of “belonging to the world and its affairs as distinguished from the church and religion” (OED).<sup>19</sup> Church and state have separated, but are not divorced. This prevented political coercion in religious matters, but still allowed the state to favour one religion over others<sup>20</sup>. This initial response, which I call *toleration as non-coercion*, constitutes the historical core of liberal toleration.

The development of liberal toleration enters a second phase when the liberal state transforms it into a universal right to freedom. “Theoretically”, says Galeotti, “toleration provides a strategy for making the aggravated liberty of each individual in beliefs, values and ways of life compatible with the liberty of everybody else, and for minimizing state coercion” (p. 23). In response to this new paradox, toleration was individualised, in offering individuals protection against state-coercion, and extended, in adding the criterion of equality for the distribution of positive state-interference. The primary concern was no longer churches’ autonomy vis-à-vis

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<sup>17</sup> Cf. Rawls, “The Idea of an Overlapping Consensus” (1987).

<sup>18</sup> It corresponds to what Audi calls the libertarian principle, demanding “that the state permits the practice of any religion, within certain limits”. In “The separation of church and state” (1989), at. p. 261.

<sup>19</sup> The OED discerns two meanings for the term ‘secular’. The first in contradistinction to the realm of the sacred, dominated by the church. It is “chiefly used as a negative term, with the meaning non-ecclesiastical, non-religious, or non-sacred”. Similarly, in the humanities, it means “belonging to the present or visible world as distinguished from the eternal or spiritual world; temporal, worldly”. Only secondarily, secularism has the connotation Galeotti assigns to it: “pertaining to or accepting the doctrine of secularism”, which is more adequately called ‘secularistic’.

<sup>20</sup> Ibid, p. 263

the state, but the equal right of all citizens to free conscience and free association. A liberal state not merely should refrain from interference with the faith of its citizens, but also from favouring the faith of some over that of others, which was seen as “opening the way to religious discrimination” (p. 26).<sup>21</sup> The liberal state becomes ‘secularistic’ or *neutral*, in the sense of a “general tendency in the direction of a lack of discrimination in the public sphere” that is “part of the liberal tradition in general” (p. 27).

This brings Galeotti to the conclusion that *non-discrimination* is the theoretical core of liberal toleration. It is at the heart of the liberal response to the *political* paradox of reconciling freedoms while minimizing coercion. The adjective ‘political’ is used here in contrast to ‘ethical’. The whole point of Galeotti’s investigation into the core of toleration is establishing that toleration is first of all a political problem, which does not necessarily involve reference to ethical dispositions. It is not just that she believes, as we have seen, that toleration should be defended on political rather than moral grounds. In addition, Galeotti suggests that moral considerations do not figure in the description of (the ineliminable features of) the concept. In this way she tries to avoid the ethical paradox commonly ascribed to toleration: how can it be good to tolerate what you simultaneously disapprove of? Galeotti suggests this theoretical problem to be of little consequence to toleration, which concerns a practical paradox. At best, it is of secondary importance, for the specification of non-discrimination in the elaborate theory.

In sum, Galeotti suggests that historically, toleration (as non-coercion) was a political response to the practical problem of religious conflict. But in liberal theory, toleration (as non-discrimination) developed as the solution to the problem of an equal distribution of individual freedom. Next, I will question these claims. How does this support Galeotti’s description of the two ineliminable features, the condition of social conflict, and the existence of asymmetry between the tolerator and the tolerated? By emphasizing non-discrimination, equality and neutrality Galeotti defends a ‘thin’ description of the asymmetry and conflict features. She wants to show that toleration is not only relevant for private moral conflicts, but for a wider range of conflicts, and especially for social conflicts in the public sphere. Similarly, she anticipates her suggestion (discussed below) that the dissymmetry feature should not only include the political power of the state, but also the social or cultural power of its citizens. In the remainder of this section, I will attempt to show that there are historical and theoretical reasons to question these descriptions.

## *2.2 The historical core revisited*

Despite her remarks about individual freedom, Galeotti tends to reduce liberal toleration to non-discrimination, equality and neutrality. On this view, it has not so much to do with the protection of individual freedom of conscience vis-à-vis the state, only with the protection of the individual against non-discrimination by either the state or its citizens. I believe that this reading conceals a tension within liberal theory, between the formal requirement of equal treatment, and substantive claims regarding the freedom of conscience. We should recognize two problems for liberal theory, one centred on the conscience, the other on equal treatment.

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<sup>21</sup> This corresponds to Audi’s egalitarian principle, *Ibid.* p. 263.

In the remainder of this section, I will attempt to clarify these two concerns, drawing on the work of the political scientist Andrew Murphy, and the Dutch philosopher Van der Burg.

