UNIVERSITY OF WESTERN ONTARIO
DEPARTMENT OF PHILOSOPHY
Moral, Political, and Legal Philosophy Comprehensive Examination
December 2013

Student name: _____

Version: 4 hour sit-down

Instructions: You are required to answer **four** questions in total: **two** questions from Section I: History of Ethics, and **two** additional questions from any other section(s) of your choice. You must receive a passing grade on all four answers in order to pass the exam. Please submit both a hard copy and an electronic copy of your completed comp to the Graduate Assistant.

Expectations

4 hour Sit-down Version

It is expected that students writing the 4 hour sit-down version of the MPL Comp will write 1.5 to 2 single-spaced pages per answer (approximately 750-1000 words). A good answer should have a thesis, an introduction, a main body, and a conclusion, and will clearly and directly address the question(s) asked. While there is no expectation that students will quote directly from either primary or secondary materials, students are expected to demonstrate familiarity with both.

I. **History of Ethics (NB: you must answer <u>two</u> questions from this section)**

1.   Outline and assess Socrates' defence, in the <u>Protagoras,</u> of the view that no one does wrong willingly.

2.   In Book I of the <u>Nicomachean Ethics</u>, Aristotle asks "what is the highest of all goods achievable by action?" Reconstruct and evaluate his answer.

3.   Outline and assess the arguments that Hobbes gives in support of the view that the sovereign can be neither party to the social contract nor subject to civil laws once the commonwealth is instituted.

4.   In <u>The Methods of Ethics</u>, Sidgwick suggests that "the doctrine that Universal Happiness is the ultimate *standard* [of ethics] must not be understood to imply that Universal Benevolence is the only right or always best *motive* of action. For...it is not necessary that the end which gives the criterion of rightness should always be the end

at which we consciously aim." What does this imply about the structure of Sidgwick's utilitarianism? Explain to what extent Sidgwick's suggestion helps him demonstrate that there is a (rough) coincidence between the judgements of common-sense morality and the dictates of utilitarianism. Evaluate to what extent Sidgwick's demonstration is successful.

II. Normative Ethics

1. What is the thesis of Anscombe's "Modern Moral Philosophy"? Do you agree with it? Why or why not?

2. Kant begins the first chapter of the Groundwork of the Metaphysics of Morals with claim that "[I]t is impossible to imagine anything else in the world, or even beyond it, that can be called good without qualification – except a good will" [4:393] and he ends the chapter with the conclusion that the only law that "could serve the will as a principle is the universal conformity of actions to law as such. That is, I ought never to act in such a way that I could not also will that my maxim should become a universal law." [4:402]. Outline and evaluate the argument that Kant uses to get from his claim about the good will to his claim about the nature of the moral law.

3. In What We Owe to Each Other, Scanlon presents a form of contractualism that he says provides "a clear alternative to utilitarianism and to other forms of consequentialism." One worry about this view is that it appears "unable to explain how the number of people affected by an action can ever make a moral difference." Scanlon replies to this worry, arguing that his account of what he calls "generic" reasons "provides room for an explanation of how what is right can sometimes depend on aggregative considerations." Provide a broad outline of Scanlon's contractualist position, specify the feature of the view that appears to rule out appeal to aggregate considerations, and evaluate his attempt to accommodate them within the contractualist picture of moral reasoning.

4. In her article, "Feminism, Ethics, and the Question of Theory," Margaret Urban Walker attacks what she calls the "theoretical-juridical model" of ethics, and argues that it should be replaced with an "expressive-collaborative conception of ethics." Discuss and evaluate Walker's criticism of the "theoretical-juridical model" and the case in favor of its replacement.

III. Political Philosophy

1. On Locke's account, there are some arrangements to which we could not consent, for example being subject to another's arbitrary power. Outline his view and explain how it expresses itself in the institutional structures he recommends.

2. What, according to Okin, follows for Rawls's theory when we take seriously Rawls's claim that one's gender is among the qualities hidden by the veil of ignorance? Is her argument persuasive?

3.   Outline and evaluate Iris Marion Young's criticism of what she calls the distributive paradigm.

4.   What is the Wilt Chamberlain argument (in *Anarchy, State and Utopia*) meant to show? Does it succeed?

IV. Legal Philosophy

1.   Outline the main points of distinction between justifications and excuses. Why, if at all, does it matter whether a defence is a justification or an excuse?

2.   What is natural law? Is Fuller a natural lawyer? Why or why not?

3.   Outline the main features of what Dworkin calls the interpretive model of adjudication. With which elements of that model would a legal positivist take issue? On what basis should we decide who is right?

4.   Can criminal punishment be understood as an expression of corrective justice?