

1) In what sense, if any, do considerations of global justice matter for a state's immigration regime?

This is a question the students can answer in many different ways drawing (amongst others) on the lecture on global justice and the lecture on immigration. Students should be able to explain why considerations of global justice can seem to pull in favour of more permissive immigration regimes. The relevant point here is simple: allowing for migration from poorer states to wealthier states can serve as a corrective mechanism for global inequality because it would allow the global poor to take part in more advanced economies and give them access to more robust social security networks. Thus, on most/ theories of global justice that objects to global inequality, South-to-North migration appears desirable. Joseph Carens also gives further motivation to the point by appeal to the Rawlsian Original Position.

For strong answers, students may explain why immigration controls give rise to a specific philosophical problem. That problem is one of political authority. States claim the right to enforce immigration law by means of force, but those over whom that law is primarily enforced (migrants), are excluded from the structures that are normally thought to render state power morally defensible: democratic participation-rights and the provision of a minimum baseline of resources. Yet, given that states do not provide potential immigrants with either, it leaves open a question: how can the power they exercise over those potential immigrants be justified?

Different theories of the state's right to exclude have provided different answers to this question. From the lecture and from readings the students have done, they could draw upon liberal nationalist arguments, the Lockean-inspired associative ownership argument, and the freedom of association argument. Of these arguments, the freedom of association argument can seem to entail that considerations of global justice have *no bearing* on the justification of immigration control at all. This is because Christopher Heath Wellman explicitly argues that legitimate states are entitled to reject "all potential immigrants, even those desperately seeking asylum from corrupt governments" (2008, 141). However, Wellman acknowledges that this radical conclusion follows only because states can choose to discharge their obligations of global justice in other ways: that is, rather than allowing for more immigration, they can "export justice" by transferring resources to other states. In this sense, even if states are (on Wellman's account) entitled to exclude everyone, global justice can still be said to matter for immigration policy because exclusion is only permissible when states promote global justice in other ways.

It is useful if students draw the distinction between a just immigration policy and the legitimate authority to enforce an immigration regime. One might think that a just immigration regime is one that does not constrain any immigration, but still think that the state has a right to control immigration.

Students can also draw on the reading they have done for the lecture on territorial rights. If they do so, it is positive if they note that all the theories of the state's right to exclude *presuppose* that the relevant state holds rights to the territory from which they are excluding migrants. Thus, if we think that considerations of global justice impact states' territorial rights, then they also matter for immigration.

2) 'In a democracy, the majority should decide how we should regulate issues related to religion and liberty of conscience'. Critically discuss this statement with theory and examples.

This is a complex question, and there are several adequate ways of answering it. It is relevant to mention Martha Nussbaum's argument for how to ensure equality among citizens with different religious commitments. If a citizen in a democracy belongs to a religious minority, she will probably have a hard time making her commitments into policies. Of course, this depends on how small and disadvantaged her religious minority is, and how far it is from mainstream attitudes in society. Giving religious minorities exemptions from general laws and policies is a way to ensure equality, is Nussbaum's point.

Her argument is contrasted to what she calls the Lockean model, which she mostly sees in Europe (in Parekh's terminology: straightforward equality). If everyone can act the same way, we have religious equality, which amounts to a legitimate use of state authority. If someone wants to forbid the use of Latin in churches, Locke says we should ask if Latin is allowed outside churches. Since it is, this is a law discriminating Catholics.

Parekh has a view similar to Nussbaum's. In the paper on the syllabus, he sketches a culturally sensitive theory of equality. He thinks a balance should depend on several factors, such as the importance of the minority's practice to their way of life, the cost of changes required, and so forth. Parekh also seems to be a value pluralist: a culturally sensitive view of equality is not everything. Efficiency, social harmony, a climate of trust and goodwill, etc. are also important.

What Nussbaum calls 'establishmentarianism' also seems relevant to answer the exam question. Simply put, establishmentarianism is the idea that there should be an official "state church" (or mosque, synagogue, temple etc.). Nussbaum argues why this is wrong.

The concept toleration, and its three components, may help the student answering the exam question. The different conceptions of toleration may also guide the student.

The exam question is formulated in such a way that the student may find the lecture on democracy relevant. Strong answers can connect different lectures. The most relevant are the lecture on toleration and the ones on democracy.

Different answers to why democracy is valuable is relevant. The nature of knowledge in public policy may also be relevant. For instance, if a religious minority has commitments that goes against science (Young Earth creationism, Jehovah's witnesses, and blood donation etc.) – a minimalist democratic approach would be willing to forgo these positions in public

policy debates. The relationship between expert knowledge and democratic theory may therefore be relevant.

During the lecture on toleration, concrete cases from the public debate were invoked (abortion, same-sex marriage, Jehovah's witnesses, religion in the Norwegian constitution). The student may find it relevant showing the importance of theory on concrete cases (not necessarily the ones mentioned during the lecture).

If students wish to draw on other theories – including for instance post-structuralist and critical theoretical ones – that may also be useful. However, this is not in any way mandatory.