

1. What is the core libertarian idea?

- Libertarians hold that each person has an *equal right to liberty*.
- Basis of right to liberty is *antipaternalist* view of individuals as responsible agents.
- Libertarian argues that right to liberty, of antipaternalist inspiration, also bars use of state power for reasons of *equality*.

2. What is the distinctive libertarian critique of equality?

- Standard objections to regulations in the name of equality: lead to inefficiencies; produce corruption and capture; concentrate power and foster tyranny.
- Libertarians: use of state power for reasons of equality is bad not (simply) because of its consequences but because it directly violates right to liberty.

3. Nozick's Possessive Libertarianism

- For choice-based libertarianism, *any* restriction on choice interferes with liberty; for possessive libertarianism, abridging liberty is *impermissibly restricting choice*.
- A restriction of choice is *impermissible* if it *violates a basic right*: rights not to be (i) killed or assaulted; (ii) coerced or imprisoned; (iii) have our property taken; (iv) limited in the use of our property so long as we do not violate rights of others.
- Core idea behind list of rights is *self-ownership*: each of us belongs entirely to him/herself, and not at all to anyone else.

4. What is a minimal state (MS)?

- *Minimal*: confined to protecting individual rights; but a state because *monopolistic* and *universal* provider of protection services in a territory.
- While anarchist says that monopoly on coercion violates individual rights, Nozick argues that monopoly is legitimate if and only if universal provision is in place: as compensation for denying self-protection.
- Minimal state ensures distributive justice, according to historical entitlement theory of justice.
- No paternalist restrictions; no taxation for public goods; no regulations to ensure competitive markets; no restrictions to ensure equality, including equal opportunity.

5. Why not equality?

- Wilt Chamberlain case: cannot preserve distributional pattern without overturning decisions of individuals about how to use resources they own.
- “Liberty upsets patterns”: any patterned conception of distribution conflicts with protection of liberty, that is, with rights of self-ownership.
- Problem arises because self-ownership includes right to full benefit.

6. What is ownership?

- Ownership is a “bundle of rights” (rights to use, abuse, exclude, alienate, benefit). And within the bundle, distinguish *control* rights from *benefit* rights.
- The rights in the ownership bundle can take different forms
 1. Right to alienate can include self-enslavement, or be more limited.
 2. Right to benefit can be **maximal** or **minimal**. Maximal right is right to all I can get others to pay; minimal right is right to enough pay to get me to work voluntarily.
- Full self-ownership includes right to self-enslavement and Maximal right to benefit.

7. What about self-ownership?

- Argument for self-ownership from Moral Intuitions.
 1. Proposal is to postulate full self-ownership to justify various firm intuitions about right and wrong conduct (eye case).
 2. But intuitions can be justified by exclusive reference to control rights (say, right to bodily integrity); no case for Maximal right to benefit.
 3. Consider the thesis that taxation “on a par” with forced labor. Taxation conflicts with the maximal benefit right, whereas forced labor conflicts with control rights.
- Argument for self-ownership from Meaningful Life.
 1. Is full self-ownership is rooted in the moral importance of people giving meaning to their lives?
 2. The concern about a meaningful life does not support Maximal Benefit; indeed, it suggests case for ensuring equal chances in life.