

HUL 258: Social and Political Philosophy
IInd Semester, 2017-18
Minor 1

Instructions

Make your answers as clear and precise as possible. Feel free to write your answers in point format, and to use Hindi words or phrases if you need to.

A (5 marks)

For each of the following questions, choose *one* of the possible options. Explain your answer in one line: no marks will be awarded without a correct explanation.

1. Which of the following is a conceptual claim?
 - (a) The universe is expanding.
 - (b) Inter-caste marriages are on the rise.
 - (c) Happiness consists of feeling more pleasure than pain.
 - (d) It is the duty of all citizens to defend the country.

2. According to Peter Singer, “if it is in our power to prevent something very bad happening, without thereby sacrificing anything of comparable moral significance, we ought to do it.” This statement belongs to the category of:
 - (a) Conceptual claims
 - (b) Empirical claims
 - (c) Normative claims
 - (d) None of the above

3. According to utilitarians, you should care about your own happiness
 - (a) Never, because it is wrong to be selfish.
 - (b) Always, because if you don’t care about your own happiness, who will?

- (c) Sometimes, as long as it doesn't come in the way of other people's happiness.
 - (d) Always, because your own happiness counts just as much (but no more) than the happiness of others.
4. Suppose we could construct an "experience machine" which stimulated your brain to produce any mental state that you thought was valuable. This could be used to show that
- (a) "Basic needs" perspectives on poverty are preferable to income-based perspectives on poverty.
 - (b) We should care more about absolute poverty than relative poverty.
 - (c) Hedonistic theories of well-being are false.
 - (d) We should prefer desire-based theories of well-being to objective theories of well-being.
5. According to James Rachels, utilitarians ignore backward-looking considerations. Which of the following examples best illustrate this point?
- (a) Utilitarians tend to be vegetarians.
 - (b) Utilitarians care about the intentions with which people act.
 - (c) Utilitarians wouldn't punish a guilty person if the punishment caused more harm than good overall.
 - (d) Utilitarians give a lot to charity.

B (5 marks, 500 words)

Peter Singer claims that the failure of rich people in affluent countries to aid those who live in absolute poverty is the moral equivalent of murder. One objection to this claim is that it is not difficult to avoid killing people, while it is extremely difficult to sacrifice all luxuries to save all those one can possibly save.

How does Singer respond to this objection? Are you convinced by his response?

C (10 marks, 1000 words)

The Bihar Prohibition and Excise Act, 2016 bans the production, sale, and consumption of alcohol in Bihar. How, as a utilitarian, would you analyse this law? Clearly identify the empirical assumptions you are making in your analysis.

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Minor 2

A (5 marks)

For each of the following questions, choose *one* of the possible options. Explain your answer in one line: no marks will be awarded without a correct explanation.

1. John Stuart Mill's Harm Principle tells us that we can
 - (a) only make an action criminal if doing so is necessary to prevent harm to others
 - (b) make an action criminal whenever it will prevent harm to others
 - (c) never harm others
 - (d) prevent people from doing something they want to do whenever it will harm them.
2. According to Thaler and Sunstein, paternalism
 - (a) always involves coercion, so can never be justified
 - (b) never involves coercion, so can always be justified
 - (c) involves doing things to people which can only be justified on utilitarian grounds
 - (d) need not involve coercion, and can sometimes be justified
3. According to the Supreme Court of India, an adult human being with the mental capacity to take an informed decision has the right to refuse medical treatment including withdrawal from life-saving devices. However, the Constitution does not permit doctors to kill patients even if the objective is to relieve pain and suffering Dan Brock would think
 - (a) The Supreme Court is correct, because the right to die with dignity does not include the right to be killed.
 - (b) The Supreme Court does not go far enough, because the reasons why passive euthanasia is permissible also apply to active euthanasia

