APPLIED ETHICS · STUDY GUIDE

Exam 3 Study Guide

This guide covers character, care, rights and justice. Chapter 5 asks what kind of person acts well and how institutions grow or grind down good practitioners. Chapter 6 adds the ethics of care, the precise structure of rights and the theories that decide who gets what. Work one chapter at a time. Read the "what to know" paragraphs, copy the tables out by hand, then try each worked case with the steps covered. Finish each chapter with its self-test.

WHAT THIS GUIDE COVERS

- Chapter 5 · agent versus act, Anscombe's revival, eudaimonia and the function argument, habituation and hexis, the mean, phronesis and akrasia, Confucian, Stoic, Thomist and ubuntu traditions, situationism and its replies, MacIntyre's practices, moral distress and injury.
- Chapter 6 · Gilligan and Noddings, Tronto's phases, Kittay's doulia, Hohfeld's incidents, negative and positive rights, will and interest theories, the formal principle of justice, Rawls, Nozick, Sen and Nussbaum, Young, allocation criteria, Oregon, MELD and Olmstead.

CHAPTER 5

Virtue Ethics and Character

Read it in full: **Chapter 5 in the textbook**. Practice it in the lab: **The Mean Calibrator** and **The Situation Engine**.

What to know

Virtue ethics moves the question from the act to the agent. Two nurses can both stay late with a dying patient, one watching the clock because policy says so, the other noticing the daughter has not eaten. The act looks the same; the character is not. A right action is what a person of good character would characteristically do here. The theory is **agent-centered** and **aretaic** (from arete, excellence), not deontic.

The revival began with Anscombe's "Modern Moral Philosophy" (1958). She argued moral philosophy should wait for a philosophy of psychology, that moral "ought" is a survival of a law-based ethics with no lawgiver, and she coined **consequentialism**, as an insult. Foot (1978), MacIntyre (1981), Hursthouse (1999), Swanton (2003) and Annas (2011) built the modern view. Virtue ethics is not rule-free: Hursthouse's **v-rules** say do what is honest, avoid what is cruel.

Aristotle (384 to 322 BCE), Nicomachean Ethics: the final end is **eudaimonia**, flourishing over a complete life, not a passing feeling. "One swallow does not make a summer." The **function argument**: a human's characteristic activity is activity of the soul in accordance with reason, so the human good is that activity done with virtue. Critics say it slides from fact to value; Nussbaum and Foot defend it.

Character virtues come by **habituation**: we become just by doing just acts. A formed virtue is a **hexis**, a stable disposition. Three conditions for a virtuous act: know what you are doing, choose it for its own sake, act from a firm and unchanging character.

The **doctrine of the mean**: each virtue lies between a deficiency and an excess, **relative to us**, not an arithmetic midpoint (the wrestler's portion). With respect to being best, virtue is an extreme. Some things admit no mean: spite, shamelessness, envy, adultery, theft and murder. Aristotle's own list is inconsistent on spite and envy. Clinically, the graduate who escalates nothing and the one who escalates everything both lack calibrated judgment.

Phronesis (practical wisdom) perceives what a situation calls for. It differs from **techne** (craft with a separate product) and **sophia** (theoretical wisdom), and it cannot be codified. The strong **unity of the virtues** is hard to believe; most hold a limited version. **Akrasia** is weakness of will: knowing better and doing otherwise. Ignorance is fixed by teaching; akrasia by structures, defaults and habit.

Other traditions. Confucius (551 to 479 BCE): **ren** (humaneness) cultivated through **li** (ritual), aiming at the **junzi**. Mengzi said nature is good (the child at the well); Xunzi said it is crooked and must be straightened. The Stoics (Zeno c. 300 BCE; Epictetus; Seneca; Marcus Aurelius): virtue is the only good; the **dichotomy of control** is an ancestor of CBT. Aquinas added faith, hope and charity to the four cardinal virtues. Miskawayh wrote The Refinement of Character (c. 1000 CE).

Ubuntu: a person is a person through other persons; Tutu drew on it at the Truth and Reconciliation Commission. Aristotle's views on women and slavery must be named; Nussbaum (1988) argues the framework can be separated from them.

