

International Toleration and Equal Respect

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Toleration is about not preventing or hindering what we disapprove of or dislike. We have no occasion to tolerate what we find unexceptionable; the possibility of toleration arises only when we object to something. The objectionable that we tolerate can include minor irritations and dislikes. Indeed, if human beings were not willing to tolerate things about one another that they find mildly objectionable or irritating, it is hard to see how they could sustain any enduring relationships or any form of society. However, the idea of toleration is most perplexing and controversial when it encompasses not merely the annoying or distasteful but also conduct to which we have serious moral objection and which we therefore describe as 'wrong'. Normally, we think that, if an act is wrong and if we can prevent it, we should. How can it be right or virtuous to fail to prevent a preventable wrong? Yet serious instances of toleration are instances in which we willingly allow wrong to be done. Moreover, although we can use 'toleration' and 'tolerance' as neutral terms, they have generally acquired a favourable ring in our language. Thus, when we tolerate not only do we, as a matter of fact, allow wrong to be done, we frequently think we are right, and perhaps worthy of praise, for allowing wrong to be done. Tolerance is commonly regarded as a virtue and toleration as a mark of the good society.

The way in which toleration conjoins the right and the wrong has led some commentators to suggest that it presents us with a paradox. But to present toleration as paradoxical is to make it seem more mysterious and puzzling than it really is. In the paradigm case of toleration, we are faced with conflicting reasons. If x is a possible object of our toleration, we have (a) reason to object to x and therefore reason to prevent it but also (b) reason not to prevent x . We have reason to tolerate x , all things considered, if our reason not to prevent x overrides our reason to prevent it. Issues of toleration, therefore, confront us with conflicts of reason and the phenomenon of conflicting or competing reasons is ubiquitous and commonplace. Nevertheless, because toleration entails permitting actions or events that are wrong, evil, bad, or that are characterised by some other negative quality, it does prompt us to consider how it can be justified. What sort of reason can make it better to permit than to prevent the wrong and the bad?

In this paper, I want to raise that question in relation to international toleration. Analyses of toleration and arguments about its justification have focused overwhelmingly on toleration as an issue that arises within particular societies. Very little of the literature on toleration has turned from the domestic to the international case.¹ We need not put that down wholly to neglect or oversight. I shall suggest in a moment why an explicit concern with toleration may have seemed less pressing or appropriate in international than in domestic politics. But, in the contemporary world, there are myriad instances of issues that arise across or beyond national boundaries that are properly characterised as issues of toleration. Indeed, as humanity becomes more globally aware and more globally interactive, we should expect issues of toleration to arise increasingly at a global level.

Toleration can be motivated by nothing other than a strategic calculation of self-interest. I may 'tolerate' my boss's ill-mannered and aggressive behaviour because I want to win her favour and enhance my prospects of promotion. Or a state may 'tolerate' a regime's violations of human rights only because it wishes to retain that regime as an ally in opposing a common foe. These are quite properly described as instances of 'toleration', but they are not the sorts of case in which we puzzle about the rightness of toleration, nor will they be my concern here. I do not mean to insist, however, that toleration must be entirely disinterested before it can be worthy of our attention. Much toleration is we-oriented rather than purely I- or other-oriented. For example, we may tolerate one another because that is a condition of our each being tolerated and because we appreciate that we should all be worse off in the absence of that mutual toleration. Non-strategic toleration will often be grounded in a moral reason and I shall focus on a reason of that sort in considering international toleration. But it need not be morally driven. It may be grounded, for example, in uncertainty about the truth and a reluctance to act on assumptions or information that may turn out to be mistaken.

One complication that arises in the international case is the question of who we are to identify as the parties engaged in toleration or intolerance. In truth, any agent that judges others and that is capable of influencing conduct beyond national boundaries might be engaged in international toleration or intolerance. International tolerators, real or potential, will most obviously include national governments, but they might also include international agencies, NGOs and powerful individuals and groups. All of these might be objects as well as subjects of international toleration. However, even when we take a specific event, we may be left with considerable latitude in the way we identify its author. Consider the American decision no longer to tolerate Saddam and to invade Iraq. Who should we identify as the author of that exercise in intolerance (justified or unjustified) - the people of the US, the US state, the US administration, George Bush, those who voted for George Bush, etc.? Often it is less difficult to identify the object of toleration or intolerance, which is fortunate for my purposes since, in looking at international toleration, I shall be more concerned with the nature of the tolerated than the tolerator.

I have adopted the term international toleration because I am primarily interested in toleration and intolerance between societies and particularly in the reasons 'outsiders' might have for tolerating societies and cultures to which they take exception. What differentiates issues of toleration in the international case is that they relate to collective units that we might label variously as states or societies or peoples. If we adopt a global perspective on toleration in which we take all humanity as our concern without regard to national boundaries, it would seem that issues of toleration and the arguments relevant to them will be identical with those that might arise within a single society. Certainly, the beliefs, values and cultures that exist globally are more diverse than those that exist within any particular society, so that global issues of toleration may be more numerous, rooted in more deep-seated differences and possibly therefore less tractable than their counterparts within particular states. But it is not clear that the general considerations that militate either for or against toleration will be categorically different if the focus of our toleration is global rather than societal. However, these may well be different if we treat national boundaries as significant and take states or societies or peoples as possible subjects and objects of toleration.

That is why I use the term 'international toleration' rather than 'global toleration' to describe my concern.

The possibility of international toleration

I previously suggested that there might be reasons why toleration has received less attention as an international than as an intra-national issue. One of these might be that lack of other-centred international toleration has not been the problem. Given the reluctance of governments to undertake risks and to incur costs other than for the benefit of their own nationals, the problem might be conceived as one of too much toleration rather than too little. External governments remained onlookers during the genocide in Rwanda; most have remained onlookers, or little more, during the continuing crisis in Darfour. There have been more instances of humanitarian intervention since the end of the Cold War than formerly but, generally, we might think that governments have been unduly reluctant, rather overly ready, to intervene in other countries for humanitarian purposes. In other words, we may think that, internationally, governments should be induced to tolerate less rather than to tolerate more.

