Phil 2, November 26, 2007

The paradox of tolerance:
- On the one hand, toleration involves rejection. We don’t tolerate things that we wholeheartedly embrace.
- On the other hand, toleration involves acceptance. In tolerating something, we restrain our rejection of it.
- There are some things that we fully accept, that we don’t need to tolerate, like our friends’ love and respect for us.
- There are some things that we fully reject, that we cannot tolerate, such as racist violence.
- The things we tolerate lie somewhere in between. But how can there be something in between: something we both reject and accept?

The distinction between truth and reasonableness:
What makes toleration possible, Rawls suggests, is the difference between truth and reasonableness.
- On the one hand, we fully accept our own convictions; we believe them to be true.
- On the other hand, we fully reject some convictions that are unreasonable.
- In between are other convictions that are reasonable. We reject these convictions, insofar as we believe that they are false. (They contradict our own.) But we accept them, in another sense, insofar as we believe that they are reasonable.

When is a conviction reasonable? Part of the answer is that it is:
- Arrived at by one’s conscientiously and competently assessing one’s own reasons for belief and action.

How is reasonable disagreement possible? The “burdens of judgement”
If contradictory convictions cannot all be true, how can they all be reasonable? How can reasonable people disagree?

Because of the “burdens of judgment”:
- The evidence bearing on the case may be conflicting and complex, and thus hard to assess and evaluate.
- Even where we agree fully about the kinds of considerations that are relevant, we may disagree about their weight.
- Many concepts are vague and indeterminate.
- How we assess evidence and weigh moral and political values is shaped by our total experience, our whole course of life up to now. In a diverse culture, people have had different experiences.

Notice what does not explain disagreement: “that people are often irrational and not very bright,” “prejudice and bias, self- and group-interest, blindness and willfulness,” “ignorance and perversity,” “rivalries for power, status, and economic gain” (55, 58).

Reasonable disagreement and toleration:
Recall our question: When is a conviction reasonable? Part of the answer, which we saw earlier, is that it is:
• Arrived at by one’s conscientiously and competently assessing one’s own reasons for belief and action.

The other part of the answer is that a conviction is reasonable when it is:
• Arrived at by respecting the reasons of others.
  o In part, this means treating them fairly: recognizing that they have their own reasons, and so meeting them halfway.
  o In part, it means tolerating them: recognizing that, because of the burdens of judgment, they may, when they conscientiously and competently assess their reasons, arrive at different conclusions.

Thus, intolerant convictions are unreasonable. We do not have the same reason to tolerate them.

**Thomson on abortion:**
Thomson’s paper, “Abortion,” is, in effect, an application of Rawls’s account of tolerance.

Here is an argument that Thomson believes is sound (=true premises and the conclusion follows from the premises):
1. We can wrong only something that has interests.
2. A fertilized egg lacks interests.
3. Therefore, we cannot wrong a fertilized egg.
4. Something has a protected moral status (=we are not permitted to destroy it in order to make the world better=a “right to life”) only if we can wrong it.
5. Therefore, a fertilized egg does not have a protected moral status.

However, while Thomson believes, and believes that it is reasonable to believe, 4 (and so 5), she also believes that it is also reasonable to reject 4 (and so 5).

Doesn’t this mean that the debate over whether abortion should be legal ends up at an impasse, or stand-off? No, says Thomson.
1. A law may constrain someone’s liberty only if the person cannot reasonably reject the justification of the law.
   o “When a deeply valued liberty is constrained on a ground that the constrained are not in the least unreasonable in rejecting outright, then what is done to them cannot be justified to them, and imposing the constraint on them is therefore nothing but an exercise of force.”
   o Such a law is unreasonable, because it does not respect the burdens of judgment.
2. A law outlawing abortion constrains the liberty of women who seek abortions.
3. The justification of a law outlawing abortion is that a fertilized egg has a right to life.
4. Women can reasonably reject that a fertilized egg has a right to life (although women can also reasonably accept it).
5. Therefore, a law may not outlaw abortion.

Objection: “A law that allows abortion constrains the liberty of the fertilized egg! And a fertilized egg can reasonably reject the justification that it has no right to life.” Is the situation really parallel?