Tolerance as a basis of democratic development

Henrikas Mickevičius


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I have a strong sense that in recent years traditional Center-right political forces in the Western world - in Europe and the United States, at least - have been moving, sometimes radically, to the right, and in particular on social and moral issues.

Hard - and loud – politicians who claim being dedicated patriots and moral purists are increasingly gaining control in the traditional centre-right parties by employing stereotypes, prejudices, and radical rhetoric; advocating for and implementing public policies, disrespectful of human rights, and promoting the culture of intolerance; using, and sometimes distorting, Christian faith to support their positions; exploiting their societies' economic insecurities and fears.

In the long run, it will cause problems for these parties as they increasingly alienate moderates who are concerned about the quality of democracies in their States. Along the way, however, they will damage Western tradition of tolerance, respect for human rights, and consequently undermine democracy, as these three concepts are closely related and interdependent.

Last week, the European Commission against Racism and Intolerance (ECRI) in its yearly report (http://www.coe.int/t/dghl/monitoring/ecri/activities/Annual_Reports/Annual%20report%202011.pdf) has stated that in Europe xenophobic discourse has been mainstreamed during the past decade, gaining increasing social acceptance. In several countries, the tone of the political debate is set by the growing number of parties which share the same rhetoric: “multiculturalism model” is increasingly questioned; immigration is equated with insecurity; irregular migrants, asylum-seekers and refugees either “steal jobs” or abuse welfare system; while Muslims “are not able to integrate into western societies”. The latter have recently become the most prominent “other” in the xenophobic debate throughout Europe. Extremist parties have obtained more support in recent elections and gained seats in government coalitions and the parliaments of several States. They now have a share in political power in these countries, directly or indirectly, locally or nationally, alone or in coalitions.

Indeed, just last Sunday openly fascist Golden Dawn party entered Greek parliament with 7% of the vote which gave it 21 seat. The group claims, inter alia, Greek racial superiority and wants to landmine borders with Turkey to stop migrants.

The conclusion of the European Commission against racism and intolerance is that racism and intolerance are on the rise in Europe. Advocacy of national, racial or
religious hatred that constitutes incitement to discrimination, hostility or violence is a major problem in Europe today.

My country is not an exception. The latest overview of the human rights situation in Lithuania, published by the Human Rights Monitoring Institute (http://www.hrmi.lt/en/publication/18/), informs that in 2011 political party “Young Lithuania” engaged into electoral campaign in Vilnius with the slogan “With no blue, black, red, and with no gypsies”, offending and humiliating part of the electorate. It received neither legal nor political response. The party “Young Lithuania” was elected to the Council of Kaunas City Municipality and joined the ruling coalition.

With the ruling of the court, Nazi symbol became a part of Lithuanian cultural heritage, and the slogan used by radicals “Lithuania for Lithuanians” is considered to be an expression of patriotism.

The culture of intolerance spreads to the streets of Lithuania. Annual marches of radicals became a tradition, which many equate with the expression of patriotism. One of the leading organisers of annual marches - the Union of Lithuanian Nationalist Youth – in the end of April was unanimously elected to the Lithuanian Council of Youth Organisations, an umbrella group of youth NGOs in Lithuania, financially backed by both the government and the European Union. There were 19 votes in favour of the Union’s membership, with none against, and seven abstentions.

Commemorating the birthday of Adolf Hitler with anti-Semitic attacks and displays of solidarity with Nazi ideology has also turned into regularly organised events.

Among the centre-right political parties a poorly disguised or even proudly displayed hostility towards human rights became obvious. Politicians, their advisers, columnists intimidated the public, claiming that “hyperbolization of human rights”, “creeping liberalist totalitarianism”, “contraposition of human man rights to obligations to family, society and the State”, promotion of equal opportunities – all have a harmful impact on traditional values and lead to a moral downfall, threaten Lithuanian identity or even survival.

In this environment, talking about human rights is increasingly considered to be unpatriotic. Rather, in pre-Lockean manner it is becoming politically correct to speak about individual duties. A human being is increasingly seen as an element of a social structure, based on common religious tradition, hierarchy of power, and a set of obligations to forces and institutions – god, church, family, community, ethnic group, nation, state – that shape him or her rather than serve him or her.