A possible explanation of a directly opposite sort lies in the dominance of the realist tradition in international relations. According to that tradition, states either will not or should not be concerned with other-centred toleration. We should not expect states and their governments to do any more or other than pursue their own national interests. They will not be inclined, nor should they be, to engage in toleration other than as a stratagem to promote their own self-interests.

However, there is a further consideration that relates to the viability of the very idea of international toleration. A commonly accepted possibility condition of toleration is that the tolerator must have power over the tolerated. B can tolerate A only if B is able to affect how A behaves. If B has no control over A's conduct, he is in no position either to tolerate or not to tolerate her conduct. If B is unable to influence A's conduct, he might still assume a tolerant or intolerant stance towards her: he might resolve to tolerate or not to tolerate her conduct if he could. But, if in reality he is powerless, neither toleration nor intolerance constitute real options for B.

If we adopt a simple Westphalian view of the world, in which each state is sovereign over its own affairs, that may seem to remove toleration from the international agenda. If the government and people of each state honour the sovereignty of every other state, they will regard themselves as properly powerless to interfere in the affairs of other states. They will therefore suppose that they are in no position either to tolerate or not to tolerate what happens outside their own jurisdictions and the idea of international toleration will not get off the ground.

That simple Westphalian view does not describe the world in which we live. States, or their governments, interfere in one another's affairs all the time and they are not the only international actors who do so. In so far, as international intervention is a matter of right or wrong rather than sheer impossibility, it is a possible subject of toleration. The intervention that is at issue in international toleration should not be limited to military intervention. It can also include measures such as economic sanctions, the

setting of conditions for the receipt of aid, the passage of condemnatory resolutions in the UN, and use of propaganda and aggressive 'educational' programmes.²

Inequalities of power across the international system mean that toleration and intolerance are options more available to some than to others. The US can tolerate or not tolerate what happens in Grenada, but Grenada is in no position either to tolerate or not to tolerate what happens in the US. But the events of 9/11 graphically illustrate that even the most powerful states are not wholly immune from the consequences of external disapproval.

Reasons for toleration

Many different reasons have been mobilised in defence of toleration. They have varied according to the beliefs and values that people have brought to the argument and according to the specific matter at issue. In political contexts, four general types of reason have been prominent, although these by no means exhaust the field. One appeals to the adverse consequences of intolerance such as the human suffering it may cause. Another appeals to scepticism, doubt or reasonable disagreement in challenging the basis of intolerance. A third appeals to an idea of the human good and suggests that human well-being may be enhanced by letting people pursue their own conception of their good even when we have reason to question that conception. A fourth points to the status and respect that we should accord people as persons, which provides reason why we should allow them to take their own path even when we think it the wrong path.

Of these four general sorts of reason, that which has most ready appeal in the international context is the first. Intervention by one state in the affairs of another can result in immense human suffering, terrible bloodshed and widespread loss of life. When people ask why, if external powers were justified in intervening in Kosovo, they were justified in not intervening in Tibet, or how the West could justifiably tolerate Soviet intervention in Hungary in 1956 and Czechoslovakia in 1968 -- or how the Soviets could justifiably tolerate the increasing dominance of the US during the Cold War era -- the answer is obvious. The bad should be tolerated if the results of intolerance will be even worse. Sometimes this sort of consequentialist defence of toleration is dismissed as merely prudential. It is merely prudential if the tolerator's toleration is motivated only by self-interest so that it will cease as soon as that is to the tolerator's advantage. But it is not if it is motivated by a general concern to avoid or to minimise human suffering and loss of life. Certainly, on this consequentialist approach, the case for toleration will be contingent upon the particularity of circumstances, but that element of contingency does not make the case prudential rather than moral.

Any approach to toleration or intolerance that pays no attention to consequences is not to be taken seriously. 'Let justice be done, though heaven fall' is not a good political motto, especially for the international world. However, while we should not disregard consequences, we may be reluctant to place the case for toleration entirely at their mercy. Suppose that one state were so overwhelmingly powerful that it could enforce its wishes on another and so control the situation that no overt conflict occurred and no blood was spilled. Would the absence of deleterious consequences put an end to the argument? We may think that intolerance can be wrong even if it does not have

the dire consequences that we associate with international conflict. Even if it does have adverse consequences, we may not think it wrong only because of those consequences.

In the remainder of this paper I want to explore the relevance to the international world of another of the four sorts of argument for toleration that I identified above: that which appeals to the status of persons and the respect they are due.

Toleration and respecting persons

The idea of personhood is now frequently deployed in defence of toleration. To be recognised as a person is to be recognised as a being who is capable of reflection and judgement and of making decisions for oneself. It is also to be recognised as someone whose wishes and decisions about their own life should be respected. That respect turns not on the merit of an individual's wishes and decisions but on the status of the individual whose wishes and decisions they are. This idea of personhood is closely associated with Kant who distinguished between persons and things. According to Kant, things had value only in so far as they served human purposes, but persons possessed intrinsic value and were not to be used merely as the instruments of others' purposes. Hence his famous injunction that persons should be regarded as 'ends in themselves'. Each person was to be respected and respected equally by all other persons.

