THE INHERENT TOLERANCE OF THE DEMOCRATIC POLITICAL PROCESS

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TOLERATION is one of the most debated ideals across liberal political theories of democracy. While such prominent liberal theorists as John Rawls celebrate the fundamental role of toleration in the design of well-ordered liberal democracies, critiques of the value of toleration date back to Immanuel Kant's denunciation of this notion as the "arrogant" posture of the powerful, granting the powerless concessions at their discretion.[1] Ultimately, on whether toleration should be abandoned or rescued among liberal democratic core commitments, the jury is still out. This article advances a novel, qualified defense of toleration as a central ideal of a liberal democratic interactive political morality.

To be sure, defenses of toleration as an ideal for contemporary liberal democracies have been numerous in the last couple of decades. Many such defenses follow a twofold strategy. At its essence the strategy consists in the departure from the traditional characterization of toleration. This characterization is indicative of interpersonal relations of forbearance distinguished by an element of disapproval among the participants in those relations. This departure comes in two steps. The basic step is a removal of the emphasis on forbearance. This step presents a normative account of toleration as a general practice of noninterference proper of neutralist political arrangements aimed to protect individual freedom.[2] The most recent among such defenses make a further step by offering a conceptual overhaul of toleration. For example, such defenses redescribe toleration as a positive form of recognition or indifference.[3] They thus reconceptualize toleration, reinterpreting the reference to disapproval. This twofold strategy is the main critical target of this article.

The twofold strategy is partly motivated by an attempt to resist some concerns about the complex relationship of toleration with multiple features of

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1   Rawls, *Political Liberalism*, 43; Kant, *An Answer to the Question*, 12.

2   Jones, "Making Sense of Political Toleration"; Balint, *Respecting Toleration*.

3   See, respectively, Galeotti, *Toleration as Recognition*; Balint, *Respecting Toleration*.

contemporary liberal democracies. One concern is that the liberal democratic commitment to protecting individual freedom and respecting pluralism makes toleration redundant.[4] Another concern is about the possible inconsistency of the logic of toleration with that of many other ideals generally thought to sustain liberal democracies. These ideals include neutrality, equality of political power and civic status, and the democratic credentials of the legitimation of state action.[5] Central to these concerns is the thought that the kind of forbearance demanded by toleration is already secured by other fundamental liberal commitments, which also preempts the disapproval implied by the logic of toleration as a ground for political action.

We share the aim of defending the political relevance of toleration that has prompted many recent commentators to adopt the twofold strategy. However, we critically engage with the strategy as we make two main claims. First, the twofold strategy focuses on the realization of toleration in the *political arrangements* (for example, public decisions) produced through political processes. Therefore, it offers a normative account of toleration that underestimates an important "interactive" dimension of what it means for liberal democracies to realize toleration as a property inherent to its constitutive *political processes* (for instance, of decision-making). Second, this interactive dimension of toleration can be defended as central to liberal democratic political morality without requiring the conceptual overhaul of toleration that the twofold strategy proposes.

Our discussion progresses as follows. In section 1, we articulate the twofold strategy, drawing on some prominent views of toleration as an ideal of liberal democratic political morality. We then devote section 2 to discussing how the strategy is too hasty in setting aside the forbearance interpretation of toleration. This hastiness is problematic to the extent that it underplays some important particularities that characterize relations of toleration in the circumstances of deep political disagreement typical of contemporary liberal democracies. Moreover, we show how the twofold strategy relies on a partial view of toleration. This view presents toleration only as an ideal of political morality causally enacted in the freedom-protecting outcomes of political processes. We argue that this partial view fails to do justice to the distinctively relational structure of toleration. We show how to overcome this limitation by focusing also on the properties inherent to the forms of interaction that democratic political processes constitute. In section 3, we vindicate the importance of understanding

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4   Heyd, "Is Toleration a Political Virtue?"

5   Balint, *Respecting Toleration*, 32–35; Forst, *Toleration in Conflict*, 518–20; Jones, "Toleration and Neutrality," 97–110; Meckled-Garcia, "Toleration and Neutrality"; Brown, *Regulating Aversion*; Newey, "Is Democratic Toleration a Rubber Duck?"

toleration also as an ideal of interactive political morality. This ideal captures one important aspect of the liberal democratic commitment to establishing a respectful form of interaction between citizens as political agents in circumstances of deep political disagreement. In section 4, we expound the nuanced normative evaluations of the tolerance of a liberal democracy that our account makes possible. In section 5, we conclude by summing up how our argument responds to the concerns of redundancy and inconsistency about the realization of toleration in liberal democracies.

Before we engage in this discussion, take note of two clarifications concerning the contours of our proposal. First, our critical argument remains within the boundaries of the neutralist interpretation of liberalism. In this context, the point of neutrality is to protect individual agency within an institutional framework whose justification does not presuppose the (moral or epistemic) superiority of any particular controversial conception of the good. Thus, we view the democratic polity from the perspective of a justificatory interpretation of liberalism, broadly construed.[6] Second, we discuss the role of toleration within the framework of what it takes to realize some fundamental normative commitments of a liberal democratic political morality in circumstances of deep political disagreement. To borrow Jeremy Waldron's terminology, such a disagreement is one of the main "circumstances of politics," in which the demands of toleration acquire—as the article will show—particular importance.[7] These circumstances of disagreement are actual and, thus, broader and deeper than those indicated by Rawls as "reasonable disagreement."[8]

1. THE TWOFOLD STRATEGY TO DEFEND TOLERATION AS AN IDEAL OF LIBERAL DEMOCRATIC POLITICAL MORALITY

A current illustration of the twofold strategy in defense of toleration comes from the joint consideration of Peter Jones's and Peter Balint's prominent discussions. They show how toleration is a significant (nonredundant) idea that belongs to the "furniture" of (and, therefore, is not inconsistent with) a liberal democratic political morality. To this end, Jones and Balint offer an

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6   For a general account, see Waldron, "Theoretical Foundations of Liberalism." This characterization covers various understandings of the liberal justificatory project, whether, for example, consensus (Quong, *Liberalism without Perfection*; Rawls, *Political Liberalism*) or convergence driven (Gaus, *The Order of Public Reason*), being compatible with different more or less substantial interpretations of public reason.