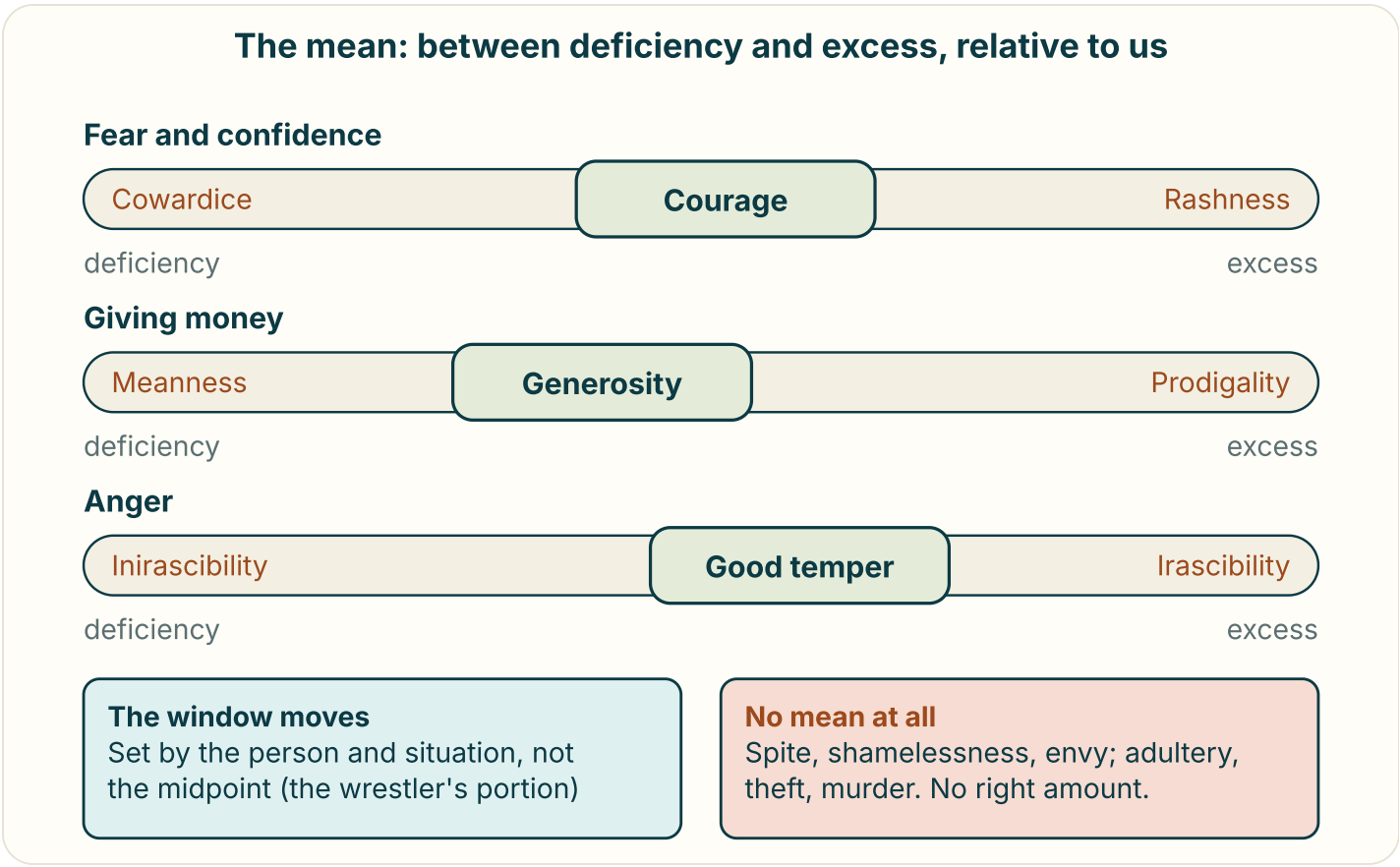
The **situationist challenge** (Harman 1999, Doris 2002). Milgram: 26 of 40 (65%) to 450 volts in the first published condition. Isen and Levin (1972): 14 of 16 dime finders helped, 1 of 25 others. Darley and Batson (1973): 63% of unhurried seminarians helped versus 10% in high hurry; the Good Samaritan topic had no effect. Mischel (1968): traits correlate with behavior at about r = 0.3. Zimbardo (1971) is not a controlled experiment.

Four replies: many studies were small and replicate unevenly (ego depletion failed in 2016); Kamtekar (2004) says the target is a folk notion, not Aristotle's practical wisdom; real virtue is rare (Sreenivasan, 2002); and Mischel and Shoda's **CAPS** model (1995) gives stable if-then signatures. The upshot: design your situations. Checklists, visible dispensers and modeling did more for hand hygiene than lectures.

MacIntyre (After Virtue, 1981): a **practice** has **internal goods** (an accurate diagnosis) and is housed by institutions that chase **external goods** (money, status, targets). Bristol (2001, Kennedy) and Mid Staffordshire (February 2013, Francis, 290 recommendations, a statutory duty of candor) show the danger. Pellegrino and Thomasma (1993) on clinical virtues. ANA Code Provision 5 is a virtue provision. The **hidden curriculum** (Hafferty and Franks, 1994) is the real curriculum. **Moral distress** (Jameton 1984), moral residue (Webster and Baylis 2000), the crescendo effect (Epstein and Hamric 2009) and **moral injury** (Shay 1994; Litz 2009; Dean and Talbot 2018) are structural, not just personal.