Both Murphy and Van der Burg draw attention to the fact that toleration historically belonged to a ‘conscience paradigm’ rather than an ‘equal treatment paradigm’. It originated from the liberty of Protestant worship, centred on religiously motivated, communal standards of right and wrong that individual members inwardly endorsed.<sup>22</sup> In other words, “the initial objects of tolerance were religion and, more specifically, beliefs, persons holding these beliefs and activities closely connected with beliefs”.<sup>23</sup> Liberals secularized this Christian notion of the conscience, identifying it with the endorsement of universal standards of right and wrong based on reason rather than revelation. But conscience remains the “core concept that underlies *both* the earlier, theologically driven notion as well as the contemporary one”.<sup>24</sup> According to Van der Burg, toleration therefore still has a protestant bias: it remains highly individualistic, and reduces conflicts to incompatible beliefs about the legitimacy of practices.<sup>25</sup>

That is not to deny that the conscience paradigm has supported liberal practices beyond its most narrow historical dimension. Its scope “progressively extended from beliefs to religious practice and a free press, to the recognition of conscientious objection and civil obedience”.<sup>26</sup> But there are limitations to the kind of practices the conscience paradigm can support. Both authors express concerns about the extension of the conscience paradigm to multiculturalism, specifically identity politics. Citizens with controversial identities (ethnicity, gender or sexual orientation) are not excluded because of their beliefs, but because other citizens attribute an inferior status to them. Such controversies do not concern the legitimacy of beliefs or choices, but the recognition of the person someone is.<sup>27</sup> Identity claims are “animated by the historical quest for social equality, a far more expansive set of goals than the more narrowly political or legal focus of toleration”.<sup>28</sup>

Murphy concludes that the proponents of identity claims would do better to recognize their connection to the quest for social equality than to exploit the conscience paradigm and its historical relevance. In similar vein, Van der Burg says that the more the scope of toleration is broadened, the more general its justifications have to be, and the closer it comes to losing all meaning. Only if its scope is restricted toleration can retain a distinct meaning.<sup>29</sup> Rather than extending the framework of toleration, we should therefore complement it with a framework of recognition.

To sum up, Murphy and Van der Burg point to a historical difference between on the one hand the toleration of individual beliefs and actions, with its roots in the protestant concern

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<sup>22</sup> Murphy, “The politics of conscience and the politics of identity” (2001), 279

<sup>23</sup> Van der Burg, “Beliefs, persons, and practices: beyond tolerance” (1998), p. 232. He defines tolerance in this article as ‘a normative principle for political and legal institutions’; in contradistinction to toleration, which he uses in the broader sense of ‘negations of intolerance’.

<sup>24</sup> Murphy, p. 278

<sup>25</sup> Van der Burg, p. 246

<sup>26</sup> *Ibid.*, p. 231

<sup>27</sup> Van der Burg, p. 246

<sup>28</sup> Murphy, p. 290. See also his “Rawls and a Shrinking Liberty of Conscience” (1998). Here, Murphy reproaches Rawls for misrepresenting his *Political Liberalism* as a ‘completion and extension’ of freedom of conscience. On Murphy’s view, Rawls later work rather retreats from the theoretical foundations of the conscience movement. If this is true, this poses problem for Galeotti too, who as we will see builds on Rawls’ theory.

<sup>29</sup> Van der Burg, p. 241



for freedom of conscience, and on the other hand the equal treatment of social groups, with its roots in the quest for social equality. More importantly, this historical difference points to the theoretical limits of the toleration framework. On the other hand, Galeotti rightly asserts that the historical meaning does not fix the use of a term for ever (p. 185), and semantic changes may still be justified if they are accepted for cultural reasons. Therefore, I will next establish that the difference is not merely historical, but can also be drawn on the bases of theoretical considerations.

### *2.3 The theoretical core revisited*

In a recent article, Roberts & Lester draw attention to what they call the ‘distinctive paradox’ of religious toleration, due to “[t]he importance of both promoting religiously tolerant behaviour and protecting beliefs critical of religion”.<sup>30</sup> I find the last bit especially significant, as it explains why religion remains a special case, even today. “Religiously intolerant beliefs”, they assert, “are normatively significant to a much greater extent than racially intolerant beliefs”, and this is the reason that they are entitled to a greater degree of state protection. They may contribute to the intolerance of unjust and evil practices.

Other authors have made similar suggestions. Amy Gutmann, too, draws a distinction between racial discrimination and religious beliefs: whereas sceptical arguments are sufficient to banish racial discrimination from the political agenda, the exclusion of reasonable moral and religious positions cannot be based on scepticism.<sup>31</sup> Unlike racial discrimination, the latter is recognizable as a genuine moral position, for which reason it is valuable not to ‘preclude’ it from the political agenda, but to foster public deliberation on the issues it brings to the fore. As “[t]he commands of conscience are a basic part of the identity of conscientious persons”, Gutmann says, they “can be ignored only at the expense of respect for persons”.<sup>32</sup> And in a recent article, Jürgen Habermas likewise asserts that “[t]olerance can only come to bear if there are legitimate justifications for the rejection of competing validity claims”.<sup>33</sup>

Religious claims are, of course, not unique in their involvement of valuable intolerant beliefs. As Gutmann suggests, the same may be true for any ‘ultimate ethical commitment’.<sup>34</sup> Special is not religion but the conscience, which has a specific relationship to moral personhood and personal identity. I conclude that the ‘conscience paradigm’ in general has a distinctive paradox, because it protects two mutually exclusive positions: on the one hand, it protects fundamental ethical or religious beliefs against interference and against incentives not to express them in practice; on the other hand, it similarly protects beliefs critical of these fundamental beliefs. This paradox remains close to the ethical paradox that Galeotti dismisses, but other than she suggests, it is not a merely theoretical paradox. Rather, it poses a practical problem for liberal societies: how to reconcile the protection of new and deviating ideas (which it has reason to value, in general) with fostering a shared public reason, while minimizing coercion. As I see it, toleration is first of all a response to this problem. In the final subsection I will

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<sup>30</sup> “The Distinctive Paradox or Religious Tolerance” (2006), p. 266

<sup>31</sup> “Moral Conflict and Political Consensus” (1990, with Dennis Thompson), p. 69

<sup>32</sup> *Ibid.*, p. 172

<sup>33</sup> “Religious tolerance, the pacemaker for cultural rights”, p. 10

<sup>34</sup> *Identity in Democracy* (2003), ch. 4, i.e. p. 168-169.

draw the implications of this idea for the description of the ineliminable features of the concept of toleration.