7   Waldron, *Law and Disagreement*, 105. See also Newey, "Metaphysics Postponed."

8   Rawls, *Political Liberalism*; Quong, *Liberalism without Perfection*.

interpretation of toleration as a property of freedom-protecting political arrangements.[9] Jones defends a normative account of toleration whose central feature is state protection from intolerance. Balint builds on Jones's work to offer a conceptual overhaul of toleration, which develops a liberal "permissive" view. The latter is of particular interest because it tracks a largely held common-sense understanding of toleration as an instance of indifference. Their works instantiate the twofold strategy because they interpret and defend toleration by departing from the traditional understanding of this idea as indicative of interpersonal relations of forbearance in the face of disapproval.

The traditional or "orthodox" view of toleration falls within the coordinates of three main components: *A* deliberately refrains from acting (non-hindrance component) on their negative judgment of *B*'s beliefs or practices (objection component) despite their being in the (actual or counterfactual) position of doing so (power component).[10] Jones and Balint ask how this orthodox view of toleration may rightfully inform the political arrangements of a democracy grounded in a justificatory neutralist interpretation of the liberal political project while avoiding tensions with the ideals central to that project. Notably, by departing from the orthodox view, they address the concerns that characterizing liberal democracies as "tolerant" risks inconsistency or, at best, redundancy.[11]

The inconsistency and redundancy concerns about toleration stem from the consideration that, once neutral political institutions are in place and citizens' basic rights are protected, the three components of toleration may lose force. It is a defining feature of neutral liberal institutions that certain spheres of individual action—including, for example, religion and matters of conscience—are protected from state interference (within limits standardly associated with some understanding of the harm principle and needs of action coordination). More generally, in a neutralist liberal democracy, those who hold public office simply lack the prerogative personally to decide to use their power (power component) to interfere with individuals' spheres of personal freedom (non-hindrance component) based on their individual negative judgment (objection component) of citizens' life plans or ideas.[12] From this viewpoint, toleration's protective function of individuals' life plans and ideas seems

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9   Because this discussion focuses on toleration as an ideal of political *morality*, we leave aside so-called *modus vivendi* theories, which ground tolerant practice in political *prudence*. For a discussion, see, for example, Gray, "Pluralism and Toleration in Contemporary Liberal Philosophy."

10 See Forst, *Toleration in Conflict*, 17–26; Balint, *Respecting Toleration,* 5, 28.

11 For an overview, see Ceva, "Toleration."

12 Forst, *Toleration in Conflict*; Meckled-Garcia, "Toleration and Neutrality?"; Newey, "Is Democratic Toleration a Rubber Duck?"

otherwise catered for in view of more positive ideals—thus making appeals to toleration unnecessary if less than undesirable.[13]

Jones and Balint address such concerns by rethinking toleration, from a conceptual and normative point of view. From the normative point of view, Jones grants that the most politically salient feature of a tolerant polity is its capacity to produce political arrangements that protect people's individual freedom from unjustified external interference. But he adds that this feature cannot be understood by looking at interpersonal relations of self-restraint, especially when these relations involve public officials (*qua* tolerators).[14] For Jones, if toleration were to be conceived as a model for discretionary uses of entrusted political power, reference to this ideal would be clearly inconsistent with liberal democratic political morality and its grounding commitment to neutrality. Differently, Jones argues that the distinctive mark of a tolerant state lies in its being capable of securing people's protection from each other's personal intolerance in society, by enforcing the protection of citizens' rights.[15] Since—according to Jones—"to suffer intolerance is to suffer a loss of freedom," the distinguishing feature of a tolerant state is its freedom-protecting capacity.[16] In this sense, Jones sees toleration not so much as an ideal that characterizes relations of forbearance (between public officials and citizens, or among citizens). Rather, he sees it as a property of certain institutional political arrangements protective of individual negative basic rights.[17]

Balint shares Jones's general strategy and takes it a step further. To carve out some political space for toleration, he proposes an overhaul of the concept that expands the orthodox view, and is (allegedly) more aligned with current common language descriptions of public institutions as "tolerant." Namely, Balint thinks that the non-hindrance and power components, but not the objection component, are necessary to define toleration. According to Balint's "permissive" interpretation, we have a maximally tolerant polity when people are maximally free to "live their lives as they see fit," regardless (not only in

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13 Jones, "Making Sense of Political Toleration," 385–86. Note that we do not press, here, on whether Jones and Balint in fact succeed in rejecting the redundancy challenge. Our interest in their views is mainly illustrative of the twofold strategy.

14 Jones, "Making Sense of Political Toleration," 389.

15 In Jones's words, "rules and institutions can be adjudged tolerant because and insofar as ... they secure an order of things in which people can live their lives as they see fit, unprevented by disapproving others who might otherwise impede them" ("Making Sense of Political Toleration," 387).

16 Jones, "Making Sense of Political Toleration," 398.

17 Jones, "Legalising Toleration," 266.

spite) of others' objection to their commitments.[18] In this permissive sense, a tolerant polity is primarily characterized by indifference.

While Jones's and Balint's theories differ in ways we cannot further expound upon, they overlap in a way that makes them relevant to our critical discussion. For both, to assess whether a state is tolerant, one must look at the properties of the political arrangements (for example, the content of collective decisions or state policies) that the political process generates, and see to what degree such arrangements protect personal negative freedom. We acknowledge that Jones's and Balint's freedom-based characterization might capture one sensible aspect of the function of toleration within the liberal democratic political project. However, in what follows, we argue that this characterization fails to do justice to the full story of how and why toleration matters as an ideal of political morality in liberal democracies.