LOCK THESE IN

- Virtue ethics asks about the agent: what would a person of good character do?
- Eudaimonia is flourishing over a whole life, not a feeling.
- Virtue comes by habituation and becomes a hexis.
- The mean is relative to us; some acts have no mean.
- Phronesis perceives particulars; akrasia is knowing better and failing.
- Situationism hits global traits, not Aristotle's unified practical wisdom; design the situation.
- MacIntyre: institutions chasing external goods endanger practices and their internal goods.
- Moral distress and injury are structural; the fix is the system, not only resilience.



A calibrated middle, not mediocrity. Each virtue sits between a deficiency and an excess, at a point set by the person and the situation. Some acts and feelings have no mean at all.

The three families compared

Question	Consequentialism	Deontology	Virtue ethics
Bearer of value	States of affairs	Acts and duties	Persons and dispositions
What makes an act right	Best outcome	Conforms to duty	What the practically wise would do
Emotion	Data about welfare	Suspect	Feeling rightly is part of acting rightly
Typical failure	Justifies too much	Rigid in conflict	Vague; risk of parochialism
Moral education	Calculation	Principles	Habituation, perception, exemplars

Key terms and comparisons

Item	Meaning	Source
Hexis	Stable disposition of character	Aristotle
Phronesis vs techne	Acting well itself vs a separate product	Aristotle
Akrasia	Acting against your better judgment	Book VII; Socrates denied it
Ren, li, junzi	Humaneness, ritual, exemplary person	Confucius
Dichotomy of control	What is up to us vs what is not	Epictetus
Theological virtues	Faith, hope, charity	Aquinas
Ubuntu	A person is a person through other persons	Metz; Tutu
CAPS	Stable if-then behavioral signatures	Mischel and Shoda, 1995
Internal vs external goods	Only through the practice vs money and status	MacIntyre, 1981
Hidden curriculum	What learners absorb from observed behavior	Hafferty and Franks, 1994

Worked cases

WORKED CASE 1 · PLACING BEHAVIOR ON THE MEAN

A new graduate escalates nothing, even a steadily dropping blood pressure. Another pages the physician for every minor change. Analyze both with the mean.

STEP 1 · NAME THE SPHERE

Concern and confidence about clinical risk.

STEP 2 · THE FIRST GRADUATE

Deficient in appropriate concern. This is not calm.

STEP 3 · THE SECOND GRADUATE

Excess: not vigilance but poor judgment about what matters.

STEP 4 · WHERE IS THE MEAN?

The calibrated middle, relative to this patient and setting. It is learned by repeated corrected exposure: habituation under another name.

WORKED CASE 2 · IGNORANCE OR AKRASIA?

A nurse knows hand hygiene rules perfectly but skips them on busy nights. Is the problem ignorance or weakness of will, and what fixes it?

STEP 1 · DOES SHE KNOW THE RIGHT ACT?

Yes, so this is not ignorance.

STEP 2 · NAME IT

Akrasia: knowledge possessed but not brought to bear at the moment of action.

STEP 3 · CHOOSE THE REMEDY

Not more teaching. Structures: dispensers at the point of care, real-time feedback, senior staff modeling compliance.

STEP 4 · LINK TO SITUATIONISM

Situations are powerful, so a serious person designs them rather than relying on willpower at 3 a.m.

WORKED CASE 3 · INTERNAL AND EXTERNAL GOODS

A unit is told to raise bed throughput. Staff begin discharging patients before they are ready. Diagnose with MacIntyre.

STEP 1 · FIND THE PRACTICE

Nursing and medicine, with standards of excellence internal to them.

STEP 2 · INTERNAL GOODS

Safe recovery, accurate assessment, a patient who goes home ready.

STEP 3 · EXTERNAL GOODS

Throughput numbers and rankings, which can be gained in other ways.

STEP 4 · DIAGNOSIS

The institution's pursuit of external goods is eroding the practice. The vice is partly the institution's, and holding the line takes justice, courage and truthfulness.

WORKED CASE 4 · READING A SITUATIONIST STUDY

A classmate says Darley and Batson prove character does not exist. Respond.

STEP 1 · STATE THE RESULT

About 63% of unhurried seminarians helped versus 10% in high hurry. The Good Samaritan topic had no effect.

STEP 2 · NOTE THE LIMITS

Small cells and coarse coding of helping.

STEP 3 · GIVE A REPLY

Kamtekar: the studies hit a folk notion of character, not Aristotle's practical wisdom. CAPS says traits are real but conditional.

