

2004

Negotiating Toleration: Engagement, Enforcement, and the Politics of Recognition

Matthew S. Weinert
University of Denver

Follow this and additional works at: <https://digitalcommons.du.edu/hrhw>

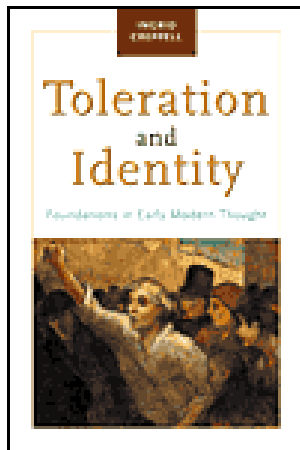


Part of the [European History Commons](#), [Political History Commons](#), [Political Theory Commons](#), and the [Religion Commons](#)

Recommended Citation

Weinert, Matthew S. (2004) "Negotiating Toleration: Engagement, Enforcement, and the Politics of Recognition," *Human Rights & Human Welfare*: Vol. 4 : Iss. 1 , Article 20.
Available at: <https://digitalcommons.du.edu/hrhw/vol4/iss1/20>

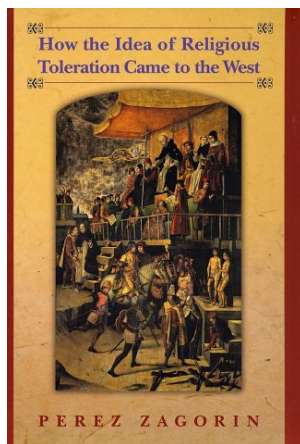
This Review Essays is brought to you for free and open access by the Josef Korbel School of International Studies at Digital Commons @ DU. It has been accepted for inclusion in Human Rights & Human Welfare by an authorized editor of Digital Commons @ DU. For more information, please contact jennifer.cox@du.edu, dig-commons@du.edu.



Negotiating Toleration: Engagement, Enforcement, and the Politics of Recognition

By Matthew S. Weinert

Toleration and Identity: Foundations in Early Modern Thought by Ingrid Creppell. New York: Routledge, 2003. 212pp.



How the Idea of Religious Toleration Came to the West by Perez Zagorin. Princeton: Princeton University Press, 2003. 371pp.

Simply stated, toleration permits peoples with diverse beliefs and life practices to cohabit peacefully. This may be accomplished by, on the liberal view, extending legal protections of individual freedoms or, on the post-modern, recognizing the diversity and fluidity of identities “within each of us” (Creppell: 7), the implication being that we ought to be good, essentially liberal (that is, tolerant) selves cognizant not only of our own complexities and antinomies, but, concomitantly, those of social life. Yet, Ingrid Creppell admonishes, toleration does not simply encompass freedom of belief, individual rights, or peaceful coexistence—these are toleration’s *minimal* requirements and as such are pale indications “of the resources it holds for thinking about what needs to be done to respond to changes of political allegiance, obligation, and conceptions of the self in a global, interdependent world” (Creppell: 162). Toleration, perforce, demands and involves something deeper—namely, sufficient “reflection on the nature of communal life” (Creppell: 26). This is why the Roman bestowal of freedom of belief for “foreign cults” could not be construed as a principle or policy of toleration since the Romans “did not pause to reflect on the good of relations established” by extending the freedom to worship to conquered groups. Perez Zagorin concurs: “this de facto religious pluralism is entirely attributable to the polytheistic character of Roman religion and had nothing to do with principles or values sanctioning religious toleration, a concept unknown to Roman society or law and never debated by Roman philosophers or political writers” (Zagorin: 4).

Pointedly, Creppell's *Toleration and Identity* maintains that toleration does not begin by (voluntary or forced) withdrawal from public life, the ghetto-ization of the suspect group or individual, or mere restraint from imposing one's own views on others. Toleration demands on-going engagement between diverse groups, a "grappling with the substance of the issues, a sincere and not a replica of engagement, and actual movement out of frozen positions from all involved toward a mutual accommodation" (Creppell: xi). Similarly, Zagorin provides something of a test for measuring toleration. Either one supports "coexistence and concord between rival" beliefs, practices, and faiths—and hence is tolerant, or one does not (Zagorin: 313, fn.1). He nicely juxtaposes early Christian Europe which vilified heretics and heresy, or all things not Christian, with the Jewish stance toward Roman paganism and vice versa: Romans viewed Jews as "devotees of an ancient and venerable faith; unlike Christians, they did not attack Roman paganism as a religion of demons." Remarkably, Jews even permitted pagan priests to "offer prayers for the emperor in the Temple at Jerusalem" (Zagorin: 5).

