

POLITICAL PHILOSOPHY

Constraints on Action

Instructions

When doing the reading for this class, there are the two basic kinds of information you need to understand:

1. What are the main points or conclusions that an author accepts with respect to a particular issue?
2. What are the reasons, important considerations, and evidence that lead the author to accept that conclusion?

For our purposes, *it is information of the second sort that will be our primary concern* since our most basic task is to *evaluate the reasons and evidence* that are offered to support accepting one possible position on an issue, rather than another.

Reading

Nozick, R. (1974). [Chapter 3]. In *Anarchy, state, and utopia* (pp. 26–53). Blackwell.

Questions

As you read, keep these questions in mind:

1. What does Robert Nozick mean by the “minimal (night-watchman) state” and the “ultraminimal state” (p. 26)?
The crucial difference between these is that the minimal state is “redistributive” (p. 26) while the ultraminimal state is not. What is that supposed to mean exactly?
2. Nozick ends the first section by presenting a puzzle. He says that it seems the ultraminimal state is inconsistent by (a) claiming to protect rights against violation but then (b) not protecting the rights of those who do not pay for that protection. The second section then tries to show how the ultraminimal state *is* consistent.
What is Nozick’s distinction between a “utilitarianism of rights” (p. 28) and a theory that “places [rights] as side constraints upon the actions to be done” (p. 29)? How is this distinction supposed to show how the ultraminimal state is consistent?
3. What does Nozick mean by the “inviolability of other persons” (p. 32), and what reasons does he give to justify the importance of this idea and to then claim that constraints express this inviolability?
4. What are “libertarian constraints” (p. 33)? Why does Nozick believe that if the “form” of morality involves constraints, then the “content” of morality must have libertarian constraints as well (p. 34)?
5. In the section asking “What are Constraints Based Upon?”, Nozick seeks to identify the set of special characteristics that a person must have in order there to be constraints on how others may treat that person. Put differently: the idea is that if you possess these characteristics, then you are due “respect” from everyone else. And if we truly respect you, then we must accept constraints (or limits) on how we may treat you.
What characteristics of persons does Nozick consider, and which ones does he ultimately seem to suggest are essential for there being constraints on how we may treat a person?
6. How does an “individual anarchist” use these ideas of constraints to show that *any* state is “intrinsically immoral” (p. 51)?
(Side note: Nozick ultimately rejects this argument, though you will have to read several chapters from *Anarchy, State, and Utopia* to see why. Since most people reject anarchy anyway, we will skip that argument and move into later parts of the book for our next classes.)

To answer these questions you will have to reflect critically on what you have read and possibly re-read important passages.

Although I strongly suggest that you write out brief answers to these questions, you do not have to turn in written responses. You do, however, need to be prepared to speak intelligently about these issues at our next class meeting.