

YOUR NAME _____

Time allowed: 90 minutes. This portion of the exam counts for one-half of your exam grade. No use of books or notes is permitted during this exam.

ANSWER FIFTEEN of the nineteen questions on these pages. (If you need more space, use the back sides of these sheets.)

1. Suppose I have a desire to eat greasy doughnuts and other fatty foods. I am not glad to have this desire; it just gets in the way of achieving my goals. In principle, according to Ronald Dworkin's conception of equality of resources, might I be owed compensation for having this unfortunate desire? Why or why not? Briefly describe how the theoretical equal auction as amended by the insurance mechanisms that Dworkin proposes in chapter 2 of *Sovereign Virtue* would handle the problem of unfortunate preferences.

2. In chapter 6 of *Culture and Equality*, "The Public Stake in the Arts and Education," Brian Barry distinguishes two aspects of education that he calls "functional education" and "education for living." Explicate these two ideas. Describe how Barry deploys these ideas to fix what a society owes its children and should require parents to provide for their children (or allow them to get) by way of education.

3. Suppose that the nation of Potzrebie contains two cultural groups, the Quebécois and the Rebecois. The Rebecois group members speak a distinct language different from the language of the majority of the society; the Quebécois group members speak a similarly distinct language. The Rebecois live in a concentrated territory and could be self-governing; the Quebécois are the same. Both groups are demanding political autonomy, the right to be self-governing within the framework of the larger society. Beyond looking at the present circumstances and present characteristics of the groups, Will Kymlicka in *Multicultural Citizenship* suggests we need more information to be able to know whether a cultural group might have a legitimate claim to political autonomy. What information do we need and why, according to Kymlicka?

4. Defending what he calls "difference-blind liberalism," Brian Barry considers the objection that this sort of liberalism is wrongfully assimilationist: it is committed to the goal that all members of a political society shall (so far as this is feasible) share a common culture, so that over time cultural differences between national and ethnic groups within the society will disappear. What is Barry's response? What sort of assimilation (if any) does difference-blind liberalism require and what sorts of assimilation (if any) can it dispense with?

5. Consider the problem of illiberal groups within a liberal democratic society: A church may proclaim the doctrine that some races are superior to others or that women are inferior to men or it may admit only white males to its priesthood. A cultural group that has been allotted some measure of political autonomy may exercise its autonomy in ways that violate the individual rights that are otherwise protected for all members of society. For example, the tribal council of a native American group in the U.S. may decree that those who reject the traditional tribal religion are not entitled to be full members of the tribe. Barry in chapters 4 and 5 of *Culture and Equality* and Kymlicka in chapter 8 of *Multicultural Citizenship* discuss aspects of this issue and arrive at somewhat opposed views. Describe Barry's and Kymlicka's positions on the problem of illiberal groups and specify the main issues on which they disagree.

6. In "Luck Egalitarianism and Prioritarianism," Richard Arneson goes part-way with Elizabeth Anderson, accepting part of her critique of what she calls luck egalitarianism but not the whole of it. What in Anderson's critique does he accept and what does he reject?

7. Consider the issue of preserving the natural environment for future generations discussed by Richard Epstein in *Simple Rules for a Complex World*. What would Robert Nozick's views on just initial appropriation and continued appropriation of land as private property (chapter 7, Part I of *Anarchy, State, and Utopia*) imply for the issue of what constitutes fair use of the natural environment across many generations of people?

8. Construct a brief debate between Richard Epstein and John Rawls on the issue on the extent to which the just state enforces nondiscrimination in employment. (For Rawls, consider careers open to talents and fair equality of opportunity.)

9. Suppose that the government of some nation state bans witchcraft on the ground that this sort of superstitious silliness tends to distract people from the finer things in life and that with this bad option eliminated, people will tend freely to select options that are better for them from among those left available. This is an instance of what Ronald Dworkin calls "substitute paternalism" in chapter 6 of *Sovereign Virtue*. The government's judgments might be right or wrong but let's suppose it is correct that witchcraft is silly and that with witchcraft banned people tend to pick finer options. Given these facts, would such a policy be justifiable or not according to Dworkin? Why or why not?

