

# PHILOSOPHY 101: Homework #3 Solutions

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## 1 Problem #1 (p. 53: #8)

Here is the relevant excerpt from the Declaration of Independence. I have taken the liberty of labeling each of the five (5) separate claims within this rather long Jeffersonian sentence.

We hold these truths to be self-evident: that (1) all men are created equal; that (2) they are endowed by their creator with certain unalienable rights; that (3) among these are life, liberty, and the pursuit of happiness; that, (4) to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that (5) whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

I think that, by “these truths are self-evident,” the author(s) of the Declaration means “these statements are *basic assumptions* of the political movement to form the a sovereign nation which is *independent* of Great Britain (in the latter part of the 18th century).” In other words, they are “axioms,” *for* which no proof, argument, or (independent) evidence will be offered, but *from* which many interesting logical consequences follow (in this case, interesting *political* consequences for a new nation). This is much like the axioms of Euclidean geometry, which are simply *brute assumptions* of the Euclidean theory. No proofs of them are necessary *within the system, theory, or context in which they are taken as primitive assumptions*. In the case of geometry, however, the “truths” in question seem to be *less controversial* (i.e., less in need of independent justification). It seems to me that it is harder to imagine how the statement “through any two points, one can draw at most one line” could be false than it is to imagine how the claim “all men are created equal” could be false. This brings me to a different category of “self-evident” statements. Consider statements of the following form (where  $p$  is *any* statement you like).

$T$ .  $p$  or not  $p$ .

It seems *impossible* to imagine a case in which  $T$  is false. In this sense,  $T$  seems to be “self-evident” in a more robust sense than the “truths” in the Declaration of Independence, or even the axioms of Euclidean geometry (after all, there are political theories that violate the assumption “all men are created equal,” and there are *non*-Euclidean geometries which violate the axioms of Euclidean geometry. But there are *no* logically consistent theories that violate  $T$ !).

## 2 Problem #2 (p. 53: #9)

This is a really interesting question! In the United States legal system, there is an important distinction between the *standards of evidence* for *criminal* trials *vs* *civil* trials. In a criminal trial, the jury should only convict a defendant if, based on the total evidence that is presented during the trial, they judge the defendant to be guilty of the alleged crime — *beyond a reasonable doubt*.<sup>1</sup> In a civil trial, however, the jury need only (on the basis of the total evidence that is presented during the trial) judge the defendant to be legally culpable — by a *preponderance of the evidence*.

We can explain the difference between “beyond a reasonable doubt” and “by a preponderance of the evidence” using our chapter 3 concepts, as follows. We will start with “by a preponderance of the evidence,” since this is the easier of the two to handle within our chapter 3 framework. There is a very nice and easy correspondence between our notion of evidential support and the notion of “preponderance of evidence.” To wit:

A set of evidence  $E$  *supports* a statement  $p$  if and only if  $E$  *preponderates* in favor of  $p$  (over not  $p$ ).

In other words, “ $E$  preponderates in favor of  $p$ ” is *synonymous* with “ $E$  supports  $p$  (in our chapter 3 sense).” So, in a civil trial, if the (total) evidence presented in the trial makes it more probable that the defendant is guilty than not guilty, then there is a “preponderance of evidence” sufficient to judge the defendant legally culpable. Note: this is a rather lax requirement. All the evidence needs to establish is that the probability that the defendant is guilty is greater than 1/2!

The “beyond a reasonable doubt” standard, on the other hand, is far more strict. In a criminal trial, it is *not* enough for the evidence to merely support (to *some* degree) the defendant’s guilt. The evidence must support the defendant’s guilt *to a relatively high degree*. A natural question to ask at this point is: *how high* must the evidence presented at a criminal trial make the probability that the defendant is guilty, in order to render their guilt “beyond a reasonable doubt?” This is a very important and difficult philosophical question. There does not seem to be any obviously correct, unique “threshold” value of this “beyond a reasonable doubt” probability (e.g., what if the evidence makes this probability 0.75, would *that* be *high enough*?). Surely, one could not require that this probability to be increased to 1 by the total evidence. That would be far *too*

<sup>1</sup> It is also written that their judgment should be “to a moral certainty.” We were not asked to comment on what this additional clause might mean. I’ll let you ponder whether this clause adds anything substantive to the “beyond a reasonable doubt” requirement.

*strict* a standard, since *almost nothing* has probability 1. Moreover, one could not simply require that the evidence raise the probability over 1/2, since that would just collapse the “beyond a reasonable doubt” standard back into the “preponderance of evidence” standard, and there would no longer be a difference between the two.

### 3 Problem #3 (p. 60 #2)

In this question, we are asked whether the following statement is true or false:

When reconstructing an argument from a written passage, one sometimes should omit some things that were stated in the original passage.

This statement is **true**. Sometimes a passage will contain statements that are mere “window dressing”. They are neither the conclusion nor a premise of an argument contained in the passage (or they are redundant restatements of parts of an argument already stated elsewhere in the passage). In such cases, we should omit these parts of the passage that are irrelevant (or redundant) to the argument(s) contained in the passage.

### 4 Problem #4 (p. 60 #4)

In this question, we are asked whether the following statement is true or false:

The only good way to criticize an argument is to show that it has a false premise.

This statement is **false**. There are *only the following two* legitimate ways to criticize an argument:

1. Show (*i.e.*, provide an *argument* to the effect that!) that the argument is *ill-formed*.
2. Show (*i.e.*, provide an *argument* to the effect that!) that some of the *premises* of the argument are false.

It is **not** legitimate to criticize an argument by showing (*i.e.*, *arguing!*) that its conclusion is false.

### 5 Problem #5 (p. 60 #5)

In this question, we are asked whether the following statement is true or false:

When you reconstruct an argument, you should never add anything to the reconstruction that wasn't in the original argument.

This statement is **false**. Sometimes it is necessary to add implicit or missing premises to an argument you are reconstructing. For instance, when it is clear that certain assumptions/presuppositions are in play (in the context of the argument being presented), and when adding these assumptions is required to make the argument well-formed, we will (as a rule) generally add these missing/implicit assumptions as premises to our reconstructed argument.