

PHILOSOPHY 167 FINAL EXAM SHORT-ANSWER QUESTIONS
SPRING, 2005

YOUR NAME _____

Time allowed: 90 minutes. This section of the exam counts for one-half of your exam grade.

No use of books or notes is permitted during this exam.

Answer FOURTEEN of the EIGHTEEN questions on these pages. (If you need more space, please use the back sides of these sheets.)

1. State the difference principle affirmed by John Rawls. What exactly does the difference principle require?

2. In her essay "What Is the Point of Equality?" Elizabeth Anderson argues against a doctrine she calls luck egalitarianism or equality of fortune. She states that the luck egalitarian will tend to be unfair to (fail to treat with the equal concern and respect that is owed to all) those who suffer from bad option luck, but will also be unfair in treating those who suffer from bad brute luck and hence are (on the luck egalitarian view) owed compensation. How according to Anderson will the luck egalitarian go wrong in responding to the plight of those who suffer bad brute luck?

3. (a) Suppose that by violating one person's Lockean rights myself I can minimize the weighted sum of rights violations. For example, if I kill one innocent nonthreatening person I can prevent someone from committing two similar murders. According to Nozick's side constraint view of rights, ought I to commit one murder if I know that I can thereby prevent two other murders? Why or why not?
(b) Suppose that by violating one person's Lockean rights myself now I can minimize the weighted sum of rights violations committed by me. For example, suppose I have already put poison in the water canteen of two persons who are talking a hike in the desert. I have deliberately tried to kill them, and if I do nothing now, they will die, and I will have murdered two. I can prevent these deaths, but only by now shooting and killing the innocent nonthreatening friend of the two hikers, who is playfully tossing the canteen in the air just above a gorge, and who will drop the canteen into the gorge (where no one can get to it) if I shoot him dead, but who otherwise will leave the canteen where the thirsty hikers will certainly drink from it and die. So
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according to Nozick's side constraint view of rights, ought I to commit one murder myself now if that will thereby prevent two other murders that would be done by me? Why or why not?

4. In section 82 of chapter 9 of *A Theory of Justice*, Rawls proposes the "grounds for the priority of liberty." Here his question is, why should we accord the equal basic liberty principle strict lexical priority over the other principle of justice. One important consideration turns on the importance of self-respect. What does Rawls mean by "self-respect" and what is the argument from self-respect to the priority of liberty?

5. In the course reading with the title "Representative Government" John Stuart Mill considers the likely effects of the operation of one or another type of government, democracy (government by the many) or despotism (government by one or a few) on human character. What effects on the development of human character does Mill expect from putting in place democracy rather than despotism? What effects on character does Mill find to be superior, those induced by democracy or those induced by despotism?

6. Suppose that a long time ago Sally appropriated unowned ocean front land in Southern California and left the land untended. Sally bequeathed this ownership claim to her children and it passed down the generations to Sally Jr., the current owner. Like the previous owners, Sally Jr. continues to leave the land in its original wild state. Does this appropriation and continued claim to ownership satisfy the Lockean Proviso as Robert Nozick interprets it? Why or why not? (If you need more information to determine whether the Proviso is satisfied in this case, explain what further information you would need.)

7. Suppose you live in a society committed to Ronald Dworkin's ideal of equality of resources (as outlined in chapter 2 of *Sovereign Virtue*). At adulthood you get a bundle of resources that satisfies the equality of resources ideal. You then choose to live in a lowland valley, close to a river that periodically floods, rather than on higher ground, and you choose to work as a firefighter after surveying various career options. You then lose your home in a flood and become seriously burned in the course of fulfilling your firefighting duties. Are you then owed further compensation according to the equality of resources standard of distributive justice? Why or why not?

8. In "Where the Action Is: On the Site of Distributive Justice," G. A. Cohen argues that a talented better off person committed to the Rawlsian difference principle would not make career choices that would maximize her own income when she could instead make other choices that would bring it about that some worst off members of society are significantly better off. He then introduces a significant objection to this argument that a follower of John Rawls might make. What's the significant objection?

9. In "Dualist Democracy" Bruce Ackerman contrasts two views on the nature of the democratic political process. One sees democracy as "monistic," the other sees democracy as "dualistic." What is the difference between these two views?