2. END STATES, INTERACTIONS, AND THE RELATIONAL STRUCTURE OF TOLERATION

Bluntly put, the structure of toleration is relational at its essence. The orthodox idea of forbearance tolerance illustrates this feature by connoting a relation between an A who forsakes their (actual or counterfactual) power to interfere negatively with an objected B. The twofold strategy of reinterpretation of toleration sketched in the earlier section denies that toleration characteristically indicates interpersonal relations of forbearance distinguished by an element of disapproval between political agents. As seen, the strategy reinterprets the core of toleration as consisting in a commitment to protecting individual freedoms from unjustified external interference. A conceptual overhaul of toleration follows, involving the removal of the objection component from the definition.[19] Thus reinterpreted, relations of toleration would occur anytime A_1 does not interfere with B_1, irrespective of whether A_1 disapproves of B_1 or is either indifferent to or appreciative of B_1.[20]

We suggest that this rescue strategy of toleration is not fully successful because it rests on a reductive set of assumptions about the core features of the liberal democratic political project and of toleration within it. To be sure, the claim that the commitment to protecting individual negative freedom is a basic aspect of the liberal democratic political project is sensible; so is the view of toleration as a property of political arrangements that contribute to

18   Balint, *Respecting Toleration*, 28–32.
19   Balint, *Respecting Toleration*, 13.
20   Balint, *Respecting Toleration*, 5.

realizing this aspect of the project. The focus on freedom is indeed one aspect of this project, but hardly its whole point. The reinterpretation of toleration that the twofold strategy offers is too hasty because it is implicitly informed by a partial picture of the normative grounds of a liberal democracy. In this picture, the core business of a liberal democracy is fully identified with (1) protecting citizens' individual negative freedom by (2) securing political arrangements that protect citizens from (unjustified) external interference. We find both components of this identification unwarranted.

Following a well-established strand of justificatory liberalism, one should not forget that the basic set of political ideals for a liberal democracy—also and prominently—includes such other ideals as respect.[21] Borrowing from Stephen Darwall's typology of moral attitudes, the political realization of respect is best understood in the terms of "recognition respect."[22] To respect someone in this sense means to reckon with their moral status when we set the terms of our relation to them.[23] Fundamentally, in a standard liberal version, the ground of this moral status is someone's capacity for agency—a bundle of capacities including that to author, choose, and pursue a worthwhile life plan.[24] To respect someone in this sense means to recognize them as persons, as an authority not only on their own life, but also on the life of other persons; any person is called to see any other as a constraint on what they may or may not do when any one person is involved. Recognition respect thus characterizes interpersonal relations of reciprocity.

Interestingly for our discussion, the recognition of this status can be *claimed* by any agent against any other. It is not a mere tribute that agents receive.[25] By entering respectful relations, agents bestow upon each other a special kind of authority that enables them to demand appropriate treatment as persons. Such treatment is commonly taken to require the recognition that persons may not be subjected to arbitrary coercion; they are, rather, entitled to a justification for how we treat them.[26] This idea captures the core of many prominent justificatory accounts of the normative grounds of liberal democracies, and

21 See, for instance, prominent proposals in Larmore, "Political Liberalism"; Waldron, "Theoretical Foundations of Liberalism."

22 Darwall, "Two Kinds of Respect" and *The Second-Person Standpoint*.

23 Darwall, "Two Kinds of Respect."

24 See, for example, Rawls's characterization of the moral agent as possessing the moral powers of a sense of justice and forming, pursuing, and revising a conception of the good (*Political Liberalism*).

25 Darwall, *The Second-Person Standpoint*, ch. 3.

26 See, for example, Bird, "Mutual Respect and Neutral Justification"; Forst, *The Right to Justification*.

encompasses but goes beyond the commitment to protecting individual neg-ative freedoms.[27] Even more importantly for our present purposes, persons' moral agency, which demands mutual respect, is often presented as a liberal normative ground of the authority of the democratic political process. This normative liberal characterization of democracy is prominently present, for example, in many noninstrumental accounts of democracy's value, which insist on the democratic process being rightly responsive to people's status as equally authoritative makers of collectively binding decisions.[28]

Once we recall the centrality of this commitment to recognition respect within the liberal democratic political project, it is easier to grasp the reductiv-ity of the twofold strategy. This strategy is fit for rescuing toleration only in a very narrow sense: it valorizes toleration only insofar as it *causally contributes* to the realization of *one* aspect of the liberal democratic project, the protection of individual negative freedom, by securing political arrangements that shelter citizens from unjustified external interference (from the state and their fel-lows). From this perspective, toleration is an ideal that belongs to an end-state political morality.

To focus on end-state political morality means to analyze and assess polit-ical processes by looking at the features of the political arrangements (or end states) those processes produce. From this standpoint, one looks at whether political processes lead to certain morally worthwhile distributions of goods, resources, opportunities, or powers among citizens. As an ideal of end-state political morality, toleration is the property of political arrangements (or end states) that contribute to maximal distributions of individual freedoms, by pro-tecting citizens from unjustified external interference with their life plans. As such, toleration is paradigmatically realized when constitutional provisions or legislative decisions lead to permissive outcomes whereby citizens' freedoms—for example, to spread their ideas, associate with like-minded fellows, or abide by their religious commitments—are protected from unjustified third parties' restrictive interventions.

However, once recalled how the commitment to protecting negative free-dom is only one aspect of the liberal democratic political project, we can start to question the sole adoption of this end-state perspective to theorize about the place of toleration within that project. This questioning is important to grasp the whole difference it makes for citizens, in the circumstances of politics, to have their dealings regulated within the boundaries of liberal democratic

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27   See, for example, Waldron's account of how the liberal public order is defined by its being "justified to any last individual" ("Theoretical Foundations of Liberalism," 128).

28   Christiano, *The Constitution of Equality*; Kolodny, "Rule over None II."

political processes. The way in which the twofold strategy analyzes and assesses those processes underestimates the complexity of what establishing liberal democratic institutions means and requires in circumstances of deep political disagreement and the role that toleration may have in that context. To appreciate this complexity, we suggest, the discussion of the components of a liberal democratic political morality must also integrate an interactive aspect.[29]

To focus on the interactive aspect of political morality means to analyze and assess the political processes of a liberal democracy by looking also at how political agents interact with each other within the boundaries of those processes. This focus allows for a discussion of the difference this form of interaction makes to people's political standing and consideration within the process (apart from any end state to which the process may lead). Notably, the adoption of this further (not alternative!) perspective brings to the fore the inherent qualities of the forms of interaction inaugurated between citizens as participants in democratic political processes. This kind of appreciation is important because these processes constitute forms of political interaction that may realize in the circumstances of politics such morally worthwhile forms of treatment between citizens as recognition respect.