How these tendencies can be counteracted, if one, of course, believes that they should be counteracted? The answer is by effectively implementing human rights and liberties. Why so and how does this prescription fit into the title of these presentation – Tolerance as a basis for democratic development? How the concepts of tolerance, democracy and human rights are interrelated?

Popularly, tolerance is perceived as an attitude that implies acceptance of differences in beliefs and lifestyles, and civilized behavior with “other” people.
In words of Jürgen Habermas, however, not only the term tolerance designates the general disposition to treat another person with respect, more specifically we use it to refer to a political virtue in our dealings with citizens who are different. Tolerance is, in the words of philosopher, a norm and a core element of liberal political culture (Jürgen Habermas, Intolerance and discrimination, Oxford University Press and New York University School of Law, LCON, Volume 1, Number 1, 2003, pp. 2-12).

To put it simply, we need democracy to practice tolerance.

“Each act of toleration must circumscribe a characteristic of what we must accept and simultaneously draw a line for what cannot be tolerated. There can be no inclusion without exclusion. ... as long as this line is drawn in an authoritarian manner ... the stigma of arbitrary exclusion remains inscribed in ... toleration. Only with a universally convincing delineation of the borderline ... can toleration blunt the thorn of intolerance. ... For toleration to extricate itself from the suspicion that it is intolerant, the rules of tolerant behaviour must be rationally acceptable for ... all. This consensual delimitation can arise only through the mode of deliberation in which those involved are obliged to engage in mutual perspective-taking. The legitimating power of such a deliberation is generalized and institutionalized only in the process of democratic will formation... ” – continues Jürgen Habermas.

To sum up, political tolerance can only be guaranteed if enacted in certain norms through a democratic process. What norms? The norms which we label today as „human rights“.

Human rights – a set of moral principles agreed upon through democratic deliberation and embedded into positive law - serve as an instrument for practical implementation of tolerance. Implementation of human rights does not mean elimination of intolerance but it means neutralization of the practical impact of intolerance. In words of Jürgen Habermas, “to end discrimination does not always signify beginning of toleration toward the person whom is no longer discriminated against”. But observance of human rights guides to civilized acceptance of the “other” person as an equal member of the political community.

Equality is one of the central assumptions of the human rights concept, and the right to equal participation in public norm-setting is a pre-condition for democracy. This is why the human rights catalogue includes the right of every citizen to political participation.

„Every citizen shall have the right .....without any ..... distinctions .....and without unreasonable restrictions:

(a) To take part in the conduct of public affairs, directly or through freely chosen representatives...“ - says Article 25 of the International Covenant on Political and Civil Rights.

This is, in essence, the human right to democracy.
However, we need more than the right to equal political participation if we are to make democratic deliberative process working. The “more” comes, once again, in the shape of human rights.

We often tend to narrow the concept of human rights to a catalogue of rules of civilized behavior with the human being. If in the state X people are not tortured, if police behaves well, and judicial system functions acceptably, we commonly conclude that this state does not have human rights problems.

In terms of the quality of democracy, we often estimate it by analyzing democratic political institutions and procedures, such as presence of political parties, parliaments, elections, and so on. In fact, democratic political institutions and procedures are not only insufficient, but also operate ineffectively, without an underpinning of human rights.

To ensure the actual enjoyment of the right to equal political participation, we need to safeguard classical liberal freedoms, in particular the freedom of expression, and the freedom of association and assembly. To enjoy these rights the citizenry has, in turn, feel safe –this is why international and national human rights catalogues include the rights to life and physical integrity, prohibition of torture, the rights to fair trial and respect for private life, among other rights. For civil and political rights and freedoms to have any practical meaning, members of political community must have access to nutrition, health care, education, and paid employment, termed as social and economic rights.

Symbiotic relationship between democracy and human rights is reflected in those articles of human rights conventions which specify that any restrictions on a particular right should be such as are “necessary in a democratic society”.

Human rights deficit which goes beyond this necessity takes the substance out of democracy and contributes to social and political alienation and marginalization, and provides a breeding ground for political intolerance.