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Tolerating extremism : to what extent should intolerance be tolerated?

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Tolerating Extremism: To What Extent Should Intolerance be Tolerated?

Summary

The dominant theme we shall explore is: to what extent should society tolerate intolerance? This is, of course, a hugely important question. It is something Karl Popper famously addressed when he wrote that “unlimited tolerance” must lead to the “disappearance of tolerance”. Popper was writing against the backdrop of the rise of the Nazis in the 1930s of the twentieth century. Now we are faced with other extremist challenges. Nevertheless, the type of questions this confronts us with is similar. Addressing this question requires discussing to whom does government owe a duty and what is the harm caused by extremism. These issues will be our focus; in delving into these complicated and complex questions it is clear that the discussion will cause discomfort, if not controversy. That has been very clear to me in the course of my research; conversations with a wide-range of subject matter experts from different countries and distinct disciplines repeatedly reinforced this reality.

To effectively address “tolerating intolerance” requires examining disparate themes covering a broad mosaic. That is necessary to effectively answer complicated questions including: to whom is a duty owed, to what extent should society protect itself against an identifiable threat, how does the nation-state balance protections with freedoms and what should be the definition of extremism. After all, an overly broad definition of extremism will unnecessarily impinge on otherwise protected rights whereas a very narrow definition will grant protections to those who endanger society.

Comparatively - different countries, distinct cultures, unique paradigms - analyzing “tolerating intolerance “ is intended to facilitate understanding of the depth and importance of the query. The chapter “break-down” (see below) is intended to enhance the discussion; the comparative discussion will be interwoven into the issues addressed in each chapter. It is important to emphasize that at its core the question regarding how much intolerance society should tolerate requires examining two over-arching questions: to whom does government owe a duty and when should government intervene, thereby limiting individual rights while protecting individuals.

This work reflects an eclectic approach to an age – old problem. I am not the first, nor the last to address extremism. It is, to be frank, an issue that has been “part and parcel” of human nature and history for thousands of years. It is safe to assume that extremism will continue to be an integral part of the human existence in the years to come. In other words, extremism is a reality. The question, however, is whether extremism endangers society and if yes, to what extent and what can be done to mitigate the harm it causes. As discussed in chapter one, I define extremism as a powerful combination of violence and ideology that must necessarily always be “correct” in the mind of its believers.

For those believers their ideology is invariably “the truth” and must be defended at all costs.

In undertaking this project my intention is to explore religious and secular extremism in a number of different countries. I do so because I am intrigued by a comparative approach. I believe it is an important, and effective, method to examine a particular topic, with the caveat that different cultures and societies have distinct nuances, subtleties and realities. In that vein, it is important to note there is a differential treatment amongst the surveyed countries reflecting the distinct values of each society relevant to the specific issues the project addresses.

While this project focuses on religious and secular extremism I am not engaged in “religion bashing”. Although I will focus on some less pleasant aspects of religion, in particular extremist religion, this exercise should not be mistaken for atheist propaganda in the sense of New Atheism. ; I find that to be uninteresting and vapid. I am, however, interested in exploring ways in which the state can more effectively protect itself against those who seek to harm individuals and society alike while protecting the freedom of speech of those who challenge society.

Re-articulated, my exploration focuses on the relationship between extremism and society, particularly how the latter can more effectively protect itself against the former. In doing so, I believe it is essential to analyze, if not focus, on the relationship between tolerance and intolerance, particularly society’s willingness to tolerate intolerance at the risk of “harm”.

To best understand the relationship between “tolerance”, “intolerance” and “harm” they must be considered both individually and collectively. One of the most important questions is the extent of harm to individuals and society the state should tolerate regarding freedom of speech and freedom of religion. It is for that reason that the chapters ahead focus, in large part, on these two freedoms. While attention is paid to other issues relevant to a broader discussion regarding extremism, the focal point of this project is the freedom of speech and freedom of religion.