To understand toleration, both writers suggest, is to dispose of etymological reductionism. Though its roots may be located in the Latin *tolerantia*, meaning to endure or bear (Creppell: 5; Zagorin: 5), toleration's value as public, social policy derives from the *recognition of and engagement with*, not simple endurance of, a minority or suspect group. Thus, in some significant sense, toleration is inextricably bound up with identity—identities moreover that are not, contra postmodernism, endlessly modifiable but persistent and relatively stable (Creppell 8). Toleration cannot simply manifest a forbearance, a sort of "permission given by the adherents of a dominant [group] for other[s]...to exist," while such dominant groups look upon the other with "disapproval as inferior, mistaken, or harmful" (Zagorin: 5). Hegel illuminates. Exclusion of the Jews from German public life, he claimed,

ignores the fact that they are, above all, [humans]; and [humanity], so far as being a mere superficial, abstract quality, is on the contrary itself the basis of the fact that what civil rights rouse in their possessors is the feeling of oneself as counting in civil society as a person with rights, and this feeling of self-hood, infinite and free from all restrictions, is the root from which the desired similarity in disposition and ways of thinking comes into being. To exclude the Jews from civil rights...would rather be to confirm the isolation with which they have been reproached (Hegel 1967: 169).

The German state may have, in the strict sense of the word, tolerated—that is, endured—the presence of various religious sects, but such a narrow conception of toleration neither cultivates grounds for on-going engagement nor commitment to a common good, defined minimally as an equal scheme of basic rights and liberties available to all but limited in some sense by public order and security. Without such engagement or commitment, the public sphere may correctly be understood to collapse altogether. Zagorin concurs insofar as he treats

the concept of religious toleration as also implying religious freedom in some measure. In this sense, the belief in and the practice of toleration...depend on a very simple and basic principle. This principle is that society and the state should, as a matter of right, extend complete freedom of religious belief and expression to all their members and citizens and should refrain from imposing any religious tests, doctrines, or form of worship or religious association upon them. I take this to be the proper understanding of religious toleration, in its fullest meaning, as it would be conceived today (7).

Both books, then, are concerned to some degree with explicating the grounds upon which we construct a public space comprised of diverse individuals with diverse life projects committed on

some level to a common good. Both do so not by looking to the present but to the past. While Creppell concentrates on four specific individuals —Bodin, Locke, Montaigne, and Defoe—and their contributions to a modern conception of toleration, Zagorin takes a more expansive approach, combing various thinkers and practices in sixteenth and seventeenth century Europe to locate toleration’s origins, concluding with, as the above quotation illustrates, the connection between toleration and freedom (Zagorin: 311). Both strive to understand how this largely modern conception played out: Creppell, through more theoretical reflections, Zagorin through an historical recounting of the complex interplay of ideas (of toleration) and practices designed to effectuate such ideas. But make no mistake: neither argues there existed any society during the early modern period, save perhaps the Netherlands and, to a lesser extent, Poland in the later sixteenth century (Zagorin: 146), that fully adopted “the primary good of toleration” (Creppell: 2). Rather, and herein lies the import of their respective volumes, we see only the “development of ethical ideas, sensibilities, and languages supportive of the new notion.” Such development, in turn, encourages a particular richness and form of public space that encourages trust between its constituents, and greater participation and dialogue amongst diverse groups. For Hegel, Bodin and Locke, these qualities can only strengthen the state; for Montaigne and DeFoe, the self and society; for Creppell, conceptions of allegiance and obligation; and for Zagorin, the maturation and extension of ideas and practices of toleration and freedom.-

Because Creppell is concerned with an account of toleration’s foundations, she gives us not Hegel—heir roughly two centuries of ideational and practical development—but Bodin, progenitor of this (modern) way of thinking. Writing of the Turkish emperor in the Republique, Bodin claims he,

... with as great devotion as any prince in the world[,] honor[s] and observe[s] the religion by him received from his ancestors, and yet detesteth he not the strange religions of others; but to the contrary permitteth every man to live according to his conscience, yea and that more is, near unto his palace at Pera, suffereth four diverse religions, viz., that of the Jews, that of the Christians, that of the Grecians, and that of the Mahometans ... the people of ancient time were persuaded, as were the Turks, all sorts of religions which proceed from a pure mind, to be acceptable unto the gods (Bodin in Creppell: 47).

Here, Bodin and Creppell necessarily underscore the permissive aspect of the Turkish regime which extended religious liberty not to individuals but to religious communities whose own leaders were, notably, generally intolerant of diversity within their particular communities.¹ Yet, while a contemporary reader might balk at this blatant disregard of individual conscience—‘unorthodox’ members of particular religious communities were often persecuted as heretics—Bodin rightly pointed out the deep (if pragmatic) connection between the stability of political regimes and a norm of toleration. Sovereignty, Bodin demonstrates, is not simply about central political authority and power, but rather it binds together disparate groups and thus enforces an approximation of toleration. Related to the Turkish case, the contemporary reader might then extrapolate that a vibrant public that guarantees (civil) rights of all individuals existing within its purview helps cultivate an awareness of and commitment to common endeavors designed to further general welfare.

¹ I owe this important point to an anonymous reviewer.