#### *2.4 Two ineliminable features*

In the preceding subsections, I have focussed on the conflict feature: the concept of toleration, as it is historically derived from the context of religious conflicts, and used today in liberal theory involves a conviction that the disagreement itself is valuable. We only speak of toleration if the tolerator has a first-order reason to coerce the tolerated, which is overridden by a second-order reason not to interfere.

Galeotti overlooks this because in her reflection on the ‘ethical paradox’ of toleration (p. 23) she conflates two features: [1] the moral legitimization of tolerance as a social virtue and [2] the idea of principled disapproval as a specification of the kind of conflict for which toleration is a proper solution. In the first case, the reason not to interfere is moral; the second case merely requires that there be a reason, either moral or political, not to interfere. Even if Galeotti is right to portray the first as a theoretical problem with little relevance in practice, the second option still remains: the value of conflict may give rise to a practical, political, paradox, which cannot be disposed of as a theoretical problem that only plagues the moral model of toleration. Consequently, the conflict feature, which Galeotti admits to be ineliminable, must be ‘thickened’, by narrowing it down to *valuable* conflict. I will expand this idea in section four, after we have discussed her alternative suggestion that the value of conflict would be a contestable interpretation of the quasi-contingent difference feature, due in section three.

In this section, the dissymmetry feature will also come to the fore. For now, suffice it to say that the politics of conscience and the politics of equal treatment seem to involve a different kind of dissymmetry. The first is concerned with being coerced into doing or accepting something to which you principally object, that is, with a coercive power asymmetry. By contrast, the second concerns not being accepted in the public sphere as yourself, which involves the cultural power to define the conditions for participating in the public sphere.

### 3. Three interpretative frameworks for the quasi-contingent features

In this section we enter into the thick of Galeotti’s argument, which as I said pays more attention to the quasi-contingent than to the ineliminable features. Features are quasi-contingent, you will recall, if they are individually dispensable but belong to a category that is indispensable, in this case the categories of ‘difference’ and ‘power’. The second chapter of Galeotti’s book is devoted to the critical analysis of two liberal specifications of these features: perfectionism (i.e. Brian Barry and Joseph Raz) and neutralism (i.e. John Rawls and Ronald Dworkin).<sup>35</sup>

In Galeotti’s approach, liberal perfectionism and liberal neutralist are theories of toleration that combine an interpretative framework and a normative doctrine to specify *non-*

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<sup>35</sup> For this distinction, see *Toleration as Recognition*, p. 37-50, and Rawls, *A Theory of Justice* (1971), §50.

*discrimination* (the theoretical core as she sees it). She ties their specification of the quasi-contingent features to two conflicts in contemporary liberalism. The first concerns the interpretation of pluralism: “the circumstances in which toleration becomes an issue: which differences count, how they are construed, and when they give rise to a stand-off” (p. 22). The second concerns the specification of the response to pluralism: “what does toleration properly consist in – letting go, putting up with, non-interference or, maybe, even acceptance?” (p. 21). In brief, perfectionists and neutralists give different accounts of the *circumstances* and the *meaning* of toleration, which Galeotti ties to the difference and the power feature, respectively.

Galeotti’s principal claim in this chapter is that the interpretative frameworks of neutralists and perfectionists are too limited. Because they maintain a “reductionist conception of pluralism as a simple matter of divergent individual belief and choice” neither of them can “explain why issues of toleration still arise, even in societies in which political interference in matters of faith, morals, and lifestyle is out of the question” (p. 66). In other words, they fail to satisfy Galeotti’s criterion regarding the inclusiveness of the scope of toleration. Even so, Galeotti prefers the neutralist model, because its interpretative framework can be made to satisfy the inclusiveness criterion, which is *principally* impossible for perfectionism. Moreover, its normative doctrine (at least in some versions) grounds toleration on public reason, thus living up to her neutrality criterion.

### 3.1 Perfectionism

Galeotti reproaches perfectionists for reducing toleration to a secondary liberal value, which can be derived from the (absolute) values of freedom and autonomy. On this view, toleration is only necessary insofar pluralism is a precondition for autonomy (p. 39). But that means that demands for toleration are balanced against the protection of autonomy: the limits of toleration are reached when it no longer protects but rather undermines individual autonomy. This changes the political paradox, which now reads: how can the autonomy of each individual be reconciled with that of everyone else, while minimizing state interference? According to Galeotti, this theory involves too narrow an interpretative framework, and is based on a misguided moral doctrine.

Regarding the circumstances of toleration, Galeotti argues that perfectionists make it impossible to address contemporary issues of toleration. Their account of the difference feature is too thick. In considering “dislike or disapproval of the difference in question” as “necessary conditions for the exercise of toleration” (p. 48) they narrow it down to *voluntary* differences, resulting from the autonomous choice of individuals.<sup>36</sup>

Consequently, perfectionists assign too negative a meaning to toleration. On their view, toleration would be a mere “compromise that does not imply equal treatment, let alone recognition”, but is only concerned with “non-interference of government” (p. 47). Toleration is just a provisional response to the political paradox (as perfectionists interpret it) that should ultimately give way to positive governmental support. But interference by the state is only one

kind of power that may threaten minorities. Today the most important kind of power is the social power that sustains a status dissymmetry between the majority and minority groups. In other words, the power feature is also unnecessary thickened.