STEP 4 · THE PRACTICAL LESSON

Hurry is a situational hazard. Build time and scripts so that good people can act well.

TRAPS PEOPLE FALL INTO

- **"Virtue ethics has no rules."** Hursthouse's v-rules are action-guiding; they just cannot be applied mechanically.
- **Translating eudaimonia as a mood.** It is flourishing over a whole life.
- **Treating the mean as the midpoint.** It is relative to us, and virtue is an extreme with respect to being best.
- **Applying the mean to murder.** Some acts and feelings admit no mean.
- **Confusing phronesis with techne.** Craft has a separate product; practical wisdom's product is acting well.
- **Treating akrasia as ignorance.** She knows; she needs structures, not lectures.
- **"Situationism disproves character."** It undercuts global traits, not conditional, wisdom-guided virtue.
- **Calling moral injury burnout.** That blames stamina and leaves the broken system in place.

Chapter 5 self-test · ten items

1. Which best translates eudaimonia?

A. A pleasant feeling on a particularly good day

B. Flourishing judged over a complete life

C. Freedom from every kind of desire and need

D. Obedience to the laws of the city

B. Flourishing judged over a complete life Eudaimonia is an activity and an assessment of a life. One swallow does not make a summer.

2. According to Aristotle, how are virtues of character acquired?

A. By habituation: doing just acts makes us just
B. By reading and memorizing the right philosophy books
C. By grace infused at birth
D. By carefully calculating the best possible outcomes

A. By habituation: doing just acts makes us just Character virtues come from habit; intellectual virtues come mainly from teaching.

3. Which is NOT one of Aristotle's three conditions for a virtuous act?

A. The agent knows what she is doing
B. The act is chosen for its own sake
C. The act must produce the best result
D. It flows from a firm, stable character

C. The act must produce the best result Aristotle's conditions concern knowledge, choice and stable character, not outcomes.

4. Why does Aristotle say the mean is "relative to us"?

A. Every virtue sits at the exact arithmetic midpoint
B. Each culture is free to set its own list of virtues
C. Only the wise can see any mean
D. The right amount depends on the person and situation

D. The right amount depends on the person and situation The wrestler's portion differs from the beginner's. The mean is not an arithmetic middle.

5. A clinician knows a protocol is right but skips it under pressure. What is this?

A. Phronesis
B. Hexis
C. Ren
D. Akrasia

D. Akrasia Weakness of will: knowledge possessed but not used at the moment of action.

6. Who held that human nature is crooked and must be straightened by ritual training?

A. Mengzi
B. Confucius
C. Xunzi
D. Epictetus

C. Xunzi Mengzi held nature good, with sprouts to cultivate. Xunzi compared training to a press on a warped board.

7. In Darley and Batson (1973), what most affected whether seminarians helped?

A. Whether their talk was on the Good Samaritan
B. How much of a hurry they were in
C. Their scores on a religiosity scale
D. Whether they had found a dime

B. How much of a hurry they were in About 63% helped when unhurried versus 10% in high hurry. The talk topic had no effect.

8. What is Kamtekar's reply to situationism?

A. It attacks a folk notion, not Aristotle's practical wisdom
B. The studies show that people have no character traits at all
C. Character exists only in a few rare and heroic people
D. Situations matter only in laboratories

A. It attacks a folk notion, not Aristotle's practical wisdom Aristotelian virtue is unified by practical wisdom and includes how the agent perceives the situation.

9. In MacIntyre's terms, an accurate diagnosis is what?

A. An internal good of the practice of medicine
B. An external good of the practice, like status or pay
C. Part of the hidden curriculum of the teaching hospital
D. A v-rule derived from honesty

A. An internal good of the practice of medicine It can be gained only by practicing well and enriches everyone in the practice.

10. Dean and Talbot (2018) argued much clinician burnout is better described as what?

A. Akrasia, calling for stronger willpower
B. Compassion fatigue, calling for rest
C. Moral injury, calling for repair of systems
D. Situationism, calling for lab studies

C. Moral injury, calling for repair of systems Relabeling it shifts the remedy from individual resilience to fixing what forces the transgression.

Care Ethics, Rights and Justice

Read it in full: **Chapter 6 in the textbook**. Practice it in the lab: **The Care Chain** and **Behind the Veil: Three Theories, One Society**.

What to know

Three ideas sit uneasily together. **Care** starts with the particular person in front of you. **Rights** start with what is owed to every person. **Justice** asks who gets what when there is never enough. A nurse holding a stranger's hand, defending a patient's refusal and watching the last ICU bed be assigned is doing all three.

Gilligan (In a Different Voice, 1982) challenged Kohlberg's six stages, built on an all-male study (84 boys). In the Heinz dilemma, Jake treated it as arithmetic (life over property); Amy asked about relationships and was scored immature. Walker's meta-analyses found gender differences small and explained by education and occupation. The lasting point is philosophical: a theory that credits only impartial abstraction undervalues caring work.