And yet freedom of belief and individual rights, while underscoring my version of the public sphere, simultaneously disrupt and have the force of destroying it. Something must keep incompatible positions in check. Enter Creppell's formulation of toleration as demanding ongoing engagement, for only through such public acts of communication can the public sphere consummate in substantive ways the extension of rights to all and secure the self in all its varying identities.

What we have here is an argument for civic action by excluded groups who demand recognition, equal legal rights, and acceptance. But her theorists do not assume an activist approach; indeed, each aimed to overcome contestation and provide grounds for cohesion in non-activist, slightly isolative and attenuated ways. Bodin and Locke concoct an institutional scheme (the former more centralized than the latter) that guarantees a fairly neutral public space within which multiple identities can cohere. Alternatively, Montaigne and Defoe introduce and attempt to develop a moral psychology of toleration. Montaigne offers a universalist defense of toleration grounded in the body in its sensate and intellectual experiences. Defoe celebrates the "virtues of an active, creative self who is a dynamic source of change" (Creppell: 158). Ultimately, the self both needs toleration "and is also a justification for it because society depends upon its source of energy and inventiveness." Despite the fact that Creppell does not consider what means in particular are most efficacious for ensuring a tolerant climate, in part because her project aims to discern the historical-theoretic foundations for a modern conception of toleration, it remains a question worth asking and one to which I return later.

Does her premise—on-going engagement—cohere with the theorists she discusses? In the case of Bodin, the answer is an almost emphatic no. Bodin unequivocally demarcated the religious from the political—indeed enjoined their separation—and focused on constituting a realm based on national identity completely independent of fractious theological difference. Creppell calls his policy one of nondiscussion (58). Paraphrasing Bodin's *Colloquium*, she writes,

Octavius the Muslim chimes in that the Persians, Turks, kings of the Moscovites, and princes of Germany at Augsburg had also all warned against discussion of religion. Curtius the Calvinist then adds that Mohammed himself saw that 'the foundations of his religion would easily be disturbed by discussion, if it were attacked by arguments as though by machines of war' (60).

Further, more starkly, in a "passage that we find almost verbatim" in both the *Colloquium* and the *Republique*:

Senamus: I remember a certain crafty chief of Lyons who wished the bickering Lutherans would tear themselves to pieces. Consequently, he used to pit one group against the other as though gladiators, so they could kill each other by their own sword. Similarly, the ancient priest of Mars after execrations used to give the signal for battle by tossing flaming fire-brands between each battle line. Yet those same priests, who were called the fire-bearers, suddenly withdrew because of the dangers of war. Thus many fires of war were stirred up from those discussions for the enjoyment of the spectacle (Colloquium, cited at 61).

Surely, Bodin recognized that debate over religious difference would encourage factionalism and civil strife, and, more subversively, undermine religion's positive function—that of providing a foundation for moral life and obligation (59). But while he believed France must permit religious difference—"forced suppression of a person's religion may lead to atheism[,] the worst of all possible outcomes, [since] atheists, having lost the fear of God, 'tread also underfoot both the laws and magistrates, and so inure themselves to all kinds of impieties and villainies..." (51)—France, he

remonstrated, must prohibit religious debate else the fires of war bellow. This is why Bodin, remarks Zagorin, “may be seen as exemplifying a certain type of tolerance,” but can “hardly be said to have contributed anything to the formation of a doctrine or theory of religious toleration” (49).

To ensure public order and stability, Bodin celebrated the sovereign as apex of a national, French identity around which groups and individuals with incommensurable (private) beliefs could coalesce—an identity, moreover, that sublimated difference and demanded its exclusion from the public. Is this toleration as engagement? Creppell is well aware of the discrepancy between her thesis and Bodin’s communicative ban. She argues this realm of “circumscribed openness...put space between” opponents though for an important reason. Such space “*potentially* opens up a sphere of communication in which persons can interact without worrying about defending themselves on a range of issues” (Creppell: 62f). Tenuously—in the spirit of being sympathetic to Creppell—one may extrapolate that, in *jū-jitsu*-like fashion, such coherence (or allegiance or obligation) would ultimately create such a formidable unity that public discussion of differences would fail to devolve into violence. But nothing in Bodin suggests toleration as engagement, for Bodin relegated religion to the private. In this way, he melded the ancient divide of private-public into a modern institutional conception of state, intimating that toleration existed as an extension and protection of an individual right to conscience by a state committed to neutrality between diverse positions on essentially private matters. (Recall Zagorin earlier in this essay). Often, one can rightly say, private affairs are simply that: private. Publics could only endure their presence and, furthermore, protect the right to such privacy.

If Bodin gave us the logic of privacy, then Locke supplied its language in the construction and protection of boundaries between ostensibly natural (hence inevitable) spheres within which the body acted and through which the body traversed. Dualisms such as public/private, religion/politics, and mind/body, Locke professed, encouraged the “free exercise of a person’s moral identity.” Toleration, therefore, must “be premised upon a set of boundaries” to constrain the “anarchic tendencies of individualism” (Creppell: 93f) and encourage the uninhibited cultivation of individual moral identity within distinct spheres. This was not, Creppell avers, an “artificial or premature truncation of politics but a necessary condition for it” (154) else difference endlessly rupture and ultimately obliterate social life. Boundaries, for Bodin and Locke, mitigate the harsher effects of difference by allowing individuals to retreat behind ostensibly impregnable walls protected by the state.

