

SOCIAL PHILOSOPHY

READING GUIDE #25

FREEDOM TO DO; FREEDOM TO BE

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

Waldron, J. (1991). Homelessness and the Issue of Freedom. *UCLA Law Review*, 39, 295–324.

Optional: Gladwell, M. (2006, February 13 & 20). Million-dollar Murray. *The New Yorker*, 96–107.

Optional: Rafe Conn. (2018, November 27). *Million-dollar Murray* [Video]. YouTube. <https://www.youtube.com/watch?v=lknfj6W7IFM>

QUESTIONS

As you read, keep these questions in mind:

1. What distinctions does Jeremy Waldron make between private and collective property? What are the two types of collective property Waldron distinguishes?

What are examples of all these different forms of property?

2. According to Waldron, what does it mean for a person to be homeless? To what forms of property do the homeless have access and under what conditions? How is their access to property being eroded through regulation?
3. What is the libertarian “fantasy” concerning private property that Waldron discusses? What impact would this have on homeless people? By the end of Waldron’s article (especially after section III.C), why does it seem that the homeless in many areas may effectively be living in such a world?
4. How does Waldron understand the relationship between the *freedom to do* an action and the *freedom to be* somewhere?
5. What does Waldon mean by claiming that the homeless are free to *be* in our society “only to the extent that our society is communist” (pp. 301, 302)?
6. When it comes to the homeless, what relationship does Waldon see between abstract concerns about freedom and more concrete concerns about material well-being? Why does a focus on freedom treat the homeless as active agents? Why does Waldron seem to believe that doing so is very important?
7. Throughout Waldron is implying that the homeless are not as free as the rest of us—why is that? Why does this rely on a purely “negative” sense of freedom?
8. In a system based primarily on laws outlining general prohibitions, how are particular permissions determined? How does this (A) create problems concerning

the freedom of the homeless that are (B) easily overlooked by those with homes?

9. What four reasons does Waldron give to argue that so-called “impartial” laws prohibiting certain uses of common property are really meant to specifically target the homeless?
10. According to Waldron, in what senses, if any at all, are individual people to blame for the severe restrictions on the freedom of the homeless? (Waldron’s analysis here has striking similarities to that of Iris Marion Young.)
11. Why does Waldron believe that the particular freedoms denied to the homeless are easily overlooked? Why does Waldron believe that these freedoms are important, and perhaps even necessary, preconditions for respect, dignity, and autonomy? Why does denying these freedoms also seem to create a negative feedback loop trapping the homeless?

I have included an optional reading from Malcolm Gladwell, along with an optional video, which talks about how providing the homeless with a place to live is actually cheaper for taxpayers than simply allowing them to remain homeless.

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.