In combination with a normative doctrine that grounds toleration in a moral disposition, this interpretative framework results in the perfectionist conception of toleration: *a moral constraint on the use of state power to interfere with voluntary differences*. It fails both Galeotti's evaluative criteria: its framework for the interpretation of pluralism is clearly too restrictive in scope, and its normative doctrine is based on moral rather than political justifications.

### 3.2 Neutralism

Galeotti also takes issue with the neutralist interpretation of toleration as non-discrimination. The core of her critique is the way neutrality, which was "originally established as a guideline for public action ... has recently been generalized into a principle governing the political legitimacy of liberal institutions" (p. 28). So defined, neutrality suggests another specification of the political paradox of toleration: "how to obtain the consensus of opinion, which is necessary for political legitimacy, given the fact of moral disagreement" – while minimizing state interference (p. 30).

The traditional solution is to exclude all moral conflict from the area of political legitimacy (p. 31), but as we have seen, Galeotti believes John Rawls' 'constitutional argument' to be more ingenious. Both solutions rely on a restriction of the political vis-à-vis the social realm, and see toleration as the ideal that grounds liberal legitimacy, something which we will see Galeotti criticize. But only the Rawlsian approach refrains from the 'micro-foundation' of political toleration, and satisfies her second, normative, criterion. Therefore, only the Rawlsian approach can serve as the basis for Galeotti's *political* principle of toleration. I will call it *toleration as a constraint on constitutional legitimisation*.

Galeotti may sympathize with the normative doctrine of neutralism, she criticizes the dominant neutralist interpretation of toleration, which entails a double reduction of social differences. First, it shares with perfectionists a preoccupation with beliefs, the expression of which can be confined to the private realm. An exclusive focus on moral conflicts, Galeotti argues, would conceal the asymmetry that exists between differences, between identities and practices which the majority regards as 'normal' and those it defines as 'different'. It is not good enough, for instance, to grant homosexuals access to the army under the condition that they keep their sexual orientation for themselves. It is not just their *presence* that must be granted, but also their *right* to be present in the army, for this they must be allowed publicly visibility within the army. Galeotti contends that when toleration is defined as institutional blindness, it will strengthen and reproduce differences in social standing, rather than establishing equal respect and dignity.

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<sup>36</sup> Galeotti admits that 'new autonomists', such as Joseph Raz, offer a more generous interpretation of perfectionism, in taking some social differences into account. Nonetheless, she maintains that they still regard toleration as no more than a "provisional solution" (p. 47).

There is another respect in which difference blindness is inefficient, due to the second reduction: that of justice to equal distribution.<sup>37</sup> Galeotti explains: “social differences have received public consideration only insofar they can be viewed as disadvantages, to be compensated for” (p. 98). Such compensations does not resolve the inability of the members of oppressed groups to make use of their formal entitlements, however. Public visibility, Galeotti assumes, is a precondition for self-respect, which is in turn a precondition for functioning as a citizen. Hiding their true identity may hinder homosexuals, for example, to achieve the self-respect and confidence allowing them to fully function as a citizen. Inclusion must refer not simply to “the enjoyment of legal rights” but also to “public consideration as members of the political and social community” (p. 8).

Nonetheless Galeotti believes that the neutralist framework, contrary to that of perfectionism, can in principle be applied to differences in social standing: “its theoretical structure can be applied to any social difference” (p. 50). After all, what matters for neutralists is not so much the voluntary or involuntary nature of the difference as the injustice of its repression. Therefore, an extension of toleration to differences in social standing would not undermine the neutralist model as it would the perfectionist model. This potential is not realized because the double reduction of differences has led neutralists to interpret neutrality as ‘difference blindness’: “all differences become equally invisible from a political standpoint” (p. 67).<sup>38</sup> It follows from the neutralist view of toleration, now applied to *constitutional affirmation*, which should be constrained by neutrality. But this particular interpretation of neutrality underplays difference, Galeotti argues, since its bearer “is publicly accepted only as a ‘naked individual’ despite his or her difference” (p. 72).

All in all, neutralist interpretations of the quasi-contingent features of differences and power are contingently limited, but not principally so. As a result, the scope of *toleration as a restraint on constitutional legitimacy* can be extended to group differences in social standing. But for this to happen, a double extension of toleration is necessary: “a spatial extension from the private to the public domain, and, second, a semantic extension from the negative meaning of non-interference to the positive meaning of ... recognition” (p. 10). This double extension will be our concern in the next subsection.

### 3.3. Galeotti’s revised neutral-liberalism

The spatial extension is intended to overcome the neutralist reduction of differences to beliefs. According to Galeotti, the differences that are at stake in contemporary issues of toleration have three characteristics. First of all, they are *cultural*, that is, they are characteristics of marginalized ‘minorities’ that are labelled as ‘different’ and are disliked by the culturally

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<sup>37</sup> To be specific, Galeotti argues for an extension of a ‘distributive’ notion of justice on the basis of Amartya Sen’s capabilities approach. She uses the term distribution exclusively for the distribution of goods, in contrast to what might be called the ‘distribution’ of capabilities.