Similarly, Montaigne celebrated the individual in its particularity yet saw that, in its universality, the self acted as a “vessel of cultural meaning” (Creppell: 157), infinitely reproducing social mores, norms, and customs. In other words, society infuses particular bodies through custom. Since individuals absorb so deeply the habits, tastes, and customs of society, “it is exceedingly difficult to extract oneself from their grip” (75f). A body depends on society; society, in turn, depends on the energy and inventiveness of the self for its own vitality. Taken together, body and society act as a co-reflective, co-constitutive structure within which the interaction of diverse identities continually renegotiates the boundaries of community and self when conflicts and disagreements arise. That the individual is constituted by the social relocates, in some sense, toleration’s focus from the individual to society and cultural diversity. On this point, Montaigne successfully cedes the personal into the public and firmly anchors toleration as respect for difference in both individual and social contexts. Yet Montaigne tempers what we might call an anthropological relativist account—one advocating

toleration of cultural practices because they are of meaning to particular peoples—by maintaining life free of willfully inflicted bodily pain as a universal standard against which all else must be measured. “[T]he body is,” he declares, “not a retreat from the public but a means of engaging and judging it” (Creppell: 72). We simply cannot tolerate particular kinds of behavior simply because such behavior reflects a cultural practice.

The body as life and life as body led Montaigne, in Judith Shklar’s (1984) terms, to “put cruelty first” and denounce such acts as witchcraft persecutions, the use of torture for political purposes, and the Spanish colonization of Americas. In the end, Montaigne demands one “know how to live [for one] self” (Montaigne cited by Creppell: 78) by giving oneself “settled patterns that one can find and that one adopts as right for oneself” (Creppell: 79). These standards “absorb and question the outside world and create a depth to self-reflection.” (Ibid.) Toleration, then, is intimately related to this type of self-aware, self-reflective, self-constitutive freedom, for it (a) “protects the possibility of such freedom by enabling sources of particularity” and (b) produces, when one experiences and thinks in these terms, a moral psychology “inherently more open to others” (Ibid.). Similarly for Locke, “each person had no choice but to be responsible for his own soul...The magistrate was not better qualified than others to decide which was the right way [to salvation]” (Zagorin: 262).

What role, then, for the magistrate? Both Locke and Montaigne “made it obligatory for the magistrate to tolerate all religious societies that did not impede the ends of civil government,” and, further, to patrol the borders of toleration and pluralism (Ibid.: 263). In other words, the magistrate enforced a policy of toleration in so far as the magistrate defended the right of religious societies to worship as they pleased so long as such religious societies did not infringe on the rights of worship of others or on the ends of civil government. On these grounds, Locke in particular refused to extend “toleration to Catholics because of their allegiance to a foreign sovereign (the Pope), ...their subversive doctrine that their church could depose kings and break faith with heretics,” and their general intolerance towards non-Catholics (Ibid., 264). If we adopt Creppell’s thesis of toleration as engagement, then discussion over difference perforce centers on the deliberate violation of boundaries. Public discourse surrounding toleration thus appears as retributive and non-constructive, focusing on violation not interaction.

This conclusion reveals toleration, at least in its early modern garb, to require a certain division of society. Zagorin successfully demonstrates this. Early modern societies torn asunder by religious difference by necessity invoked separation and toleration in the strict sense not as timeless remedies to identity difference and persistent conflict but as temporary antidotes to murderous violence. In the end, the specific import of the *idea* of religious toleration in its broader sense instigated social and political ruptures and, gradually, the extension of substantive freedoms. Ideas, he triumphantly declares, “rule the world, and the attitudes and actions of human beings are greatly affected by reasons and justifications. In the absence of convincing reasons showing why toleration is right and desirable the institutional accommodation and the change in individual and social values needed to establish it could hardly occur” (Zagorin: 12f).

While I do not protest Bodin and Locke for appealing to an ostensibly natural (inevitable) division between public and private activity (even one imposed from above—such divisions were, I think, quite reasonable solutions in their respective conflict-ridden societies) I question Creppell’s distillation. Does such circumscription really entail an on-going relationship between diverse identities? Can a focus on the body, with all its myriad sensations and affectations, cure disgust over

