

Libertarianism

Nozick

From Ethics to Politics

- Ethics and Political Philosophy are closely related; difference in focus
- **Ethics**: focus on actions of persons; what should a person do?
- **Political Philosophy**: focus on organization of a society (the state)
 - What makes a society **just**?
 - What kind of state (government) is legitimate?
 - What is an equal society?
 - Who should have power in a society?
 - How should economic resources be controlled and distributed?

Libertarianism

- **Libertarianism** = the fundamental human right is the right to liberty (freedom), provided that exercising liberty does not infringe the liberty of others
- One should not kill, steal because this is coercion that infringes liberty of another
- As long as you don't infringe others freedoms, you can do whatever you like

Robert Nozick (1938-2002)

- *Anarchy, State and Utopia* (1970) influential in American politics
 - Co-temporaneous with Rawls, *Theory of Justice*
- Influential in spread of libertarianism
- Tea party supporters are libertarians
 - 28% of US voters support Tea-Party movement (Gallop Poll)
 - 49% of Republican party are supporters of Tea-Party movement (Gallop Poll)
- The Tea-party early, and ideological backbone is Ron Paul
 - <http://www.youtube.com/watch?v=tfYBvIcAtko>

The Libertarian State

- a **minimal state** whose only function is to ensure that its citizens liberties are not violated
- Legitimate Function of State: retaliation and enforcement
 - police force to enforce violation of liberties of citizens: theft, murder, etc.
 - fraud enforcement in business dealings
 - army for defense

The Libertarian State

- No Laws to protect you from yourself
 - no seat belt laws; no alcohol or drug laws
- No moral / religious laws
 - no laws against religious practice
 - no gun control laws
- No economic laws
 - no bailouts of banks or corporations when they fail
 - no welfare
 - no healthcare

Redistribution as Violation of Rights

- Why no public health care? Why no public education?
- Public programs cannot begin without taxation; and taxation is morally wrong
- The Argument Against Taxation
 1. Taxation implies taking of earnings
 2. Taking of earnings implies forced labor
 3. Forced labor is slavery
 4. Slavery is wrong
 5. So, taxation is wrong

How is wealth distributed justly?

Entitlement Theory

1. **Transfer:** whatever is justly acquired can be freely transferred.
2. **Just Initial Acquisition:** an account of how people come initially to own the things that can be transferred in accordance with principle (1)
3. **Rectification of Injustice:** if something is unjustly acquired or transferred, the wrong must be rectified (paid back).

Wilt Chamberlain Example

- Suppose that Wilt Chamberlain (a highly talented NBA player) negotiates a contract such that people place .25 cents in a separate box in order to watch him play. He makes this deal transparently with the team he plays for, the fans gladly pay to see him play, so they are aware of the contract as well. At the end of the year Chamberlain receives \$250,000, more than any other player in the league.
- **Nozick:** Even though Chamberlain has an income much higher than the average citizen, he acquired the capital by just means. There just isn't anything wrong with the way he acquired the income, and so there is nothing wrong with him keeping the wealth

Objection: Restitution Impossible

- Nozick: all acquisition is unjust that derives from unjust transfer, no matter how far back the unjust transaction occurred. If any unjust transfer, the violated party must be compensated
- Examples:
 - Communism takeover of private property in Europe
 - Land takeovers of Native Americans
 - Slavery in the United States
 - many seem to have benefited from unjustly owned property
- **Objection:** how is restitution possible now, given past injustice?

Objection: Gross Wealth Inequality is Unjust

- Nozick: nothing morally wrong with extreme disparities in wealth as long as proper contracts were made and wealth was justly acquired
- Consider wealth inequality in US.
- Many consider this kind of wealth inequality unfair

- <https://www.youtube.com/watch?v=QPKKQnijnsM>

Objection: Higher Rights than Right to Property

- Nozick's Assumption: violating someone's right to property is always wrong
- Suppose Jones knows that Jane is about to be raped. The only way to save her is to steal Smith's car to save her. But, isn't it right to do so? Many would say that it is, and so taking something from someone isn't always a bad thing.