<sup>38</sup> Galeotti discerns a ‘maximalist’ interpretation of neutrality, which “stresses a reading of the public sphere as the common domain purified of differences” (p. 69); public disregard of differences is extended to *all* controversial differences. The French *laïcité* ideal is an example. By contrast, the moderate or ‘minimalist’ form “implies only disregard of differences when it comes to making public policy”, but “does not entail that they should be hidden from public sight” (p. 69). This conception can be found in Britain and The Netherlands, which do not have a tradition of complete separation of church and state.

dominant 'majority' (p. 88).<sup>39</sup> Secondly, they involve *groups*, because "for members of minority groups, elective aspects of their collective identity tend to work as ascriptive" (p. 90). Differences in which they do have a choice (e.g. cultural practices) become construed as fixed by the majority, so that members of minority groups remain socially identified even with differences they personally reject. The relevant characteristics are 'markers of collective identities', rather than individual choices. Thirdly, they are perceived as a *threat* to the majoritarian way of life (p. 93). Only if the minority is perceived as powerful enough to threaten customary social life or political stability, Galeotti expects resentment to become widespread. This will only be the case if a minority begins to resist intolerance and makes public claims for different treatment.

In sum, *issues of toleration arise when the members of a minority group are socially identified with that group regardless of their personal choices, resist marginalisation, and are therefore perceived as a threat by the majority.* This interpretation of pluralism does Galeotti conclude that is not enough to tolerate differences in the private sphere: we need public toleration.

That brings us to the *semantic* extension of toleration. As I said, it follows from a redefinition of liberal equality. Galeotti agrees with neutralist liberals that justice demands the equal inclusion of all on an equal footing. However, building on Amartya Sen's capability approach, she argues that justice should be extended beyond formal inclusion to full and active membership of the polity. Sen famously criticized Rawls' attempt to capture equality in terms of "primary social goods" (basically, things every rational person would want, regardless of his or her conception of the good).<sup>40</sup> In a nutshell, Sen argues that Rawls fails to capture the diversity of human beings, in not taking into account the relationships between persons and goods. It is one thing to possess a good, but another to be able to do something with it. Sen therefore suggests to replace primacy goods with basic capabilities: "a person being able to do certain basic things".

Galeotti, then, takes from Sen the idea that social differences should not be considered in terms of (dis)advantages in legal rights but in terms of capabilities.<sup>41</sup> Her ideal of equality goes "beyond a mere distribution of costs and benefits", and involves 'capability and functioning'; not mere "legal entitlement of citizenship rights", but "the effective ability to make use of them" (p. 60). Being formally entitled to the primary goods necessary to function as a member in the polity, does not automatically entail the capability to actually and wholly use these acquisitions. Legal inclusion may or may not be coupled with such *de facto* discrimination, and is therefore insufficient to safeguard the inclusion of the members of minority groups. Instead, inclusion should be defined as reaching a threshold of capabilities that enables full functioning as a citizen, viz. "developing an adequate level of self-respect and self-esteem" and "developing a voice and (...) making it heard" (p. 9). In brief, Galeotti puts forward a causal chain that links equal inclusion with opportunities to build up the self-esteem

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<sup>39</sup> They way Galeotti draws the distinction suggests that the culturally dominant are always a numerical majority, but this need not be so. The decisive difference, I believe, is a cultural power inequality existing between groups, rather than their numerical ratio. See p. 89, especially note 9.

<sup>40</sup> A. Sen, "Equality of What?" (1980)

<sup>41</sup> A. Sen, "Rights and capabilities"

that gives minority members the self-confidence necessary to be able to function as a citizen (p. 101).

What does this enriched notion of equal inclusion entail for the meaning of toleration? Galeotti stresses that the meaning of toleration depends on the reasons sustaining it. She discerns two kinds meanings of public toleration, one literal and one symbolic. Literally, she says, “toleration ... involves nothing more than granting the liberty to express one’s culture and identity in a given public space”, an extension of formal personal liberty from the private to the public sphere (p. 11). In this literal sense, the achievement of public toleration is not worthwhile for minority members, because it ignores the real issues at stake. If the decision to tolerate is based on a merely negative judgment it is will not be interpreted as a symbolic form of toleration (p. 102). Grounding public toleration on the wrong reasons prevents symbolic meaning from being attached to it.

Symbolic toleration, by contrast, involves the acceptance of marginalized differences within “the range of the legitimate, viable, ‘normal’ options and alternatives open for society” (p. 15). Galeotti believes that reversing the invisibility of oppressed identities has an irreducible symbolic aspect: it signals “their admission into the public sphere alongside the identities and characteristics of established groups social groups” (p. 105). In order to play this symbolic role, public toleration must be granted for the right reasons: acknowledgment of the asymmetry between majority and minority, and the special injustice it engenders, and the will to achieve the inclusion of minority members on equal terms. Public toleration can only be effective if it has this symbolic meaning. To sum up, Galeotti’s revised conception of liberal toleration amounts to *the public admission of the members of oppressed minorities, as a symbolic gesture that affirms the legitimacy of their characteristics the majority rejects, and allows them to fully and actually function as a citizen.*

In deviation from Galeotti’s own usage, I have been careful not to employ the term recognition up till now. In this way, I have reserved one question for the last section: why call this public and symbolic toleration *recognition*, and if so, why place it within a framework of *toleration*?