difference and, poignantly, potential violence resulting from such disgust? To apply her observations to a contemporary “hot topic:” could, for example, a homophobe really commune and empathize with the homosexual, despite the fact that desires for warmth, companionship, sexual gratification, and affection are universal human feelings? I think the question if asked to Matthew Shepard’s killers would elicit physical revulsion. Further, how far does recognition of the body as a cultural vessel take us on the road to toleration? Is this mere multiculturalism, which Creppell impugns as conceding “too much to a monolithic, static communal conception of identity” and making “identity the object of politics” (xi)? Does the slaughter of native bodies by English, French, Spanish, Belgian, Dutch, Portuguese, and German colonizers endorse—nay, tolerate—animistic, polytheistic, non-Christian monotheistic, communal, or non-sovereign cultures? Could a Nazi truly appreciate the significance of the Jewish body as a vessel for an ancient culture? Surely, Hitler was intrigued by Jewish culture; indeed, he conceived of a post-war museum to preserve Jewish cultural artifacts. Yet he was more intrigued by annihilating that *living* culture, exposing it, as it were, in its skeletal form. Here was a perverse case where Jewish culture sabotaged the Jewish body, allowing for its expropriation and near-extirpation.

These questions implicate the presence of the private in public space, which raises an entirely new question. Is a world constructed upon private affiliations truly public? Hannah Arendt admonishes here: “this enlargement of the private ... does not make it public, does not constitute a public realm, but, on the contrary, means only that the public realm has almost completely receded...” (Arendt 1958: 52). Creppell innovates (with an assist from Locke) on this point calling the tension of publicly tolerating essentially private behavior “public privacy” (Creppell: 119). Despite the private nature of the self’s activities and/or identities—say, religious worship or homosexuality—“*one’s individual or group distinctiveness is for others to witness...* On the one hand, public recognition is demanded in the name of true toleration, whereas on the other hand, pleas for privacy and protection of matters from public scrutiny and laws are also claimed as toleration” (Creppell: 125, my emphasis). Protection of private identity and activity is essential because, as Locke put it, “every church ‘is orthodox to itself and erroneous or heretical to others’” (Locke in Zagorin: 262). This conception of visibility, the act of witnessing diversity, echoes Arendt’s definition of the public sphere as both a realm of appearances and a world inhabited by humans. It is a space that “gathers us together and yet prevents our falling over each other, so to speak;” it is the common world “we enter when we are born and what we leave behind when we die” (Arendt 1958: 52 and 55). Of course, as Arendt acknowledges,

[T]he disclosure of the ‘who’ through speech, and the setting of a new beginning through action, always fall into an already existing web where their immediate consequences can be felt. Together they start a new process which eventually emerges as the unique life story of the newcomer, affecting uniquely the life stories of all those with whom he comes into contact (184).

This constitutive approach belies both the ongoing re-creation of public space and identity itself. Interference in the processes and repressions of public life by private identities not the full beneficiaries of recognition and acceptance mimics Arendt’s celebration of action and public disclosure as well as Creppell’s demands for engagement. Thus, public injunctions levied against (private) behavior and identity creation and expression—even if private—are exposed as illiberal, intolerant, and, in some societies, illegal. I think here of *Romer v. Evans* and *Lawrence v. Texas*. In the former, the U.S. Supreme Court overturned Colorado’s 1992 voter-approved Amendment Two—

that infamous exhortation enjoining communities to repeal existing and ban potential civil rights ordinances protecting gays and lesbians from discrimination in housing, employment, education, public accommodations, health and welfare services, and other activities, on the grounds that it violated equal protection afforded by the Constitution's Fourteenth Amendment. In the latter, the Supreme Court outlawed Texas's sodomy law on the basis of privacy, pointing out the law's unequal application (heterosexual sodomy was exempt from prosecution). Both demonstrate that communally justified sanctions against particular groups—even and especially if their engagements are essentially private in nature—encumber a policy of toleration for they not only deny extension of an equal scheme of basic rights and liberties to all individuals, but *impose judgments* about the public and private capabilities of such individuals simply because of their membership in a suspect class, and legislate on that basis.

How does a society, therefore, permit *public judgment*—say, Protestant faiths are heretical, homosexuality and abortion are immoral—without succumbing to *public injunctions* against such behavior or practices? Creppell argues repeatedly that toleration “is much more than a bargain between groups, and requires a deeper acceptance” (Creppell: 126). But in the end, owing to intolerant selves, it seems toleration requires a neutral public authority to mediate the harsher, practical effects of judgments such that suspect groups may be allowed meaningful cultivation of essentially private identities. This conclusion, while not antithetical to her argument, does temper Creppell's assertion that liberal theories of toleration overestimate “the sufficiency of political institutions” (8). Toleration must be first and foremost a public affair sanctioned by public authorities.² Bodin most clearly demonstrates this line of argument: a fractious France, divided as it were over conflicting religious views, could only be salvaged from the dustbin of history by a rational, institutionalized public authority. Surely, this ranks as one of Bodin's, central, novel, and yet under-appreciated contributions to a theory of sovereignty as well as conceptions of the state and toleration.

