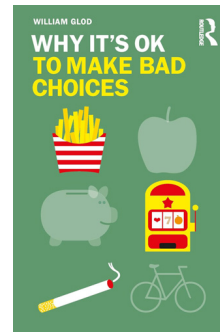


24.150 Liberalism, Toleration, and Freedom of Speech, Fall 2023

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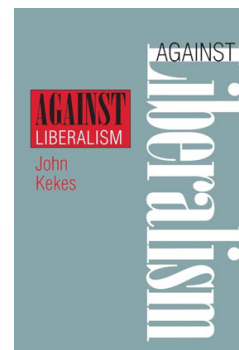


A bit more Glod:

Chapter 3, What if really am making bad choices?

Chapter 7, Why we should be careful

And then:



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Chapter 3, What if I really am making bad choices?



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3

1. Glod writes: "So it looks as though there can be many cases in which people's actions and first-order desires do not reflect what they themselves, as flesh-and-blood people, truly desire to do if they thought about it more." Why does Glod draw this conclusion? Is he right to do so?

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4

Neutral Hard Paternalism (NHP)

Glod:

whatever you believe and value (that isn't obviously false or crazy), if your chosen actions deviate from that, then it may be proper for someone to interfere with your actions to bring them back into alignment with what you believe and value.

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5

anti-NHP principle

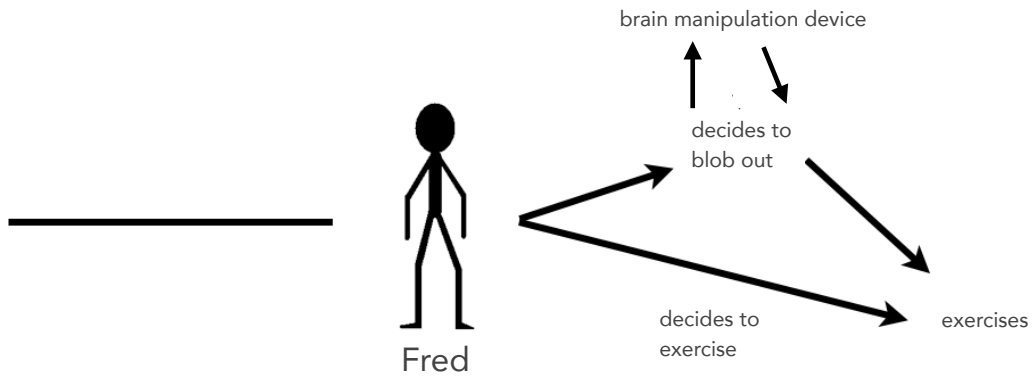
Glod:

Whatever I believe and value (that isn't obviously false or crazy), if my chosen actions deviate from that, then it is *my responsibility* to stop acting that way and bring my actions back into alignment with what I believe and value.

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6

the brain device analogy



9

2. Why does the CADet reject NHP?

10

Chapter 7, Why we should be careful

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11

Glod:

I will look at two problems with [paternalistic] laws and policies: the **bad incentives** that prohibition often fosters, and the **unintended consequences** of many regulations.

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12

bad incentives

Criminalizing drug X will make using it more dangerous because...
it will be more potent;
it will make dosages and purity uncertain;
[etc.]

So what? “perhaps all these bad things are lamentable consequences of drug laws, but are they the price we have to pay to keep people from harming themselves?”

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13

Bad incentives

Glod:

Many smokers have strong first-order preferences to continue smoking – even many who might wish to quit. These strong preferences lead to fairly widespread demand for nicotine. In the absence of a viable substitute, black markets should emerge to help meet this demand.

[or, in a picture...]

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'inelasticity of demand'



“prohibition,” in reality, just raises the price...

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& its benefits (reduction in usage) are small, its costs (earlier slide) are large

15

Unintended consequences

Examples:

Ladder safety requirements can decrease the ave. safety of ladders in use;

Calorie labels can increase the # of calories eaten.

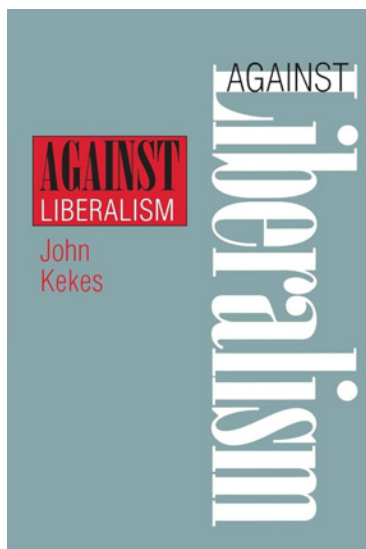
Generally: a law intended to increase X may actually decrease it.

Famous example: seat-belt laws increased car accidents, and so (in one way) made driving less safe.