Surely, people interact with each other in various capacities (as friends, lovers, co-workers), and various ideals could be relied upon to analyze and assess each form of interaction (compassion, affection, reliability). Some such forms of interaction are often considered of significant political import too.[30] All this granted, the interactions between people as political agents who participate in structured political processes can nevertheless retain their specificity. To understand what difference the establishment of the political processes that compose a liberal democracy makes to the standing and consideration of citizens as political agents, we also need to look at what happens while people interact as the occupants of a role, the political role of a democratic citizen, within those processes. In a democracy, such processes include decision-making and deliberative bodies at various levels (for example, national or municipal), of various kinds (for example, electoral or consultative), and with various competences (for example, basic legislation or small-scale policy issues such as urban planning).

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29 See, Ceva, *Interactive Justice*, ch. 1. This distinction generalizes and systematizes the divide between distributivist and relational approaches to social equality; see, among others, Anderson, "What Is the Point of Equality?"; Scheffler, "What Is Egalitarianism?"

30 For a classic reference questioning the boundaries between the "personal" and the "political," see Hanisch, *The Personal Is Political*. See also Okin, "Gender, the Public and the Private."

Now, recall the centrality of recognition respect to the liberal democratic political project. This reminder flags a crucial aspect of the analysis and assessment of political processes: their capacity to establish a form of interaction characterized by the respectful reciprocal treatment among citizens. Take one of the most fundamental political processes in a liberal democracy, the democratic decision-making process. By their participation in that process, people bestow upon each other the political standing as mutual authorities that pose morally binding constraints on deciding what each of them may or may not do. Differently put, the democratic decision-making process enacts inherently respectful procedurally regulated relations between the participants in the process. As discussed in the remainder of the article, the realization of this political form of recognition respect is the core of the interactive political morality that sustains liberal democracies. Crucially for our main argument, this consideration offers the context to appreciate the political significance of toleration as an ideal that realizes this form of respect in circumstances of deep political disagreement. In these circumstances, one may not expect that a respectful form of political interaction is regularly—or even often—grounded in either appreciation or indifference. Disapproval is likely to be the norm, and therefore the kind of forbearance secured by the orthodox view of toleration seems to regain the stage. We develop this thought in the next section.

3. TOLERATION IN THE DEMOCRATIC DECISION-MAKING PROCESS AS AN IDEAL OF INTERACTIVE POLITICAL MORALITY

When we revisit from the vantage point of interactive political morality the two relations of toleration we introduced at the beginning of the previous section, a striking difference emerges between them. In the orthodox account of toleration, A's evaluative attitude toward B is telling of a type of relation that is not fully reducible to one of mere noninterference, as is the relation between A_1 and B_1 (in which we saw that A_1 may be indifferent or even appreciative of B_1). The two relations are qualitatively different because the former is one yielding to a special kind of noninterference as an expression of forbearance in the face of A's disapproval of B. The distinction between end-state and interactive political morality enables us to appreciate how this difference is meaningful.

As discussed earlier, to follow the twofold strategy means to characterize relations of toleration only from the point of view of end-state political morality. These relations, in a liberal democracy, are relations of noninterference (between the state and citizens and among citizens) enacted in the freedom-protecting political arrangements to which the democratic political process must be capable of leading. Such arrangements include, for example, state policies that leave

citizens free to express their opinions or hold marches to manifest their dissent with some majority decision; such policies can plausibly be considered one important aspect of realizing toleration as a core ideal of liberal democracies. However, from the perspective of end-state political morality alone, it makes no difference to *B* whether such policies allow them to live their life as they sees fit because (1) *A* is indifferent to—or, in fact, even appreciative of—*B* (and for that reason *A* does not interfere with *B*) or because (2) *A* disapproves of *B*, yet *A* takes *B* as a constraint on the ways in which *A* may act with respect to *B* (or they may act jointly), and for that reason *A* does not interfere with *B*. Still, to differentiate between the two cases is important in the circumstances of politics. Think, for instance, of such divisive issues as political disputes over the presence of religious symbols in public places, or about the vaccination campaign against COVID-19, with their relative accusations of "bigotry versus laicism" and "obscurantism versus scientism" between the parties. Insofar as collectively binding decisions must be made in such circumstances of deep political disagreement, there is an important space for an ideal capable of giving normative guidance to realize a respectful form of political interaction, *despite* the parties' disapproval. This ideal intuitively calls for a form of political forbearance that the orthodox view of toleration seems distinctively suitable to sustain.

Bluntly put, in the circumstances of politics, the process of collective decision-making requires and entails the establishment of a form of political interaction articulated through relations of forbearance between the participants. By the very fact of submitting to the liberal democratic process the decision of how (many areas of) their lives ought to be governed, the participants in the process *ipso facto* forsake their (actual or counterfactual) power to adjudicate the matter from their own individual perspective as well as the readiness to coerce others into conforming to their own will. Citizens as collective decision-makers are thus enabled—and implicitly required—to recognize each other as mutual authorities concerning the collective decisions by which they should abide. As participants in the process, citizens develop reasons (other than their own evaluative judgments) that should count in establishing their reciprocal treatment. These are practical reasons of forbearance that guide the participants' interaction, as the participants recognize their reciprocal authority as deliberative partners—their negative evaluative judgments notwithstanding.

