

MIDTERM WRITING ASSIGNMENT**THEORIES OF JUSTICE****FALL, 2008**

This assignment is due at the start of class on October 13. Late papers will be subject to grade penalty.

Write an essay responding to one of the topics listed below. Please indicate clearly which topic you are addressing. Your exam should be the equivalent of about five to seven typed double-spaced pages.

1. Assess the argument in chapter 3 of *A Theory of Justice* to the conclusion that the parties in the original position would adopt a “maximin” decision rule and thus be led to choice of Rawlsian principles of justice. Assess Rawls’s proposal that the content of social justice is what people in an appropriately described original position would choose.
2. On p. 213 of *Anarchy, State, and Utopia*, Robert Nozick states that “Rawls comes closest to considering the entitlement system in his discussion of what he terms the system of natural liberty.” In that discussion Rawls notes that under this regime the initial distribution of assets “is the cumulative effect of prior distributions of natural assets—that is, natural talents and abilities—as these have been developed or left unrealized, and their use favored or disfavored over time by social circumstances and such chance contingencies as accident and good fortune. Intuitively, the most obvious injustice of the system of natural liberty is that it permits distributive shares to be improperly influenced by these factors so arbitrary from a moral point of view.” State Rawls’s argument from the arbitrariness of natural endowments to his views on social and economic inequalities. How would these chance contingencies be treated in a society that satisfied Rawls’s principles of justice? State Nozick’s objections to Rawls’s thinking on this issue and defend or attack Rawls on this point.
3. Rawls’s first principle of justice states, “Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all.” Expound Rawls’s equal basic liberty principle and the rationale for its priority given in chapter 4 and in section #82 of *A Theory of Justice*. Contrast Rawls’s position on civil liberties with the tradeoffs of basic liberty for other benefits a utilitarian position would endorse, and defend Rawls’s position on this issue, or the utilitarian alternative, or some third position you devise.
4. In *Anarchy, State, and Utopia* Robert Nozick defends a version of Lockean natural rights doctrine that holds that apart from contract and other voluntary acts that involve the undertaking of obligations, the only enforceable duty one has to other people is not to harm them in certain specified ways (that violate their rights). On this view, one is never under an enforceable duty to provide positive assistance to others; one is not permitted to help one group of people if that activity would cause harm to others who do not consent to be so treated; and one is never under an enforceable duty to refrain from acting toward others in ways that would cause them harm provided they give prior consent to such treatment. Defend or attack Nozick’s natural rights doctrine in connection with the three implications just noted. Your discussion should include consideration of some significant grounds for opposing these aspects of Nozick’s position advanced in course readings by one author—John Rawls, Peter Singer, Richard Miller, or Amartya Sen.
5. State John Rawls’s difference principle, describe its placement in Rawls’s proposed principles of justice, and defend or attack it.
6. In the “Preface” to *Anarchy, State, and Utopia* Robert Nozick states, “Individuals have rights, and there are things no person or group may do to them (without violating their rights).” In chapter 3 he develops a conception of moral rights as side constraints. State the side constraint conception of moral rights and defend or attack it in the light of the criticisms of it that Amartya Sen presents and that a utilitarian would raise.
7. In chapter 7, section 1 of *Anarchy, State, and Utopia* Robert Nozick outlines an historical entitlement account of distributive justice and indicates how on this account people may legitimately acquire permanent, bequeathable full private ownership rights over portions of the earth. Summarize Nozick’s position on these matters and either defend or attack it.

Your answers will be graded according to the cogency of your arguments, the clarity of your prose, and the soundness of the understanding of course materials that you display. Your answers should avoid lengthy quoting of course texts. To show that a course author holds the view you are attributing to him, provide precise footnote references that support your interpretations. University rules and moral norms of honesty forbidding plagiarism apply to this assignment.