16

3. Why does Glod think that “the rationale for banning trans fats need not be a hard paternalistic one”?

17



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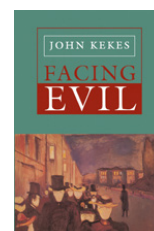
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1936-, Professor Emeritus of Philosophy, University at Albany, SUNY; born in Hungary



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18

1. What, according to Kekes, is liberalism's positive aim? What is its negative aim?

19

Liberalism's 'inconsistencies'

This book is a criticism of liberalism. Its thesis is that liberalism is incapable of achieving its own aims because it is riddled with inconsistencies. Some of these inconsistencies result from the liberal commitment to **two incompatible aims**, one negative, the other positive. The **negative** aim is to avoid evils, such as dictatorship, torture, poverty, intolerance, repression, discrimination, lawlessness, and so forth. The **positive** aim is to create conditions in which individuals can make good lives for themselves.*

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*all text from *Against Liberalism* unless otherwise indicated

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conditions for the positive aim

individual autonomy, which is fostered if a state guarantees the rights of individuals to make free choices about how they live, equal concern and respect for their endeavors, a just share of the resources they need, and a generous plurality of options.

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2. Why does Kekes think these aims are inconsistent?
(Focus on what he says before he considers liberal responses.)

22

Liberalism's aims are incompatible

Liberalism is inconsistent because the realization of these liberal values would **increase** the evils liberals want to avoid and because the **decrease** of these evils depends on creating conditions contrary to the liberal values.

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also liberalism is wrong about the good life

Another respect in which liberalism is inconsistent results from the incompatibility of the liberal conceptions of equality, justice, and pluralism with good lives. It is destructive of good lives to create conditions in which good and evil people are treated with equal concern and respect; in which justice is taken to involve the redistribution of resources without regard to whether their present holders and future recipients deserve them; and in which pluralism is restricted to options that conform to liberal preconceptions.

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liberalism's assumptions

The assumptions that unite different versions of liberalism are...that a liberal state should be guided by values that reflect a plurality of reasonable conceptions of a good life, guarantee the freedom and equality of its citizens, and maintain a just distribution of the goods its citizens need to pursue their conceptions of a good life. These are regarded by liberals as goods to which citizens have rights. And it is assumed that citizens not only can but also should make decisions for themselves about the conceptions of a good life they will make their own as they act autonomously within the private sphere that their rights protect. The basic liberal values may then be identified as **pluralism, freedom, rights, equality, and distributive justice**. What makes them basically valuable is that they enable individuals to live autonomously.

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the importance of autonomy

Although pluralism, freedom, rights, equality, and distributive justice are the basic values of liberalism, it must be explained why liberals attach such great importance to them...why [do] liberals regard pluralism, freedom, rights, equality, and distributive justice as basic. Why, for instance, are order, prosperity, peace, security, civility, or happiness not as basic? [another] way of raising the same issue is to suppose that the citizens of some liberal society are in full possession of the basic values and then to ask whether this possession is compatible with living empty, wasted, misdirected, miserable, boring, or pointless lives. And since the answer is clearly in the affirmative, it becomes obvious that however important these basic values are, something needs to be added to them to explain why they are so highly valued. This something is the true core of liberalism, the inner citadel for whose protection all the liberal battles are waged: **autonomy**.

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two components to autonomy (ch. 1)

the **freedom** component: the agent chooses freely from a range of options she reasonably believes to be available

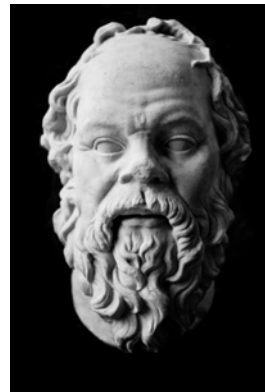
the **judgment** component: the agent understands the significance (including moral status) of her options and favorably evaluates the chosen action

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27

left no texts, known primarily through the dialogues of Plato (428/3 – 348 BC)

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Socrates, c. 470–399 BC

28

Plato, *Meno*

SOCRATES: Then are there some who desire the evil and others who desire the good? Do not all men, my dear sir, desire good?

MENO: I think not.

SOCRATES: There are some who desire evil?

MENO: Yes.

SOCRATES: Do you mean that they think the evils which they desire, to be good; or do they know that they are evil and yet desire them?

MENO: Both, I think.

SOCRATES: And do you really imagine, Meno, that a man knows evils to be evils and desires them notwithstanding?

MENO: Certainly I do.

SOCRATES: And desire is of possession?

MENO: Yes, of possession.

SOCRATES: And does he think that the evils will do good to him who possesses them, or does he know that they will do him harm?

MENO: There are some who think that the evils will do them good, and others who know that they will do them harm.

SOCRATES: And, in your opinion, do those who think that they will do them good know that they are evils?

29

MENO: Certainly not.

SOCRATES: Is it not obvious that those who are ignorant of their nature do not desire them; but they desire what they suppose to be goods although they are really evils; and if they are mistaken and suppose the evils to be goods they really desire goods?

MENO: Yes, in that case.

SOCRATES: Well, and do those who, as you say, desire evils, and think that evils are hurtful to the possessor of them, know that they will be hurt by them?

MENO: They must know it.

SOCRATES: And must they not suppose that those who are hurt are miserable in proportion to the hurt which is inflicted upon them?

MENO: How can it be otherwise?

SOCRATES: But are not the miserable ill-fated?

MENO: Yes, indeed.

