

PHIL 481

TOPICS IN PHILOSOPHY: TOLERATION

Tuesdays / Thursdays, 1:05 – 2:25, Leacock 927

INSTRUCTORS

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COURSE DESCRIPTION

Liberal democracies pride themselves on the tolerance that they show towards a diversity of beliefs and practices. Similarly, as individuals we often take personal pride in being tolerant of those who are different from us, who pray to different gods (or no god), who identify with different cultures, or pursue different ways of life. While few citizens in Western democracies would question the importance of being tolerant—many, in fact, consider it a key virtue—from a philosophical point of view it is not as clear *why* being tolerant is so important. In fact, upon examination, our commitment to tolerance can easily be shaken. It is not always obvious that we should be tolerant, let alone affirm as good the fact that others do not share our beliefs and practices. Why should we accommodate diversity, especially if we are sure that our way is the right way?

In this course we will look at various ways of justifying toleration both as a value and as a social practice. The course begins with an examination of historical arguments both for and against toleration: arguments offered by Saint Augustine (354-430 CE), John Locke (1632-1704), Jonas Proast (1640-1710), Pierre Bayle (1647-1706), Immanuel Kant (1724-1804), Willhelm von Humbolt (1767-1835), and John Stuart Mill (1806-1873). The point of discussing these authors is not merely historical; the pragmatic, moral, and meta-ethical arguments for toleration employed by these authors often reappear (in whole or in part) in contemporary philosophical debates about toleration. Thus, these historical arguments serve as important precursors for the array of contemporary arguments in favour of toleration that we will consider in the second section of the course. In the course of examining those arguments, we will probe the relationship between toleration and scepticism, relativism, fallibilism, autonomy, equality, identity, and political liberalism. Some of the contemporary authors that we will discuss include John Rawls, Charles Taylor, Joseph Raz, Michael Walzer, Brian Barry, Bernard Williams, and Karl Popper.

The remaining sections of the course will focus on several philosophical issues: the distinction between toleration as an individual and as a socio-political virtue; the limits of toleration; the relationship between toleration and free philosophical debate; and, crucially, critical perspectives on toleration. One of the questions we shall ask is whether toleration is an essentially hierarchical value and practice, one that implies an asymmetrical relationship between the virtuous (tolerator) and the base (tolerated).

Throughout the course, we will attempt to keep in view the relationship of toleration to a wider set of moral norms and practices, including those of liberalism and human rights. In addition, an effort will be made by the instructors to demonstrate the relevance of toleration to current events and politics. Topics for discussion will include: The Satanic Verses, the Danish cartoons, the rights of holocaust deniers, anti-gay laws in Africa, Québécois nationalism, and the relationship between Native American minorities and non-Native majorities.

COURSE REQUIREMENTS

- 15%** Class Participation: This is an advanced class in which we expect the students to have always done the readings and to be prepared to actively contribute to the discussions in class. Since we don't want to penalize students who work hard but are timid, the grade for participation will not be below the average grade for the other components of the evaluation.
- 20%** Presentation in class of (at least) one assigned text for one session. The presentation must include (a) a concise summary of the argument set forth in the text and raise (b) two critical questions about the argument that will introduce the class discussion. Presentations should be about 15 – 20 minutes long. Important: A handout clearly laying out the argument's structure must be distributed before the presentation.
- 20%** Short paper of 1800 – 2000 words, due on 16 February. The paper must (a) clearly present the argument and (b) critically discuss one of the texts of the two first course segments (either an assigned text or a suitable supplementary text). The text discussed in the paper may not be the same as the text that you presented in class.
- 45%** Final paper of 3600 – 3800 words, due on 12 April. The final paper must critically compare two or more of the main texts/authors/arguments that we discussed in class. It may be based on the assigned or the supplementary readings of the syllabus, or on other suitable texts that were not discussed in class (the texts selected for the short paper or for the presentation cannot be the main texts for the final paper). You should clearly assess the strengths and weaknesses of the arguments for the positions that you compare and present a well-informed and critical solution. Choosing an appropriate topic for the final paper is part of the task. The topics must be submitted for feedback to the instructors at the latest on 3 April.

Notes:

Papers submitted late will be penalized by 1/3 grade per day (e.g. A- instead of A if the paper is one day late).

McGill University values academic integrity. Therefore, all students must understand the meaning and consequences of cheating, plagiarism and other academic offences under the Code of Student Conduct and Disciplinary Procedures (see www.mcgill.ca/students/srr/honest/ for more information).