For Kant the concept of personhood was integrally related to that of autonomy. Human beings were uniquely capable of autonomous conduct. They were capable of possessing and being guided by a rational will and they acted autonomously in conforming with that will. It was that capacity that distinguished them as persons. That conception of having command over one's own conduct has remained an important part of the idea of personhood but, in the hands of subsequent theorists, personhood has been loosened from the firm grip of Kant's uncompromising notion of moral autonomy. To be a person is to be capable of reflecting on and taking a view on the character of one's own life and on the life one wishes to live or believes one should live. But it does not entail the notion that one's life either can be or should be entirely self-made -- that it should be chosen in a way that is independent of all external influence and indebted only to the self whose life it is. Rather than thinking of a person's life as a life that that person has chosen, we do better to think of it as a life a person has 'embraced'. That is truer to the reality of people's lives and how they have come to live them. People can be committed to a form of life even though their coming to live that form of life is not uniquely a consequence of their self-originated choice.

This conception of persons and the respect they are due is central to the deontological liberalism of theorists such as John Rawls, Charles Larmore, Thomas Nagel, Tim Scanlon, and Brian Barry. But it is not unique to that school of thought and is now very widely shared. However, as a reason for toleration, it needs to be carefully distinguished from the third type of reason for toleration that I listed above, a reason that turns on a conception of the human good. An individual's well-being may be better served by allowing that individual to live an inferior form of life to which she is committed than by compelling her to live an intrinsically superior form of life to which she has no commitment. What does the work in this argument is not a

conception of what we owe persons qua persons but a conception of how we can best promote well-being or whatever other standard we use to evaluate the quality of people's lives. We can mark the difference between these two reasons for toleration by way of the distinction between status and merit. When we appeal to the idea of personhood, we appeal to the status that we should accord persons but, when we appeal to the quality of their lives, we appeal to an idea of merit.

Very often the practical demands of personhood and of well-being will be the same, but they need not be. If we operate purely with an idea of the good, we cannot have reason to allow someone to live an inferior form of life if, all things considered (including the impact of our intolerance), we could contrive that they should live better. But if we operate with the idea of respect for persons, we may have reason to allow someone to live a life that we evaluate as bad -- and bad for that particular person -- all things considered. One reason why the idea of respect for persons lends itself so readily to toleration is that it invokes an idea of status. Thus, even when someone's life lacks merit, the status of the person who lives it might oblige us to tolerate it. Status trumps (de)merit. That is not to say that status must always trump merit. At some point a form of life may become so bad that we think its badness is more significant than any recognition we should accord the person who lives it, so that considerations of merit trump those of status. All I mean to point to here is that the ideas of status and respect associated with personhood can provide a readily intelligible account of why we might think it right to tolerate ways of life, or features of ways of life, that we judge bad or inferior.

There is one sense in which the idea of personhood that I have described here is individualistic: it invests moral standing in individual persons. But there are other forms of individualism that it does not entail. In particular, it does not imply that the best form of life is individualistic. The idea that individuals are the ultimate possessors of moral status is entirely consistent with the notion that the best life (the most satisfying, the most fulfilling life) for human beings is collective or communal in form. Nor does it imply that individuals must register their claims only as so many individuals. The ways of life embraced by persons may be collective in form so that respecting those persons will entail respecting their collective form of life. Respect for persons may also bear upon particular issues that have a collective dimension. Consider three contemporary issues that are, for some people, issues of toleration: ritual slaughter, same-sex marriage, and the location of mosques in a society in which Muslims constitute a minority. All of these have a collective aspect but all are issues in which the idea of respect for persons can play a part. I do not mean that appealing to respect for persons will settle these issues conclusively but only that their collective nature does not render ineligible or inappropriate an appeal to the status of persons and their wishes.

Rawls and the Society of Peoples

Is it possible, then, to deploy this sort of reason as a reason for toleration in the international domain? One philosopher who has done so is John Rawls (1999). However, for Rawls, the parties who constitute the subjects and the objects of toleration internationally are not persons but 'peoples'. Persons, in their role as citizens, are the actors in a liberal society; but we should view the international world as a 'society of peoples' and, in that society, peoples, not persons, are the relevant

moral actors (p.23). In his *Law of Peoples*, Rawls sets out his vision of a just international order that encompasses both liberal and 'decent hierarchical' peoples. Different liberal peoples possess different detailed social and political arrangements; so do different decent hierarchical peoples. More especially, liberal peoples and decent hierarchical peoples differ fundamentally from one another in the way they organise their societies. Nevertheless all of these peoples have reason to tolerate one another as members in good standing of the society of peoples. In a liberal society, it would be unjust for some citizens to use political power to impose their comprehensive doctrine and its associated conception of the good upon others. Analogously, in the society of peoples it would be unjust for one people to impose its conception of the best or the right society on peoples who possess different conceptions (pp.11-12, 59, 84). Thus, for Rawls, the form that toleration should take amongst peoples internationally mimics the toleration that the citizens of a liberal society should accord one another. Moreover, just as the case for toleration in a liberal society is rooted in a conception of citizens as free and equal persons, so international toleration should be rooted in a conception of peoples as free and equal (pp.33-4, 37, 60, 69-70). Peoples should recognise and respect one another as equal members in good standing of the society of peoples. Indeed, Rawls sometimes presents that recognition and respect as what international toleration consists in, rather than as a reason for toleration.³

Peoples are clearly made up of individuals but for Rawls the moral standing of *peoples* seems to owe nothing to their being composed of *persons*. On the contrary, at the international level, a people stands in a strictly analogous relation to a person at the domestic level. Rather than derive its moral significance from the moral standing of its members severally, Rawls ascribes to a people the same irreducibility as a moral entity as we would ascribe to persons. We might describe peoples, on Rawls's view, as 'corporate persons',⁴ although, to avoid confusion I shall continue to use 'persons' to describe only human individuals. Peoples possess moral standing simply as peoples and, accordingly, they have rights and bear duties just as peoples. Similarly, the equality of standing that is a feature of persons as members of a liberal society is a feature of peoples as members of international society.

