

## Phil 108, Final Exam Study Questions

- The final exam will be **MONDAY, MAY 19, 2008 8-11AM in 3 LECONTE**
  - In the final exam, you will be presented with **five** of the following passages.
  - You will be asked to select **three** of these passages and to do the following for each: *to explain the role of the passage in the author's overall argument*. This may also require explaining *the passage itself*.
  - The exam is open book, so you may bring readers, handouts, notes, and computers.
  - You may write out answers in advance, if you wish. However, there is no guarantee that any passage for you prepare an answer will appear on the exam. Also, answers written in advance must be under 600 words.
1. Suppose a village contains 100 unarmed tribesmen eating their lunch. 100 hungry armed bandits descend on the village and each bandit at gunpoint takes one tribesman's lunch and eats it. The bandits then go off, each one having done a discriminable amount of harm to a single tribesman. Next week, the bandits are tempted to do the same thing again, but are troubled by new-found doubts about the morality of such a raid. Their doubts are put to rest by one of their number who does not believe in the principle of divisibility. They then raid the village, tie up the tribesmen, and look at their lunch. As expected, each bowl of food contains 100 baked beans. The pleasure derived from one baked bean is below the discrimination threshold. Instead of each bandit eating a single plateful as last week, each takes one bean from each plate. They leave after eating all the beans, pleased to have done no harm, as each has done no more than sub-threshold harm to each person. Those who reject the principle of divisibility have to agree.
  2. [I]f the driver fails to turn his trolley, he does not merely let the five track workmen die; he drives his trolley into them, and thereby kills them. But there is good reason to think that this problem is not so easily solved as that. Let us begin by looking at a case that is in some ways like Mrs. Foot's story of the trolley driver. I will call her case *Trolley Driver*; let us now consider a case I will call *Bystander at the Switch*. In that case you have been strolling by the trolley track, and you can see the situation at a glance: The driver saw the five on the track ahead, he stamped on the brakes, the brakes failed, so he fainted. What to do? Well, here is the switch, which you can throw, thereby turning the trolley yourself. Of course you will kill one if you do. But I should think you may turn it all the same.
  3. Take T[error ]B[omber] and S[trategic ]Bomber. In the former case, but not the latter, the bomber undeniably intends in the strictest sense that the civilians be involved in a certain explosion, which he produces, precisely because their involvement in it serves his goal. He may not, if Bennett is right, intend their deaths. But his purpose requires at least this—that they be violently impacted by the explosion of his bombs. That this undeniably intended effect can be specified in a way that does not strictly entail their deaths is, on the view I am proposing,

beside the point. What matters is that the effect serves the agent's end precisely because it is an effect *on civilians*. The case with SB is quite different. The bomber in that case intends an explosion, but not in order that any civilians be affected by it. Of course he is well aware that his bombs will kill many of them, and perhaps he cannot honestly say that this effect will be “unintentional” in any standard sense, or that he “does not mean to” kill them. But he can honestly deny that their involvement in the explosion is anything to his purpose.

4. Consider again the case of the Pursuer. Suppose that the person who programmed and implanted the mind-control device—call him the “Initiator”—has suffered an accident and is now bedridden and tethered to a respirator. You go to plead with him only to discover that he is powerless to stop the Pursuer. At that point, you see the approach of the Pursuer, who has followed you to the Initiator’s house. You have only two options for saving yourself. One is to shoot the Pursuer as she approaches. The other is to flee in the Initiator’s car. This car, however, is battery powered, and the only available battery is the one that is supplying power to the respirator. In order to flee the Pursuer, you must remove the power supply from the Initiator’s respirator, thereby killing him. What ought you to do: allow yourself to be killed; kill the Pursuer, who poses an unjust threat but is not responsible; or kill the Initiator, who now poses no threat but is morally responsible for the threat posed by the Pursuer? It would be permissible for you to allow yourself to be killed, but in the circumstances that is not morally required. The view that asserts the permissibility of defense against unjust threats implies that you may kill the Pursuer but not the Initiator. Intuitively, however, it seems that if you must kill one or the other to save your life, you must kill the Initiator rather than the Pursuer. Because the Initiator is the one who is morally responsible for the fact that someone must die, he should, as a matter of justice, bear the costs of his own voluntary and culpable action.
5. My own aim, as I have already said, is not to produce a definition of the term “terrorism” or to provide a set of necessary and sufficient conditions for its application. Accordingly, I will take no position on the question of how far an act can depart from the standard cases while remaining an instance of terrorism. In any event, the fact that some form of conduct is not best thought of as amounting to terrorism does not mean that there is no objection to it. As the doctrine of the pluralism of the bad reminds us, there are many different kinds of atrocities and many different forms of horrific behavior, and we learn more by attending to the differences among them than by assimilating them all to a single category.
6. You wake up in the morning and find yourself back to back in bed with an unconscious violinist. A famous unconscious violinist. He has been found to have a fatal kidney ailment, and the Society of Music Lovers has canvassed all the available medical records and found that you alone have the right blood type to help. They have therefore kidnapped you, and last night the violinist's circulatory system was plugged into yours, so that your kidneys can be used to extract poisons from his blood as well as your own. The director of the hospital now tells