- (c) The Supreme Court is correct, because otherwise doctors will kill patients against their wishes
 - (d) The Supreme Court's decision will lead to a slippery-slope, because patients without mental capacity to take an informed decision will also die
4. According to Gerald Dworkin, a ban on the manufacture of cigarettes is
 - (a) Not paternalistic, since it restricts the liberty of cigarette manufacturers in order to prevent harm to others
 - (b) Justified, because cigarette-smoking is bad for your health
 - (c) Paternalistic, because cigarette smokers would disagree that it is in their interest to be prevented from smoking
 - (d) Unjustified, because cigarette manufacturers should have the freedom to engage in economic activity
 5. Some people have argued that the Harm Principle cannot be justified on utilitarian grounds. This is because
 - (a) Sometimes overall well-being can be raised by restricting people's liberty in their own interest
 - (b) No actions are purely self-regarding
 - (c) It is difficult to distinguish harm from offence
 - (d) No man is an island

B (15 marks)

According to the Commission of Sati (Prevention) Act, 1987, it is a punishable offence to attempt to commit sati, or to induce a widow to commit sati, irrespective of whether she is in a fit state of mind.

The Law Minister has decided to lift the ban on sati after reading the articles by Gerald Dworkin and Dan Brock. He argues that people have an interest in making important decisions for themselves according to their own values, and an interest in ending their life when it becomes an intolerable burden. The Commission of Sati (Prevention) Act is thus an unjustifiably paternalist law.

You are asked for your advice as a philosopher:

1. Do the articles by Brock and Dworkin support the decriminalization of sati, as the Law Minister believes? If not, why not?
2. In the light of your understanding of paternalism and freedom, would you recommend that the Commission of Sati (Prevention) Act be kept as is, removed, or altered?
3. If you think that sati should be allowed only given certain procedural safeguards, state what they are and how easy they would be to implement.

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Major exam

A (4 marks)

For each of the following questions, choose *one* of the possible options. Explain your answer in one line: no marks will be awarded without a correct explanation.

1. According to the “more speech” argument
 - (a) People should speak more because it will get us closer to the truth
 - (b) People should speak less, because more speech will only cause confusion
 - (c) We should not restrict another person from speaking, even if the speech may cause harm, if we can prevent the harm by counter-speech
 - (d) If another person’s speech causes harm, then we need to prevent them from speaking more
2. According to Alexander Meiklejohn, which of the following restrictions is *not* a problem from a free speech perspective:
 - (a) A rule of order in a meeting which says that only one person can speak at a time
 - (b) A government order saying that the doctrine of Communism should not be taught in schools
 - (c) A law banning “anti-national” speech
 - (d) A rule saying that advertisements in favour of cigarette smoking are illegal
3. Mill’s “infallibility” argument can be most clearly applied to which of the following restrictions of expression?
 - (a) Restricting anti-communist booklets in a country which is officially communist
 - (b) Restricting kissing scenes in Bollywood movies

- (c) Restricting cruelty to animals during the making of a movie
 - (d) Restricting loud music after 11 pm
4. The “chilling effect” involves
- (a) Telling people to chill out and not get so angry when something offends them
 - (b) Discouraging people from speaking because they fear they will violate the law, even when what they would have said is perfectly legal
 - (c) Imposing unfair restrictions on advertising, originally applied in the case of air conditioners
 - (d) Preventing people from voting by scheduling elections in cold weather

B (26 marks)

Under the *Commission of Sati (Prevention) Act*, 1987, it is unlawful to support, justify or propagate the practice of sati in any manner. The punishment for doing so is 1-7 years of imprisonment, along with a fine of between Rs. 5,000-30,000.

You are a Member of Parliament deciding whether or not to vote for this Act when it comes up for discussion.

1. The Act clearly penalises speech which is in favour of sati. What is the strongest free speech argument *against* the Act? **(9 marks)**
2. How should a defender of the Act respond to this argument? **(9 marks)**
3. In the light of these arguments, how would you vote, and why? If your decision depends upon some empirical assumptions, describe what they are and how they can be tested. **(8 marks)**