What then, for Rawls, distinguishes a people as a people? A people, he says, possesses three basic features: a common government, 'common sympathies', and a moral nature.⁵ In ascribing a moral nature to a people, he supposes that it possesses 'a firm attachment to a political (moral) conception of right and justice' (p.24). Peoples, he supposes, are capable of and committed to just relations with other peoples. Accordingly, they will offer fair terms of cooperation with other peoples and will honour those terms, provided they are assured that other peoples will do the same (p.25).

Rawls is insistent that by peoples he does not mean states (pp.23-30). He distinguishes peoples from states because he wishes to emphasise the moral nature of peoples and not to ascribe to them the unconstrained sovereignty that has been traditionally ascribed to states. Is a people, then, something that has a pre-political or non-political identity; is it something that might exist in the absence of a state or a common government? Some of Rawls's remarks suggest that it might. As I have previously mentioned, he says that a people is distinguished by 'common sympathies' by which he means the sense of nationality that Mill described and attributed to

factors such as common race and descent, a common language, community of religion and a shared history (p.23). He also describes peoples as possessing different cultures and traditions of thought (pp.11, 40) and observes that they may exhibit a 'proper patriotism' and take pride in their histories and achievements (pp.62, 111-12). Yet nothing he says really suggests that he means to identify peoples with anything other than the populations of states as they currently exist. In relation to the way in which humanity is currently divided for political purposes, Rawls apparently intends the concept of a 'people' to be as uncontroversial and as unchallenging an idea as it has been in the hands of the United Nations.

If a people is identical with the population of a state, it is hard to be won over to the idea that it has a strong corporate identity independently of the state, given the highly contingent origins of most state boundaries. It is also hard to accept that its non-state identity is such that we should conceive it as a single unitary entity possessing irreducible moral standing. Rawls conceives a people as a moral, rather than a merely legal, entity and the claims that peoples can reasonably make upon one as moral claims. His 'law of peoples' is not a 'law' in the ordinary sense. It is a set of moral principles that should govern the conduct of peoples. It aims to provide a moral foundation for international law rather than a draft of international law itself; hence his identification of the law of peoples with a 'realistic utopia'. Rawls cannot therefore rely upon law to provide the corporate identity he ascribes to a people.

More generally, the idea that we can plausibly ascribe irreducible moral standing to groups as groups is widely doubted. The idea of corporate persons has a well-established place in law. The idea that non-legal corporate persons should occupy a similar place in our moral thinking, though sometimes canvassed, is much less readily accepted. Often the impetus behind that idea seems to be the belief that, if we do not conceive groups as moral analogues of persons, we cannot do justice to the role they play in the lives of human beings. That belief, I shall now argue, is misplaced.⁶

Groups: corporate and collective

In place of Rawls's corporate conception of peoples, we can adopt what I shall describe as a 'collective' conception. When we conceive a group claim as a collective claim, we conceive it as the joint claim of the several individuals who make up the group. If we conceive a group claim in that way, we need not ascribe to the group a moral identity or standing that is somehow separate from, and independent of, that of the individuals who make it up. On the contrary, the moral standing that underwrites the claim is that of the several individuals who constitute the group. We can therefore acknowledge group claims without having to pretend that, morally, a group constitutes a 'super-person'.⁷

Can this way of conceiving group claims cope with claims that have an intrinsically group nature? We might suspect that, while a collective conception can make sense of claims that are contingently the claims of a group, it cannot adequately characterise claims that *only* a group can make. By a contingent group claim I mean one that is registered by a group but that might also be registered by individuals severally. For example, a church may claim the freedom to practise its own forms of worship, but those forms of worship may be such that an individual adherent of the faith could intelligibly claim the same freedom as an individual. But not all group claims are like

that. Sometimes they are claims to goods that can be claimed plausibly or reasonably only by a group. Consider a claim that public measures should be instituted to protect and sustain the language of a linguistic minority. Given that the language is a good that is public to the minority and given the costs involved in instituting measures to protect and sustain it, this is not a claim that a single member of the minority could reasonably make as an independent individual. Or consider the same sort of claim in respect of a culture. A culture is, by its very nature, a group phenomenon and it would seem that claims that the culture should be respected or promoted could be plausibly made only by or on behalf of the group. But, even in cases in which a good is such that it can be claimed and enjoyed only by a group, it makes perfect sense to conceive the good as one to which the members of the group have a shared or joint claim. The fact that a claim is one that the members of a group can plausibly register only as a group is quite consistent with ascribing the moral standing that underwrites their claim to the members of the group severally rather than to the group as a corporate entity.

If we conceive group claims in this collective fashion, we can appeal to the idea of persons, and to the respect they are owed, in defending group claims. In particular, just as respect for persons can be mobilised in defence of individual self-determination, so it can be mobilised in defence of collective self-determination. A claim to collective self-determination is clearly one that can be made only for a group but also one that can be conceived as a joint or shared claim of those who make up the group.⁸

The sort of shift that Rawls makes from persons to peoples in moving from the domestic to the international case would therefore seem unnecessary. I do not mean to dismiss the idea of peoples in any form. I mean only that we are neither obliged nor best advised to treat peoples rather than persons as the moral entities whose ultimate and irreducible status grounds the case for international toleration.

For my purposes, a 'people' is a section of humanity that forms a self-determining unit. A people may be an entirely contingent entity; that is, there may be a large measure of contingency in the way humanity has come to be divided up into separate societies. For my purposes, that does not matter. What matters is that a set of individuals is constituted as a collective unit that has to order its own internal affairs. Hence a 'people' in my vocabulary is primarily a political entity and it need be no more than that. I do not mean to deny that a people may sometimes be marked off from the rest of humanity by more than its borders; it may be distinguished by common characteristics such as a shared history, a common language and a common culture. Those common characteristics have some bearing on my argument but, for my purposes, the only feature of a people that is crucial to its being a people is its constituting a self-governing unit. I take peoples therefore to be coterminous with states. However, I do not take states to be the fundamental objects of international toleration. If we (whoever 'we' are here) owe duties of toleration to another society, the parties to whom we owe those duties are ultimately neither states nor peoples conceived as corporate entities but the persons who make up their populations.