Yet, we may ask from where does this attitude of ‘toleration’ derive? Does toleration require impartiality? Regarding the first question, both Zagorin and Creppell intimate that toleration derives from liberal (open) selves despite, at least, Creppell's arguments against liberalism. Leaders of rational, institutional regimes (or at the very least philosophers and theorists of and in such regimes)—Henry IV; sixteenth-century Polish kings; William of Nassau, Prince of Orange; Sebastian Castellio; Dirck Volckertszoon Coornhert; Baruch Spinoza; Hugo Grotius; and John Locke (Zagorin's “heroes,” if I may call them that)—may thus be construed as, in some significant sense, ‘enlightened.’ Each propelled, practically or ideationally, the idea of religious toleration as a guide to public policy. Each, moreover, recognized to a significant degree that toleration implied civic order and peace. “Only ‘one thing gathers people for sedition,’” Locke declared, “‘and that is oppression ... Take away the unfair legal discrimination against [the sects], change the laws, take away the penalties they have to endure, and everything will be safe and secure” (Locke in Zagorin: 264).

Regarding the second question of whether toleration requires impartiality, Creppell insists that no, it only requires a commitment to the process of negotiation and engagement, the ability to live in

² I am both assuming and requiring the neutrality of public institutions. Like Creppell, I omit from consideration intolerant governments (and, generally, societies) such as Idi Amin's 1972 expulsion of all Asians from Uganda, a move supported by the majority of Ugandans.

contexts of disagreement and conflict, and cohabitation with concrete otherness. Thus, one may believe homosexuality to be immoral, and may be genuinely repulsed by the ideas of gay sex, gay marriage, and/or gay adoptions, but, on her reading, such individuals should nevertheless permit such behavior. Why, she does not say.

I am not convinced, entirely, by her faith in the inevitability of tolerant selves. After all, Coloradans voted, *in the late twentieth century*, in favor of extending equal protections to gays and lesbians. Members of the KKK are no more inclined to accept persons of color as equal citizens than anti-abortionists are inclined to accept abortion as a legitimate social practice or medical procedure; witness the occasional murderous violence against doctors who perform abortions. Society and government must *in some instances* impose itself in some significant way on those inclined towards intolerant behavior that denies the substantive rights and freedoms of others. But perhaps we must draw a distinction in these cases between tolerant societies on the one hand, and intolerant individuals living in tolerant societies on the other. One may be committed to a program of outlawing abortion or homosexuality, and one's behavior may be devoted to securing these goals. This person is not, on Creppell's definition, tolerant. Yet the society that permits abortion and anti-abortionists, homosexuals and homophobes *is* tolerant insofar as it permits both the context for disagreement and conflict and conditions for renegotiating the boundaries between different positions. Here, contra Creppell who thinks liberalism too reliant on political institutions to negotiate conflicts, I think institutional mechanisms obtain their importance, for tolerant selves are not everywhere found.

But let us return to our original question of whether Creppell's thesis, toleration as ongoing engagement, coheres with the authors she studies. We have already considered, however briefly, Bodin, Montaigne, and Locke, and must now take up Daniel Defoe who parts company in many senses with the rest. Defoe was a novelist, propagandist, and (loosely conceived) journalist; his political engagements were much more concrete than the experiences of the others (Creppell: 125). Contrary to his pamphleteering days when, to earn a decent wage, he wrote for both Tory and Whig political parties on a variety of issues (a job that earned him prison time), Defoe adopted the novel as a more subtle, yet powerful means of influencing public judgment on issues of conflicting political opinion. The "tool" of the novel "served to direct attention and public animosity in less head-on collisions" over the religious disputes plaguing Britain at the time (Creppell 133). On this view, Robinson Crusoe elevates the individual to a level devoid of *destructive* theological, social, and political pretenses, revealing in the process the *constructive* power of toleration as engagement. Creppell does not so much eschew traditional interpretations of the book as dexterously combine elements of each. She melds the religious reading of Robinson Crusoe as "embody[ing] the Puritan view of man;" the economic reading underscoring *homo economicus*' ingenuity, productiveness, and technological progress; the psychological reading focusing on the "nature of the self as a locus of consciousness and action;" and finally, the political reading emphasizing the "rhetoric of magistracy, rulership, and implicit physical coercion as part of a theory of monarchy" (135). Taken together, these readings underscore "political and social criticism and persuasion."

Because Robinson Crusoe stirred controversy and attracted denunciation, Creppell finds it a politically subversive work that critiques public judgment and undermines "traditional social norms" (136). For her, the fictive becomes real, the real, in some sense, fictive. Robinson, plagued by the "need to relinquish himself from social constraints," is shipwrecked on what appears to be an

uninhabited island. The isolation dialectically reawakens his irrepressible social inclinations, what Kant would famously call, decades later, humanity's unsocial sociability. "Through spontaneous acts of moral courage (and luck!) Crusoe is able to establish human society on his island and thereby provide himself with the means of escaping its isolating boundaries" (138). Defoe adulates Crusoe's "unparalleled creativity and variety," qualities "essentially antithetical to the life of traditional role-playing and static honor" (136). As a subversive albeit deflective political gesture, reading the text opens the reader's consciousness by showing "how ideas can be transformed into identity" (131) and how the process of negotiating a community's boundaries is in itself a constitutive, not destructive, act (127). Calcified judgment, steeped in venerable tradition informing identity yet impervious to the very vitality of socio-political life, contravenes the public good: its obstinacy, its intransigence, can only produce rupture and fractiousness, and a volley of blinding judgments that instigate bellicosity and civil unrest. Zagorin's captivating narrative of Catholic-Protestant disputes (chapters 2, 3, and 6, on, respectively, the Christian theory of religious persecution; the advent of Protestantism; and the "Great English Toleration Controversy, 1640-1660") only clarifies this point.

