

## Phil 114, Possible Final Exam Questions

Six of the following questions will appear on the final exam. You will be asked to answer three of them.

Hobbes insists that, in the case of sovereignty by institution, citizens do not covenant with the sovereign. Why does he insist on this? How is it compatible with the fact that, when it comes to sovereignty by acquisition, citizens do covenant with the sovereign?

Filmer writes:

With no small content I read Mr Hobbes' book *De Cive*, and his *Leviathan*, about the rights of sovereignty, which no man, that I know, hath so amply and judiciously handled. I consent with him about the rights of exercising government, but I cannot agree to his means of acquiring it. It may seem strange I should praise his building and yet dislike his foundation, but so it is.

What does Filmer mean by this?

Filmer writes:

Certainly it was a rare felicity that all the men in the world at one instant of time should agree together in one mind to change the natural community of all things into private dominion. For without such a unanimous consent it was not possible for community to be altered. For if but one man in the world had dissented, the alteration had been unjust, because that man by the law of nature had a right to the common use of all things in the world, so that to have given a property of any one thing to any other had been to have robbed him of his right to the common use of all things.

How does Locke reply?

“We are obligated to obey the law, but only because we promised to.” How would Hume reply?

For the following quoted passages, explain what the author is trying to say, defining theoretical terms and supplying context where necessary.

“This, indeed, is the genuine cause of all these differences: the Savage lives within himself; sociable man, always outside himself, is capable of living only in the opinion of others and, so to speak, derives the sentiment of his own existence solely from their judgment.”

“Yet the question is raised how a man can be both free and forced to conform to wills which are not his own. How are the opponents both free and subject to laws to which they have not consented? I answer that the question is badly framed. The Citizen consents to all the laws, even to those passed in spite of him, and even to those that punish him when he dares to violate any of them. The constant will of all the members of the State is the general will; it is through it that they are citizens and free. When a law is proposed in the People's assembly, what they are being asked is not exactly whether they

approve the proposal or reject it, but whether it does or does not conform to the general will, which is theirs; everyone states his opinion about this by casting his ballot, and the tally of the votes yields the declaration of the general will. Therefore when the opinion contrary to my own prevails, it proves nothing more than that I made a mistake and that what I took to be the general will was not. If my particular opinion had prevailed, I would have done something other than what I had willed, and it is then that I would not have been free.”

“If I am asked, what I mean by difference of quality in pleasures, or what makes one pleasure more valuable than another, merely as a pleasure, except its being greater in amount, there is but one possible answer. Of two pleasures, if there be one to which all or almost all who have experience of both give a decided preference, irrespective of any feeling of moral obligation to prefer it, that is the more desirable pleasure. If one of the two is, by those who are competently acquainted with both, placed so far above the other that they prefer it, even though knowing it to be attended with a greater amount of discontent, and would not resign it for any quantity of the other pleasure which their nature is capable of, we are justified in ascribing to the preferred enjoyment a superiority in quality, so far outweighing quantity as to render it, in comparison, of small account.”

“If all mankind minus one, were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind... Were an opinion a personal possession of no value except to the owner; if to be obstructed in the enjoyment of it were simply a private injury, it would make some difference whether the injury was inflicted only on a few persons or on many. But the peculiar evil of silencing the expression of an opinion is, that it is robbing the human race; posterity as well as the existing generation; those who dissent from the opinion, still more than those who hold it. If the opinion is right, they are deprived of the opportunity of exchanging error for truth: if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error.”

“Not only are persons not held to engagements which violate the rights of third parties, but it is sometimes considered a sufficient reason for releasing them from an engagement, that it is injurious to themselves. In this and most other civilized countries, for example, an engagement by which a person should sell himself, or allow himself to be sold, as a slave, would be null and void; neither enforced by law nor by opinion. The ground for thus limiting his power of voluntarily disposing of his own lot in life, is apparent, and is very clearly seen in this extreme case. The reason for not interfering, unless for the sake of others, with a person’s voluntary acts, is consideration for his liberty. His voluntary choice is evidence that what he so chooses is desirable, or at the least endurable, to him, and his good is on the whole best provided for by allowing him to take his own means of pursuing it. But by selling himself for a slave, he abdicates his liberty; he forgoes any future use of it beyond that single act. He therefore defeats, in his own case, the very purpose which is the justification of allowing him to dispose of himself.”