One qualification I must make to this simple conception is that I do not suppose that a people must be entirely self-determining. In the contemporary world, no population's 'internal' affairs are free from external forces and influences and none can be wholly

self-determining. That is especially true of the economic life of societies. A society may have a greater measure of control over those of its features that are most likely to be objects of toleration or intolerance: its political structure, social organisation and way(s) of life. But I do not wish to assert any strong empirical claim to that effect. All I shall suppose is that, even after we have taken full account of the impact of globalisation, supra-national institutions and other external factors, a society retains sufficient control over its own character for it to be a possible and significant object of toleration. My claim might be phrased as an 'in so far as' claim: in so far as people determine their own political structure, social organisation, and mores, they have a claim, albeit a prima facie claim, to be tolerated by outsiders.

Tolerating cultural difference

Perhaps the sort of difference that is associated more than any other with the idea of international or global toleration is cultural difference. Different societies possess different cultures or ways of life and practices that figure in one culture are sometimes condemned by another. Here I want to give substance to the general claims I have made by examining what it is that drives the thought that cultural differences between societies should be objects of toleration. In posing the issue in that way, I do not mean to suggest that, if we accept that cultures are proper objects of toleration, toleration of cultural difference has to be indiscriminate. Rather my question is, if and in so far as we think that cultural differences are appropriate objects of toleration, why do we think that?

'Culture' is a problematic notion and we sometimes do better to unpack its content into other terms. It is often allowed too easily to sanctify what it describes; the rhetorical effect of describing beliefs, values and practices as 'cultural' can be to throw a protective halo around them so that they acquire a special status and immunity merely because they are (said to be) 'cultural'. There are also well-recognised dangers of essentialising cultures and difficulties in deciding how we should individuate them. In particular, cultures do not map readily onto societies politically defined. However, I shall pursue none of those issues here. In order to get at the issue that is my concern, I shall continue to use the ideas of culture and cultural difference and to suppose that the culture that is a possible object of toleration belongs to a whole society so that the issue is one of international toleration.

Why, then, should we be tolerant in this sort of case? An answer that immediately suggests itself is: because we associate cultural diversity with relativism. 'Relativism' is another problematic and protean term. Sometimes, when it is applied to cultures, it is used to describe no more than the fact of cultural diversity, but that merely empirical observation does not help us to decide how we should respond to the fact that it describes. Alternatively 'cultural relativism' might describe a moral doctrine: the doctrine that the right way for people to conduct their lives is in accordance with their particular culture. That is an odd doctrine. It does not make the banal observation that the members of a society will, as a matter of fact, tend to regard right conduct as conduct that conforms with the norms of their culture. Rather, it insists that right conduct does indeed consist in agents' conforming with the norms of their society. But, why should we want to hold that view of right conduct quite irrespective of the content of any particular culture? Can a moral doctrine be quite so careless of what it endorses? If it can, it must do so in virtue of an ethical principle that

undergirds its endorsement of cultural variety and it is that underlying principle that will explain why we should respect cultural differences rather than the moral relativism that it generates. Moreover, strictly speaking, cultural relativism as a moral doctrine cannot provide a case for cultural toleration since it eliminates, or should eliminate, our disapproval of any particular culture, although I do not want to place very much weight on that merely technical point.

More frequently, cultural relativism expresses a form of scepticism. It expresses the belief that there is no set of norms that is properly universal in reach and that constitutes the truly correct morality for all human beings. There are merely different sets of norms that have been evolved by different segments of humanity. People may suppose that the particular morality to which they subscribe is uniquely right, but they are mistaken. They are also mistaken if they suppose that we might somehow turn up a genuinely correct set of norms that is independent of any particular culture and against which we can test the moral merit of the several cultures human beings have evolved.

In this form, cultural relativism expresses a meta-ethical rather than an ethical position, but it is a meta-ethical position that has practical implications. It implies that, if we set about imposing norms upon a community that are at variance with its own culture in the belief that those norms are uniquely right or superior to the community's own norms, we act on a false assumption. We suppose our beliefs and values to be something other than, and more than, the particular beliefs and values that they really are. This sort of scepticism can be, and has been, a potent force for toleration. It undermines intolerance that is based upon a belief in the superiority of one culture over another, or that supposes that we can access a uniquely valid set of norms that is categorically different from, and that stands free of, the merely local norms evolved by particular communities. Of course, if we are concerned at all with human well-being and with right relations between people, we also have reason to resist this sort of moral scepticism as comprehensive position since it can corrode any sort of moral conviction and issue in a comprehensive amorality. It deprives us, for example, of the resources to say that a culture that incorporates slavery is, in that respect, worse than one that does not; and, while it may be mobilised against inter-cultural intolerance, it can also be mobilised in defence of cultures that are internally repressive. Nevertheless, we do not have to embrace moral scepticism comprehensively to recognise that intolerance has frequently resulted from people's mistaking the local for the universal and the conventional for the absolute. The obvious way to combat intolerance of that sort is to challenge the convictions upon which it is based.

I do not wish to deny, therefore, that cultural relativism in this form can corrode intolerance. As with cultural relativism as a moral doctrine, it does not provide us with a reason for toleration strictly speaking, since it undermines intolerance by undermining the disapproval upon which it is based. Hence, in so far as it succeeds, it renders toleration unnecessary. But that may seem little more than pedantry, especially if we think that it is the absence of intolerance rather than the presence of toleration that really matters. However, even setting pedantry aside, this sceptical form of relativism does not provide us with a wholly adequate case for toleration of cultural difference. It characterises intolerance as misguided rather than wrongful. It suggests that it is falsely based if it is grounded in a belief that another culture is

wrong or morally inferior. But making a mistake is not the same as committing a moral wrong; we need more than an allegation of error if our toleration is to be the subject of a moral imperative. Moreover, unacceptable intolerance does not have to be the offspring of a false or questionable belief. It may be driven, for example, by a desire to dominate and by an appetite for the fruits of domination.