Noddings (1984): the **one-caring** practices **engrossment** (receiving the other's reality) and **motivational displacement**; care is complete only when the **cared-for** responds. Objections: care thins with distance (parochialism), and Card and Hoagland warned it can ratify the exploitation of those who already do most caring. Care ethics is not "be nice": it may require refusing, restraining or reporting.

Tronto (1993, with Fisher) gave four **phases**: caring about (attentiveness), taking care of (responsibility), care-giving (competence), care-receiving (responsiveness); in 2013 she added **caring with** (solidarity, trust). Kittay (Love's Labor, 1999) said dependency is a phase of every life and named **doulia**: society owes support to those who care. AARP and NAC (2020) estimated about 53 million US unpaid caregivers; AARP (2023) valued unpaid care at about $600 billion for 2021.

Hohfeld (1913, 1917) split "a right" into four incidents. A **claim** correlates with someone's duty. A **liberty** is the absence of a duty not to act. A **power** changes relations (consent, naming a proxy). An **immunity** protects your position from someone else's power. The correlativity test: a real

claim-right names a duty-bearer and a specific duty. Consent is better seen as a power than a claim.

Negative rights require forbearance; **positive rights** require provision. Berlin's 1958 "Two Concepts of Liberty" is a different pair (positive liberty is self-mastery). The UDHR (10 December 1948; 48 votes, 8 abstentions; Eleanor Roosevelt chaired; Humphrey drafted) has both: Article 3 (life, liberty, security) and Article 25 (adequate standard of living, medical care). The 1966 covenants split them into the ICCPR and ICESCR (in force 1976); "progressive realization" is the Cold War fossil. Shue (1980): every right brings duties to avoid, protect and aid.

Will theory (Hart): a right is control over another's duty, including waiver; it struggles with infants and people in comas. **Interest theory** (Raz): an interest weighty enough to ground a duty. Skeptics: Bentham's "nonsense upon stilts"; Marx (1843). Rights collide; Jacobson v. Massachusetts (1905) upheld a $5 fine for refusing smallpox vaccination.

Aristotle's **formal principle**: treat equals equally and unequals in proportion to relevant differences. It is correct but nearly empty. He separated **distributive** from **corrective** justice. **Procedural justice** (Tyler): voice, neutrality and respect shape legitimacy.

