

**Course exam**       **STEOP module examination**       **Module examination**

(Please tick as appropriate)

**Exam details** (to be completed by the lecturer / the SSC)

Course (course number and group number/ teaching contents number, semester, designation): <b>03-1604 MP Legal and Political Philosophy (2023 W)</b>
Lecturer(s): Univ. Prof. Dr. Alexander Somek
Exam date (date, time): <b>04.10.2023, 17.00-18.30h</b>
Exam duration (amount of time to work on the exam in minutes): 90 Min
Venue of the exam: <b>Juridicum, U22</b>

**Student details** (to be completed by the student)

Student ID number:
Degree programme code as it appears on the student record sheet:
Degree programme as it appears on the student record sheet:
Surname(s):
First name(s):
Is this your fourth attempt? <input type="checkbox"/> YES <input type="checkbox"/> NO
<b>Please note: The fourth attempt must be before an examination committee.</b>

## Study law-related information for students

### Assessment is only permissible if:

- you are correctly registered for this exam,
  - you meet the requirements for this exam,
  - your identity can easily be verified (student ID card or any other official photo identification card),
  - you do not use unauthorised aids (your lecturer informs you about the permitted materials before the beginning of the exam).
- If you discontinue your exam without good cause, you will fail the exam and receive the grade "insufficient".

### Signature of the student

I confirm that I am duly registered, have taken note of the examination modalities and procedure and the study law information.

Date

Signature of the  
student

### Special incidents during the exam

(to be completed by the lecturer or invigilator only)

Description of the incident (if there is not enough space, please use the reverse)

Date, time

Signature

1. What is the role played by legal concepts in legal thought? (2P)

2. Is liberalism necessarily democratic? Why may it not be? (3P)

3. Could you please explain Raz' service conception of authority? (3P)

4. Someone claims that all “bounded” democracies have a democracy deficit?  
Can you make sense of this claim? (2P)

5. Why can disagreements be inherently reasonable? (2P)

6. What is the point, in the case of Plato, of juxtaposing parts of the individual soul  
and different social groups? (2P)

7. Why does Aristotele's "polity", as a constitution, not live up to the high standard of an aristocracy? Why is it still a good constitution? (3P)

8. How does medieval natural law theory differ from modern, "rationalist" approaches?

9. What is the argument supporting the claim that indirect discrimination, rather than direct discrimination, is the more fundamental category of antidiscrimination law? (3P)

10. Why does Weinreb believe corrective justice to be the essence of private law? (3P)

11. What is the core idea of freedom as “non-domination” (Pettit)? Do you see a connection to Fuller’s internal morality of law? (3P)

12. In which respects is Iris Marion’s Young conception of justice different from the Rawlsian project? (3P)

13. Why is nationalism based on an “irresponsible belief”? (3P)

14. Why is it somewhat odd to appeal to Hans Kelsen in order to establish a “methodology” of legal analysis? (3P)

15. Solidarity requires that people share their fate with one another. Could you explain what this means? (1P)



Name:

Student ID: