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Rejecting a Doctrine of Intolerance

REJECTING A DOCTRINE OF INTOLERANCE

Kim McDonald

Locke's approach to toleration is not defensible today. Jeremy Waldron defines toleration as "an argument which gives a reason for not interfering with a person's beliefs even when we have a reason to hold that those beliefs or practices are mistaken, heretical or depraved."¹ Locke's doctrine of toleration explicitly excludes certain groups from being tolerated, namely, atheists and Catholics. For example, Locke says that "those are not at all to be tolerated who deny the being of God...the taking away of God though but even in thought, dissolves all."² Because Locke is clearly intolerant of certain groups, his doctrine of supposed toleration is not defensible today.

Although Locke's idea of toleration does exclude certain groups, there are those that would argue that it is defensible because, as Locke argued, exclusion is necessary to maintain a civil society. As Alex Tuckness argues "the principle [Locke] derived was not 'suppress beliefs you think harmful to the public good...' but rather 'suppress only those beliefs that would make civil society impossible if widely held.'"³ Locke's toleration doctrine, when applied to modern society, would not necessarily target Atheists and Catholics, but other modern groups that pose a threat. For example, the American government uses this principle to justify if not explicit intolerance, then discrimination against groups of people they believe to be a threat to the United States. They discriminate when drafting laws regarding airport security, military detention, and personal surveillance.

Tuckness argues that this is necessary when he states that "Locke would claim that there are some beliefs that we can clearly foresee would have devastating effects if widely held and that if we wait... our actions may be futile."⁴ Tuckness and Locke are in a way arguing that groups' beliefs cannot be separated from the potentially dangerous actions that you anticipate they would employ and therefore, should not be tolerated. Marx supports this idea that intolerance can foster security. He argues that that England's "past and ongoing religious intolerance and exclusion...paved...its direct path to constitutional democracy."⁵

However, as Anthony Marx also argues, "Locke's proclamation of toleration...implicitly excluded the one group most needing toleration."⁶ Since Locke's model of toleration only tolerates people perceived as acceptable or safe, it fails to protect the beliefs the majority considers wrong, which is the very definition of toleration.

Furthermore, Locke does not go far enough to protect minority beliefs in his attempt to restrict the magistrate. Locke hopes to "distinguish exactly the business of civil government from

¹ Jeremy Waldron, "Locke: Toleration, and the Rationality of Persecution," in *Justifying Toleration*, ed. Susan Mendus (Cambridge: Cambridge University Press, 1988): 63.

² John Locke, *The Second Treatise on Government and A Letter Concerning Toleration* (Mineola: Dover Publication, Inc., 2002): 145.

³ Alex Tuckness, "Rethinking Intolerant Locke," *American Journal of Political Science* (2002): 296.

⁴ *Ibid.*, 297.

⁵ Anthony Marx, "Superimposing Democratic Inclusion on Forgotten Exclusion," in *Faith in Nation: Exclusionary Origins of Nationalism* (New York: Oxford University Press, 2003): 179.

⁶ *Ibid.*, 137.

that of religion."⁷ In order to protect the magistrate's duty of managing the civil affairs of government, Locke argues that the magistrate need not tolerate religion when he makes laws that restrict "things are not lawful in the ordinary course of life."⁸ As Waldron explains, "what matters for Locke's purposes is not...[a law's] effects, but the reasons that motivate it."⁹ Locke's doctrine of toleration is that of religious neutrality, which fails to fully protect religious beliefs.

In the United States, established law regarding religious freedoms considers the effects of a secular law by striking it down when it either advances or inhibits religion. This is necessary because, as Waldron points out, secular or neutral laws "may discriminate unequally...against a particular group."¹⁰ Locke's theory of neutrality does not protect citizens against this possibly unintentional, but still restrictive, discrimination.

Locke might argue that the effects of secular laws are irrelevant. He argued frequently in *A Letter Concerning Toleration* that any acts of the magistrate to force his religion on others would be in vain. Locke says that "true and saving religion consists in the inward persuasion of the mind...it cannot be compelled to the belief of anything by outward force."¹¹ Locke would argue any secular law that unequally affects or restricts a particular religion could in no way have an impact on any follower's belief or, therefore, religious freedom.

However, as Waldron explains, "although...people's beliefs cannot be controlled directly by coercive means, those who wield political power can put it to work indirectly to reinforce belief by [for example] banning everyone on pain of death from reading or obtaining copies of these heretical tomes...Locke, who is concerned only with the rationality of persecutions, provides no argument against [this]."¹² This argument exposes Locke's approach to toleration as impractical.

It is also impractical as a doctrine of toleration because it fails to address any moral imperative. Locke only argues that "the care of souls cannot belong to the civil magistrate because his power consists only of outward force" and even if the magistrate could change men's behavior it "would not help at all to the salvation of their souls."¹³ But this argument does not reflect a respect for an individual's right to religious freedom or any notion that coercion is wrong. A toleration doctrine that does not reflect moral principles is flawed.

Locke's toleration is not defensible today because the main purpose of toleration is to protect the right for an individual to have a minority or unpopular belief. These minority beliefs are not well protected by Locke's doctrine of toleration as he explicitly excludes certain groups and does not prohibit secular laws that could inherently restrict religion. As Marx argues, "the writings of John Locke...wrapped itself in the banner of tolerance but was based on intolerance."¹⁴

⁷ Locke, 118.

⁸ *Ibid.*, 135.

⁹ Jeremy Waldron, "Locke: Toleration, and the Rationality of Persecution," in *Justifying Toleration*, ed. Susan Mendus (Cambridge: Cambridge University Press, 1988): 77.

¹⁰ *Ibid.*, 77.

¹¹ Locke, 119

¹² Waldron, 81

¹³ Locke, 118-120.

¹⁴ Marx, 188.