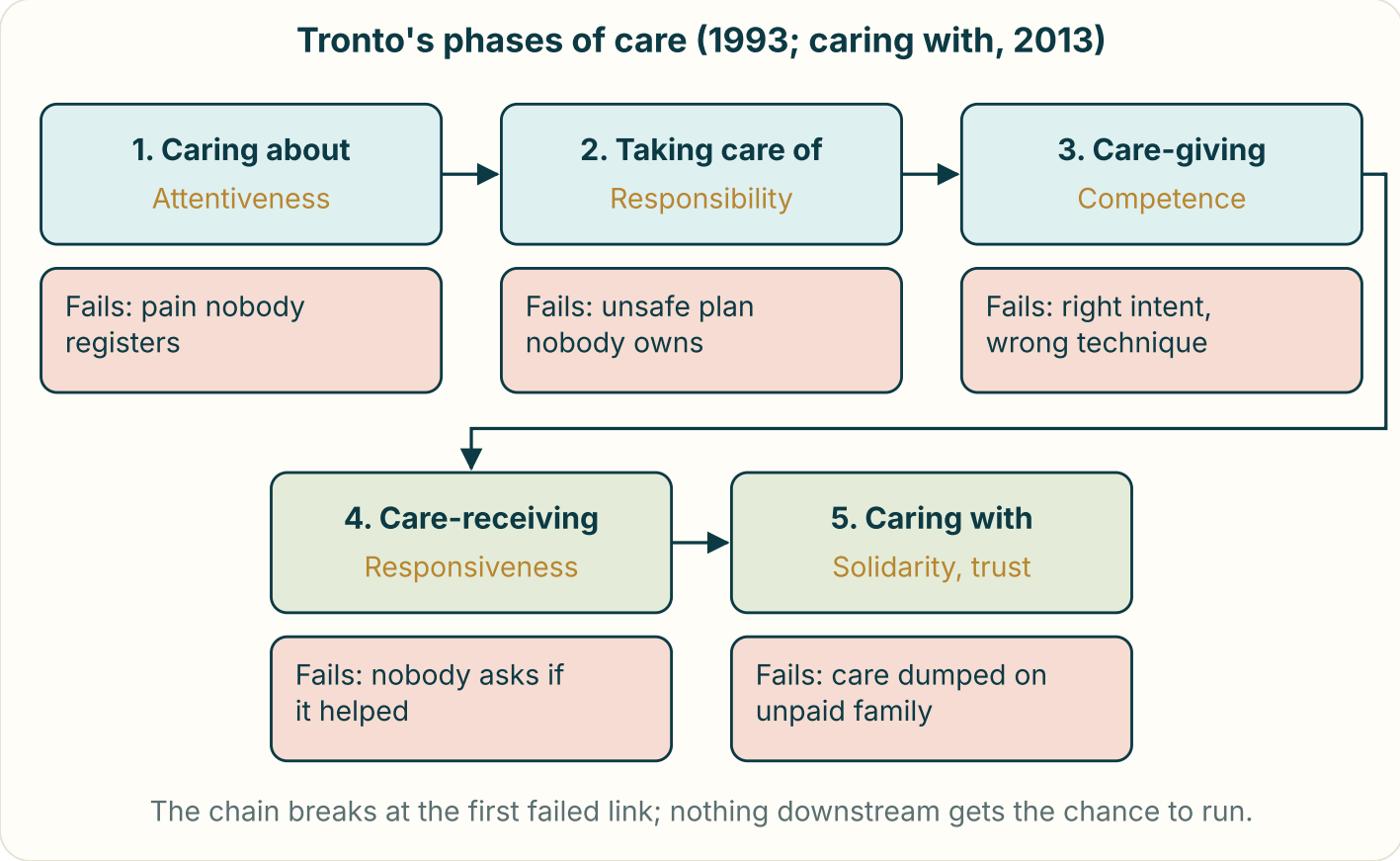
Rawls (1971): the **original position** behind a **veil of ignorance**; maximin reasoning; first, equal basic liberties; second, fair equality of opportunity and the **difference principle** (inequalities must benefit the least advantaged); metric: primary goods. **Nozick** (1974): historical **entitlement theory** (acquisition, transfer, rectification); Wilt Chamberlain shows patterns need constant interference. **Sen** (1979) and **Nussbaum** (2000, 2011): **capabilities** and **conversion factors**; Nussbaum lists ten central capabilities; Sen resists a fixed list. Critics of the contract: Pateman (1988), Mills (1997), Kittay. **Young** (1990, 2011): five faces of oppression and the **social connection model**. Sen on the 1943 Bengal famine: entitlement, not just supply.

Scarce goods force criteria: sickest first, best outcome, youngest first, first come first served, lottery, instrumental value, reciprocity. Persad, Wertheimer and Emanuel (2009) blend several and reject social worth and ability to pay. Oregon's 1989 list was rejected in 1992 under the ADA, rebuilt, and implemented in 1994. Liver allocation moved to **MELD** (bilirubin, INR, creatinine) in February 2002, and waiting-list deaths fell. Crisis standards in 2020 drew OCR complaints.

Daniels and Sabin's **accountability for reasonableness**: public, relevant, revisable, enforced. **Olmstead v. L.C.** (22 June 1999, 6 to 3): unjustified isolation is ADA discrimination. Rights set the floor, justice designs the middle, care governs the last meter. California's AB 394 (1999; ratios from 2004) and Aiken (2002): about 7% higher odds of 30-day death per extra patient per nurse.

LOCK THESE IN

- Care: engrossment, motivational displacement, completion by the cared-for's response.
- Tronto: attentiveness, responsibility, competence, responsiveness (plus solidarity).
- Kittay's doulia: society owes support to those who care.
- Hohfeld: claim, liberty, power, immunity. A claim names a duty-bearer.
- Negative rights need forbearance; positive rights need provision; Shue says all need some provision.
- Rawls: veil, maximin, liberties first, difference principle. Nozick: just history, not pattern.
- Sen and Nussbaum measure capabilities, not resources.
- Rights set the floor, justice the middle distance, care the last meter.



Care is a chain. Each phase has its own moral element and its own way to fail. If no one takes responsibility, competence and responsiveness never get a chance.

Hohfeld's four incidents

Incident	Meaning	Correlative	Example
Claim	X is owed something by Y	Y has a duty	Not to be touched without consent
Liberty	X has no duty not to act	Y has no claim	A competent adult may smoke
Power	X can alter relations	Y has a liability	Naming a proxy; withdrawing consent
Immunity	Y cannot alter X's position	Y has a disability	Directive not overridden by a relative

Key terms and comparisons

Item	Rawls (1971)	Nozick (1974)	Sen and Nussbaum
Central question	What would we choose behind the veil?	How did this holding arise?	What can this person do and be?
Metric	Primary goods	Justly acquired holdings	Capabilities and functionings
Inequality	Allowed if it helps the worst off	Allowed if it arose by just steps	Judge the capability shortfall
State	Design the basic structure fairly	Minimal: protect, enforce, redress	Secure a threshold of capabilities
Objection	Ignores desert; talents as a common asset	Original acquisition is filthy; ignores need	Which list, chosen by whom?

