

## **Weekly Forum Digest for Lectures 7 and 8 (lecture release date was April 2nd)**

### **What is the basic difference between Nozick's and Locke's understanding of the idea of self-ownership?**

One way to think about the difference is that, whereas Nozick claims we have full self-ownership, Locke thinks that we only have self-trusteeship. That is, whereas Nozick thinks we have a right to do whatever we like with our own bodies, so long as we do not violate others' natural rights, Locke thinks that God only grants us the right to pursue certain interests as we see fit and this does not include any interest we may have in suicide. The difference stems from the fact that Locke thinks that we are created by and hence the property of God. Since we are his property, God can decide which liberties to grant us. In contrast, Nozick does not posit a creator of each person and infers that each individual has greater sovereignty than if he or she were owned by others. One puzzle that Nozick must solve is to explain why parents who create their children do not own them in the way that Locke's God owns his creations.

### **What is the basic difference between natural and legal rights?**

Conceptually, natural rights are entitlements or protections that each individual is said to have prior to being a part of civil society, while legal rights are entitlements or protections that individuals have in virtue of being part of a particular political/legal community. Depending on which legal framework one happens to find oneself in (e.g. being a citizen of Vietnam or Togo), one may have different legal rights. By contrast, each human being is said to have the same natural rights simply in virtue of being human. According to natural rights theorists, a legitimate government/legal framework is one that protects individuals' natural rights, acknowledging that a variety of legal frameworks might fulfill this requirement. The questions that arise with respect to natural rights are: First, where do they come from/why do individuals have them? Second, which rights to individuals have by nature and why?

### **What is the relation between legal rights and moral actions?**

Consider the following claims:

- i. X has a legal right to do P.
- ii. It is morally permissible for X to P.

(i) does not imply (ii) because we may have legal rights to act wrongly. The nature of rights is controversial but most agree that if X has a legal right to do P then the state ought to prevent others from preventing X from doing P. To apply this to a concrete case, someone might say that women have a legal right to have an abortion without interference by others while maintaining that women ought to voluntarily refrain from exercising that legal right because abortion is morally wrong.

**What is the distinction between a) having a right to x and b) the extent of the right to x, i.e. what is encompassed by the right to x?**

Consider the right to freedom of movement. The right allows you to walk around but it does not include a permission to walk onto other people's property without their permission. In other words, while the right to freedom of movement guarantees that you can move around, the content of the right is constrained by the content of other rights, in this case the content of the right to private property. This distinction is relevant for the poll in lecture 8 insofar as one needs to determine whether an individual's right to life includes a guarantee that the individual cannot legitimately be asked to risk her life in war, or for any other reason.

**Voluntary Slavery**

There was some wondering about why people would sell themselves into slavery.

This may be of interest: [http://en.wikipedia.org/wiki/Voluntary\\_slavery](http://en.wikipedia.org/wiki/Voluntary_slavery)

**Assisted Suicide**

Many students have discussed assisted suicide. That is reasonable, given that it is an issue of great public debate. Bear in mind, however, that the rightness or wrongness of suicide is normally an antecedent question to the rightness or wrongness of assisted suicide. For example, if you agree with Locke that suicide is immoral, then it is an uphill battle (possibly impossible) to argue that it is nevertheless moral to help someone commit that immoral act. Even outside the context of suicide, it is difficult to think of an instance where it is moral to help someone do something immoral.

**Locke on Suicide**

At first glance, Locke proscribes suicide. However, many of you have correctly wondered whether he assumes some exceptions. In the case of killing, Locke explains that a person ought to "as much as he can, preserve the rest of mankind, and may not, unless it be to do justice on an offender, take away, or impair the life, or what tends to the preservation of the life, the liberty, health limb, or goods of another." (Ch. 2, §6). In other words, he understands there to be an exception to the

general rule against harming others (i.e. to do justice to an offender). So, it might be fruitful to inquire as to whether Locke imagines analogous exceptions to his rule against suicides. Whatever those exceptions may be, it is clear that, for Locke, the avoidance of pain (the most common justification for suicide) is not one of them.

The responses of many participants turn on whether or not they share Locke's belief in God. Of course, it should be noted that Locke raises worthy questions, even if one does not share his faith. Locke posits a non-faith based justification for the unalienability of the right to life. Most importantly, in order to justify suicide, it is not enough to reject Locke's points -- one needs to supply her own account of the rightness of suicide. This might be as simple as positing a general principle that we are free to do whatever we want with ourselves, provided that there is no reason to prohibit a particular activity (i.e. setting full liberty as a default). But bear in mind that this is a principle that requires as much explanation as the principle that the right to life is unalienable. In other words, why is our right to life alienable?