10. Suppose we accept Dworkin's challenge model of critical interests—a good life has the quality of a skillful performance, a skillful response to the basic challenge posed for each of us by the fact that we have a life to live. Dworkin goes on to consider whether we should conceive of the achievements that constitute a good life on the challenge view as indexed or transcendent. Someone might respond: Take the achievements in physics that Einstein made in the first decades of the twentieth century, developing general and special relativity. It is very difficult for anyone who comes later to replicate exactly that achievement, since any student of physics today will be taught Einstein's ideas. But we can imagine a German farm girl in the year 2020 who is quite isolated but has access to a good public library in her community, the modern books-and-journals section of which (containing works published after 1900) was entirely destroyed by a bomb raid in World War II and never replaced. She learns physics as it was in 1900, and, being very bright, responds to its puzzles by developing special relativity and general relativity just as Einstein asserted them. This would be a great achievement, and in fact exactly as great an achievement as Einstein made. —Would this line of thought then support the view that the achievements that constitute a good life are indexed or transcendent? Would this line of thought be agreeing or disagreeing with the line that Dworkin takes (he favors the view that value is indexed)? Why so?

11. Suppose that if we cease to enforce any equal opportunity norm at all, and simply let people make contracts on any mutually agreeable terms, and combine this laissez-faire regime with high taxes on income and redistribution of money as income to the worst off, this scheme would fulfill the difference principle to a greater degree than any alternative set of policies we could devise and implement. If this is all true, would John Rawls then be committed by his principles of justice to holding that justice demands the combination of policies just described? Why or why not? (To simplify the question, just suppose that the equal liberty principle will be fully satisfied no matter what, so we can just ignore the requirements of equal liberty.)

12. In chapter 7 of *Anarchy, State, and Utopia*, Robert Nozick argues against a certain class of candidate distributive justice principles by telling a story about how many people might freely and voluntarily agree to pay a lot of money to see a great basketball player, who then becomes very rich. What objection is Nozick making against what class of candidate distributive justice principles by means of this story (the story about Wilt Chamberlain)?

13. In his essay "Cultural Membership and Choice" Will Kymlicka argues that people generally need access to their own societal culture and on this basis asserts a qualified right to state aid to secure this access. In a companion essay, Jeremy Waldron responds. Does Waldron support or reject Kymlicka's argument? What assertions does Waldron make that bear specifically on this argument?

14. In his essay "Theories of Secession" Allen Buchanan contrasts two types of theories specifying the conditions under which a group has a right to secede from an existing nation state and form a new independent nation state. He calls the types "Remedial Right Only" and "Primary Right" theories. Explain the distinction between the two types of theory. Buchanan defends a specific version of one of the types against the other type. What type of view does he oppose? For what main reasons?

15. In chapter 2 of *Sovereign Virtue*, Ronald Dworkin defends his ideal of equality of resources mainly by developing what he takes to be a plausible conception of it. He interprets the ideal in terms of the idea of an equal auction supplemented by two hypothetical insurance markets. Why according to Dworkin does the equal auction need to be supplemented by these insurance markets? To what problem are they a response? Explain how the two hypothetical insurance markets proposed by Dworkin would function.

16. In *A Theory of Justice* John Rawls introduces the term "primary social good." According to his definition of the term, what is a *primary social good*? What are the main primary social goods according to Rawls? What role does the notion play in his theory? That is, why does Rawls favor measuring the benefits of social cooperation in terms of primary social goods?

17. Any political constitution might seem inherently to be problematic in the following respect. The founders of the Constitution, the people who set it in place, are exercising power over future generations. Even if the Constitution is alterable, it will be alterable only with great difficulty. So rules passed by some people at one time are then significantly controlling the political outcomes imposed on entirely different groups of people born at a later time. For example, if the founders establish a rule concerning freedom of religion, or a rule forbidding cruel and unusual punishment, what the founders decide constrains future generations. Why (and within what limits) might this perhaps inevitable feature of political constitutions (past generations exercise power over later generations of people) be acceptable according to the proceduralist John Ely? Why might this same feature be acceptable according to the rights foundationalist Ronald Dworkin?

18. In chapter 8 of *Sovereign Virtue* Ronald Dworkin considers the application of his equality of resources doctrine to health care policy. In the U.S. at present, any citizen has the opportunity to purchase health care insurance. One can purchase insurance with greater or lesser coverage, or none at all. There are many sellers of health care insurance and many buyers, so we should expect this market to be reasonably competitive. Why then interfere at all with market processes? Or if we interfere, perhaps we should do so in ways that free up competition and bring actual market results closer to the ideal of what would happen if the market were perfectly competitive. Dworkin takes a different line. Dworkin cites three problems with the actual current health care insurance market (and with this market as it would be if reformed to be more competitive) that his distributive justice ideal of equality of resources renders salient—three failures of the status quo when compared to what his ideal would require. State the three problems Dworkin identifies.