There is a direct link between extremism and national security, or what some define as public order. Regardless of the term, the point of departure in this project is inquiring to whom does the state owe a duty. In many ways, that question is essential to resolving the “limits of tolerating intolerance” query. In asking to “whom does the state owe a duty”, my working thesis is that resolving this dilemma suggests it is legitimate for the state to minimize otherwise guaranteed rights. To that end, the two core questions are: should the state minimize individual rights in the face of extremism and, if yes, “how”?

To address these two questions, I made a number of assumptions:

- That extremism exists (secular and religious alike);
- That extremism poses a harm to individuals and society alike;

- That the state owes a duty to protect;
- That the state must act proactively to protect;
- That minimizing individual rights to protect the “at risk” is a legitimate;
- That there are limits to how much intolerance can be tolerated;
- That extremists “push the envelope” in terms of “testing” society;
- That extremists effectively use social media and the internet;
- That speech by extremist leaders endangers society when it reaches the level of incitement and therefore must be subject to surveillance and restriction;
- That a comparative approach facilitates understanding how different countries address confront these common questions and challenges.

Answering these questions required I travel “in country” to the surveyed countries and meet with a wide-range of subject matter experts representing distinct disciplines, beliefs, perspectives and agendas. Needless to say, the subject naturally lends itself to distinct and contentious points of view, reflecting the enormous complexity of the questions posed. My approach was agenda “free”; nevertheless, I was well aware those interviewed articulated positions and perspectives reflecting their particular approach to the subject matter. The project incorporates distinct voices reflecting powerful and compelling disparate opinions, perspectives and values. I have made a deliberate and conscious effort to give wide space and latitude to those voices. Needless to say, the analysis and recommendations are solely mine and I bear exclusive responsibility for their interpretation.

As a condition to speaking with me, the overwhelming majority of individuals requested anonymity; while I agreed with their condition, I am aware of the possible discomfort such an approach may cause. Nevertheless, I felt - after careful consideration and much reflection - that not acceding to this request would deny me access and insight to thoughtful and reflective people whose thoughts were essential to my research. Needless to say, in accordance with academic rigor and standards, all articles and books I quote are cited in full. Furthermore, records of all communications - in-person interviews, emails and phone conversations - are in my personal files. It is also important to note that the reasoning I develop in this thesis and the conclusions drawn are not dependent on anonymous sources. I do not invite the reader to assent to a view on the basis of an authority of whom I cannot reveal the identity. The reason that I engaged with many people is that they pointed out relevant material for study and they provided me intellectual sparring partners for my ideas.

Given the sensitivity and controversy of the subject matter I concluded that not respecting requests for anonymity requests would make this a distinctly different, and very limited, project. I am convinced were I not to include disparate, distinct and controversial voices, the final product would be significantly distinct from the pages that follow. Were I not to respect these requests I would not be in a position to bring “unfiltered voices” to the table; it is my belief that these voices are essential to truly understanding extremism. I am

fully confident this approach significantly enhances the reader's insight to the issues at hand.

Naturally, meetings with senior national security officials in the surveyed countries were conditioned on a guarantee of anonymity. This, for me, was an obvious request; the same holds true for individuals who felt their personal security was "at risk" were their involvement in the project known. While "off the record" conversations with national security officials are, largely, a "given" the same may, understandably, not be readily apparent regarding subject matter experts from other fields. However, as I learned when researching and writing *Freedom from Religion* (first and second editions) the subject matter is sufficiently controversial to elicit repeated requests for anonymity. Important to add that in agreeing to this demand I imposed on myself to be the readers' "eyes and ears" requiring that I be both an honest reporter and objective analyst.

