

Options for the First Examination

For your first examination, you have two options—an six-page essay written at home or a one-hour examination written in class. If you choose to write the essay, you must turn it in by the day of the examination (tentatively: 8 October). You may turn it in in class or leave it in my departmental mailbox by 5 PM that day. Do not send it by e-mail without special permission.

Option #1: Examination

You will have to write answers on some of the following questions. The total examination will require about eight pages and take about one hour.

1. Definitions (1/2 to 1 page)

Utilitarianism	<i>Staatsraison (raison d'état)</i>
Bentham's Challenge	<i>Kriegsraison (raison de guerre)</i>
Absolute Moral Prohibitions	Supreme Emergency
a Right (Mill's definition)	Innocence
Injustice (Mill's definition)	Just-War Pacifism
<i>Prima facie</i> Duty	

2. Distinctions (1-2 pages)

Utilitarianism & Intrinsicism	<i>Jus ad Bellum & Jus in Bello</i>
Presumptivism & Absolutism	Four Kinds of Rights
Higher & Lower Pleasures	Kinds of Premise in Moral Argument

3. Arguments (1-2 pages)

The Doctrine of Swine Objection & Mill's Reply
A Utilitarian argument for a particular right (e.g., private property or free speech)
Lewis' Argument against Pacifism

4. Statement of Theories (1-2 pages)

Ross' Theory of *Prima facie* Duties
The Just-War Theory

5. Essays (4 pages)

Utilitarianism, presumptivism & absolutism on the place of consequences in the evaluation of human actions
Utilitarians & their critics on rights & justice
Walzer & Murphy on whether killing the innocent in war is ever morally permissible

Option #2: Essay

Write an essay of six pages (typed, double-spaced) discussing the issues raised by one of the following two cases:

Case #1: Operational Security & Operation Redwing

In June 2005, a four-man US Navy SEAL team was sent to reconnoiter a village in Afghanistan's Kunar province, a village suspected to be the base of operations of Taliban leader Ahmad Shah. While watching the village from a nearby mountaintop, their position was discovered by three unarmed Afghan goatherds, whom they promptly captured. The team then felt that they faced a choice between releasing the goatherds (who might then reveal their position to the Taliban) or killing them in order to preserve the secrecy of their mission. Would it be morally permissible for them to kill the goatherds?

For the purposes of this paper, you may assume that the fight against the Taliban is, in general a just war (i.e., that *inter alia* it will bring about results more beneficial than harmful). You should focus your essay on the particular action, not on the overall justice of the war.

Case #2: Polish Reparations & the Schramek Chocolate Factory

In 1939, shortly after the invasion of Poland, the new Nazi government confiscated the chocolate and cookie factory of the firm Bracia Schramek Tip-Top from its owners, the (Jewish) Schramek family, and sold to a German entrepreneur. Shortly after the end of the war, the factory was nationalized by Poland's new Communist government. In 1993, as part of the general privatization policy of post-Communist Poland, the factory was sold to Kraft Foods, an international company, who owns and operates it today. The Schramek family, now resident in the United States, has asked for compensation. Does either Poland or the Kraft Foods company have a moral obligation to make a payment to the Schramek family as heirs of the factory's 1939 owners?

A modest amount of additional research (1-2 hours) is recommended for students writing on either topic. You must know more about the cases than is stated in the assignment. Part of your grade will be based on your showing what kinds of additional questions a utilitarian or a presumptivist would ask. Be sure that you know the details of the case that you take up and that you make appropriate use of relevant details in your paper.

Your paper should address the issue you choose from the moral point of view, not from the point of view of American or Polish law. In other words, the question you must address is not whether current law requires such a payment (or prohibits such killing), but whether the law should do so. Any discussions of legal aspects of the case must be embedded in the larger moral context.

The paper should discuss both Utilitarian and Presumptivist approaches to the issue. The presumptivist approach may be Rossian or may be based on some other presumptivist theory, e.g., one based on *prima facie* rights. Which approach offers the better account of how to think about the issue? Why? Are their relevant considerations that neither theory accommodates well?

Your paper should have the following structure.

1. A judgment about your topic, e.g., reparation should be made.
2. The defense of this judgment—i.e., a utilitarian or presumptivist argument, including a paragraph summarizing the theory you are using and consideration of objections to your position from within that theory.
3. An estimate of how the other moral theory would address the issue, again including a short paragraph summarizing the theory and consideration of objections from within the theory.
4. A comparison of the two theories with regard to the issue that you address: Do both theories come to the same conclusion? What does their agreement or disagreement say about the difference between the two theories? Are there considerations that both theories ignore?

Your paper will be graded on the basis of

1. Your thoughtful use of the facts of the case (as determined by you by further research as necessary);
2. Your use of the conceptual resources available to Utilitarians and presumptivists;
3. Your skill in stating arguments and objections clearly.
4. Organization, grammar, punctuation, spelling, and style (including conformity with citation guidelines).

Notes on Research

1. Good research practice includes exercising good judgment in your selection of sources. Know who your sources are (and tell your readers).

That automatically excludes Wikipedia as a citable source. Wikipedia sometimes provides useful leads. When it does, follow those leads and then cite the sources to which it leads. No one knows who has added comments to a Wikipedia article. For all your reader knows, you added the “information” found in the article yourself. You might as well cite an anonymous note slipped under your dormitory room door in the middle of the night. Remember that Wikipedia itself expects its writers to cite sources (which you can check), though they often fail to do so (which means that what the article says is only a clue, which you will have to verify in more reliable sources).

Do not use indirect citations if you can avoid them. I.e., don’t quote A and then put in your footnote “as cited in B.” Go find A’s work and then cite that. That is what a sceptical reader will want to check.

Weblogs are reliable only if you know who wrote them.

For known sources, do ask whether the source is subject to bias and make certain that any bias is known to your reader. You do not need to be overly suspicious, but don’t be uncritical either.

2. Good research practice includes citations for any wording or ideas that are not your own and for factual claims that are crucial to your argument or are the subject of controversy.

You don’t need to provide a reference if you mention the date when Germany attacked Poland (even if you had to look it up) or even the date when German troops entered Cieszyn. If the magnitude of reparations claims is important to your argument, cite a source for what you say about it.

3. Finally, good research practice includes a clear and consistent citation style. The ideal is individual or institutional author, name of article or work, and place of publication.

Craig Whitlock, “Winning Back a Family Legacy: Man Gains Right to Art Confiscated by Gestapo,” *Washington Post Foreign Service*, 11 February 2009.

Commission for Art Recovery Website

(<http://www.commartrecovery.org/cases.php>). The Commission is a non-profit organization associated with the World Jewish Congress.

A URL alone is not a sufficient citation. A URL is like a library call number. Since you would not put a call number in place of a book title, you should not use a URL alone. First tell the reader whom and what you are citing by providing, as possible, author, title, and responsible organization (newspaper, organizational web-site, &c.). Add a URL only if necessary to tell your reader exactly where, on a website, the material you are citing is found.