Where else, then, might we look for a justification of cultural toleration? Cultural diversity is frequently represented as itself a good. The fundamental thought here is that the world is richer for possessing a diversity of cultures and that it would be very much poorer if that diversity disappeared or were diminished through, for example, the erosive and homogenising effects of globalisation. The tedium and blandness of a monocultural world would compare most unfavourably with the rich cultural heterogeneity that has characterised humanity hitherto. Should we then ground the case for cultural toleration in the good of cultural diversity?

There are two reasons why that does not seem the right sort of foundation for cultural toleration. One is that, if cultural diversity presents us with a good, it ceases to be an object for toleration. In making this elementary point, I do not mean to suggest that we do better to find something objectionable so that we can tolerate it, than find it unobjectionable so that we lose an opportunity for toleration. That would clearly be absurd. Rather I mean that cultural differences do sometimes provide real occasions for toleration (or intolerance) and that to suppose that we can all find every feature of one another's cultures 'good' is not to take seriously the deep disagreements and conflicts that exist amongst cultures. It is one thing to celebrate differences of cuisine, dress, literature and music. It is quite another to celebrate differences of belief concerning the relative status people should be accorded, the way they should treat one another, and the way they should treat non-human animals and the rest of the non-human world. Deep cultural differences are often founded in different religious faiths and those faiths make competing claims about truth, good and evil. It is nonsensical to ask the adherent of one faith to celebrate the existence of a rival faith or of atheistic disbelief, which the adherent must regard as false and pernicious. Cultural differences present all of us with serious questions concerning toleration and intolerance and indiscriminately to label all diversity 'good' is not to take cultures or their adherents seriously.

There is a second reason why the 'good' of cultural diversity does not seem the most compelling reason for cultural toleration. That conception of cultural diversity presents it as a public good; that is, as a good public to humanity as a whole. Thus, if a culture is suppressed or disadvantaged, we are all the losers. But, when a culture is suppressed or disadvantaged, we do not think that we are all equally the losers. Rather, if we believe that suppression or disadvantage to be wrong, we conceive it as a wrong inflicted upon a particular section of humanity rather than upon humanity at large. It is a wrong visited upon those whose culture it is. The particularity of that wrong cannot be explained by the general good of cultural diversity. By the same token, if we believe we should tolerate a controversial feature of a culture, our toleration is more plausibly owed to the bearers of that culture rather than to humanity at large.⁹

So what this points to is that the case for toleration of cultural difference is most plausibly grounded in a concern and respect for those whose culture is at stake. It is

not cultures themselves or their alleged relativism that drives the case for toleration. It is recognition of and respect for the status of those who bear them. Cultures do not, of themselves, possess moral standing, any more than do works of art or musical compositions or languages. Cultures matter because they matter to people, and they matter most to those whose cultures they are. We are driven back therefore to the idea of respect for persons and the claims that those persons have in respect of the culture they embrace. As I have previously argued, the collective character of a culture provides no reason why should turn away from persons and towards peoples corporately conceived as the objects of our concern.

The idea of respect associated with personhood is not the only possible reason for grounding a concern for culture in a concern for its bearers. We might also appeal to the well-being of the people involved. We might hold that a life lived according to a culture that is in some way 'theirs' is always best for people. However, that claim will not work as a reason for toleration amongst people who have deeply conflicting beliefs and values and therefore deeply conflicting conceptions of what constitutes a good life and 'well-being'. More compelling are the well-documented deleterious effects upon people of efforts to eradicate their inherited way of life and to replace it with something 'better'. Thus, even when we find fault with a culture, the real alternatives may give us reason to leave it in place. I have no wish to brush aside these sorts of consideration. But, arguably, toleration is more securely based in the status of those whose way of life is at stake and our obligation to defer to their own beliefs and wishes, than in judgements of the merit of their culture and the feasibility of the alternatives.

Democracy and popular sovereignty

Does the approach I am suggesting here imply that only democratic political systems are tolerable? After all, the idea that we should conceive adult human beings as persons, who are to be accorded equal respect as persons, might be readily translated into a case for political equality, which, in turn, translates easily into a case for political democracy. However, the idea of democracy is not the same as that of popular sovereignty, even though those two ideas are often elided. To be committed to democracy is to be committed to the rightness or goodness of one particular form of government. To be committed to popular sovereignty is to be committed to the legitimacy of whatever form of government a society's population endorses for itself. Thus, in principle and sometimes in practice, an undemocratic form of government may pass the test of popular sovereignty. Where it does, we have reason (though not necessarily exclusive reason) to find that form of government tolerable. Of course, in the case of an undemocratic form of government, we may face empirical difficulties in knowing quite how much popular support it actually enjoys. The issue is also unlikely to be quite so simple as whether a regime does, or does not, enjoy popular support. It is more likely to involve complex assessments of the proportions of the population who either support or oppose the regime and of the relative intensities of their support or opposition. But let's pass over those issues for the moment. If people genuinely endorse an undemocratic regime, arguably we owe it to them to respect their wishes about how their collective lives should be organised and managed. In other words, in these circumstances, respecting persons does not translate into a case for democracy; it translates into a case for whatever sort of regime those persons embrace.