Regarding the methodology of the chapters a few words are in order: each chapter could, literally, be a book onto itself. To that end, the chapters "read" differently, some very detailed, others less so. Similarly, different topics and different countries reflect disparate levels of treatment. The chapters are neither equal in length nor equal in treatment; they are not intended to be so. Some are intended to provide a "window" on a particular issue whereas others present a specific issue in greater depth and intensity. In that vein, some chapters are very analytical, others more descriptive. Important to recall that in addressing the questions posed above my goal was to create the "groundwork" for the final chapter. The significance of this "build-up" cannot be sufficiently emphasized; from a methodological perspective the first six chapters are intended to create the groundwork for the recommendations that are the essence of the last chapter.

Similarly, there is a difference between how free speech in the US is analyzed in comparison to the other surveyed countries. That reflects both the historical richness of US case law and my familiarity with relevant Supreme Court decisions. There is another reason, though, why the case law on free speech in the US is treated much more elaborately than in the chapters on Norway and the Netherlands. This is – it is important to emphasize – not a thesis on the freedom of speech in the countries mentioned. This thesis is not aimed to be a contribution of comparative constitutional law or comparative human rights law. So the comparative approach does not suggest that the surveyed countries are addressed in similar depth and intensity; the intention is to provide the reader with sufficient information to draw comparisons and consider distinct approaches to similar paradigms. To that end, the approach I have adopted does not claim to address each country equally nor provide equal "space" to each issue; that is neither my purpose nor interest.

One of the important discussion points in the tolerance/intolerance debate is multiculturalism. It is, understandably, an issue that causes discomfort amongst readers with some questioning its relevance to this project. I decided to

incorporate a chapter regarding multiculturalism because of its deep - albeit uncomfortable - relationship to extremism. The multiculturalism debate, far more prevalent in Europe than in the US, highlights powerful tensions between “traditional” European society and that of “immigrant” Europe. Numerous professional and personal visits to Europe, particularly in the Netherlands, Norway and UK, highlighted the centrality of the multiculturalism debate in the context of the domestic political debate.

This was very much on the lips of a wide range of individuals with whom I met; while recognizing the importance of the topic, many articulated hesitation, if not discomfort, in the discussion. However, because of multiculturalism’s profound connection to both intolerance/tolerance and extremism it is essential to the broader discussion. There is concern that the multiculturalism discussion is a thinly veiled “finger pointing” exercise aimed at immigrants in accordance with deep concerns raised by the European political far-right. Wide-ranging discussions with subject matter experts from different fields and disciplines emphasized the importance of immigration to Europeans.

A clear connection was “drawn” between immigration, security and extremism; in that vein, the question oft posed was how, and to what extent, does society protect itself against the “outsider”. The irony, needless to add, was that the “outsider” was a member of society though distinct culturally, religiously and ethnically from “traditional” society. As European leaders weigh their individual and collective responses to events both in Europe and beyond its borders sensitivity - the extent is unclear - is necessarily paid to the possible reactions of relevant immigrant populations. In that spirit, chapter five is heavily descriptive for addressing contemporary social tensions in the context of this project requires focusing on a number of issues, particularly the economy, immigration and gender issues relevant to religion.

See: Popper, K.R., *The Open Society and its Enemies*, Volume 1, The Spell of Plato, Routledge & Kegan Paul, London and Henley 1977 (1945), p. 265; Rijkema, Bastiaan, “Popper’s Paradox of Democracy”, in: *Think*, Volume 11, Issue 32, September 2012, pp. 93-96.

see: Hitchens, Christopher, *The Portable Atheist: Essential Readings for the Nonbeliever*, Selected and with introduction by Christopher Hitchens, Da Capo Press, Philadelphia 2007; Stenger, Victor J., *The New Atheism: Taking a Stand for Science and Reason*, Prometheus Books, Amherst N.Y. 2009.

see: Fraleigh, Douglas M., Tuman, Joseph S., *Freedom of Speech: in the Marketplace of Ideas*, St. Martin’s Press, New York 1997; Barendt, Eric, *Freedom of Speech*, Second Edition, Oxford University Press USA, New York 2007.