

Final Exam Preview

The Final Exam is scheduled for Friday, May 15 at 2 pm. This is not my fault.

It will have two parts. I think that each part should take about forty minutes to complete. The exam time is two hours or about one and a half times as long as I think you need. Of course, writing styles and speeds vary. So you might take more or less time than eighty minutes with no cause for concern.

The first part is like the Short Test that you took in February. You will be asked to choose *two* out of four passages. For these two passages, you will be asked to identify the author of the passage (the names will not be given), describe what the author is saying, and evaluate the passage's significance by showing how it is related to the broader theory or argument that the author advanced. The passages will be drawn from the readings we have done *since* the Short Test, that is, everything from the Speluncean Explorers through *Becker v. Schwartz*.

In the second part, you will be asked to write an essay on one of the following topics. Please do not use notes.

1. John Stuart Mill described *On Liberty* as defending "one very simple principle," that "the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others." If so, any law that limits individual liberty for some other purpose is improper. Give what you regard as the best case for thinking that there could be justified paternalistic or moralistic interference, contrary to Mill's principle. How might Mill defend his principle? What do you think, should the law conform to Mill's principle or not?
2. Does punishment make any sense? What is it about punishment that has to be justified; that is, why isn't punishment like taxes, regulations, fees, or any of the other things that government does? What do you regard as the most compelling reason for having punishment? What do you regard

as the most compelling objection to your rationale for punishment? How do you respond to that objection?

3. Our society punishes attempted crimes as well as successful ones, though typically less often and with less severity. Describe an important question about, or problem with, our practices of punishing attempts. Then explain how you think the question or problem ought to be handled.