#### 4. Toleration as recognition?

##### *4.1. Galeotti on recognition*

Scholars commonly recognize that a novel understanding of social differences has emerged which assigns a central role to the recognition (legal or otherwise) of group identities, or cultures.<sup>42</sup> In political philosophy, the debate focused on the normative implications of this development for liberal theory and practice, and the ontological status of the differences involved. Innovative in Galeotti’s approach is her question how *participants* in social conflicts identify themselves and their opponents, and her focus on which of these identifications are

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<sup>42</sup> Some influential statements are Taylor, “The politics of recognition” (1994), Kymlicka *Multicultural Citizenship* (1995), and Gutmann, *Identity in Democracy* (2003).

novel or have become more salient. It helps to explain *why* contemporary social conflicts are, as many scholars suggest, over symbolic public toleration. This is an empirical question, which cannot be settled here, but one that has normative implications: if social conflicts are fuelled by a demand for self-respect, as we have seen Galeotti argue, toleration as private non-interference will not help to resolve them. If this empirical claim is valid, does it warrant redefining toleration in terms of recognition?

Galeotti answers in the affirmative. She identifies symbolic toleration with recognition: it entails a “symbolic official gesture or act of public *recognition* that *makes that difference legitimate*”.<sup>43</sup> If the government officially announces that homosexuals are admitted into the army, or Islamic symbols allowed in public schools, the members of these minorities gain more than the literal freedom involved (100). It leads to a transformation of public conventions, which improves the position of minorities and worsens that of the majority in two ways (p. 107): first, it destroys its exclusive command of societal standards, redefinition of which, secondly, may lead in time to financial and organizational costs. This does not bother Galeotti, but is justified by her conception of justice as equal inclusion. Even so, she grants critics that is “the first step in ... ‘identity politics’ or ‘the politics of recognition’ (p. 196), and shares their concern whether symbolic toleration does not open the door to more far ranging identity claims.

Galeotti addresses this worry by pointing to a difference between two kinds of identity claims: one class aims at “fairer terms of inclusion for minority members”, a second is based on “the will to separate, albeit only in cultural terms, from the larger society” (p. 197). Symbolic toleration is a form of differential treatment aimed at the fair inclusion of the members of oppressed minority groups. It may even lead to further steps in that same direction, such as temporary affirmative action or temporary limitations in the toleration of offensive speech. Even so, symbolic inclusion does not open the door for group autonomy and collective liberty, with their entirely different aim for separation.<sup>44</sup>

The claim that symbolic public toleration is a form of *recognition* can now be qualified: it means that toleration involves the acceptance of a minority practice or identity as a legitimate, ‘normal’ option for its citizens, first by the state, and secondly by the majority itself. More specifically, it is “an indirect negation of the majoritarian definition of something as different”, which “stops short of evaluating the actual content of this ‘different’ option” (p. 15). Galeotti contrasts this ‘weak’ notion of recognition with Charles Taylor’s ‘strong’ interpretation of it as “acknowledging, and even endorsing, the intrinsic value of the difference in question” (103).<sup>45</sup> Differences, she stresses, must be recognized on the basis of their *instru-*

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<sup>43</sup> p. 11, my emphasis.

<sup>44</sup> Notice the similarity in strategy with Will Kymlicka, who is keen to distinguish *polyethnic* from *self-government* rights. Whereas the first are merely intended to promote the fair integration of ethnic and religious minorities into the society at large, the second aim for political autonomy or territorial jurisdiction of encompassing nations. In *Multicultural Citizenship*, p. 26–31.

<sup>45</sup> See Taylor’s “The politics of recognition”. In fact, his conception of recognition is more nuanced than Galeotti gives it credit for. First of all, Taylor is concerned with what Kymlicka calls ‘societal cultures’: the encompassing cultures that form our ultimate horizons of meaning; secondly he does not suggest that we can definitely accept every culture (let alone all its practices) as valuable. Taylor acknowledges that “we are far away from that ultimate horizon from which the relative worth of different cultures might be evident”, but argues that it is “reasonable to suppose that cultures that have provided the horizon of meaning for large numbers of human beings ... are almost certain to have something that admires our admiration and respect” (p. 72–3). This is very close to Galeotti’s own remark that any culture “has some value in some respect as a human endeavour” (104). The difference, it seems, is



*mental* rather than their *intrinsic* worth, equal to the worth 'normal' options have for their bearers (p. 15). So conceived, she argues, recognition is compatible with (revised) liberal neutrality.

In the two remaining subsections I will address the question how Galeotti's proposal relates to the ineliminable features discussed in the section two. Does her revision of the conflict feature (4.2.) and asymmetry feature (4.3) avoid broadening toleration to such an extent that the concept loses distinctive meaning? I believe it does, and will therefore argue for a thickening of these features. This does not, I believe, undermine her attempt to reconcile toleration and neutrality, but it does question her identification of toleration with recognition.

#### *4.2 Thickening the conflict feature*

In his review of *Toleration as Recognition*, Jonathan Seglow contends that it does not develop a fruitful middle-way between positive affirmation and traditional ideas about equal treatment.<sup>46</sup> Galeotti, he says, conflates two senses of recognition: 'wide', as acknowledgment by citizens, and 'narrow', as the institutional recognition of group differences. Moreover, she tends to see wide recognition as the predictable result of policies of narrow recognition. In a similar vein, Roberts & Lester criticize Galeotti's exclusive focus on the government, which "neglects the obligations that ordinary liberal democratic citizens have" and consequently "fails to provide adequately respectful treatment in semi-public and private spheres".<sup>47</sup> I think there is some truth to these allegations, and especially to the suspicion that something is lacking in Galeotti's account of the relationships between government, majority and minority groups.

