Phil 133 Take Home Final

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1A.

The "right of the strongest" is the supposed right of someone who has the power to force someone else to do something, to have their orders to do so followed. That is to say that if one person were able to force another person to do something, then that other person ought simply to do what the stronger person tells them to, instead of resisting, since they will be forced to the action eventually anyway. While Rousseau agrees that it is prudent to comply with orders backed by force, he argues that this cannot be the basis for the government's right to direct citizens because it would leave the government without a legitimate right to rule over anyone who was in fact able to resist. Claiming that a right to command someone to do something accompanies any ability to make them do something tells us nothing of interest; for that supposed right vanishes the moment the attendant force can be overcome, and so it seems that to say that might alone makes right is just to say that there is no right at all, merely might. But the legitimate basis for government is supposed to be something other than merely the ability to coerce — rather, it is supposed to be a right to do so, regardless of ability — and so most would say that citizens have a duty to obey a legitimate government, even if as a matter of fact they could get away with not doing so. Since this duty evidently cannot be thought of as coming merely from another's strength, it must instead be derived from elsewhere, if it exists at all.

2.

The Condorcet Jury Theorem states that if (1) a yes-or-no question is put to a vote, and (2) each and every member of the voting body is even slightly more likely to be right than to be wrong, then (3) the outcome of such votes is more likely to be right the larger the voting body

gets. The math supporting this inference is that, given a process with a probabilistic outcome, the more times that process is iterated the more likely that the averaged outcome of the reiterated process will be close to the base probability of the process.

That is to say, for example, if a coin biased such that it had a 51% chance of landing heads is flipped but once, the outcome will be either heads or tails, and thus the results will not at all reflect the coin's bias. It that coin is flipped 10 times, the most likely outcome is that it will come up heads 5 times, though it could also come up heads 4 times or 6 times, but those are nearly equally likely, thus still not reflecting the coin's bias. But if that coin were flipped 100 times, it is very likely that close to 51 of those times it will come up heads; it may still come up 50 or 52 times, but the outcome is most likely to be slightly above 50%, now somewhat reflecting the coin's bias. If the coin were flipped a thousand times, the results would most likely be close to 510 times heads; again, maybe 509 or 511, but now clearly reflecting the bias of the coin. A million times flipped, the coin would most likely come up heads around 510,000 times; again, maybe 509,999 or 510,001 times, but at this point the bias is clearly somewhere around 51%. Thus we see, the more times the coin is flipped, the more closely the number of heads divided by the number of flips will equal 51%, clearly showing how the coin is biased. We can replace the many flips of one coin in this scenario with one flip each of many coins, and get similar results; the more coins flipped, the more likely that 51% of them will land heads up.

If we substitute voters for coins, then we see that the greater number of voters, the more likely the results of the vote will accurately reflect the voters' biases. Thus, if we assume as per premise (2) that everybody is at least very slightly biased toward the truth, then the larger the number of voters, the more likely that the outcome will be in favor of the truth. This statistical phenomenon can be used as an argument in favor of Rousseau's assertion that the dissenting faction of a democratic vote would rationally change their minds after the vote, in that it means that, given that the premises are true, polls of large numbers of people are good authorities on the

truth (that is to say, very likely to tell you the truth). Thus if they are asked to vote on something, after seeing the results of the vote, each individual would rationally be inclined to agree with the results, since they comes from such a reliable authority; even if some individuals previously disagreed and voted otherwise.

3A.

Both Locke and Rousseau believe that a government can be legitimately dissolved if it fails to serve it's purpose, and commits crimes against it's people; but the ways in which this dissolution is to occur differs greatly between the two of them. Locke believes that once a social contract has been formed, and political authority delegated to some sort of government, that the society can thereafter only act through it's delegated governmental body:

"The power that every individual gave the society, when he entered into it, can never revert to the individuals again, as long as the society lasts, but will always remain in the community; because without this there can be no community, no commonwealth, which is contrary to the original agreement: so also when the society hath placed the legislative in any assembly of men, to continue in them and their successors, with direction and authority for providing such successors, the legislative can never revert to the people whilst that government lasts; because having provided a legislative with power to continue for ever, they have given up their political power to the legislative, and cannot resume it." (Locke, "Second Treatise of Civil Government", Ch. 19 Sec. 243, as per "Classics of Moral and Political Theory", 3rd Edition, page 689).