Crusoe fails, however, to develop a fully worked out "alternative set of 'public standards' for collective judgment" (Creppell: 137). (Perhaps we can draw upon Montaigne on this point, in so far as he eschewed deliberately inflicted pain upon the body.) But Crusoe does, though, indicate their potential sources. His narrative comes firmly down on "the side of freedom, self-creation, and social needs as opposed to tradition, honor, and social norms" (Creppell: 137). Robinson Crusoe thus acts as a metaphor for society insofar as he reveals himself to be a microcosm of social order and practice; the island reveals itself a spatial metaphor for both its illimitable nature and the desolation of life without social acceptance; and the cannibals become a metaphor for an Emersonian/Transcendental quest for self-renewal, identity (re)constitution, and the social reorientation of values through confrontation with otherness.

The actual experience of physical separation from his people, combined with his confrontation with cannibalism, captures the three metaphors' essence. At one point Crusoe experiences a murderous animosity towards the cannibals and is obsessed with slaughtering them (148). Yet, strikingly, he "stands back and ruminates on whether he is really justified in taking action." In the end, he concludes he was "perfectly out of [his] duty," for Heaven itself "had thought fit [these people] for so many ages to suffer unpunish'd." (Defoe in Creppell: 148). Far from offering a defense of relativism, Crusoe's ruminations reveal "the limits of judgment that justify positive or coercive action," a move reminiscent of Montaigne's corporeal preoccupations. Not simply "a duty to respect others," Defoe's toleration is more "restraint from action"—a suspension of individual and collective judgments toward behavior not synonymous or harmonious with our own. Montaigne writes candidly on this point, and exposes a disconnect with Defoe's stance on judgment:

It does not sadden me that we should note the horrible barbarity in a practice such as [the cannibals]: what does sadden me is that, while judging correctly of their wrong-doings we should be so blind to our own. I think there is more barbarity in eating a man alive than in eating him dead; more barbarity in lacerating by rack and torture a body still fully able to feel things, in roasting him little by little and having him bruised and bitten by pigs and dogs (as we have not only read about but seen in recent memory, not among enemies in antiquity but among our fellow-citizens and neighbors—and, what is worse, in the name of duty and religion) than in roasting him and eating him after his death (Montaigne in Creppell: 147).

Suspending judgment interrogates the myths that constitute and bolster society, the boundaries constitutive (and not so constitutive) of the community, and images of self. The very act of questioning and turning judgment inward as it were does not circumvent or dispose of public morality, but rather engages it substantively by reorienting social values and making self-reflection (understood individually and collectively) a prime virtue. Defoe communicates—at least through Creppell’s (quite convincing) lenses—the idea that society works best when it is open to self-transformation. This is toleration.



One must be careful, however, not to read too much modernist conceit back into history. The books reviewed here are, after all, exegeses on toleration’s early modern foundations aimed at excavating the grounds upon which a contemporary conception of toleration emerged. In this way, both add a particular depth to and historical dimension missing in existing literature. Distinctively, Creppell develops a conception of toleration as ongoing engagement—which appears to me more Hegelian than not—and my remarks in this review were generally directed toward that contribution. Because Zagorin’s masterful volume is more an historical narrative, a weaving if you will of the dialectical interplay of ideas and practices, I have largely omitted him from this review.³ This should not be taken as dismissal or derision; rather, Zagorin’s eloquent and masterful book should be required reading for all students of religion, history, politics, and political theory.

Creppell’s book demanded deeper reflection because, in part, of her argument about toleration as ongoing engagement, which she appears to derive from Bodin, Locke, Montaigne, and Defoe. How successful, then, was she in defending her premise? The results varied from an emphatic negative in Bodin to a more cautious if optimistic affirmative in Defoe. Particularly for Bodin, Montaigne, and Locke, the public had to be defused, as it were, for differences in identity (in their cases, religious identity) completely trammled any semblance of public space. Defusing volatile situations entailed *removing* in some fashion from the public realm religious difference, whether it be subsumed under a central authority representing national unity—and, by Creppell’s reading, national identity (Bodin); a corporeal, finite, repository of social life and custom (Montaigne); or social space tinged with inevitable, natural dualisms (Locke). Engagement centered not on differences in identity and perspective, but on conditions that made survival of disparate identities possible. Engagement, under this view, is thus foremost an institutional or public endeavor.