Differently put, by engaging with each other as participants in the same collective decision-making process, democratic citizens recognize their mutual authority. By that recognition, they refrain from imposing what they may or may not collectively do from their first-personal perspective alone (as a form of coercion or authoritarianism). In so doing, democratic citizens treat each other with recognition respect in the context of decision-making processes

because they treat each other as constraints on what they may do, individually and jointly. The recognition of mutual authority between the participants in the democratic decision-making process realizes a respectful form of interaction despite the (possible or likely) persistence of the participants' disapproval of some of their views. This respectful form of interaction is particular of relations of toleration in the political domain, and is irreducible to a general form of noninterference. Noninterference is not particular of toleration in the same way; it is in fact a feature that relations of toleration share with many other noncoercive power relations in liberal democracies, which may in fact rest on appreciation or indifference.[31]

Let us pause to illustrate concretely how processes may enact a tolerant form of interaction that realizes recognition respect in circumstances of deep disagreement. An illuminating illustration comes from the Public Conversations Project, a US-based organization for the design and facilitation of conversations on divisive issues such as abortion, sexual orientation, and religion.[32] In particular, from 1995 on, leaders of both sides of the abortion debate have met regularly to discuss the issue. Participants in the conversations were quite varied, including people with more or less extreme "pro-life" (e.g., representatives of Women Affirming Life) and "pro-choice" (e.g., representatives of the Planned Parenthood League) positions.

While it is reported that all parties were initially suspicious because of their reciprocal grounds of objection, their antagonistic interaction did change. The change occurred with the aid of two facilitators, by virtue of a procedure that established each participant with the same authority to demand a certain kind of treatment of the other participants and a duty to reciprocate. So, for example, the participants were asked to refrain from using offensive terms (e.g., pro-lifers were asked not to draw any association between pro-choice positions and murder) or stereotypes (e.g., pro-choicers were asked not to presume their opponents were necessarily religious fanatics), despite their reciprocal disapproval. By their own accounts, the participants terminated their encounters still persuaded of their grounds for objection. However, the research also shows that the participants' way of treating each other had changed and, notably, so

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31   Note that our discussion rests on the notion of recognition respect, which is different from that of appraisal respect based on people's being an object of esteem. Such a notion could not be compatible with the logic of forbearance, nor—for sure—could it be realized in democratic political processes (as citizens, clearly, are not placed in relations of mutual esteem and appreciation). On the disambiguation of what notion of respect is compatible with forbearance tolerance, see Carter, "Are Toleration and Respect Compatible?"

32   See Fowler et al., "Talking with the Enemy." We borrow the example from Ceva, *Interactive Justice*, ch. 1.

did the kind of deliberation in which they engaged (and refrained from engaging). We can put forth that the participants' commitment not to silence or insult each other despite their objections indicates their developing a new set of practical reasons—alongside and overriding their individual negative evaluative judgment—to recognize their reciprocal standing in their deliberations, thus forbearing each other. These are visibly reasons of forbearance grounded in the participants' recognition as deliberative partners. The importance of this change can be appreciated in full from the perspective of toleration as an ideal of interactive political morality, which realizes one important aspect of the liberal democratic commitment to establishing a respectful form of human interaction in circumstances of deep disagreement.

The same logic underpins our reading of how democratic decision-making may realize toleration in itself (or is "inherently tolerant"). This process enacts a respectful form of interaction between citizens who forbear each other as political agents in circumstances of deep political disagreement. As discussed, despite their objections, the participants in the process partake in the same authority to decide over each other as concerns the very content of their rights and the contours of their freedoms. In this sense, the tolerant relations of forbearance in the face of disapproval, which we have seen at work in such experimental environments as that of the Public Conversations Project, are institutionalized in democratic decision-making processes. Such processes may be inherently tolerant in the sense that they enact toleration in themselves, in virtue of the forms of interaction they constitute between those who participate in them (not only insofar as they cause tolerant political arrangements).

This particular claim rests on a general view of political processes as more than a set of regulative rules and procedural mechanisms. The processes that compose the public order are institutions in the sense of systems of interrelated rule-governed embodied roles.[33] That such roles are embodied means that the analysis and assessment of political processes may not be reduced to the analysis and assessment of the regulative rules that govern those processes, possibly in virtue of their capacity of leading to certain end states. Such an analysis and assessment must also be cognizant of the *constitutive* rules of the process. These are rules that establish new forms of interaction between the participants in the process and make them possible.[34] These forms of interaction occur through the use of normative powers (rights and duties) that people come to possess only because they occupy a role within a process. The process "institutes" the people

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33 Applbaum, *Ethics for Adversaries*; Emmet, *Rule, Roles and Relations*.

34 Searle, *Speech Acts* and *The Construction of Social Reality*; see also Hindriks, "Constitutive Rules, Language, and Ontology"; Ceva, *Interactive Justice*.

who occupy a role within it into a normative status that the role-occupants only have (and upon which they may act) within the boundaries of the process.[35]

This idea elucidates the logic of one of the most fundamental role attributions in the democratic political process: the role of a citizen as a collective decision-maker.[36] People do not normally have the normative power (the right, or the authority) to decide what others may or may not do with their lives. Nor are people normally subjected to the normative power (the duty) to follow other people's determinations of their margins of personal action. Still, as seen, this kind of normative relation is perfectly normal and sensible between democratic citizens when they exercise their normative powers over each other, for example through voting, as parties in the democratic decision-making process. This process is sustained by a special kind of political morality; this political morality is interactive in the sense that it concerns the process-based relations between people in a certain institutional capacity. The mutual authority that the democratic decision-making process bestows upon the participants in the process is thus of a special kind: it is an authority that people may only exercise jointly and over each other within an institutional context.[37] This authority is an entailment of people's acting on the powers bestowed upon them by the constitutive rules of the democratic decision-making process. This mutuality differentiates the authority of the democratic decision-making process from the authority each person has over herself (which such other regimes as anarchies realize too) and from the kind of authority some people may unilaterally have over others (such as the authority realized in an aristocracy). The main claim we make here is that the value of the democratic decision-making process can be understood as a form of recognition respect, which can be realized in the circumstances of politics because it enacts an inherently tolerant form of interaction characterized by the parties' forbearance.

