

Philosophy 2300: Beginning Philosophy  
Spring 2019  
Second homework assignment

Please type your answers and bring them to class on Mon, Feb 18th. **ALSO** please make your answers anonymous by putting your R# at the top of the page and **NOT** your name.

You are to answer the following questions:

- 1) Hobbes believes that it is impossible for the sovereign to commit an injustice by harming one of his subjects. Why does he think this? Do you agree with Hobbes's reasoning here? Why or why not?
- 2) Explain what the difference is between a Utilitarian justification of the state and a rights-based justification of the state. Describe a case (real or hypothetical) where these come apart – that is, where the state would be justified according to one conception but not the other.
- 3) When does Hobbes think we have a duty to obey the law? Why?
- 4) When does Socrates think we have a duty to obey the law? Why?
- 5) When does Martin Luther King Jr. think we have a duty to obey the law? Why?
- 6) Think about whether or not we have a duty to follow the law. I mean whether we have some *moral* reason to follow the law *just because it is the law*. Does this reason depend on whether or not the law is just or unjust? On how serious of an injustice it is? Does it depend on why the person is breaking the law? For example, if they are willing to accept the punishment to try to get the law changed as opposed to they just want to try to do something that they otherwise want to do? Think about all of these questions when reading these three stories:
  - 6A) Alice likes to smoke marijuana and she sees no particular reason that it should be illegal. She has never protested any drug laws nor does she think they are deeply wrong or a violation of her rights or anything like that. She sometimes travels to Colorado to legally purchase marijuana and smoke it while she is there. However, this time she purchased it in Colorado and then transported it back to Lubbock before she smoked it. She knows that this is illegal.
  - 6B) Bob is a nudist. He believes that nudity is our natural state and people should be naked as often as possible. He does not see any harm in exposing himself to others. On the contrary, he believes that the more people see each other naked the more that nudity will be generally acceptable and the better off we will all be. He is well aware that public indecency is illegal in Lubbock. He joins twenty of his nudist friends and they march down to city hall naked and holding up large signs with

slogans like “leave your laws off my body”. They intend to get arrested to draw attention to themselves and their cause.

6C) Charlie belongs to a religious sect that encourages group marriage. Charlie lives with Diana and Eloise, two adult women, and his four children – two of whom are Diana’s biological children and two of whom Eloise’s biological children. They live in a happy home. Charlie is legally married to Diana, but because he lives in a state that does not allow polygamous marriages, he is not legally married to Eloise. They believe this law to be an affront to their religious freedom. Charlie and Eloise were married in their church by their pastor, but this is not legally binding. The family keeps their living arrangement secret since in the country they live in, if their lifestyle were revealed, the government would take the children away from the home. Eloise gets very sick so in order to make sure that he gets visitation rights at the hospital and that he retains custody of their children if she dies, Charlie assumes a false identity (a second one) and gets married to Eloise. Everyone in the family is aware of the situation and aware that this is against the law.

**Question for you:** Have Alice, Bob, and Charlie done anything wrong? Why or why not? What are the relevant considerations in these cases? Under what conditions do you think that it is okay to break the law?