

Third paper topics

Write a paper no longer than 1800 words, about 5-6 pages, on one of the topics below. Please turn your paper in to my box in 208 Pearsons by 11:30 am on Tuesday, May 5. Good luck!

1. According to John Stuart Mill, we should never try to silence any opinion because, for all we know, the opinion might be true. Why? Because “to deny this is to assume our own infallibility.”¹ What did Mill mean by this? Give what you regard as a good reason for disputing Mill’s argument. How might he respond? What do you think: must we presume our infallibility in order to be justified in silencing an opinion?
2. Would it be so bad for libertarians to concede that the needy have first claim on things? For instance, Nozick *did* say that the only rights that take the form of side constraints are: rights against force, theft, and fraud; rights to the performance of contracts; “and so on.”² I said that he *could* have said that there is at least one other right: the right of the needy to things that they need. Would acknowledging such a right undermine Nozick’s libertarian conclusion? Consider the best case for saying it would as well as the best case for saying that it would not. What do you think? Could a libertarian state enforce the rights of the needy to the things that they need, just as it enforces property and other rights? Or would that be incompatible with liberty, as libertarians see it?
3. Rawls’s argument against libertarianism in §§ 11–13 of *A Theory of Justice* is driven by a contention about moral arbitrariness. He thought that the System of Natural Liberty would be unjust because it “permits distributive shares to be improperly influenced” by factors that are “arbitrary from a

¹ *On Liberty*, ch. 2, p. 50 (fourth paragraph from the end).

² *Anarchy, State, and Utopia*, p. ix.

moral point of view.”³ Similar reasoning is used to argue against the two other systems that he considers: Liberal Equality and Natural Aristocracy. Discuss Rawls’s use of this kind of argument against any one of these “systems.” What is the best case for thinking that the factors he points to are morally arbitrary and should not influence the distribution of goods? What are the best reasons for denying these points? What do you think? Has Rawls shown that only Democratic Equality is an acceptable system for the distribution of opportunities and wealth?

4. Why might the parties in the original position choose some version of utilitarianism rather than Rawls’s principles of justice? Why does Rawls think they would choose his principles instead? What do you think the parties would choose?

³ *A Theory of Justice*, p. 72.