you, “Look, we're sorry the Society of Music Lovers did this to you—we would never have permitted it if we had known. But still, they did it, and the violinist now is plugged into you. To unplug you would be to kill him. But never mind, it's only for nine months. By then he will have recovered from his ailment, and can safely be unplugged from you.” Is it morally incumbent on you to accede to this situation? No doubt it would be very nice of you if you did, a great kindness. But do you *have* to accede to it?

7. That's what I miss in so many discussions of euthanasia and assisted suicide: a sense of something in each of us that is larger than any of us, something that makes human life more than just an exchange of costs for benefits, more than just a job or a trip to the mall. I miss the sense of a value in us that makes a claim on us—a value that we must *live up to*. I don't deny that there are circumstances under which it would be better for one's life to end and permissible to hasten its ending. What I deny is that one may end one's life simply because one isn't getting enough *out* of it. One has to consider whether one is doing justice *to* it. If a person possesses no value that he must live up to, or do justice to, then his life becomes a mere instrument, to be used or discarded according to whether it serves his interest.
8. *Cases in which punishment must be inefficacious.* These are... Where the penal provision, though it were conveyed to a man's notice, could produce no effect on him, with respect to the preventing him from engaging in any act of the sort in question. Such is the case, 1. In extreme infancy; where a man has not yet attained that state or disposition of mind in which the prospect of evils so distant as those which are held forth by the law, has the effect of influencing his conduct. 2. In insanity; where the person, if he has attained to that disposition, has since been deprived of it through the influence of some permanent though unseen cause.
9. To see how this justification works, we may begin by considering the initial period from the moment of activation up through the occurrence of the first crime that the devices will subsequently m-punish. We do not know exactly how long or short this period will be. But we have good empirical grounds for believing that, given human nature, it cannot be very long. The activators must therefore ask themselves whether they would be justified in establishing the threat (with its risk of giving rise to m-punishments) for any stretch of time that might realistically constitute this initial period even if the deterrent force of the threat were not to be reinforced by the publicized occurrence of any m-punishment. This is to insist on a justification for activating the devices for any such stretch that appeals only to protection that would result from the publicized fact of activation itself (from the general belief that the devices will work) and from possible artificial demonstrations of their effectiveness. If the protection created by these factors alone would justify establishing the threat for any such duration, then the first m-punishment would clearly be justified, not as a means to later protection, but as an unavoidable empirical consequence of our having enjoyed an earlier protection. And each subsequent m-punishment would presumably be justified in the same

manner, by reference to the period of threatening that preceded it.

10. Another characterization of the rescue case seems prominent in Feinberg's thought, offering another diagnosis about what makes the harms inflicted by the rescuer special and of different moral significance than other inflictions of harm. Feinberg suggests that the bestowal of an overall benefit explains the rescuer's immunity. This then fuels his analogy to wrongful life cases. This analogy, however, illegitimately trades upon a common equivocation of "benefit." In the rescue case, the injury is necessarily inflicted to prevent greater harm. Although we sometimes speak as though removing someone from harm benefits that person, it does not follow that the beneficial aspect of the saving does the moral justificatory work for inflicting the lesser harm. Rather, I believe the fact that a greater harm is averted performs the justificatory service. A more closely tailored reading of the rescue case is that it illustrates that when a person is unavailable for consent, it can be justified both to inflict a lesser harm upon her to avert a greater harm, and to refrain from providing compensation or apologies for one's act.