In accord with McGill University's Charter of Students' Rights, students in this course have the right to submit in English or in French any written work that is to be graded.

In the event of extraordinary circumstances beyond the University's control, the content and/or evaluation scheme in this course is subject to change.

COURSE MATERIALS

You must acquire the following two books at "The Word" Bookstore on 469 Milton Street (payment in cash or cheque):

- 1) John Locke, *Locke On Toleration* (Cambridge: Cambridge University Press, 2010), ed. Richard Vernon.
- 2) John Stuart Mill, *On Liberty and Other Writings* (Cambridge: Cambridge University Press, 1989), ed. Stefan Collini.

All other texts will be made available in form of a course pack at the McGill Bookstore under: Carlos Fraenkel / Adam Etinson, PHIL 481. Note: The course pack will be available from 13 January.

SYLLABUS

JANUARY

10 CLASS INTRODUCTION

I. HISTORICAL FOUNDATIONS

12 THE CASE FOR RELIGIOUS INTOLERANCE

- (1) Saint Augustine, "Letter 93" in *The Works of Saint Augustine: Part II – Letters, Volume I: Letters 1-99* (New York: New City Press, 2001), trans. Roland S.J. Teske, ed. John E. Rotelle, pp. 376-409.

Supplementary Readings

- (a) Perez Zagorin, *How the Idea of Religious Toleration Came to the West* (Princeton: Princeton University Press, 2003), Ch. 2, pp. 14-45.
- (b) Benjamin J. Kaplan, *Divided by Faith: Religious Conflict and the Practice of Toleration in Early Modern Europe* (Cambridge: Harvard University Press, 2007), pp. 15-73.

17 PIERRE BAYLE

- (1) Pierre Bayle, *A Philosophical Commentary on These Words of the Gospel, Luke 14.23, "Compel Them to Come in, That My House May Be Full"* (Indianapolis: Liberty Fund, 2005), eds. John Kilcullen & Chandran Kukathas, pp. 75-135.

Supplementary Readings

- (a) Zagorin 2003, Ch. 7, pp. 267-288.
- (b) Richard Tuck, "Skepticism and Toleration in the Seventeenth Century" in *Justifying Toleration: Conceptual and Historical Perspectives* (Cambridge: Cambridge University Press, 1988), ed. Susan Mendus, pp. 21-37.
- (c) Rainer Forst, "Pierre Bayle's Reflexive Theory of Toleration" in *Toleration and its Limits* (New York: New York University Press), eds. J. Waldron & M. S. Williams, pp. 78-114.

19 LOCKE'S LETTER CONCERNING TOLERATION

- (1) John Locke, *On Toleration* (Cambridge: Cambridge University Press 2010), ed. Richard Vernon, pp. 3-49.

Supplementary Readings

- (a) John Locke, "Second Treatise of Government" in *Two Treatises of Government* (Cambridge: Cambridge University Press, 1988), Chapter Two, pp. 269-278.
- (b) Richard Vernon, "Introduction" in *On Toleration*, pp. viii-xvii.
- (c) Zagorin 2003, Ch. 7, pp. 240-267.

24 CRITICAL REACTIONS TO LOCKE'S LETTER

- (1) Jonas Proast, "The Argument of the Letter Concerning Toleration, Briefly Considered and Answered" in *On Toleration*, pp. 54-66.
- (2) Jeremy Waldron, "Locke, Toleration, and the Rationality of Persecution" in *Justifying Toleration*, pp. 61-87.

Supplementary Readings

- (a) Richard Vernon, "Introduction" in *On Toleration*, pp. xvii-xxxii.

- (b) John Locke, “A Second Letter Concerning Toleration” in *On Toleration*, pp. 67-107.

26 IMMANUEL KANT ON TOLERATION

- (1) Immanuel Kant, “An Answer to the Question: ‘What is Enlightenment?’” in *Kant: Political Writings* (Cambridge: Cambridge University Press, 1970), ed. H.S. Reiss, pp. 54-61.
(2) Immanuel Kant, *Groundwork of the Metaphysics of Morals* (Cambridge: Cambridge University Press, 1997), ed. Mary Gregor, intro. Christine M. Korsgaard, Sec. II, pp. 19-52.

31 MILL AND THE HARM PRINCIPLE

- (1) John Stuart Mill, *On Liberty and Other Writings* (Cambridge: Cambridge University Press, 1859/1989), ed. Stefan Collini, Ch. 1.

