

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

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Chapter 2, How do we know what other people are up to?

And:

Chapter 3, What if really am making bad choices?

Chapter 7, Why we should be careful



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1. Glod writes, "Most contemporary defenders of paternalism agree that welfare is subjective." What is meant by the claim that "welfare is subjective"?

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Glod:

...there isn't some Objective and True Good Out There that we should all pursue in order to live a good life. Instead, a good life is judged by the goals we set and the preferences we have with regard to pursuing those goals.

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Not very precise!

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Regarding “welfare.” The target notion is that of a *life good for the one who lives it*. The target question is: what factors make a life good in this way?

The **desire satisfaction theory of welfare** says, roughly, that getting something that you want makes your life better, and failing to do so—a frustrated desire—makes your life go worse.

Plausible?

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Objective list theories of welfare say that a life goes well insofar as the person obtains certain goods (on the ‘list’), for instance: health, friendship, pleasure, knowledge, romance, children, achievement,...

More or less plausible than the desire satisfaction theory?

6

Glod:

...a challenge for paternalists is how to identify what people's preferences are such that they can make a confident assessment of when paternalism is warranted. *I will argue that their commitment to subjectivism about goods should in fact tilt them away from paternalism.*

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Badly-off Bob (5 of 100): 5 so far, but that 5 probably isn't going up. Bob lives in a rural and remote town...When he can find it, Bob works odd jobs to try to make ends meet so he can afford the low rent on his squalid shack infested with rats and raccoons....He smokes one–two packs a day and uses meth regularly because it sometimes makes him feel euphoric and powerful. His teeth are rotting and he may have tapeworms. Is Bob making bad choices? Different question: Is he making bad choices *given the options available to him?*

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Well-off Wynn (90 of 100): Wynn is crushing it at life, so much so that her friends have nicknamed her “Wynner”. She has an exciting and lucrative job as a venture capitalist in uptown Manhattan that lets her travel around the world. She’s in her mid-30s and has been working almost non-stop since college to get to where she is. What she’s missing is a solid and lasting relationship...She smokes three packs a week and finds that groups on a smoking break are a good way to meet people outside the office...She is well aware of smoking’s health risks, but she is hoping that treatments for smoking-related ailments will be abundant in 30 years...is she making bad choices given her circumstances? Should we force her not to smoke?...



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2. Glod writes, “Conly claims that there would be no new smokers if sufficient education about its ills were effective. This is not obvious—recall Badly-off Bob and Well-off Wynn.” Do you think Bob and Wynn show Conly’s claim to be false?

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Conly on the limits of paternalism

quoted in Glod:

Legislation should intervene when people are likely to make decisions that seriously and irrevocably interfere with their ability to reach their goals, and where legislation can reliably prevent them from making those bad decisions, and where legislation is the least costly thing that can reliably prevent them from making those bad decisions. The majority of decisions we make do not meet these conditions.

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Glod:

Conly's passage explaining the limits of paternalistic legislation is ambiguous between whether people are (1) likely to make risky decisions, but ones that don't typically result in severe and irreversible harm that undermines their goals, or (2) likely to make risky decisions that will likely result in severe and irreversible harm that undermines their goals. This distinction is important. If she means (2), that seems to conflict with the fact that most people in liberal democracies today live fairly long lives *even when* left to decide whether to undertake behavior that Conly thinks should be banned.

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Glod:

Let us assume nobody really wants to be obese. That seems fair enough. Nonetheless, I challenge the claim that many people are *irrational* to eat enough to make themselves obese and thus tend to have shorter life spans with attendant maladies. Some really enjoy eating and are willing to face the attendant trade-off. Sure, they'd prefer to eat a lot *and* stay at a normal weight, but, being somewhat rational, they know they can't have both and so choose food over having fit and healthy bodies. Are all of these people making these choices because of biases or weak will or bad information? That seems doubtful, since we typically have to make trade-offs between competing values in all walks of life.

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Convincing?