To be sure, her thesis is an attractive, agreeable one, but it strikes me as a contemporary imposition on the authors she discusses, some more than others. Her intimations—that Bodin’s neutral, institutionalized state impressing upon citizens absorbed in conflict a fabricated national unity (or identity) designed to ameliorate clashes over differences inevitably leads to nonviolent public discussion of such differences; that Locke’s commitment to a public protective of ostensibly natural, inevitable boundaries between distinct spheres of life engenders ongoing engagement about difference itself as well as the placement of boundaries themselves—are just that: her intimations. Certainly, there is much to admire in her analysis. Historical events and ideas concerning religious

³ Zagorin’s historical mission is clear. He aims “to present readers with a broad historical account of the ideas of tolerance and religious freedom in their appearance and formative period in the early modern era between the sixteenth and the first decades of the eighteenth century” (xiv).

toleration—the main subject of each of the four authors Creppell employs and Zagorin’s primary concern—demonstrate that, over time, mandated separation between conflicting groups is necessary; furthermore, neutral public authorities devoted to protecting individual conscience are instrumental in securing a safe and trusting environment within which to eventually open dialogue. The state is, in short, the requisite bridge over the differential abyss.

In many ways Creppell’s discussion of Defoe and Montaigne’s cultural/psychological defenses of toleration directs us back to Bodin and Locke, for inculcation of openness, especially when some do not wish to remain open and lash out toward others whom they oppose, necessitates some mechanism of enforcement. Reliance on state forms of neutrality and respect for all—that is, toleration as individual rights—provides, essentially, policies and procedures of toleration with a double enforcement mechanism. On the one hand, public institutions can sanction and protect individual rights that then lead, on the other hand, to a moral psychology respectful of differences, to tolerant individuals mindful of endless forms of life. In this vein, she summarizes Bodin and Locke’s contribution as inventing “a desacralized and yet normative political sphere [that] involved rethinking the nature of membership and obligation. . . . The more people value politics and accept it as a realm of justice, the more they make it so, and the more toleration between conflicting groups is possible” (155). This seems to me to endorse Zagorin’s claim that “ideas rule the world” (Zagorin: 12). Here, toleration is about the “continuing engagement of identity difference,” justice an “outcome of engagement and interaction across differences.” But toleration in both Locke and Bodin appears an *effect*, not a *precondition*, of a public sphere committed to public order, security, and justice.

Does identity trump toleration, then, particularly in what she calls threshold conditions, or those contexts “when groups are at such a divide that there seem to be absolutely no points of contact but rather threatened or active hostility and coercion between the two” (36)? Bodin’s sublimation of religious-based identity to a sovereign and, by default, national identity, rested on a conscious plan to separate—not *engage*—those with incommensurable positions in order to diffuse volatile situations. Here, public order and security are placed above cultivation of a vibrant pluralistic public sphere through engagement; likewise with Locke. Montaigne’s irreproachable standard of a body free of deliberately inflicted pain appears to encourage engagement, but only over infringements on the body. Thus, in a contemporary idiom, engagement would focus on violations of human rights or aggressive actions taken against cultures as a whole. Only Defoe approaches her position with conviction. His stance on the suspension of public judgment (or, more appropriately, public injunctions) seems in and of itself to encourage the sort of rich level of discourse she desires—and the sort the reader ought to take away from her book.

I find it difficult to disagree with her formulation that “a political ethics of toleration requires a public recognition of the good of politics but it also depends upon a more primary vision of the value of the person for whom political activity is vital” (157). And I think that Toleration and Identity is an important contribution to the study of toleration, especially because it focuses on the conceptual and theoretical roots of toleration that have largely been missing in the literature. Yet we still have that nagging Damoclean question before us: what if individuals—either individually or collectively—fail to suspend negative judgments, and more importantly, act on such judgments? While the optimist in me believes humans are infinitely capable of doing good, the skeptic counters with the effable “so what?” I think here of the KKK lynching blacks, homophobes beating and

killing homosexuals, anti-abortionists murdering abortion doctors; nay, legislators legislating and citizens voting for restrictions on rights for some. Fortunately, these are but minority expressions and acts. But repressive activities associated with such beliefs require public measures to cohere with a doctrine of toleration, for toleration can only be as efficacious as the context permits. In a curious twist of Rousseau, the general will must force those who do not wish to be free to be free. I don't think Creppell would agree.

References

Arendt, Hannah. 1958. The Human Condition. Chicago: University of Chicago Press.

Hegel, G. W. F. 1967. Philosophy of Right (Trans. T. M. Knox). Oxford: Oxford University Press.

Shklar, Judith. 1984. Ordinary Vices. Cambridge: Harvard University Press.

Matthew Weinert received his doctorate from the Graduate School of International Studies, University of Denver in 2002, and is Marsico Lecturer in the University's Arts, Humanities and Social Sciences Division. He is currently completing a book, Democratic Sovereignty: Between Revolution and Despair.

© 2004, Graduate School of International Studies, University of Denver.