Supplementary Readings

- (a) Jeremy Waldron, “Mill and the Value of Moral Distress” in *Political Studies*, Vol. 35, No. 3, 1987, pp. 410-423

FEBRUARY

2 MILL ON FREE SPEECH

- (1) Mill 1859/1989, Ch. 2.

Supplementary Readings

- (a) David van Mill, “Freedom of Speech” in *The Stanford Encyclopaedia of Philosophy* (available online), §2-3.
(b) Joel Fienberg, *The Moral Limits of the Criminal Law, Volume Two: Offense to Others* (Oxford: Oxford University Press, 1985), Ch. 7, pp. 1-25.
(c) Stephen Pinker, “In Defense of Dangerous Ideas” in *The Chicago Sun Times* (online).

7 MILL ON INDIVIDUALITY

- (1) Mill 1859/1989, Chs. 3 & 4.

Supplementary Readings

- (a) Willhelm von Humbolt, *The Limits of State Action* (Cambridge: Cambridge University Press, 1969), ed. J.W. Burrow, Chs. II & VIII, pp. 16-22, 71-82.
(b) Glyn Morgan, “The Mode and Limits of John Stuart Mill’s Toleration” in

Toleration and its Limits (New York: New York University Press), eds. J. Waldron & M. S. Williams, pp. 139-171.

II. CONTEMPORARY JUSTIFICATORY PARADIGMS

9 SKEPTICISM AND FALLIBILISM

- (1) Karl Popper, "Toleration and Intellectual Responsibility" in *On Toleration* (Oxford: Oxford University Press, 1987), eds. Susan Mendus & Dave Edwards, pp. 17-35.

Supplementary Reading

- (a) Joseph Raz, "Liberalism, Skepticism, and Democracy" in *Iowa Law Review*, Vol. 74, 1988-1989, pp. 761-786.

14 RELATIVISM

- (1) David B. Wong, *Moral Relativity* (Berkeley: University of California Press, 1984), 177-198.
- (2) Bernard Williams, *Morality: An Introduction to Ethics* (Cambridge: Cambridge University Press, 1972), pp. 20-26.

Supplementary Reading

- (a) Catriona MacKinnon, *Toleration: A Critical Introduction* (New York: Routledge, 2006), pp. 35-43.

16 AUTONOMY

- (1) Joseph Raz, (1988): "Autonomy, Toleration, and the Harm Principle," in S. Mendus (ed.), *Justifying Toleration: Conceptual and Historical Perspectives*, Cambridge: Cambridge University Press, 155-175.

Supplementary Reading

- (a) Susan Wolf, "Two Levels of Pluralism" in *Ethics*, Vol. 102, No. 4, 1992, pp. 785-798.
- (b) Catriona MacKinnon, *Toleration: A Critical Introduction* (New York: Routledge, 2006), pp. 52-66.

21 *Study Break*

23 *Study Break*

28 EQUALITY

- (1) John Rawls, *A Theory of Justice: Revised Edition*. (Oxford: Oxford University Press Sections, 1971/1999): § 1, 2, 3, 4, 11, 32, 33, 34, 35, 39.

Supplementary Reading

- (a) Will Kymlicka, “Liberal Equality” in *Contemporary Political Philosophy: An Introduction* (Oxford: Oxford University Press, 2001), Ch. 3, pp. 53-102.

MARCH

1 AUTHENTICITY AND RECOGNITION

- (1) Charles Taylor, *The Ethics of Authenticity* (Cambridge: Harvard University Press, 1991), pp. 1-55.

Supplementary Reading

- (a) Charles Taylor, “The Politics of Recognition” in *Multiculturalism: Examining the Politics of Recognition* (Princeton: Princeton University Press, 1994), ed. Amy Gutmann, §1-3.
(b) Peter Jones, “Toleration, Recognition, and Identity” in *The Journal of Political Philosophy*, Vol. 14, No. 2, 2006, pp. 123-143.

6 DEMOCRACY

- (1) Michael Walzer, “Philosophy and Democracy” in *Political Theory*, Vol. 9, No. 3, 1981, pp. 379-399.
(2) Richard Rorty, “The Priority of Democracy to Philosophy” in *Objectivity, Relativism, and Truth: Philosophical Papers Volume I* (Cambridge: Cambridge University Press, 1991), pp. 259-282.

Supplementary Reading

- (a) Catriona MacKinnon, *Toleration: A Critical Introduction* (New York: Routledge, 2006), pp. 43-47.

8 POLITICAL LIBERALISM: THE MORAL STRAND

- (1) John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), Lecture IV, pp. 130-172.

