

PLEASE NOTE: You must not open the exam papers until instructed to do so by the invigilators.

Course exam examination

 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):

PM2 Legal and Political Philosophy (6 ECTS)

Lecturer(s): Univ. Prof. Dr. Alexander Somek

Exam date (date, time): 29.06.2023, 17:00-18:30

Exam duration (amount of time to work on the exam in minutes): 90

Venue of the exam: Schenkenstr. 8-10, 4. floor, 1010 Wien

Student details (to be completed by the student)

Student ID number:

Degree programme code as it appears on the student record sheet: UA

Degree programme as it appears on the student record sheet:

Surname(s):

First name(s):

Is this your fourth attempt? YES NO

Please note: The fourth attempt must be before an examination committee.

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. What is an "essentially contested concept"? (2P)

3. Why is the "foundational discipline" in danger of becoming the intellectual dumping ground of a discipline? (3P)

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4. Why does the “polity”, as a constitution, not live up to the high standard of an aristocracy? Why is it still a good constitution? (3P)

5. Are Fuller’s principles merely address the effectiveness of law? (3P)

6. Why is self-determination the core idea underlying modern constitutionalism ? (2P)

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7. What does, according to Aristotle, a democracy take to be the common good? (1P)

8. What does, according to Aristotle, an oligarchy take to be the common good? (1P)

9. Which objection can be made to Hobbes' conception of freedom? (3P)

10. A does not hire workers with a lower test score out of fear that they would perform less well than others. Under which condition would her conduct be a case of direct discrimination? Under which condition could this be a case of indirect discrimination? (2P)

11. Does the initial endowment with resources matter for purposes of corrective justice? (2P)

12. Utilitarianism does not take the "separateness of persons" seriously. Could you explain the meaning of this objection? (2P)

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13. Liberal democracy is the liberalization of democracy and the democratization of liberalism. Would you explain what this means? (2P)

14. What, if any, justification is there for the existence of borders? (2P)

15. In which respect is Kelsen's later emphasis on "legal dynamics", which he adopted from Merkl, a reply to the free law movement? (3P)



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