

Topics for Paper 1

1. Critically assess Mill's utilitarian defense of freedom of speech. Be sure to address at the least the following three issues: (i) what reasons does Mill give (in chap. 2 of *On Liberty*) for protecting freedom of speech? (ii) how do those reasons connect to the principle of utility; (iii) do you find his arguments compelling?
2. Suppose that the Supreme Court justices were to use the principle of utility, not the Constitution in evaluating laws that regulate sexual conduct. Would the principle of utility permit states to adopt such laws? Or would it condemn the laws?
3. Critically assess Mill's distinction between higher and lower quality pleasures. Be sure to address at least the following points in your discussion: (i) what is the distinction? (ii) is it a reasonable distinction? (iii) how would Bentham respond to the distinction? (iv) should this distinction play a central role in assessing social and political arrangements?

Topics for Paper 2

1. According to Nozick, "liberty upsets patterns" (pp. 160ff.). What does the quoted phrase mean? Be sure to explain what Nozick means by "liberty" and by "patterns." Is he right that liberty upsets patterns? If not, why not? If so, does such "upsetting" provide a sound reason for rejecting patterns?
2. Provide a libertarian assessment of the arguments in *San Antonio* about public funding for education. Be sure to discuss: (i) Marshall's reasons for rejecting that decision (the idea of an equal start in life); (ii) the majority idea that there may be a right to a minimum threshold of education for all; and (iii) and how a libertarian would respond to (i) and (ii). Is there a libertarian case for a minimum threshold of education for all?
3. Explain what Friedman means (in chapter 10 of *Capitalism and Freedom*) by the "capitalist ethic," and discuss his reasons for endorsing it instead of "equality of treatment." Do you find his reasoning persuasive?

Topics for Paper 3

1. Discuss affirmative action (*Adarand*), campaign finance (*Buckley*), abortion rights (*Roe*), or Okin's critical account of group rights in light of Dworkin's two principles of *equal importance* and *special responsibility*. Be sure to address at least the following issues: (i) Are Dworkin's principles plausible? (ii) Is there a way to address the issue of affirmative action (or campaign finance, or abortion, or group rights for cultural minorities) that accommodates both principles?
2. Evaluate Rawls' arguments for his conception of Democratic Equality. You may focus either on the informal argument (and the contrasts with Natural Liberty and Liberal Equality) or the original position argument. Be sure to address at least the following issues: (i) What does Rawls mean when he says that natural abilities and social background are morally irrelevant? (ii) How is that irrelevance reflected in the difference principle; (iii) Is the difference principle a reasonable standard of fair distribution? (You may want to discuss

the GA Cohen argument about incentive inequalities in addressing this question.)