Thus Locke believes that government can only be dissolved by mass individual desertion, as a government acts unlawfully against it's people, and those people defend themselves, or their society defends them. ("*[T]he proper umpire, in such a case, should be the body of the people … but if the prince, or whoever they be in the administration, decline that way of determination, the appeal then lies no where but to heaven*" - Sec 242 / page 689). The people must each individually

stand up to government to defend themselves and each other against its violations of their rights. Only in this way can the government be legitimately dissolved, and once it has been so dissolved, political authority devolves to the community, who may then establish another if they so choose.

Rousseau, on the other hand, believes that there must be periodic assemblies of the entire populace, during which time any delegated governmental powers are suspended. "*It is not enough for the assembled people to have once fixed the constitution of the State by giving its sanction to a body of law; it is not enough for it to have set up a perpetual government, or provided once for all for the election of magistrates. Besides the extraordinary assemblies unforeseen circumstances may demand, there must be fixed periodical assemblies which cannot be abrogated or prorogued, so that on the proper day the people is legitimately called together by law, without need of any formal summoning.*" (Rousseau, "On the Social Contract", Bk. III Ch. 13, as per "Classics of Moral and Political Theory", 3rd Edition, page 809). "*The moment the people is legitimately assembled as a sovereign body, the jurisdiction of the government wholly lapses, the executive power is suspended, and the person of the meanest citizen is as sacred and inviolable as that of the first magistrate; for in the presence of the person represented, representatives no longer exist.*" (Ch. 14 / page 809). During such periods the populace can decide whether they approve of the form of government in place, and whether they approve of the people currently managing it; and if they see fit, make a collective decision to fire the present leaders or dissolve the government entirely. "*The opening of these assemblies, whose sole object is the maintenance of the social treaty, should always take the form of putting two propositions that may not be suppressed, which should be voted on separately. The first is: 'Does it please the Sovereign to preserve the present form of government?' The second is: 'Does it please the people to leave its administration in the hands of those who are actually in charge of it*?'" (Ch 18 / page 812). Thus Rousseau has no such need for elaborate mechanisms of dissolution as Locke; the people can merely will it to be so, and so it must be done.

4A.

Hobbes, Locke and Rousseau each paint a very different picture of how they conceive the state of nature to be, and the differences in their conceptions are largely to blame for the differences in their resulting theories of political authority. To Hobbes, the state of nature is one of "*continual fear, and danger of violent death*" in which "*the life of man [is] solitary, poor, nasty, brutish, and short.*" (Hobbes, "Leviathan", Ch. XIII, as per "Classics of Moral and Political Theory", 3rd Edition, page 533). The state of nature is thus a perpetual state of war, and the only solution is for a strong central authority to forcibly impose order by punishing those who would perpetuate that state of war, thus allowing those men of reason, who would realize the benefit of peace, to act for it's promotion without undue risk to their own persons.

To Rousseau, the state of nature is similarly devoid of any natural normative order, though for different reasons. While Hobbes understands that men could, in the state of nature, have normative ideas of what sort of conduct would be best, but cannot act on those ideas without assurance that others would do the same, Rousseau does not believe that any such concepts of right and wrong can exist outside of the social order. "*[T]he social order is a sacred right which is the basis of all other rights. Nevertheless, this right does not come from nature, and must therefore be founded on conventions.*" (Rousseau, "The Social Contract", Bk. I Ch. 1, as per "Classics of Moral and Political Theory", 3rd Edition, page 772). Thus to Rousseau, all rights derive from the democratic decision-making procedures of an assembled body of people, which make clear the "general will", or the truth about what is best for society. These democratic proceedings are thus the way in which we find out what is right or wrong; a lone man in the state of nature could not simply discover by reason any sort of natural moral laws. Thus, without the social order, no rights could possibly exist alone in the state of nature.

But Locke conceives of a very different state of nature. To Locke, there exist natural,

objective, universal laws of right and wrong, independent of any human opinion, but discoverable by mere reason. Thus in the state of nature, there are in fact natural laws governing all men, even if no civil government yet exists. "*The state of nature has a law of nature to govern it, which obliges every one: and reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions*". (Locke, "The Second Treatise of Civil Government", Ch. II Sec. 6, as per "Classics of Moral and Political Theory", 3rd Edition, page 626). The purpose of civil government, therefore, is to provide more convenient enforcement of these natural rights than would otherwise be provided (namely, each enforcing his own rights for himself). With such universal rights accounted for, Locke's proposed form of civil government is quite unlike that of Hobbes, in that the sovereign is bound in many of the same ways as every individual citizen is, as far as respect of each citizen's property is concerned. Likewise, it differs from the form of civil government proposed by Rousseau, in that even public opinion or the "general will" cannot legitimately overrule anyone's natural rights. To Locke, natural rights are universal, perpetual, and inalienable, and civil government is legitimate only to the extent that it protects of those rights.