

## Tolerating intolerable freedom

By Bill Kilpatrick

In Karl Popper's 1945 book *The Open Society and its Enemies* he posed a simple question, a question that seems more pertinent now than ever: 'How can we so organize political institutions that bad or incompetent rulers can be prevented from doing too much damage?' In his view, coming as it did at the end of the bloodiest war in human history, liberal democracy was the best way to organize political systems in order to limit the amount of damage that a bad ruler could do to a society. He was fully aware that a democracy was not foolproof and that bad policies were inevitable but argued that 'a bad policy in a democracy (as long as we can work for a peaceful change) is preferable to the submission to a tyranny however wise and benevolent.' Popper's distinction between tyranny and democracy was simple, in a democracy governments can be gotten rid of without bloodshed by way of elections and tyrannies can only be gotten rid of through revolution. He argued that, 'Only democracy allows an institutional framework that permits reform without violence, and so the use of reason in political matters.' However, in arguing for democracy over tyranny, Popper had to wrestle with numerous paradoxes that seem to be built into our democratic systems. He also had to wrestle with the question that most people seem to be asking these days: Is there something inherently built into liberal democracies that leads to tyranny? As always, the answer is yes and no. Democracy, it seems, at its core has to be based on a shared belief among all people and political parties that everyone at all times must be working towards what Popper calls 'the principle of democratic policy.' Popper describes this principle as 'the proposal to create, develop and protect, political institutions for the avoidance of tyranny.' Such a principle can only work however if the majority agrees with it and actively strives to work towards it at all times. The problem, and the ultimate paradox of democracy, occurs when the majority no longer strives towards that principle, and decides to vote for tyranny. Which is exactly what we see happening south of the border with the election of a man that holds liberal democratic principles of law, justice, and plurality, in contempt and even disdain, and has worked, and will continue to work, to further undermine those principles. Can such a situation be avoided here in Canada? Maybe, is the best answer that I can come up with at this point. The idea of the multicultural Canada that I grew up in and felt proud to represent, and still feel proud to represent, is also under attack by those who are intolerant and who use the language of freedom to mask white nationalism or illiberal democratic values both of which smack of tyranny and authoritarianism. But other groups such as religious extremists and political extremists, of both the left and the right, are also putting pressure on institutions as they try to muscle their way into power and have their voices heard and their views accepted. Cancel culture mentality is being implemented by both the right and the left as they dig into their entrenched positions and utterly refuse to engage with those whose views they find intolerable. This gives rise to political polarization revealing another of liberal democracies paradoxes, called the paradox of tolerance. A quick Google search for Popper's paradox of tolerance will lead you to some over simplified cartoons or part quotes that have been bent to fit someone's political views on both the left or the right. For example, in an analysis of Popper's paradox of tolerance argument, Jason Kuznicki, writing for [libertarianism.org](#), says that Popper's argument has been abused by both the left and the right; however Kuznicki, who sits on the right, also abuses Popper's argument by selectively quoting Popper to back up his own beliefs around free speech. For those on the right, Kuznicki says, they view Popper's arguments on tolerance as a reason to fight those hypocrites on the left because he says, 'The far right reads Popper and says: 'See? Even tolerance itself is intolerant. So, let's persecute whomever we please. Unlike so-called 'tolerant' people, we're not being hypocrites.' On the left, Kuznicki claims that they misread Popper by arguing that '1. A tolerant society should be tolerant by default and 2. With one exception: it should not tolerate intolerance itself.' Kuznicki then says those on the left use this passage as a justification for censorship or hate speech laws but, argues that this is not what Popper meant at all. Kuznicki argues that 'Popper never believed anything like this. Rather, he wrote: 'I do not imply, for instance, that we should always suppress the utterance of intolerant philosophies; as long as we can counter them by rational argument and keep them in check by public opinion, suppression would certainly be unwise.' This is no warrant here for laws against hate speech. On the contrary, Popper appears to have called such laws 'unwise.' To Popper, intolerance is not to be deployed when the utterance of intolerant ideas might make you uncomfortable, or when those ideas seem impolite, or when they get you really mad. Intolerance 'that's the right word for it' is only warranted when we are already facing 'fists and pistols,' or, presumably, worse.' This is not what Popper said at all, and I refuse to believe that Popper was naïve to the point that he believed that intolerance should have to reach a point of 'fists and pistols' before a democracy should act to defend itself. Often by this time it's too late. Popper knew that intolerant speech would eventually lead to intolerant violent actions and therefore should be curbed 'wisely' before it gets to the point of fists and pistols. It's here that Kuznicki's selective reading of Popper, and his bias is revealed. In his article Kuznicki quotes the following

passage from Popper that he used to support his argument against censorship and hate speech laws: "Unlimited tolerance must lead to the disappearance of tolerance. If we extend unlimited tolerance even to those who are intolerant, if we are not prepared to defend a tolerant society against the onslaught of the intolerant, then the tolerant will be destroyed, and tolerance with them." In this formulation, I do not imply, for instance, that we should always suppress the utterance of intolerant philosophies; as long as we can counter them by rational argument and keep them in check by public opinion, suppression would certainly be most unwise. But we should claim the right to suppress them if necessary even by force; for it may easily turn out that they are not prepared to meet us on the level of rational argument, but begin by denouncing all argument; they may forbid their followers to listen to rational argument, because it is deceptive, and teach them to answer arguments by the use of their fists or pistols. We should therefore claim, in the name of tolerance, the right not to tolerate the intolerant. However, Kuznicki conveniently left out the last sentence of Popper's passage that undermines his entire argument about how the left misreads Popper. Popper's last sentence says, "We should claim that any movement preaching intolerance places itself outside the law and we should consider incitement to intolerance and persecution as criminal, in the same way as we should consider incitement to murder, or to kidnapping, or to the revival of the slave trade, as criminal." He clearly says, "we should consider incitement to intolerance and persecution as criminal" he does not have a caveat that fists and pistols must be the driving force to act, his focus is on intolerant propaganda. Kuznicki's failure to cite Popper's full quote further reveals yet another paradox of liberal democracies, the paradox of freedom. Those on the right, like some libertarians, some Trump supporters, and some Freedom Convoy supporters, use freedom as their rally cry, but as Popper further points out too much freedom actually leads to tyranny. He says "freedom in the sense of absence of any restraining control must lead to very great restraint, since it makes the bully free to enslave the meek." So, we need to beware of those bullies whose rally cry is freedom without restraint or we will soon find that as George Orwell says in 1984 "freedom is slavery."