

Reading Guide #5: Justice and the State

These reading guides are provided to assist you in your reading. I encourage you to read the material through, first, then go back to answer the questions. You are not expected to hand in written answers. You are expected to have responses ready for class discussion. Page numbers refer to Arthur, *Morality and Moral Controversies*, 7th ed.

Thomas Hobbes, 'Leviathan', pp 1-8.

- 1. What are good and evil?**
 2. In what ways are all men equal?
 3. From what does war arise?
 - 4. For Hobbes, what is war? What is life like, in a state of war?**
 - 5. "In such a war, nothing is unjust." (4) Explain.**
 - 6. What is the fundamental law of nature? How does it lead to people wanting peace?**
 7. Why are people content with limited liberty, according to the second law of nature?
 8. What rights are inalienable?
 - 9. What are justice and injustice? What needs to exist, before these terms can be used?**
 - 10. What is the purpose of a government (commonwealth)?**
 - 11. How do people enter a commonwealth? How is a commonwealth defined?**
 12. Is freedom inconsistent with fear or necessity? Explain.
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John Locke, 'The Second Treatise of Government', pp 342-348.

- 1. How is man's natural state one of perfect freedom? Be specific.**
- 2. How is man's natural state one of perfect equality?**
3. What's the difference between liberty and license? Why doesn't man have perfect license?
- 4. "[E]veryone has a right to punish transgressors of that law to such a degree as may hinder its violation." (343) Explain. How does Locke justify this?**
- 5. What are the purposes of punishment in the state of nature? Be specific.**
6. "[E]very man in the state of nature has a power to kill a murderer." (343) Explain.
7. Explain the objection from self-love to Locke's doctrine that in the state of nature everyone has executive power of the law of nature. How does Locke respond?
- 8. Where is there a state of nature?**
- 9. What natural rights do people have, just by being born?**
10. Why do people need property?
- 11. "Whatsoever, then, he removes out of the state that nature hath provided and left it in, he hath mixed his labor with and joined to it something that is his own, and thereby makes it his property." (345) Explain.**
12. How does Locke justify linking property rights to labor?
- 13. What is the limit to ownership?**
14. How does Locke defend majority rule?
- 15. "Whosoever therefore out of a state of nature unite into a community must be understood to give up all the power necessary to the ends for which they unite into society, to the majority of the community..." (346) Explain.**
- 16. How do people become subject to the laws of a government?**

John Locke, 'The Second Treatise of Government', pp 342-348 (continued).

17. What's the difference between express consent and tacit consent? How do people grant their tacit consent to the government?

18. Why do people agree to the social contract?

19. How do governments put themselves in a state of war with the people?

David Hume, 'Of Justice', pp 449-451.

1. Why does Hume claim that justice has no place in a state of abundance? What does he mean by justice?

2. Would we have use for justice in a world of extreme generosity? Explain.

3. What role would justice play in a situation of extreme necessity?

4. Why is the idea of justice useful to people?

5. According to Hume, what is the appropriate justification of property rights?