Understanding Politics — Chapter 7 Student Practice Pack

Paternalism, Obligation and the Limits of State Intervention

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About this pack

Work through Chapter 7 with *On Liberty*, chapter 5, open. Read Dworkin's 'Paternalism' (1972), *Nudge*, chapter 1, and Rawls, *A Theory of Justice*, secs 55–59. Answers are in the Instructor Pack, available to teaching staff from www.oxterpress.com. Student Pack, Chapter 7, version 1.0 (October 2026). © Oxter Press. CC BY-NC 4.0.

Chapter at a glance

Form	What it does	Example	Burden of justification
Soft paternalism	Checks a choice is informed and voluntary	Stopping someone on an unsafe bridge until warned	Low
Hard paternalism	Overrides an informed, competent choice	Banning a risky activity outright	High
Weak paternalism	Corrects means to the person's own ends	A reminder before a missed payment	Lower
Strong paternalism	Questions the ends themselves	Restricting a valued but harmful practice	Higher
Nudge	Changes the choice environment, keeps options	Pension auto-enrolment	Depends on transparency and exit

The chapter then turns to political obligation, civil disobedience and religious accommodation: when citizens may refuse a law they think mistaken.

Close-reading worksheet

Passage A: the unsafe bridge

> *If either a public officer or any one else saw a person attempting to cross a bridge which had been ascertained to be unsafe, and there were no time to warn him of his danger, they might seize him and*

> *turn him back, without any real infringement of his liberty; for liberty consists in doing what one desires, and he does not desire to fall into the river. (On Liberty, ch. 5)*

1. What definition of liberty does Mill use here? Is it the one he uses elsewhere?
2. What does 'no time to warn him' permit, and what does it not?
3. Read the rest of the paragraph. When should the person be 'only warned'?

Passage B: poisons and slavery contracts

> *The buyer cannot wish not to know that the thing he possesses has poisonous qualities. (ch. 5)*

> *The principle of freedom cannot require that he should be free not to be free. It is not freedom, to be allowed to alienate his freedom. (ch. 5)*

1. Why is labelling compatible with liberty but prohibition not?
2. Is refusing to enforce a slavery contract paternalism? What makes it an exception?
3. Could the slavery argument justify other limits on binding commitments?

Passage C: the limits of obedience

> *If the sovereign command a man (though justly condemned) to kill, wound, or maim himself … yet hath that man the liberty to disobey. (Leviathan, ch. 21)*

1. Why does even Hobbes allow this liberty?
2. How does it differ from Rawls's civil disobedience?
3. Which modern refusals are closer to Hobbes's case, and which to Rawls's?

Policy case: three ways to address one risk

Take the chapter's pension example, or a risk your tutor assigns. Evaluate three responses using the chapter's six questions: goal, evidence, competence, alternatives, burdens and accountability.

Question	Warning label	Default (opt-out)	Prohibition or compulsion
Goal: whose welfare?			
Evidence that it works			
Effect on competent choice			
Less restrictive alternatives			
Who bears the burden?			

Question	Warning label	Default (opt-out)	Prohibition or compulsion
How can it be challenged?			

Then write a 300-word conditional recommendation: what would make the stronger measure justified, and what evidence would change your view?

Self-test

1. Dworkin defines paternalism as interference justified by reasons referring exclusively to:
    - A. The welfare of the person coerced
    - B. Public morality
    - C. Harm to others
    - D. Economic efficiency
2. Moralism differs from paternalism because it:
    - A. Always uses nudges
    - B. Requires consent
    - C. Protects third parties
    - D. Prevents conduct judged wrong regardless of the agent's welfare
3. Soft paternalism permits intervention to:
    - A. Override any risky choice
    - B. Establish whether a choice is informed and voluntary
    - C. Punish self-harm
    - D. Change a person's values
4. Hard paternalism permits:
    - A. Only warnings
    - B. Only nudges
    - C. Overriding even a competent, informed choice to prevent serious harm
    - D. Nothing at all
5. Weak paternalism:
    - A. Questions people's ends
    - B. Bans products
    - C. Requires a referendum
    - D. Helps people achieve ends they already endorse
6. In Mill's bridge example, a person may be seized only if:
    - A. There is no time to warn him
    - B. He is a foreigner
    - C. He has consented in advance
    - D. The bridge is private property
7. On poisons, Mill holds that:
    - A. Sale should be banned
    - B. Labelling may be required without violating liberty
    - C. Only doctors may buy them

    - D. Nothing may be required
8. Mill refuses to enforce a contract of slavery because:
    - A. It is too expensive
    - B. Courts lack jurisdiction
    - C. The principle of freedom cannot require that one be free not to be free
    - D. Slavery harms the economy
9. Thaler and Sunstein define a nudge as changing choice architecture:
    - A. By banning options
    - B. Through large taxes
    - C. Without telling anyone
    - D. Without forbidding options or significantly changing economic incentives
10. ‘Unequal paternalism’ refers to:
    - A. Paternalism by unequal governments
    - B. Heavier supervision of poorer or marginalised citizens
    - C. Paternalism towards children
    - D. Unequal taxes
11. A self-exclusion scheme for gambling illustrates:
    - A. Present agency used to restrict future options
    - B. Hard paternalism
    - C. Moralism
    - D. Civil disobedience
12. Hobbes allows a subject to disobey a command to:
    - A. Pay taxes
    - B. Attend church
    - C. Kill, wound or maim himself
    - D. Serve on a jury
13. Rawls defines civil disobedience as:
    - A. Any illegal protest
    - B. A public, nonviolent, conscientious yet political act contrary to law
    - C. Armed resistance
    - D. Private evasion of law
14. Rawls’s account applies mainly to:
    - A. Colonial rule
    - B. Absolute monarchies
    - C. Wartime
    - D. A broadly just constitutional order
15. In the chapter’s school uniform case, a defensible judgment depends on whether the restriction:
    - A. Serves an identifiable institutional concern that outweighs the burden
    - B. Is popular
    - C. Applies to everyone formally
    - D. Was made by elected officials

Short answers and essays

Short answers: (1) Define paternalism and distinguish it from moralism. (2) Soft versus hard paternalism. (3) Weak versus strong. (4) When is a nudge manipulative? (5) Why is competence decision-specific? (6) Explain unequal paternalism. (7) Can a beneficial policy be objectionable? (8) Distinguish a policy's merit, the state's authority and an individual's duty. (9) Rawls's conditions for civil disobedience. (10) When should conscience be accommodated?

Essays: (1) Is hard paternalism ever justified? (2) Can nudges respect autonomy? (3) Do welfare conditions support or control? (4) Can a duty to support a political order coexist with a right to disobey a law? (5) Should religious conscience receive special accommodation? (6) Is compulsory pension saving paternalistic?

Glossary

Term	Definition
Paternalism	Interference justified by the welfare of the person interfered with
Moralism	Interference because conduct is judged wrong
Soft / hard	Checking voluntariness / overriding informed choice
Weak / strong	Correcting means / questioning ends
Nudge	Changing choice architecture while keeping options
Political obligation	A duty to obey the law of one's political community
Civil disobedience	Public, nonviolent, conscientious breach of law aimed at change
Accommodation	Exempting a person from a rule to respect conscience