SOCRATES: And does any one desire to be miserable and ill-fated?

MENO: I should say not, Socrates.

SOCRATES: But if there is no one who desires to be miserable, there is no one, Meno, who desires evil; for what is misery but the desire and possession of evil?

MENO: That appears to be the truth, Socrates, and I admit that nobody desires evil.

30

Socrates on evil

...human agents are normally guided in their actions by what seems to be good to them. The explanation of evil actions must therefore be either that the agents are ignorant of the good and perform evil actions in the mistaken belief that they are good, or that if they know what the good is and they nevertheless do evil, then it is because accident, coercion, or some incapacity interferes with their pursuit of what seems to be good to them. The Socratic view is that knowledge of the good will lead to seeking it, and if it does not, then there must be some interference with the knowledge or with the action. The explanation of specific evil actions must therefore be sought in lack of knowledge or in lack of choice.

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...**the question of why evil is prevalent** stands...If evil is prevalent, as it is, and if liberals are committed to making it less prevalent, as they are, then how could they avoid the objection that their political programs designed to enhance pluralism, freedom, rights, equality, and distributive justice, and, through them, autonomy will make evil more rather than less prevalent by removing curbs on the conduct of evildoers? Liberals may answer this question in one of two ways.

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evil due to autonomous actions

...there are many people who often make unforced choices among alternative courses of action, they perform the actions they have favorably evaluated and whose significance they have understood, and their habitual actions are evil. **Such people thus knowingly, intentionally, and frequently act in evil ways.** It is an implication of this answer that there must be many people of this kind, otherwise the prevalence of evil could not be due to them.

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...if a liberal society wishes to curtail the prevalence of evil that exists in it, then it must be committed to *decreasing*, rather than increasing, the autonomy of many people living in it, and thus decreasing, rather than increasing, the extent to which freedom, equality, rights, pluralism, and distributive justice prevail. And this decrease will be great, not small, because evil is not rare but prevalent.

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34

3. What is a specific example Kekes gives or might give where (he would say) enhancing one or more of “pluralism, freedom, rights, equality, and distributive justice” might make evil more prevalent?

35

evil due to nonautonomous actions

According to the second answer liberals may give, the prevalence of evil is due mainly to nonautonomous actions. Although they conform to the **freedom component** of autonomy, these actions are nonautonomous because they violate its **judgment component**.

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36

4. Liberals' "second answer," that is, the second way they might show their aims to be consistent, is to assert that people are "not moral monsters but moral idiots." What does this mean?

37

This answer, of course, is a contemporary and attenuated version of the Socratic dictum that no one does evil knowingly. People are cruel but see themselves as just; they are dogmatic but believe themselves to be principled; they are greedy but it seems to them as taking their fair share; they are prejudiced but appear to themselves as objective about their wretched victims. They are, therefore, not moral monsters but moral idiots....they cause evil nonautonomously because they have violated the judgment component of autonomy.

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Varieties and examples

Dogmatism: the southern slave owner.

Insensitivity: the stern and unforgiving father.

Ruthlessness: [fill in the blank.]

39

The liberal response

The [liberal] supposition is [that] making actions more autonomous will makes them less evil.

40

One of Kekes' objections

it is perfectly possible that even if the agents whose actions are responsible for the prevalence of evil evaluated and understood their actions accurately, and thus stopped misperceiving their true moral status, they would continue to act the same way as before. Their reaction to the realization that they are dogmatic, insensitive, and ruthless rather than principled, disciplined, and realistic may just be to embrace these vices and the actions that follow from them.

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Possible...but is it likely?

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this answer is made plausible by the belief that people are naturally good and that they do evil because of corrupting external influences. This belief is the liberal faith...

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the liberal faith is not merely unsupported by the available facts but inconsistent with them as well. The facts are that evil is prevalent in all human societies; the vices of selfishness, greed, malevolence, envy, aggression, prejudice, cruelty, and suspicion motivate people just as the contrary virtues do; and both virtues and vices may be autonomous or nonautonomous, natural and basic, or the products of external influences. It would be as implausible to claim that these facts testify to human wickedness as it is to base the faith in human goodness on them. If the facts warrant any inference, it is that human beings are morally ambivalent.

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Liberals will indignantly reject this criticism. They will say that no reasonable liberal ever supposed that freedom, equality, rights, pluralism, and distributive justice should be provided without qualification. They will point out that the liberal tradition has always been centrally concerned not just with increasing individual autonomy but also with protecting the potential victims of the misuse of autonomy. Increasing autonomy by increasing the freedom, equality, rights, pluralism, and distributive justice enjoyed by individuals must go hand in hand with preventing individuals from interfering with the exercise of autonomy by others. Autonomy, liberals will say, is not license to do whatever individuals please but to pursue a reasonable conception of a good life in a way that does not hinder others from doing likewise.

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[If evil is prevalent,] liberals must be prepared to curb both nonautonomously and autonomously evil actions. If evil is prevalent, these curbs will have to be considerable. And their imposition, maintenance, and enforcement amount, of course, to a policy of decreasing autonomy, freedom, equality, rights, pluralism, and distributive justice for evildoers.

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