This assignment is due in class on Monday, November 22. Late papers will be subject to grade penalty.
Write an essay of about five to seven pages on one of the following topics: (Please indicate clearly which topic you have chosen on your title page.)

1. Some acts are commonly regarded as morally innocent if done for free but as morally wrong or at least problematic if done for a fee. Consider commercial surrogacy and prostitution. The commercial surrogate is a woman who contracts to undertake the labor of pregnancy for a fee, the newborn baby to be given for adoption to the persons specified in the contract. The prostitute performs sexual acts with or on another person for a fee. Are there good reasons to prohibit one or both of prostitution and commercial surrogacy? Are the most plausible reasons for prohibition paternalistic, or “legal moralistic,” or a mixture of these, or something else? Defend or attack the arguments of J. S. Mill and Joel Feinberg against the idea that paternalistic reasons and legal moralistic reasons ever qualify as good (or good enough) reasons for criminal prohibition.

2. What does the Liberty Principle defended by J. S. Mill in On Liberty imply concerning the moral acceptability of criminal prohibitions of (a) suicide, (b) assisted suicide, and (c) fight-to-the-death gladiator contests between willing paid contestants? Do the implications of the Liberty Principle concerning these kinds of conduct support the Liberty principle, in your view, or show that it should be rejected?

3. Assume that the use of some recreational drugs (heroin, cocaine) compromises or degrades the user’s capacity to deliberate and choose as a rational agent and the use of some medical drugs (opiate painkillers) does the same. Does Mill’s utilitarianism hold that initiating such drug usage is always morally wrong all things considered? Why or why not? Does the humanity formula of the categorical imperative asserted by Kant in section 2 of his Groundwork of the Metaphysics of Morals hold that initiating such drug usage is always morally wrong all things considered? Why or why not? Does the application of Mill’s and Kant’s principles to this example reveal defects or problems in Mill’s ethics or Kant’s ethics or both? Explain the reasons for your answer.

4. In section 2 of the Groundwork of the Metaphysics of Morals Immanuel Kant writes: “There is, therefore, only a single categorical imperative and it is this: Act only in accordance with that maxim through which you can at the same time will that it become a universal law.” Christine Korsgaard comments, “At least where duties to others are concerned, Kant’s test may be regarded as a formalization of the familiar moral challenge, “What is everybody did that?” Explain how the
universal law formula of the categorical imperative is supposed to test the moral permissibility of proposed courses of action. Describe examples that show how the test would operate. If we apply the test as Kant intends, are the verdicts on proposed courses of action that it yields plausible or implausible? For what reasons?

Your essays will be graded according to the cogency of your arguments, the soundness of the understanding of course texts you display, and the clarity of your prose.

Avoid long quotations from course texts. To show that a course text says what you say it does, support your interpretations of texts with precise footnote references.

Your essay should reflect your own independent reading and thinking about the topic, and should not plagiarize—represent another person's ideas or words as your own. Any borrowing of the words or ideas of another in your paper should be acknowledged in footnotes. See the UCSD Student Code on Integrity of Scholarship, accessible at http://ugr8.ucsd.edu/judicial/ad-guide.html#sec2-0

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