The last consideration is important to capture one central aspect of our qualified defense of toleration. This aspect can be fleshed out by contrast with Rainer Forst's argument that toleration is realized in democratic deliberation to the extent that citizens may not refer to their controversial ethical views as a ground for objecting to the views of others when making collective decisions.[38] For Forst, any such reference would lead to coercive decisions. As such, such reference is disrespectful as a violation of the moral authority that people have

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35   The reasoning structure here is the same as that at work in Rawls's "practice conception" of rules ("Two Concepts of Rules").

36   Ceva and Ottonelli, "Second-Personal Authority and the Practice of Democracy."

37   In this spirit, Ceva and Ottonelli discuss democratic voting as a primitive illustration of the practice of democracy ("Second-Personal Authority and the Practice of Democracy").

38   Forst, *The Right to Justification*, 146.

over themselves.[39] This account does not explain why exactly this expression of respect can uniquely be achieved in virtue of the tolerance that the democratic decision-making process realizes in itself. Our account suggests one such explanation by showing that by establishing a tolerant form of interaction, the democratic decision-making process does more than, and something different from, protecting people's authority *over themselves* from arbitrary coercion. The establishment of this process puts people in relation in such a way that enables them as political agents who recognize their mutual standing as the final political authorities *over each other* in collective decision making, despite their grounds for objection. As seen, in the making of collectively binding decisions, this kind of mutual authority can only be enacted in politics in the tolerant form of interaction, articulated through relations of forbearance, that the democratic decision-making process establishes. Absent this process, the tolerant form of interaction in which this form of recognition respect consists could not possibly happen in the circumstances of politics. Consequently, people could not bestow upon one another the relevant status as mutual political authorities that sustains a liberal democracy. It is by adopting the perspective of interactive political morality that we can appreciate this point.

The realization of toleration in democratic political processes as an ideal of interactive political morality is important even when the outcomes of those process are unsettled, or end up frustrating the claims of some of the parties. As we expound in the next section, the outcomes of a tolerant process may fail toleration as an ideal of end-state political morality. And, surely, some of those frustrations may be unjust. But the realization of toleration as an ideal of interactive political morality is not idle or unimportant even when it stands on its own two feet.

4. THE COMPLEX EVALUATION OF TOLERATION IN POLITICAL PROCESSES

One of the features of the defense of toleration we have put forth in this article is its philosophical parsimony. Differently from the reinterpretive efforts undertaken by the proponents of the twofold strategy we reviewed in section 1, our discussion does not require us to rethink the ideals that are commonly thought to sustain the liberal democratic political project and the place of toleration within it.

However, our defense also has implications that make the analysis and assessment of political processes more complex. Indeed, we have encouraged an extended consideration of the liberal democratic political project. This

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39   Forst, *The Right to Justification*, 21.

consideration includes the analysis and assessment of political processes also in virtue of the forms of political interaction they constitute, not only the political arrangements they cause. This inclusion calls for a joint analysis and assessment of the tolerance realized in and by democratic political processes from the perspectives of interactive and end-state political morality.

To bring together the evaluative perspectives of interactive and end-state political morality is important but challenging. We think that neither perspective is indeed sufficient, taken on its own, to allow for a complete assessment of democratic political processes through the lenses of toleration. Differently put, the all-things-considered normative evaluation of democratic political processes is a complex exercise that may also be internally conflicting. This is because a harmonious joint realization of toleration as an end-state and interactive ideal can prove at times impossible. However, the adoption of each of these two perspectives offers important insights for a *pro tanto* assessment. Let us explore these claims.

To assess political processes through the lenses of toleration two discrete judgments are relevant as concerns whether those processes (a) realize toleration in themselves or (b) are capable of leading to tolerant political arrangements outside the process. Thus, the first site of toleration is internal to political processes. In this first sense, as discussed in section 3, processes realize toleration in themselves insofar as they constitute relations of forbearance between the participants. Such relations of forbearance are valuable insofar as they enact a respectful form of interaction between citizens as political agents in circumstances of deep political disagreement. The second site of toleration is external to political processes. In this second sense, defended by such champions of the twofold strategy as Balint and Jones, processes realize toleration insofar as they result in a form of political noninterference in society. Such forms of political noninterference are valuable insofar as they are capable of generating political arrangements that protect individual negative freedoms. The capacity to distinguish between these two sites of toleration is analytically salient to offer a nuanced evaluation of important aspects of liberal democracies. Some normative challenges emerge too to the extent that the enactment of toleration in the two sites of political interactions and political end states may at times be mutually supportive but also unsupportive. To wit, because the adoption of each of the two discrete perspectives can only give us a ground for a *pro tanto* evaluation, we should expect circumstances in which difficult trade-offs between the two aspects are necessary.

Think, first, of a parliamentary decision that decriminalizes the possession of cannabis for recreational use. The outcome of the parliamentary decision-making process may be tolerant (in the permissive sense) to the extent

that citizens are thereby free from the state's interference with their possession and use of cannabis. However, the process may realize toleration (or not) in itself depending on whether the participants' interaction was structured in such a way that none of the participants was silenced on the ground of other participants' objections toward their particular views. Sometimes we can tick both boxes, but other times we must make disjunct assessments. There can thus be inherently tolerant, as it were, decision-making processes that lead to non-tolerant *qua* freedom-restricting decisions, such as an egalitarian process that culminates in the prohibition of selling tobacco products. But we can also see tolerant policies promoted through non-tolerant processes; think of a policy that allows women to drive cars, thus enhancing their freedom of movement, which is enacted through a male-dominated decision-making process objecting to women's deliberative capacities (whereas their driving skills are recognized).