Those who are scandalised by this conclusion might bear in mind three things. First, what I have said does not provide a case for undemocratic regimes merely because and in so far as they currently exist. It provides a case only insofar as those regimes genuinely enjoy popular support. Secondly, my argument here concerns *toleration*. Thus, it is quite consistent with the belief that democracy is always the best form of government and that a population mistakes its own interest if it opts for anything else. Thirdly, remember how ‘thin’ is the democracy that is urged upon those non-western societies that do not already possess it. It is not some variant of the direct democracy of the Ancient World; the model is usually that of the US or a West European regime in which institutionalised popular participation is extremely limited and political equality more symbolic than real. Nor can that attenuated form of democracy be excused as the most democratic that we can enjoy under modern circumstances. If Switzerland can build referendums and the initiative into its political structures, so might other self-styled ‘democracies’ - but most choose not to. Once we take account of those realities, the contrast between *soi-disant* ‘democracies’ and an undemocratic but popularly supported regime appears less stark.

Moral equality and social inequality

The issue of how respect for persons relates to political systems is really part of a larger issue of how morally equal status relates to social and political institutions that accord people unequal status. Normally, morally equal status argues for a similar equality of status in a society’s social and political arrangements. There are, of course, all sorts of functional reasons why a society should want to create institutional structures that involve status hierarchies, such as the structures of authority normally exhibited by governments, judiciaries and militaries. But the existence of a variety of offices that are occupied by some and not others, and that give some decision-making powers not possessed by others, is consistent with a basic institutional commitment to the equal moral standing of people. Institutional inequalities would be inconsistent with that sort of equality if they were built upon the belief that people were fundamentally unequal in moral standing so that some sorts of human being should simply count for more than others. *Prima facie*, the idea of equal status to which I am appealing stands in sharp opposition to any such belief and to social and political arrangements that manifest it.

But suppose a society’s arrangements do accord fundamentally unequal statuses to the society’s members and that all concerned accept those arrangements. How should we view that state of affairs? Does it matter that those who are treated as inferiors in an arrangement themselves endorse that arrangement? It seems to me that it does. If respect for persons entails respecting people’s beliefs and wishes about how they should live, and if people are committed to a system of belief in which they occupy a lesser status than others, it would seem that we should give weight to their commitment even though we think it misplaced. There is more than a hint of paradox here, since our reason for respecting someone’s commitment to their unequal status is the equal status we attribute to them. But the appearance of paradox is mitigated if the commitment we are respecting is part of a broader commitment to a system of belief, such as a religious faith, rather than mere self-deprecation. Recall, too, that the issue here is not the rightness of people’s beliefs and practices but whether we have reason to tolerate them.

Men and women occupy positions of unequal standing in the Roman Catholic Church in that men are eligible for clerical office and women are not. Yet we would not ordinarily suppose that that warrants external intervention in the affairs of the Catholic Church compelling it to assign equal and identical roles to men and women. Nor do we suppose that it provides reason to find women's commitment to Roman Catholicism less tolerable than men's. The Catholic Church is, of course, nowadays a voluntary association; people have real options of entry and exit, and those options are unlikely to be similarly real for people as members of a political community. I cite the case of the Catholic Church only to indicate that people's acceptance of unequal roles can make a difference to how we respond to that inequality.

Of course, we must tread carefully here. The case I describe is one in which people accept an inferiority of status for themselves, not one in which that inferiority is imposed upon them against their wishes. In addition, the perception that a society assigns different and unequal roles to its members may meet the riposte that those roles are not in fact unequal; they are merely different. That riposte is frequently given to 'outsiders' who complain about gender inequality in Muslim societies. This is also territory in which concerns about 'adaptive preferences' are likely to arise. That is far too large an issue for me to tackle here. I shall content myself with observing that just whose preferences are adaptive and whose are not is far from straightforward; we must guard against the natural propensity to suppose that 'their' preferences are adaptive but 'ours' are not. Secondly, preferences or beliefs need be no less firmly and sincerely held for being adaptive and it is the fact of the preferences and beliefs that people actually embrace with which we have to deal.

Social dissensus and the limits of international toleration

Up to now I have emphasised respect for persons as a reason for tolerating collective forms of life of which we disapprove but to which those who live them are committed. But we have also to confront the question of how far that respect has an opposite import. If respect for persons argues for toleration of collective forms of life, it also argues for limits on the extent to which collectivities can be intolerant of individuals or minorities who wish to live other forms of life. Internationally, this takes us into the familiar territory of human rights, conceived as a safeguards that limit what governments, groups and other power-holders may do to (or may not do for) those who are actually or potentially subject to their power. Clearly, the sort of ethic to which I am appealing will argue strongly for limits of that sort. However, rather than take up the question of what those limits should be, I want to comment in very general terms on the limits of those limits.

Conflicts between the claims that people make as groups and those they make as individuals are often represented as conflicts between (putative) group rights and (putative) individual rights. The kind of collective claims that have been my concern can, in some instances, be plausibly represented as group rights. A group right does not have to be conceived as a right wielded by a corporate entity, such as a Rawlsian 'people'. It can be conceived as a right held collectively by the several individuals who make up the group, where those individuals hold that right jointly, but not severally, as members of the group (Jones, 1998). Even so, it is misplaced to represent the ordinary run of conflicting claims and wishes to be found in a society as

conflicts between group rights and individual rights. In part that is because the group/individual dichotomy will frequently not stand up: conflicts are frequently between different groups or, if we prefer to avoid that term, between different sets of individuals. Only infrequently will they be between a group and an individual who stands entirely alone. But, more importantly, it is because those conflicts and their resolution belong to the ordinary stuff of social and political life and it is unnecessarily melodramatic to represent them as conflicts of rights.