Allocation criteria

Criterion	Strength	Standard objection
Sickest first	Matches rescue instinct	May waste the resource
Best outcome	Transparent under scarcity	Prognosis tracks prior disadvantage
Youngest first	Everyone passes through every age	Age discrimination
First come	Simple, hard to game	Rewards access: a wealth proxy
Lottery	Equal worth, incorruptible	Ignores need and benefit
Instrumental value	Multiplier in a pandemic	Slides into social worth
Reciprocity	Recognizes sacrifice	Hard to bound

Worked cases

WORKED CASE 1 · TESTING A RIGHTS CLAIM WITH HOHFELD

A patient says: "I have a right to a private room." Run the three questions.

STEP 1 · WHO HOLDS IT?

The patient.

STEP 2 · WHO OWES THE DUTY?

If the hospital must supply a room, it would be a **claim**. Usually no one is under that duty.

STEP 3 · WHAT IS ACTUALLY TRUE?

She has a **liberty**: no one may stop her paying for one. That is a liberty dressed up as a claim.

STEP 4 · CONTRAST

"No one may touch me without consent" passes all three questions: holder, duty-bearer (staff), specific duty (do not touch).

WORKED CASE 2 · FINDING THE FAILED PHASE

Everyone on a team agrees a discharge plan is unsafe. Each assumes someone else will fix it, and the patient goes home anyway. Which of Tronto's phases failed?

STEP 1 · WAS THE NEED NOTICED?

Yes. **Attentiveness** worked.

STEP 2 · DID ANYONE TAKE IT ON?

No. **Taking care of** failed; its element is **responsibility**.

STEP 3 · DOWNSTREAM

Care-giving and care-receiving never had a chance to run.

STEP 4 · THE FIX

Name an owner. Diffusion of responsibility is a classic team failure.

WORKED CASE 3 · THE WILT CHAMBERLAIN ARGUMENT

One million fans each freely pay 25 cents to watch Chamberlain. What happens to a just starting pattern, and what does Nozick conclude?

STEP 1 · COMPUTE THE TRANSFER

1,000,000 × $0.25 = **$250,000** to Chamberlain.

STEP 2 · CHECK EACH STEP

Every payment was voluntary.

STEP 3 · NOZICK'S CONCLUSION

Any patterned distribution is upset by free choices, so keeping it requires constant interference with liberty.

STEP 4 · THE REPLY

Critics say original acquisition was often unjust and the view ignores need. Nozick's claim that taxing earnings is like forced labor is widely rejected; the tension between patterns and liberty remains.

WORKED CASE 4 · CHOOSING ALLOCATION CRITERIA

Three ventilators, ten patients. A planner proposes "first come, first served" because it is neutral. Evaluate.

STEP 1 · IS IT NEUTRAL?

No. Queue position rewards proximity, information and transport, which track wealth.

STEP 2 · CONSIDER ALTERNATIVES

Best outcome saves more lives but can launder prior disadvantage; lottery honors equal worth but ignores benefit.

STEP 3 · BLEND

Persad and colleagues (2009) combine several principles and reject social worth and ability to pay.

STEP 4 · LEGITIMACY

Make the criteria public, relevant and revisable, with enforcement: Daniels and Sabin's accountability for reasonableness.

TRAPS PEOPLE FALL INTO

- **"Care ethics means being nice."** Care may require refusing, restraining or reporting.
- **Repeating that women reason differently.** Walker's meta-analyses found small differences explained by education and occupation.
- **Calling every strong wish a right.** A claim must name a duty-bearer and a duty.
- **Treating consent as a claim to treatment.** It is a power that changes what others may do.
- **Equating Berlin's positive liberty with positive rights.** Positive liberty is self-mastery, not an entitlement to goods.
- **Thinking negative rights cost nothing.** Courts and police cost money; Shue's three duties.
- **Calling clinical scores neutral.** SOFA and quality weights inherit unequal access and bias.
- **Saying "we don't ration."** Every system rations; the question is whether the criteria are explicit and defensible.