Supplementary Reading

- (a) Martha Nussbaum, “Perfectionist Liberalism and Political Liberalism” in

Philosophy and Public Affairs, Vol. 39, No. 1, 2011, pp. 3-45.

13 POLITICAL LIBERALISM: THE EPISTEMOLOGICAL STRAND

- (1) John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), Lecture IV, pp. 54-66.

Supplementary Reading

- (a) Brian Barry, *Justice as Impartiality* (Oxford: Oxford University Press, 1995), pp. 160-188.
(b) Catriona MacKinnon, *Toleration: A Critical Introduction* (New York: Routledge, 2006), pp. 47-50, 67-80.

III. CONCEPTUAL THEMES

15 TOLERATION AS A VIRTUE

- (1) John Horton, "Toleration as a Virtue" in *Toleration: An Elusive Virtue* (Princeton: Princeton University Press, 1999), ed. D. Heyd, pp. 28-44.
(2) Bernard Williams, "Toleration: An Impossible Virtue?" in *Toleration: An Elusive Virtue* (Princeton: Princeton University Press, 1999), ed. D. Heyd, pp. 18-28.

Supplementary Reading

- (a) David Heyd, "Is Toleration a Political Virtue?" in *Toleration and its Limits* (New York: New York University Press), eds. J. Waldron & M. S. Williams, pp. 171-195.

20 THE LIMITS OF TOLERATION

- (1) Alon Harel, "The Boundaries of Justifiable Tolerance: A Liberal Perspective" in *Toleration: An Elusive Virtue* (Princeton: Princeton University Press, 1999), ed. D. Heyd, pp. 114-127.

Supplementary Reading

- (a) Rainer Forst, "The Limits of Toleration" in *Constellations*, Vol. 11, No. 3, 2004, pp. 312-325.

IV. TOLERATION AND SOCRATIC DEBATE

22 DIVERSITY, DEBATE, AND AUTONOMY

- 1) Carlos Fraenkel, TBD

27 PHILOSOPHY AND SOCIETY

- 1) Carlos Fraenkel, TBD.

V. CRITIQUES OF TOLERATION

29 TOLERATION AS CIVILIZATIONAL DISCOURSE

- (1) Wendy Brown, "Toleration as/in Civilizational Discourse" in *Toleration and its Limits* (New York: New York University Press), eds. J. Waldron & M. S. Williams, pp. 406-443.

Supplementary Reading

- (a) Wendy Brown, "Civilizational Delusions: Equality, Secularism, Tolerance" (Lecture).

APRIL

3 TOLERATION AS AN INSULT

- (1) Rainer Forst, "'To Tolerate Means to Insult': Toleration, Recognition, and Emancipation" in *Recognition and Power: Axel Honneth and the Tradition of Critical Social Theory* (Cambridge: Cambridge University Press, 2007), ed. Bert van den Brink, pp. 215-237.

Supplementary Reading

- (a) Leslie Green, "On Being Tolerated" in *The Legacy of H.L.A. Hart: Legal, Political, and Moral Philosophy* (Oxford: Oxford University Press, 2008), eds. M. Kramer, C. Grant, B. Colburn, A. Hatzistavrou, pp. 277-299.

5 OTHER CRITIQUES

- (1) Herbert Marcuse, "Repressive Tolerance" in *A Critique of Pure Tolerance* (Boston: Beacon Press, 1969), eds. Robert Paul Wolff, Barrington Moore, and Herbert Marcuse, pp. 95-137.

Supplementary Reading

- (a) Robert Paul Wolff, "Marcuse's Theory of Toleration" in *Polity*, Vol. 6, No. 4, 1974, pp. 469-479.

V. TOLERATION IN PRACTICE

10 THE SATANIC VERSES & DANISH CARTOONS

- (1) Jeremy Waldron, "Rushdie and Religion" in *Liberal Rights: Collected Papers 1981-1991* (Cambridge: Cambridge University Press, 1993), pp. 134-143.
- (2) Peter Jones, "The Satanic Verses and the Politics of Identity" in *Reading Rushdie: Perspectives on the Fiction of Salman Rushdie* (Amsterdam: Editions Rodopi, 1994), ed. D.M. Fletcher, pp. 321-334.

Supplementary Reading

- a) Peter Singer, "Free Speech, Mohammed, and the Holocaust" in *Project Syndicate*, March 2006. (online)
- b) Ronald Dworkin, "Even bigots and holocaust deniers must have their say" in *The Guardian*, 14 February, 2006. (online)

12 COURSE CONCLUSION