Consider another example concerning the enfranchisement of such minority groups as third-country migrants in the European Union. Their inclusion in the collective decision-making process changes the institutionalized interaction between majorities and minorities. What changes is the recognition of people's capacity as political agents, by calling them to recognize each other as equally active parties in the political game of mutual authority established by the democratic decision-making process. This change reflects a transformation of the consideration of the minority members' standing, who, once enfranchised, can be heard as authoritative political agents addressing claims in their own institutionalized voice. What is more, the gaining of such a standing occurs despite the persistence of deep political disagreement. This transformation occurs when the constitutive rules of the process grant all participants an equal voice, typically by the rule "one head, one vote," or by enacting rules of order that grant all participants in deliberative processes of consultation a fair hearing. However, fair hearing per se does not presuppose the prospect of an eventual resolution of disagreements, nor does it entail the requirement that any one minority's voice equally finds representation in the final outcome. The enactment of fair hearing signifies a forbearing interaction, but does not preclude by itself an outcome that frustrates some of the participants' preferences.

Such a consideration tells of the complexity of the normative evaluation of political processes through the lenses of toleration. It suggests how enacting toleration as an ideal of end-state and interactive political morality may be internally conflicting in a way that paves the way to moral dilemmas that imply inevitable moral losses. For instance, consider the attempts to restrict the individual political rights of right-wing extremists that have been pursued, but so far failed, in Germany. Article 18 of the Basic Law for the Federal Republic of Germany allows for the "forfeiture of basic rights" if exercised to "combat

the free democratic basic order."[40] So far, the Constitutional Court has ruled that the individual behavior of right-wing extremists does not pose a sufficient threat to the public order to justify the infringement of citizens' rights of political participation. In our terms, this ruling suggests that no sufficient reasons have been offered to restrict toleration as a form of political interaction that is enacted in those citizens' inclusion in the political process of collective decision-making through the attribution and exercise of their voting rights. This ruling, which enacts interactive tolerance, bears the risk of yielding to a degree of end-state intolerance, should the political views of right-wing extremists gain sufficient political traction to result in a restriction of other citizens' freedoms (for example, by curtailing their civic rights). Such an implication might, in turn, give reasons to revise the decision made on the ground of the court's ruling, thus reducing the interactive tolerance of the process in the future (down to the furthest-reaching implication of denying political representation to extremist positions). In either case, we can see that the joint enactment of toleration in the process and/or its resulting arrangements may sometimes be impossible, and call for difficult trade-offs that imply a measure of moral loss.[41]

How to deal appropriately with the conflicts possibly arising in the joint realization of toleration as both an ideal of interactive and end-state political morality is a matter for another time. Circumstantial (for example, prudential) considerations may speak in favor of prioritizing the realization of one aspect over the other on a case-by-case basis. Think of societies where the process of recovering from past collective trauma is still ongoing so that sacrifices in terms of the ideal of interactive tolerance may ultimately be justifiable for the sake of preserving unstable social peace (and possibly avoiding grave end-state injustices).[42]

Ultimately, the claim that the establishment of political processes that inherently realize toleration may be valuable in its own right does not make for an absolute argument for enacting toleration as an ideal of interactive political morality. Each of the perspectives contributes with *pro tanto* considerations

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40 For discussion, see Müller, "Individual Militant Democracy."

41 This position is compatible with multiple strategies of containment of extremist parties or citizens, e.g., refusing campaign contributions from certain lobby groups, or creating a *cordon sanitaire* around extremist movements and parties. On the latter point, see, Rummens and Abts, "Defending Democracy." For a discussion of "informal exclusion" as a powerful instrument of containment that must fall short of "formal exclusion," see Dovi, "In Praise of Exclusion."

42 An example would come from post-genocide Rwanda, where political party bans have targeted associational political rights by banning parties that revive the very ethnic divisions underpinning the past violence. For discussion, see Niesen, "Political Party Bans in Rwanda 1994–2003."

to the assessment of political processes, but all-things-considered judgments might be difficult to attain. Our claim is that there is an important moral value inherent to democratic political processes, whose moral significance may not be entirely reduced to their capacity of leading to certain results. By recognizing the presence of these tensions, our argument does not certainly make the assessment of democratic political processes any less simple or straightforward. But it has the advantage of fleshing out two otherwise confused dimensions of political morality. The advantage of this operation resides in the clarification of the possible kinds of evaluations of political processes, as well as the related possible sources of disagreements or contestation of the features of those processes and their outcomes.

5. CONCLUSION

We have proposed a qualified defense of toleration as an ideal of interactive political morality inherent to democratic political processes. We have also shown how such a defense allows us to appreciate one aspect of the relational structure of toleration, that the orthodox view of toleration as forbearance uniquely captures (but recent views underplay). This aspect concerns the establishment of a respectful form of interaction between citizens as political agents in circumstances of deep political disagreement. We have thus pinpointed an important sense in which appeals to toleration are consistent with the commitment to realizing one of the most fundamental ideals of the liberal democratic political project and retain, therefore, their significance within that project, against any concern of redundancy.

We have seen how the relations of mutual authority established between the participants in such political processes as the democratic decision-making process are relations in which the participants recognize each other as a constraint on their individual and joint actions. The participants partake in the same political authority over each other, and yet may preserve their reasons to object to some of their practices or beliefs. This form of democratic interaction is inherently tolerant in accordance with the liberal orthodoxy. Democratic processes establish a form of tolerant human interaction that could not exist absent those processes and is qualitatively different from relations of domination and coercion, but also mutual appreciation or indifference.

The democratic decision-making process can ultimately be seen as a locus for the realization of an important form of toleration. This feature can make the democratic decision-making process valuable *qua* respectful in its own right—that is, independently of whether the end states thereby generated are themselves tolerant. To be sure, the realization of toleration may be in tension

with that of other normative commitments, as is unsurprisingly the case in such a pluralistic project as that of a liberal democracy. However, we hope we have shown how the enactment of toleration as an ideal of interactive political morality gives substance to one of the defining commitments of a liberal democracy. Such a commitment concerns the realization of recognition respect for persons in the circumstances of deep political disagreement.[43]