Galeotti admits that "symbolic inclusion does not mean that people marked by a different identity will ipso facto be socially accepted", but she does believe that it "may lead, in time, to a number of non-symbolic transformations in public life" (p. 107). For it she draws on the causal hypothesis that redrawing the culturally dominant standards of what is normal and legitimate is an essential precondition for minority members to actually and fully function as a citizen. Therefore, symbolic acceptance of despised differences is legitimate. But this only holds sway if the differences involved are morally non-controversial, as is the case with gender or race: arguably, there is no genuine moral defence of gender or racial discrimination. The issue is what counts as discrimination, not whether it is legitimate. Galeotti's broadening of the conflict feature beyond issues of legitimacy aims to include such differences.

However, many contemporary social conflicts are morally controversial, and do involve matters of legitimacy. More importantly, toleration has always been conceived as a response to that kind of differences. Consider for example same-sex marriage, one of the issues Galeotti elaborates on in her book. It is the kind of issue that conservatives may describe as involving a theoretical paradox, but which Galeotti approaches as being merely practical. Underlying the conservative view, she says, is the idea that "the social stigma on homosexuality exists for

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that Galeotti points to the value of a culture for their bearers, whereas Taylor is concerned with their value for the person who recognizes. For Taylor the presumption of worth is temporarily, as he assumes that at some time it will become possible to actually judge their worth (due to a 'fusion of horizons'), for Galeotti it is the final word.

<sup>46</sup> J. Seglow, "Recognition as liberalism?" (2003)

<sup>47</sup> "The distinctive paradox of religious tolerance", p. 375<sub>n</sub>30

a reason”; an objection she dismisses as being grounded upon “the conception of toleration as a moral virtue (p. 177). Liberals who accept the political model should resist such arguments: “the immorality of homosexuality cannot be granted”, as it derives from moral codes that are not “universally shared in pluralistic societies” (178). But why can the value of *this* disagreement not be instrumentally recognized on a liberal neutralist basis?

Galeotti tends to reduce conservative objections to a homosexual lifestyle to “dislike” that stems from a stubborn “unwillingness to modify what has always been there” (p. 91). Conservatives cling on to traditional ways of dealing with uncertainty and complexity. When minority groups claim recognition for difference this balance is disturbed, and “the majority may experience resentment against being unsettled in its own traditional way of life” (p. 93). On this view, majorities only deny recognition for minorities because they resent change. This picture betrays Galeotti’s rather rudimentary understanding of the advocates of traditional values. Surely, not all conservatives have to say can be attributed to prejudice and resistance to change.

To my mind, the principal problem for Galeotti is that the ‘normality’ of a homosexual lifestyle is not universally shared in pluralistic societies, for moral reasons. Incomparable to blatant racism or discrimination in this respect, conservative objections to a homosexual lifestyle are (or at least, may be) based on sincere conscientious belief. Symbolic recognition is unlikely to change these beliefs, and may even worsen the conflict. It confronts conservatives with a new problem: how can they be loyal to a government that claims to be neutral yet publicly declares practices to which they morally object to be ‘normal’ or ‘culturally legitimate’ options. It is one thing to tolerate that it is legitimate for the law, but quite another to say that there is nothing wrong with it. (That is not to say that I share this conservative opinion. I want to question the neutrality of Galeotti’s view, not its content.) To bring out this difference, and to see why we need toleration in such cases, it is important to thicken the conflict feature, so to include its *value*.

#### 4.3 *Thickening the asymmetry feature*

This brings us to another aspect of toleration that Galeotti seems to overlook: the involvement of political power. Apparently, if the government can persuade the majority into changing cultural standards it has some form of *cultural power*. And like traditional power, it can use this power to ‘perfect’ its citizens, or to maintain a neutral social order. My contention, then, is that the use of symbolic power to establish equal inclusion comes very close to perfectionism. Galeotti’s remarks on same-sex marriage confirm this suspicion. Unlike registered partnership, she says, marriage “cannot exist without a radical transformation of the institutions of marriage and the family” which should be “re-described in ... a completely non-traditional manner” (p. 183). On this view, liberal governments should deliberately exploit the (perhaps unavoidable) symbolic implications of the legal institution of same-sex marriage in order to change the moral beliefs of conservative or traditional citizens. This is perfectly legitimate for morally uncontroversial differences (such as gender) but it cannot be reconciled with the neutrality principle in controversial cases.

Galeotti's two tier relation between majority and minorities is therefore too simple. It is not just that minority groups struggle with 'the' majority over standards of normality: there are different majorities and different minorities, taking part in an ongoing process of contestation, negotiation and deliberation. This is recognized by Nancy Fraser, who has a similar conception of inclusion, which she calls 'participatory parity': participating 'on a par' with other citizens.<sup>48</sup> Unlike Galeotti, she admits that in stratified societies this ideal is not within reach, but can only be approximated by a plurality of publics, which emerge in response to exclusions within dominant publics.<sup>49</sup>

If we apply this idea to Galeotti's proposal, we can see that minority groups may not only contest the majority definition of what is 'normal', but also the alternatives that are put forward by other minorities. In the Netherlands, it are precisely conflicts among minorities that are most salient, and I have no doubt they are important in other liberal democracies as well. Moreover, minority groups often make strategic use of the 'conscience' and 'equal treatment' frameworks. Thus, on the one hand there are the claims of gays, women and, more recently, cultural minorities, to be recognized – in the name of social equality; on the other hand they are contested by the claims of religious (and secular) citizens to be tolerated – in the name of freedom of conscience.

