JUSTICE

Lecture 9 – Rights as side-constraints

1. Utilitarianism as a consequentialist theory of morality

2. Some problem cases for consequentialist theories
   a. The trolley problem
   b. The survival lottery

3. Distinguish two different objections to utilitarianism
   a. Utilitarianism misunderstands what is intrinsically valuable
   b. Utilitarianism treats all rights as derivative, but some rights are fundamental

4. Distinguish two ways of taking fundamental rights into account
   a. Non-violation of rights is taken to be a goal of action
   b. Non-violation of rights is taken to be a side-constraint on action

5. Consequentialist theories must treat non-violation of rights as a goal of action
   a. What if punishing the innocent leads to fewer rights violation?
   b. What if killing civilians in war leads to fewer rights violations?

6. Non-consequentialist theories treat non-violation of rights as a side-constraint on action

7. Nozick’s fundamental libertarian side-constraint against aggression

8. Consequences of Nozick's libertarian side-constraint
   a. Economic redistribution is unjust
   b. The only kind of state that can be justified is a minimal state