This writing assignment is due at the end of the week before final exams begin, on Friday, December 12. The assignment can be submitted by email transmission to me at rarneson@ucsd.edu.

Write an essay of about 15-20 pages (double-spaced print) on one of the following topics. Please indicate on your title page which topic you will be addressing.

1. Ronald Dworkin states, "No government is legitimate that does not show equal concern for the fate of all those citizens over whom it claims dominion and from whom it claims allegiance." He argues that equal concern requires equality of resources, and interprets that ideal in the light of two principles of ethical individualism: “The first is the principle of equal importance: it is important, from an objective point of view, that human lives be successful rather than wasted, and this is equally important, from that objective point of view, for each human life. The second is the principle of special responsibility: though we must all recognize the equal objective importance of the success of a human life, one person has a special and final responsibility for that success—the person whose life it is.” -- State Dworkin’s conception of equality of resources regarded as an attempt to integrate the values of equality, individual liberty, and personal responsibility in a theory of justice. Assess its strengths and weaknesses. Criticize or defend the theory in the light of the policy implications Dworkin draws from it.

2. Elizabeth Anderson and Samuel Scheffler attack the family of theories of justice that Anderson calls "luck egalitarianism" or "equality of fortune" and defend instead an approach that Anderson calls "democratic equality." Assess their critique taken as directed against Ronald Dworkin’s conception of equality of resources. Either defend Dworkin’s or some other version of luck egalitarianism against the democratic equality critics or their democratic equality approach against luck egalitarianism.

3. In Simple Rules for a Complex Society Richard Epstein proposes a set of simple rules as the proper basis for a legal order. He is defending something close to a minimal state by appeal to (something close to) utilitarian arguments rather than by appeals to natural moral rights as in Robert Nozick’s libertarian Lockean theory of justice. Is Epstein’s account rightly interpreted vulnerable to the objections against utilitarian approaches to social justice advanced by Robert Nozick and John Rawls? Why or why not? How successful are Epstein’s arguments taken in their own terms—do utilitarian arguments more plausibly justify the minimal or the more-than-minimal state? (To what degree, if at all, is Epstein committed to utilitarianism? Support your answer and explain how it bears on your assessment of Epstein’s enterprise.)

4. “Justice requires that society guarantee every individual sufficient resources, that is to say, resources that enable a threshold level of decent existence for all. But above this sufficient minimum, justice does not require, and may prohibit, transfers of resources from more successful to less successful individuals.”—Defend or attack this sufficientarian view of justice. Your discussion should include a discussion of both Martha Nussbaum’s and Elizabeth Anderson’s versions of the sufficiency doctrine. Your discussion should consider the objection that there is no nonarbitrary “sufficient” line, just a continuum of points marking better and worse levels of quality of life. Your discussion should also include consideration of some significant criticisms of the doctrine of sufficiency as entitling individuals to “too much” (Nozick, Schmidtz, Epstein) and as entitling them to “too little” (Dworkin, Rawls).

5. Develop either a critique of Ronald Dworkin’s theory of justice from the standpoint of David Schmidtz’s rival view or a Dworkinian critique of Schmidtz’s theory (or conception) of social justice. Be sure your essay characterizes and elucidates the account that is under attack as well.
as the views of the critic. Your essay should include your own assessment of the critique as you present it.

6. “Justice requires the state to enforce equality of opportunity for all members of society but forbids the state to enforce equality of outcomes (equality in the quality of the lives individuals reach) no matter what standard for measuring the inequality of outcomes is proposed.”—Defend or attack the quoted statement. Your discussion should consider the contrasting views on this issue advanced by John Rawls, Ronald Dworkin, Robert Nozick, and David Schmidtz in course readings.

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Your essays will be graded according to the clarity of your prose, the cogency of the arguments you advance, and the soundness of the understanding of course materials you exhibit. Avoid long quotations from course texts. University rules and common morality forbid plagiarism.

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I encourage consultation with me as you draft your paper. This can be done by email if you like. I can also make myself available after class on most days, if you want to consult then, or we can arrange a mutually agreeable time. I am willing to comment on a draft of your paper if it is submitted at least a week before the final due date.—Dick Arneson

email rarneson@ucsd.edu

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I’m open to an alternative mode of completing the writing assignment: rather than write one essay of 15-20 pages, write two essays that together reach a length of 15-20 pages. If you wish to go this route, you would need to consult me about appropriate short essay topics (these can be truncated versions of the long essay topics proposed above). Before you begin work on the alternative writing assignment you must get my agreement on a set of two topics you propose. Here are two more topics suitable for short essays, but not long essays.

Short 1. “The state should be neutral between controversial conceptions of the good life, so the state ought not to enforce a legal prohibition on the voluntary purchase and use of any recreational drug. —Do you agree or disagree? For what reasons? Your discussion should contain some significant arguments on this issue advanced in course readings by Ronald Dworkin (in chapter 6 of Sovereign Virtue) and by Robert Nozick and John Rawls.

Short 2. Suppose that the state limits its activities to protecting people from violations of what are uncontroversially (according to your own favored standards) their rights to live as they choose without wrongful interference and not to be harmed wrongfully by others. The state charges each member of society protected by this scheme an uncontroversially fair charge for these protection activities and coercively enforces this fair payment scheme. Explain to what extent, if at all, Robert Nozick’s and A. John Simmons’s and Christopher Wellman’s positions on the Hart-Rawls principle of fairness/fair play might justify such coercive enforcement. Defend or attack the Simmons, Nozick and Wellman positions on this issue.