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3. Consider the argument:

- A. People often regret choices they make.
- B. If someone later regrets a choice they made, then that choice was not in their best interest—the costs outweighed the benefits.
- C. So people often make choices that are not in their best interest.

Which premise does Glod reject, and why?

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Glod:

Regretting what one had preferred to do on balance is trying to have one's cake (so to speak) and eat it too. Now if people want abundant cake *and* no ill effects, and their regret stems from acting on this unrealistic combination of desires, this fact need not show that eating lots of cake is irrational but rather that people are misinformed or self-deceived about the trade-offs involved with their choices.

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weakness of will

Glod:



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People can change their minds without it being a sign of foolishness or poor discipline. Let's say he had a productive week, got a lot done at the office, is feeling good about himself, and the smile on his supervisor's face suggested an upcoming promotion and raise. Maybe Dan is celebrating all his past hard work. Sure, he promised himself last Monday not to splurge, but that was Monday when he didn't know how good his week would turn out.

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our natural indeterminacy

Glod:

Since no sane view denies that agents can rationally change their minds at least sometimes, in light of new information, new circumstances, and/or changing beliefs and values, any view should acknowledge that such shifts must begin at some moment if they are to happen at all. And if they can begin at some moment, why is not the agent himself the judge of whether to persist with or intercept the shift? We may get into trouble if we are too chaotic, since then we may lack any coherent selfhood across time and so can't enjoy any durable experiences or achieved goals as being ourselves at least, but it still doesn't follow that the paternalist is warranted in imposing her view of what particular tendencies the person should be keeping or shifting toward.

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rock and roll

Glod:

Did going all-out in life make them larger than life? Is there some kind of romanticism to living fast and dying young? Perhaps. Still, I can't help but think each of their deaths is tragic. If the ghosts of these musicians could speak to us, might at least some if not all of them say they wish they hadn't died that way, and so soon? Might they hope someone had stopped them from the choices that led to these bad outcomes? What do you think?



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



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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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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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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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Capacity for Decision-making (CAD), the basic idea

Glod:

I find value in having the freedom to make bad choices because having that freedom renders my good free choices *even more valuable* – they originate from my own initiative and not someone else's coercion.

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CADet = proponent of CAD

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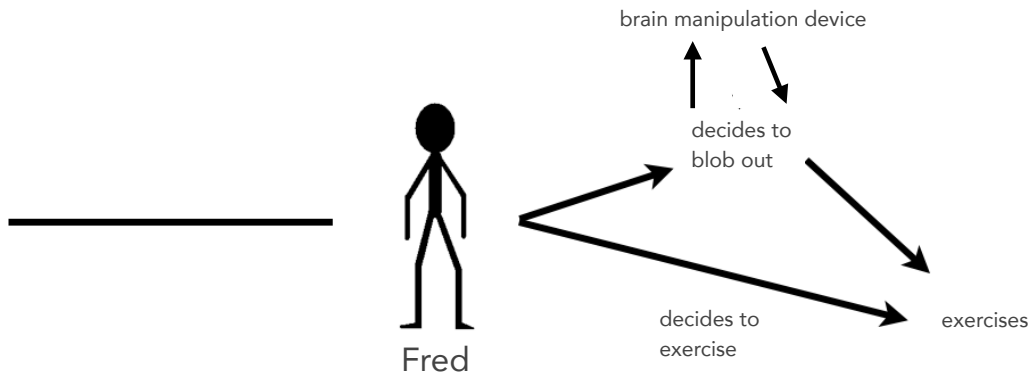
the novelist analogy

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all work and no play makes Jack a dull boy
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[The novelist] is committed to writing the best work he can compose...the novelist seeks ultimate artistic control over the choices and decisions about the content of his manuscript...We should not be surprised if the novelist took offense at an editor's uninvited changes to and subsequent publication of his story. Even if the changes vastly improved the story...

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the brain device analogy



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2. Why does the CADet reject NHP?

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Chapter 7, Why we should be careful

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