

Third paper topics

Write a paper no longer than 1800 words, about 5-6 pages, on one of the topics below. Please upload your paper to Sakai *and* turn a paper copy in to me by 10am on Thursday, November 29 (this is later than the date in the syllabus). Good luck!

1. Mill's discussion of justice in the fifth chapter of *Utilitarianism* is dauntingly complex. One kind of argument he made is that our ideas of justice are too confused to rely on. Consequently, he believed, we can best make sense of them if we treat them as merely close approximations of utilitarianism. He went over several examples to prove his point: punishment (pp. 53-6), wages (pp. 56-7), and taxation (pp. 57). Taking one of these examples, do the following. Explain Mill's point. Present what you regard as a compelling objection to Mill's treatment of justice in that area. Give your opinion: has Mill shown that utilitarianism is the only alternative to hopelessly confused ideas about justice in the area you examined?
2. According to Mill, if an opinion "is not fully, frequently, and fearlessly discussed, it will be held as a dead dogma, not a living truth" (*On Liberty*, Ch. 2, ¶21). Explain what Mill meant by this and how it is relevant to his utilitarian case for liberty of thought and discussion. Give what you regard as a compelling objection to Mill's claim. How might Mill defend himself? What do you think? Is Mill's argument persuasive or not?
3. In considering the ways that utilitarianism clashes with common sense morality, Henry Sidgwick reached a conclusion "of a paradoxical character," namely that utilitarianism forms an "esoteric morality" (p. 21). Explain how Sidgwick reached this conclusion. Give what you regard as a compelling objection to the idea of an esoteric morality. Consider how Sidgwick might respond to the objection. Finally, give your opinion: would this response be adequate?
4. Nozick argues from a premise that rights take the form of side constraints to the conclusion that rights have a libertarian content. Scheffler disputes Nozick's argument by presenting an alternative conception of rights. Explain

each philosopher's thinking: why does Nozick think that he can make the move from form to content and why Scheffler disputes it. What might Nozick say in response to Scheffler? Who do you think is right?

5. 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 moral point of view" (*A Theory of Justice*, p. 72). 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?