Chapter 6 self-test · ten items

1. Kohlberg's original longitudinal study, which Gilligan criticized, was based on what sample?

A. 84 girls in Boston
B. A mixed class of medical students
C. Nurses in several hospitals
D. 84 boys in Chicago

D. 84 boys in Chicago An all-male sample set the scale on which girls and women later scored lower.

2. For Noddings, when is a caring relation complete?

A. When the one-caring feels sympathy
B. When the cared-for receives and responds
C. When a rule of care has been followed
D. When the outcome is the best available

B. When the cared-for receives and responds Care is a relation, not just a disposition of the carer.

3. Which of Tronto's phases has competence as its moral element?

A. Caring about
B. Taking care of
C. Care-giving
D. Care-receiving

C. Care-giving Care-giving is the hands-on work; good intentions with wrong technique fail it.

4. Kittay's principle that society owes support to dependency workers is called what?

A. Ubuntu
B. Engrossment
C. Caritas
D. Doulia

D. Doulia Named after the doula who cares for the mother so the mother can care for the infant.

5. A competent adult's freedom to refuse dialysis is best described in Hohfeld's terms as what?

A. A claim-right that the hospital is obliged to provide
B. A liberty, with no one holding a claim against it
C. An immunity that shields her from all public health law
D. A duty owed to the treating team

B. A liberty, with no one holding a claim against it She has no duty not to refuse. Naming a proxy would be a power.

6. Why were the 1966 covenants split into two treaties?

A. States disputed whether positive rights were enforceable
B. The UDHR had already been ruled invalid by an international court
C. Only the ICCPR was ever meant to bind the signing states
D. Each treaty was written by one superpower

A. States disputed whether positive rights were enforceable Western states stressed civil and political rights; Soviet-bloc states the opposite. "Progressive realization" is the trace.

7. What is Rawls's difference principle?

A. Inequalities are just only if they benefit the least advantaged
B. Everyone must receive exactly equal shares
C. Holdings are just whenever they were acquired by just steps
D. Capabilities must reach a fixed threshold for every citizen

A. Inequalities are just only if they benefit the least advantaged Inequality is permitted only when it lifts the floor.

8. Sen's capability approach criticizes resource measures because of what?

A. Resources cannot be measured accurately in money at all
B. People always prefer more leisure time to more income
C. Conversion factors make equal resources yield unequal freedom
D. Rawls counted only negative rights

C. Conversion factors make equal resources yield unequal freedom A wheelchair user in a city of stairs gets less from the same income.

9. In February 2002, US liver allocation switched to MELD. Which conception won?

A. Queue order: who has waited longest on the transplant list
B. A lottery held among all of the eligible patients
C. Social worth of the recipient
D. Urgency: who will die soonest without it

D. Urgency: who will die soonest without it MELD uses bilirubin, INR and creatinine to predict three-month mortality; waiting-list deaths fell.

10. What did Olmstead v. L.C. (1999) hold?

A. States must fund every community placement immediately
B. Unjustified institutional isolation is ADA discrimination
C. Psychiatric admission always requires a prior court order
D. Disability rights do not apply to Medicaid

B. Unjustified institutional isolation is ADA discrimination The Court held 6 to 3, subject to reasonable modifications and available resources.

Cram sheet

Everything from chapters 5 and 6 in one place. Cover the right column and see if you can rebuild each row.

Thinkers and dates

Who	When	Idea
Aristotle	384 to 322 BCE	Eudaimonia, habituation, the mean, phronesis
Confucius; Mengzi; Xunzi	551 to 479 BCE; c. 372 to 289; c. 310 to 235	Ren and li; nature good; nature crooked
Epictetus	c. 50 to 135 CE	Dichotomy of control
Aquinas	1225 to 1274	Cardinal plus theological virtues
Anscombe	1958	Modern Moral Philosophy; coined consequentialism
Rawls	1971	Veil of ignorance; difference principle
Nozick	1974	Entitlement theory; Wilt Chamberlain
MacIntyre	1981	Practices; internal and external goods
Gilligan; Noddings	1982; 1984	Different voice; engrossment
Tronto	1993; 2013	Four phases; caring with
Kittay	1999	Dependency; doulia
Hohfeld	1913, 1917	Claim, liberty, power, immunity
Darley and Batson	1973	Hurry: 63% vs 10% helped
Young	1990; 2011	Five faces of oppression; social connection

Comparisons

Pair	The difference
Phronesis vs techne	Acting well itself vs a product separate from the making
Ignorance vs akrasia	Fix with teaching vs fix with structures and habit
Internal vs external goods	Only through the practice vs money, status, targets
Claim vs liberty	Someone owes a duty vs no one may object
Negative vs positive rights	Forbearance vs provision
Will vs interest theory	Control over a duty vs an interest that grounds a duty
Rawls vs Nozick vs Sen	Fair pattern vs just history vs capabilities

Rules of thumb

Topic	The rule
The mean	Relative to the person; no mean for murder.
Situations	Design them; do not rely on willpower at 3 a.m.
Rights	Name the holder, the duty-bearer and the duty.
Allocation	Refusing to decide still decides, usually for the loudest.
Clinical scores	Not neutral; justify their use.
Three levels	Rights floor, justice middle distance, care last meter.

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