In examining the link between respect for persons and collective claims, I have kept things simple by assuming that the collective claim is the object of a social consensus. Clearly that assumption will often be unrealistic. But where there is conflict within a society about the form that its arrangements should take or the policies it should pursue, we should not too readily suppose that, in tolerating the view that prevails, we are tolerating intolerance of the view that does not. In part that is because many public issues (e.g. taxation, war and peace, penal policy) have to be resolved one way or the other. The competing options are not 'compossible': it is not possible or reasonable to provide for different people to follow different paths according to their different views. In such cases, toleration is not an option available to a society.¹⁰ But it is also because we have reason to give weight to the legitimacy of decision-procedures. People can be wedded to the rightfulness of a decision-procedure and therefore accept that their society's affairs are rightfully governed by the decisions it yields even when they disagree with the content of those decisions. Currently in Britain, the Labour Party is in power and the Conservatives are the official party of opposition, but it does not follow that Conservative Party supporters would or should applaud external intervention by George Bush designed to depose the current Government and replace it with one more to their liking. The allegiances of people that we can be called upon to respect can be allegiances to institutions and processes as well as to personal values and ways of life.

The point of these observations is to indicate that, even when a society is marked by internal dissension, that need not necessarily throw outsiders onto the horns of a dilemma in which they can tolerate some only by not tolerating, or by indulging intolerance of, others. There will, of course, be occasions when a society's treatment of some of its members violates their basic rights and the demands of personhood move from tolerance to intolerance of the society's acts. My point is only that internal dissensus does not always confront us with conflicts of that sort. To be on the losing side is not always to be 'oppressed' and the winners can sometimes justifiably present their view as the view that outsiders should treat as the society's collective view.

For the sake of completeness, I should also note that, even when respect for persons ceases to be a reason for international toleration, other reasons for toleration, particularly consequentialist reasons, may still remain in play. I take that to be why people do not usually call for intervention, particularly military intervention, every time a human right is violated but only when the depth and extent of the violation becomes 'grave'.

Conclusion

In this paper I have explored the idea of respecting persons as a reason for international toleration. My comments have been extremely broad-brush. In particular, I have not grappled with the highly controversial question of where precisely the cut should fall between what we should and what we should not tolerate in the lives of other societies. All I have indicated is that, when we confront that issue, the idea of respect for persons does not always argue for the individual and against the collective. I have also indicated that, in international contexts, respect for persons is likely to be only one of a number of considerations to which we should give weight in deciding what we should do. The person-based approach I have outlined complicates the issue of international toleration still further in requiring us to confront and deal with the reality of dissensus amongst people within a society. But, given that a diversity of beliefs, values and wishes characterises the populations of most contemporary states, that messy reality is not one that we should ignore by pretending that each people is a unitary entity with a unitary will.

Endnotes

1. Three conspicuous exceptions are Walzer (1997), Rawls (1999) and Tan (2000). Because of the latitude societies are willing to give one another through the idea of sovereignty, Walzer describes international society as 'the most tolerant of all societies' (1997 p.19).
2. Attempts rationally to persuade are usually deemed consistent with toleration, presumably because they do not prevent or hinder the conduct that the persuader argues against. But when such attempts move beyond giving reasons and leaving people to make up their own minds, they can be reasonably viewed as entering the realm of intolerance (which is not, of course, to say that they are necessarily wrong in any particular instance or to imply that all forms of intolerance are equally intolerant). We might even say that B, who objects to A's conduct but is content to leave it unchanged, is more tolerant than C who objects to A's conduct and tries to alter it through persuasion. Members of non-evangelical religions such as Judaism and Hinduism sometimes object in these terms to the proselytising activities of Christians and Muslims.
3. E.g. 'To tolerate also *means* to recognize these nonliberal societies as equal participating members in good standing of the society of Peoples, with certain rights and obligations, including the duty of civility requiring that they offer other peoples public reasons appropriate to the Society of Peoples for their actions.' (p.59, my emphasis; see also pp. 63, 84).
4. Reidy (2004, p.294) describes peoples, on Rawls's view, as 'corporate moral agents' and 'as persons in the moral sense of that term'.
5. In fact Rawls presents these as three features of a *liberal* people and, rather than just observing that a liberal people has a 'common government', he says that they possess 'a reasonably just constitutional democratic government that serves their fundamental interests' (p.23). However, I infer that Rawls regards a common government, common sympathies and a moral nature as features common to both liberal and decent hierarchical peoples.
6. For a general critique of this analogical approach, though one that focuses on the analogy between persons and states rather than peoples, see Beitz 1999, Part II.
7. I examine the contrast between corporate and collective conceptions of groups in Jones 1998. However, there I limit my analysis to group rights, whereas here I want to extend the implications of the collective conception beyond rights.
8. Walzer's thinking often seems in sympathy with this position. He presents himself as a defender of the standing of 'states' (1980), but, unlike Rawls, his conception of political communities as moral claimants seems to be collective rather than corporate in nature. He attributes to states rights to territorial integrity and political sovereignty, but adds that these rights 'derive ultimately from the rights of individuals, and from them they take their force' and insists that we should not conceive states as 'organic wholes' or 'mystical unions' (1992, p.53). He also observes, 'The real subject of my argument is not the state at all but the political community that (usually) underlies it. ... the idea of communal integrity derives its moral and political force from the rights of contemporary men and women to live as members of a historic community and to express their inherited culture through political forms worked out among themselves (the forms are never entirely worked out in a single generation)' (1980, 210-11).
9. It might be argued that we have to put up with particular bads if we are to retain the overall good of cultural diversity. That suggestion does have the structure of an argument for toleration. We have reason to tolerate some bad features of cultures because that it is a price

we have to pay if we are to retain the overall good of cultural heterogeneity. In this argument, the badness of bad practices is not cancelled by the greater good of cultural diversity, so that it is genuinely one that calls for toleration. However, this case for toleration is highly contingent upon what is, in fact, necessary to retain the good of cultural diversity. It is frequently quite implausible to suggest that intolerance of particular practices will result in the collapse or unravelling of the larger cultures in which those practices are embedded. For example, the suppression of *sati* (or *suttee*) has not destroyed the larger Hindu culture within which it existed, and it is hard to believe that prohibition of female circumcision would trigger a domino-style collapse of the cultures in which it is currently practised.

10. I develop this point more fully in Jones 2007.

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