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REFERENCES

Applbaum, Arthur. *Ethics for Adversaries: The Morality of Roles in Public and Professional Life*. Princeton: Princeton University Press, 1999.
Anderson, Elizabeth. "What Is the Point of Equality?" *Ethics* 109, no. 2 (January 1999): 287–337.
Balint, Peter. *Respecting Toleration: Traditional Liberalism and Contemporary Diversity*. Oxford: Oxford University Press, 2017.
Bird, Colin. "Mutual Respect and Neutral Justification." *Ethics* 107, no. 1 (October 1996): 62–96.
Brown, Wendy. *Regulating Aversion: Tolerance in the Age of Identity and Empire*. Princeton: Princeton University Press, 2008.
Carter, Ian. "Are Toleration and Respect Compatible?" *Journal of Applied Philosophy* 30, no. 3 (August 2013): 195–208.
Ceva, Emanuela. *Interactive Justice: A Proceduralist Approach to Value Conflict in Politics*. New York: Routledge, 2016.
———. "Toleration." In *Oxford Bibliographies in Philosophy*, edited by Duncan Pritchard. New York: Oxford University Press, 2013.
Ceva, Emanuela, and Valeria Ottonelli. "Second-Personal Authority and the

Practice of Democracy." *Constellations* 29, no. 4 (December 2022): 460–74.

Christiano, Thomas. *The Constitution of Equality*. Oxford: Oxford University Press, 2008.

Darwall, Stephen. *The Second-Person Standpoint: Morality, Respect, and Accountability*. Cambridge, MA: Harvard University Press, 2006.

———. "Two Kinds of Respect." *Ethics* 88, no. 1 (October 1977): 36–49.

Dovi, Suzanne. "In Praise of Exclusion." *Journal of Politics* 71, no. 3 (July 2009): 1172–86.

Emmet, Dorothy. *Rule, Roles and Relations*. London: MacMillan, 1966.

Forst, Rainer. *The Right to Justification: Elements of a Constructivist Theory of Justice*. Translated by Jeffrey Flynn. New York: Columbia University Press, 2011.

———. *Toleration in Conflict: Past and Present*. Translated by Ciaran Cronin. Cambridge: Cambridge University Press, 2013.

Fowler, Anne, Nicki Nichols Gamble, Frances X. Hogan, Melissa Kogut, Madeline McCommish, and Barbara Thorp. "Talking with the Enemy." *Boston Globe*, January 28, 2001.

Galeotti, A. Elisabetta. *Toleration as Recognition*. Cambridge: Cambridge University Press, 2002.

Gaus, Gerald. *The Order of Public Reason: A Theory of Freedom and Morality in a Bounded World*. New York: Cambridge University Press, 2010.

Gray, John. "Pluralism and Toleration in Contemporary Liberal Philosophy." *Political Studies* 48, no. 1 (May 2000): 323–33.

Hanisch, Carol. "The Personal Is Political." http://www.carolhanisch.org/CHwritings/PIP.html. Originally published in *Notes from the Second Year: Women's Liberation*, edited by Shulamith Firestone and Anne Koedt. New York: Radical Feminism, 2006.

Heyd, David. "Is Toleration a Political Virtue?" In *Toleration and Its Limits*, edited by Jeremy Waldron and Melissa S. Williams, 171–94. New York: New York University Press, 2008.

Hindriks, Frank. "Constitutive Rules, Language, and Ontology." *Erkenntnis* 71, no. 2 (September 2009): 253–75.

Jones, Peter. "Legalising Toleration: A Reply to Balint." *Res Publica* 18, no. 3 (2012): 265–70.

———. "Making Sense of Political Toleration." *British Journal of Political Science* 37, no. 3, (July 2007): 383–402.

———. "Toleration and Neutrality: Compatible Ideals?" In *Toleration, Neutrality and Democracy*, edited by Dario Castiglione and Catriona McKinnon, 97–110. Boston: Kluwer Academic Publisher, 2003.

Kant, Immanuel. *An Answer to the Question: What Is Enlightenment?* 1784. London: Penguin, 2009.

Kolodny, Niko. "Rule over None II: Social Equality and the Justification of Democracy." *Philosophy and Public Affairs* 42, no. 4 (Fall 2014): 287–333.

Larmore, Charles. "Political Liberalism." *Political Theory* 18, no. 3 (August 1990): 339–60.

Meckled-Garcia, Saladin. "Toleration and Neutrality: Incompatible Ideals?" *Res Publica* 7, no. 3 (October 2001): 293–313.

Müller Jan-Werner. "Individual Militant Democracy." In *Militant Democracy and Its Critics: Populism, Parties, Extremism*, edited by Anthoula Malkopoulou and Alexander S. Kirshner, 14–37. Edinburgh: Edinburgh University Press, 2019.

Newey, Glen. "Is Democratic Toleration a Rubber Duck?" *Res Publica* 7, no. 3 (October 2001): 315–36.

———. "Metaphysics Postponed: Liberalism, Pluralism and Neutrality." *Political Studies* 45, no. 2 (June 1997): 296–311.

Niesen, Peter. "Political Party Bans in Rwanda 1994–2003: Three Narratives of Justification." *Democratization* 17, no. 4 (August 2010): 709–29.

Okin, M. Susan. "Gender, the Public and the Private." In *Feminism and Politics*, edited by Anne Philips, 116–42. Oxford: Oxford University Press, 1999.

Quong, Jonathan. *Liberalism without Perfection*. Oxford: Oxford University Press, 2011.

Rawls, John. *Political Liberalism*. 3rd ed. New York: Columbia University Press, 2005.

———. "Two Concepts of Rules." *Philosophical Review* 6, no. 1 (January 1995): 3–32.

Rummens, Stefan, and Koen Abts. "Defending Democracy: The Concentric Containment of Political Extremism." *Political Studies* 58, no. 4, (September 2010): 649–65.

Scheffler, Samuel. "What Is Egalitarianism?" *Philosophy and Public Affairs* 31, no. 1 (Winter 2003): 5–39.

Searle, John. *The Construction of Social Reality*. London: Penguin, 1995.

———. *Speech Acts: An Essay in the Philosophy of Language*. Cambridge: Cambridge University Press, 1969.

Waldron, Jeremy. *Law and Disagreement*. Oxford: Oxford University Press, 1999.

———. "Theoretical Foundations of Liberalism." *Philosophical Quarterly* 37, no. 147 (April 1987): 127–50.