

PHIL 167: Contemporary Political Philosophy
Fall 2005; David O. Brink
Saturday, November 5
Paper #2

Write a paper approximately 5-7 pages long on one of the following topics. The paper is due in class on Friday, November 18. If none of these topics suits and you have something else in mind, you are welcome to try to devise a topic of your own, but **you must okay your topic with me in advance**. If necessary and with suitable explanation, you can get an extension on the paper. But **any extension must be arranged in advance** of the due date. Otherwise, late papers will be penalized as described on the Course Description. Before starting, consult the Writing Guidelines handout on the course website. Students are welcome to discuss their topics and drafts with me.

1. In Anarchy, State, and Utopia Robert Nozick claims that a minimal state can and would arise without violating anyone's rights. Explain and assess Nozick's claim.
2. What are public goods, and how might they be thought to pose a problem for libertarianism? How serious a problem is this? How, if at all, could Nozick reply?
3. Nozick's brand of libertarianism seems to eschew egalitarian conceptions of distributive justice. Why? Must the libertarian reject the demands of equality? Reconstruct and assess Michael Otsuka's left libertarianism, which tries to reconcile Lockean rights to self-ownership with equality ("Self-ownership and Equality: A Locken Reconciliation" Philosophy & Public Affairs 27.1 (1998): 65-92).
4. In the second part of Anarchy, State, and Utopia Nozick argues against the extraminimal state in part by defending his own theory of justice, viz. the entitlement theory. Explain Nozick's entitlement theory and then consider how far back in history we should go in correcting for past injustices. What should the entitlement theory say about this matter, and how would the answer affect our attitudes toward Native American land claims or demands for compensation by African Americans for injustices of American slavery (or some comparable issue about reparations for past injustices)? Be specific about how these claims bear on the entitlement theory and their implications for a minimal state. (You might want to consult David Lyons, "The New Indian Land Claims and Original rights to Land" in Reading Nozick, ed. J. Paul.)
5. In A Theory of Justice John Rawls consciously develops Justice as Fairness as an alternative to utilitarianism. What is Justice as Fairness, and why does Rawls think that his two principles of justice are superior to utilitarianism? Focus on Rawls' contractual argument against utilitarianism and for his two principles, especially the difference principle (Ch. III, esp. §§26-28). Do you find Rawls' arguments compelling? Why or why not?
6. In A Theory of Justice §§12-13, 17 Rawls describes three conceptions of the second principle of justice: the system of natural liberty, liberal equality, and democratic equality. What in Rawls' view makes liberal equality preferable to natural liberty and democratic equality preferable to liberal equality? What bearing do these arguments have on Nozick's libertarian assumptions about the operation of markets with unrestricted private property rights? What role does Rawls give to the assumption that we should treat people's natural talents as a "common asset" (TJ

§17)? What are Nozick's criticisms of this assumption (ASU esp., pp. 213-31), and are they compelling?

7. In his article "Responsibility, Reactive Attitudes, and Liberalism in Philosophy and Politics" (Electronic Reserves) Samuel Scheffler argues that liberalism, both political and philosophical, encounters resistance because it does not take seriously enough the concepts of individual desert and responsibility. Explain and assess Scheffler's thesis. It would help to assess his worry about liberalism in light of a specific conception of liberal egalitarianism -- either Rawls' Justice as Fairness, Ronald Dworkin's Equality of Resources (Electronic Reserves), or Richard Arneson's Equality of Opportunity for Welfare (Electronic Reserves).

8. Arneson is a sympathetic critic of Rawls who wants to defend a form of consequentialism that is egalitarian in character while making room for recognition of individual responsibility. He sometimes calls this view Responsibility-Catering Prioritarianism (see, e.g., "Rawls, Responsibility, and Distributive Justice" in Justice, Political Liberalism, and Utilitarianism, ed. M. Salles and J. Weymark (link on course website). Explain and assess Arneson's view.