Like traditional (coercive) power, the *cultural* power of government can be strategically exploited by cultural minority groups to 'impose' different beliefs on who disagrees with their conception of the good. In order not to lose sight of this problematic, and to retain its connection to toleration, it is essential to thicken the asymmetry feature: it is not only important whether a group is culturally dominant or not, but also whether it has a privileged (political) position vulnerable to symbolic exploitation.

In conclusion, Galeotti's makes a well-argued and important case for the extension of toleration to a broader range of differences, and public concerns of symbolic inclusion. However, she stretches the concept too far, at the risk of collapsing it into equal treatment, which for good reasons forms a separate framework. She should abandon the attempt to identify toleration with recognition, so to strengthen the case for a reconciliation of toleration with liberal neutralism. Toleration then can retain its historical and theoretical connection to the conscience framework, and continue to guide the liberal struggle to reconcile the ideals of peaceful coexistence and neutrality.

## References

- [1] Apel, K. "Plurality of the Good? The Problem of Affirmative Tolerance in a Multicultural Society from an Ethical Point of View," *Ratio Juris* 10: 199–212 (1997).
- [2] Audi, R. "The separation of church and state and the obligations of citizenship", *Philosophy and Public Affairs*, 18: 259-296 (1989).
- [3] Collier, D. et. al., "Essentially contested concepts: Debates and applications", *Journal of Political Ideologies* 11: 211-246 (2006).
- [4] Fraser, "Rethinking the public sphere: A contribution to the critique of actually existing democracy", *Social Text* 25/26: 56–80, 1990

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<sup>48</sup> Fraser, "What's Critical About Critical Theory?" (1985), p. 128

<sup>49</sup> "Rethinking the public sphere" (1990), p. 65-70

- [5] Fraser, N. & Honneth, A. *Redistribution or Recognition?: A Political-Philosophical Exchange*, London: Verso, 2003.
- [6] Fraser, N. "From Redistribution to Recognition? Dilemmas of Justice in a 'Post-Socialist' Age", *New Left Review* 212: 68-93 (1995).
- [7] Freedman, M. "Political Concepts and Ideological Morphology", *Journal of Political Philosophy* 2: 140-164 (1994).
- [8] Galeotti, A.E. "Do we need toleration as a moral virtue?", *Res Publica* 7: 273-292 (2001).
- [9] Galeotti, A.E. *Toleration as Recognition* (Cambridge: Cambridge UP, 2002).
- [10] Gallie, W.B. "Essentially contested concepts", *Proceedings of the Aristotelian society* 56: 167-198 (1956).
- [11] Gray, J.N. "On the contestability of political concepts", *Political Theory* 5: 331-348 (1977).
- [12] Gutmann, A. & Thompson, D. "Moral Conflict and Political Consensus", *Ethics* 101: 64-88 (1990).
- [13] Gutmann, A. *Identity in Democracy* (Princeton, N.J.: Princeton UP, 2003).
- [14] Habermas, "Religious tolerance: the pacemaker for cultural rights", *Philosophy* 79: 5-18 (2004).
- [15] Kymlicka, W. *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford: Clarendon Press, 1995).
- [16] Leader, S. "Three faces of toleration", *Journal of Political Philosophy*, 4: 45-67 (1996)
- [17] Leader, S. "Toleration without Liberal Foundations", *Ratio Juris* 10: 139-164 (1997).
- [18] Modood, T. "Muslims and the Politics of Difference", *The Political Quarterly* 74: 100-115 (2003).
- [19] Murphy, A.R. "Rawls and a Shrinking Liberty of Conscience", *The Review of Politics* 60: 247-276 (1998).
- [20] Murphy, A.R. "The Politics of Conscience and the Politics of Identity; The limits and Promise of Liberal Toleration". In idem, *Conscience and Community*, pp. 271-294 (Pennsylvania State University Press, 2001).
- [21] Murphy, A.R. "Tolerance, toleration, and the liberal tradition", *Polity* 29: 593-623 (1997).
- [22] Rawls, J. "The Idea of an Overlapping Consensus", *Oxford Journal of Legal Studies* 7: 1-25 (1987).
- [23] Rawls, J. *A Theory of Justice* (Cambridge, MA: Harvard UP, 1971).
- [24] Roberts, P & Lester, E. "The Distinctive Paradox of Religious Tolerance: Active Tolerance as a Mean Between Passive Tolerance and Recognition", *Public Affairs Quarterly*, 20: 347-380 (2006).
- [25] Sayer, A. "Recognition and Distribution". In idem, *The Moral Significance of Class* (Cambridge, UK: Cambridge UP, 2005).
- [26] Seglow, J. "Recognition as liberalism?", *Res Publica*, 9:57-63 (2003).
- [27] Sen, A. "Equality of What?". In S.M.McMurrin, ed., *The Tanner Lectures on Human Values*, vol. 1, (Salt Lake City: University of Utah Press, 1980).
- [28] Sen, A. "Rights and capabilities". In T. Honderich, ed., *Morality and Objectivity* (London: Routledge & Kegan Paul, 1985).
- [29] Taylor, Ch. "The politics of recognition". In A. Gutmann, ed., *Multiculturalism and 'The Politics of Recognition'* (Princeton, N.J.: Princeton UP, 1994).
- [30] Tully, J. "Struggles over recognition and distribution", *Constellations* 7:469-482 (2000).
- [31] Van der Burg, W. "Beliefs, persons, and practices: beyond tolerance", *Ethical Theory and Moral Practice* 1: 227-254 (1998).

[32] Walzer, M. "The Politics of Difference: Statehood and Toleration in a Multicultural World", *Ratio Juris* 10: 165-176 (1997).