

The “Libertarian’s” Arguments

The Comparison Argument:

- 1) In any situation of conflict between liberty and some other social value, we would choose liberty.
- 2) Therefore, liberty is the highest social value.

Ask yourself: Just because we choose liberty, does that mean we value it most? (Is the argument valid?)

Is it really true that we would always choose liberty? (Is the argument sound?)

The Means/End Argument:

- 1) Liberty is the ability to make choices and act on them.
- 2) We value money only because it allows us to act on our choices.
- 3) Being insecure limits our range of choices.
- 4) Having equality of opportunity means not having your choices arbitrarily limited.
- 5) Therefore, having money is a means to achieve liberty.
- 6) Therefore, having security is a means to achieve liberty.
- 7) Therefore, having equality of opportunity is a means of achieving liberty.
- 8) Ends are more valuable than means.
- 9) Thus, liberty is the highest social value.

Ask: What is the structure of the argument? Are the premises true? Is the argument valid? What does valuing something as a means mean?

The Comparison Argument using Equality of Condition:

- 1) We could have equality of condition, by having severe restrictions on liberty.
- 2) No American would choose a society without freedom, but where everyone was equal in condition.
- 3) Therefore, we value freedom over equality of condition.

The Argument from Degrees:

- 1) We do impose taxes, which limit liberty, in order to make poor people more equal. (BUT, We do NOT value equality over liberty.)
- 2) Therefore, we would give up a very small amount of freedom, if it results in a large amount of some other social value.
- 3) This shows that we do value freedom over equality.

The Comparison Argument using Justice:

- 1) We do deprive criminals of their liberty in the name of justice. (BUT this does not mean we value justice over liberty)
- 2) When the liberty of a criminal is limited, the liberty of everyone else is enhanced.
- 3) We will temper justice for the sake of mercy, but we always abhor the loss of freedom.
- 4) Therefore, we value liberty over justice.

The “Paternalist’s” Arguments

The Incoherence Argument

Consider the “Harm Principle”: “In a free country, a person should be allowed to do anything he (or she) wants, so long as he doesn’t hurt anyone.”

- 1) If “hurt” means physically damage, then when we imprison others, threaten them, steal their property, burn down buildings, and more, we are NOT harming them.
- 2) We do not believe people should have the freedom to do these things.
- 3) This interpretation makes the “Harm Principle” too permissive.
- 4) If “hurt” means psychologically damage, then when they break up, offend each other, wear revealing clothes, or give bad grades, then they are causing harm for which we can legally punish them.
- 5) We believe that people should be free to do these things, to cause some psychological harm.
- 6) This interpretation makes the “Harm Principle” too restrictive.
- 7) We cannot allow the victim or the perpetrator to decide what counts as harm.
- 8) Allowing the majority to decide what counts as harm undermines the purpose of the harm principle.
- 9) Therefore, the “Harm Principle” is empty and incoherent.

The Hypocrisy Argument

- 1) Americans support laws which make it illegal to use drugs.
- 2) Americans support laws against prostitution.
- 3) Americans support “Speech codes.”
- 4) Americans support obscenity laws.
- 5) American support lawsuits against exclusive clubs.
- 6) None of these things cause anyone any harm.
- 7) Therefore, they can only be supported by saying that we are going to impose our morality on others.
- 8) Therefore, Americans do not support the “Harm Principle” as they say they do, they support conformity, strict rules, moralism, and public piety (sheeplike docility), regardless of what side of the political spectrum they are on.
- 9) Implied? (Americans are naively hypocritical)