10. Consider this utilitarian case for redistribution of wealth. Suppose the government can transfer wealth from some people to others relatively costlessly—say by decreeing transfers in people's bank account deposits. In any given case, there is no way to tell whether those who lose cash lose more utility than the utility gain that accrues to those to whom cash is transferred. But if the government limits itself to transfers from rich to poor, then on the average, the poor will gain more utility from their increased cash than the rich, who still have plenty of cash left, will lose. —On the basis of your understanding of Richard Epstein's political morality as expressed in *Simple Rules for a Complex World*, how do you think he would respond to the utilitarian case for transfer just stated?

11. In chapter 2 of *Sovereign Virtue*, when Ronald Dworkin commences to expand the domain of resources to include personal resources and talents, he runs into a problem he calls the "slavery of the talented." What is the problem and how does Dworkin's conception of equality of resources seek to avoid it?

12. In *Multicultural Citizenship* Will Kymlicka argues that whereas the policy of separation of state and religion makes sense, the policy of separation of state and ethnicity is incoherent. (In other words, state neutrality on religion is feasible and state neutrality on ethnicity is not.) Kymlicka urges that a state policy of "benign neglect" of minority cultures is unfair. State Kymlicka's argument for the claim that the separation of state and ethnicity is incoherent.

13. Suppose that by banning or restricting hate speech we could bring it about that Rawls's fair equality of opportunity principle is fulfilled to a significantly greater extent. (Don't worry about how we know this; just suppose we do.) The catch is that this restriction on hate speech is clearly a violation of Rawls's equal liberties principle. How does Rawls suggest we should resolve such conflicts between the principles of justice he espouses?

14. On the utilitarian view, moral, social, and legal rights are to be regarded as means to utility promotion. In given circumstances, the rights people should have are the rights the establishment and protection of which would maximize utility. In "Rights and Agency" Amartya Sen presents an argument against regarding rights in this purely instrumental way, as means to utility. What is Sen's argument?

15. Discussing the challenge versus the impact models of critical interests, Dworkin suggests that on the challenge view, some of an individual's circumstances should be regarded as parameters, not limitations. This point connects to the issue, whether critical interests should be seen as "transcendent or indexed." Explain these terms as employed by Dworkin. (a) What is

the challenge view? (b) What is a parameter? (c) What is it for critical interests to be transcendent or indexed?

16. "The necessity principles and the just compensation principles are but different sides of the same coin," writes Richard Epstein. Describe his norms of necessity and just compensation by applying them to the problems of (1) an individual who has a desperate need to use a particular person's property (hiker in blizzard stumbles across private cabin) and (2) a government's taking of property for public purposes (private land is needed to build a roadway). Also, would Epstein regard as a necessity case a housing shortage in a large city in the wake of a natural disaster such as an earthquake? Why or why not?

17. In *Multicultural Citizenship* Will Kymlicka observes that "defenders of group-specific rights for ethnic and national minorities insist that they are needed to ensure that all citizens are treated with genuine equality." Kymlicka adds that within certain limits, he agrees with this claim. What conception of equality figures in this argument for these group-specific rights?

18. In a nutshell, how would Nozick's libertarianism deal with the situation of multinational and multiethnic political societies discussed by Barry and Kymlicka? What remedies would Lockean natural rights offer to members of cultural groups who wish to preserve elements of their traditional way of life or to sustain the use of their distinct language?

19. John Rawls believes that reasonable pluralism of beliefs about ethics and morality is a stable fact of life in modern democracy, not to be deplored. He also believes that it is wrong for the state to coerce people in the name of principles they can reasonably reject. Given this, what is his main argument for the difference principle, which seems controversial? Why does Rawls think the difference principle may form part of the object of a stable overlapping consensus?