

考試科目	哲學基本問題 11311 11361	系所別	哲學系研究所	考試時間	2 月 19 日 () 第 一 節
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申論題 (不必抄題，請注意時間分配)

1. 一個與自由意志議題相關的問題是：「如果決定論為真，我們是否有自由意志？」雖然相容論 (compatibilism) 與自由意志論 (libertarianism) 都認為我們有自由意志，對於這個問題的回答卻不同。A. 請說明這兩個理論各自的立場，並比較其異同。B. 你認為決定論的真假是否會影響自由意志的有無？你比較支持以上哪一個理論？為什麼？(30%)
2. 十年以後的我和現在的我是不是同一個「我」？做了腦部移植的我是不是同一個我？失去記憶的我是不是同一個我？如何判定？哲學家針對人格同一性 (personal identity) 這個議題有許多討論，也提出了物理連續性 (physical continuity) 與心理連續性 (psychological continuity) 等兩類立場來支持相關的判準。請介紹這兩類立場中各自 (你認為) 最具說服力的哲學理論，並提供理由說明你比較支持哪一個理論。(30%)
3. Consider the following quote from J. S. Mill's *On Liberty* and provide your answers:

One of these examples, that of the sale of poisons, opens a new question; the proper limits of what may be called the functions of police; how far liberty may legitimately be invaded for the prevention of crime, or of accident. It is one of the undisputed functions of government to take precautions against crime before it has been committed, as well as to detect and punish it afterwards. The preventive function of government, however, is far more liable to be abused, to the prejudice of liberty, than the punitive function; for there is hardly any part of the legitimate freedom of action of a human being which would not admit of being represented, and fairly too, as increasing the facilities for some form or other of delinquency. Nevertheless, if a public authority, or even a private person, sees any one evidently preparing to commit a crime, they are not bound to look on inactive until the crime is committed, but may interfere to prevent it. If poisons were never bought or used for any purpose except the commission of murder, it would be right to prohibit their manufacture and sale. They may, however, be wanted not only for innocent but for useful purposes, and restrictions cannot be imposed in the one case without operating in the other. Again, it is a proper office of public authority to guard against accidents. If either a public officer or any one else saw a person attempting to cross a bridge which had been ascertained to be unsafe, and there were no time to warn him of his danger, they might seize him and turn him back, without any real infringement of his liberty; for liberty consists in doing what one desires, and he does not desire to fall into the river. Nevertheless, when there is not a certainty, but only a danger of mischief, no one but the person himself can judge of the sufficiency of the motive which may prompt him to incur the risk: in this case, therefore, (unless he is a child, or delirious, or in some state of excitement or absorption incompatible with the full use of the reflecting faculty) he ought, I conceive, to be only warned of the danger; not forcibly prevented from exposing himself to it. Similar considerations, applied to such a question as the sale of poisons, may enable us to decide which among the possible modes of regulation are or are not contrary to principle. (接下頁)

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- 一、作答於試題上者，不予計分。
- 二、試題請隨卷繳交。

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Such a precaution, for example, as that of labeling the drug with some word expressive of its dangerous character, may be enforced without violation of liberty: the buyer cannot wish not to know that the thing he possesses has poisonous qualities. But to require in all cases the certificate of a medical practitioner, would make it sometimes impossible, always expensive, to obtain the article for legitimate uses. The only mode apparent to me, in which difficulties may be thrown in the way of crime committed through this means, without any infringement, worth taking into account, upon the liberty of those who desire the poisonous substance for other purposes, consists in providing what, in the apt language of Bentham, is called "pre-appointed evidence." This provision is familiar to every one in the case of contracts. It is usual and right that the law, when a contract is entered into, should require as the condition of its enforcing performance, that certain formalities should be observed, such as signatures, attestation of witnesses, and the like, in order that in case of subsequent dispute, there may be evidence to prove that the contract was really entered into, and that there was nothing in the circumstances to render it legally invalid: the effect being, to throw great obstacles in the way of fictitious contracts, or contracts made in circumstances which, if known, would destroy their validity. Precautions of a similar nature might be enforced in the sale of articles adapted to be instruments of crime. The seller, for example, might be required to enter in a register the exact time of the transaction, the name and address of the buyer, the precise quality and quantity sold; to ask the purpose for which it was wanted, and record the answer he received. When there was no medical prescription, the presence of some third person might be required, to bring home the fact to the purchaser, in case there should afterwards be reason to believe that the article had been applied to criminal purposes. Such regulations would in general be no material impediment to obtaining the article, but a very considerable one to making an improper use of it without detection. (Ch5)

- (1) Given what Mill says about poison sale, what do you think he'd say about gun control? Do you agree with Mill? (20%)
- (2) Mill mentions two cases in this discussion: the poison sale case and the bridge-crossing case. Please compare these two cases (by clarifying their differences and similarities) and evaluate Mill's argument here. (20%)

備註

- 一、作答於試題上者，不予計分。
- 二、試題請隨卷繳交。