Monarchy and Liberal Democracy

We are now turning to a consideration of different forms of government and issues that arise from those forms. This week’s readings begin with a story about how the civil societies that are governed by some individual or body came to be. The accounts given of this development begin with individuals giving up their right to govern themselves to some such individual or body because it is in their best interest to do so. This giving up of natural rights involves the formation of covenants and contracts, which is why these theories of government are called social contract theories.

These two accounts also have in common the view that the moral norms of a society derive their normative force from the formation of the contract that the members of the society enter into at its formation. With the development of substantive moral norms comes a (or the) definition of just and unjust actions: an action is unjust if it breaks a contract and just actions are the opposite of unjust actions. The contracts are binding because of the initial mutual giving up of the right to self-governance to a governing individual or body in return for protection by the state; this is made possible because the governor(s) are given the power to enforce the keeping of contracts. The governor(s) are also given the power to make and enforce laws, which the members of the society are bound to follow for their mutual protection.
This notion of power is an important one. Hobbes defines a person’s power as her “present means to obtain some future apparent good, and is either *original* or *instrumental.*” (462) Essentially, original powers are the powers given to you by your nature: strength; intelligence; *etc.* Instrumental powers are those that you acquire in life, *e.g.* through the accumulation of wealth, reputation and friends (Hobbes also adds the “secret working of God, which [people] call luck”).

The scale and variety of the means to obtain apparent future goods that is possessed by the government greatly exceeds any (or in certain cases, perhaps, the vast majority) of the individuals in society. This power derives from the conferral to the government the natural power that each of the members of the society chooses to give up when they form a social contract. The power of the government is the sum of these powers. An illustration of this is that by making and enforcing laws the government can direct the general behaviour of the members of society to achieve certain ends, which are taken to for the betterment of society.

Both Hobbes and Locke tell a story of how societies develop out of an initial *state of nature.* They have very different views of what this initial state of humanity was like.

Hobbes claims that nature has made people equal in their mental and physical abilities. What does he mean by this? In what sense could the strongest person be ‘equal in her mental and physical abilities’ to the weakest person?
Hobbes claims that this equality leads to equal development of practical wisdom (prudence), and to equal hopes of acquiring power, of which everyone desires more of. (Why does everyone desire more power in the state of nature?) Hobbes argues that the result of this equality in abilities, prudence and desire for power leads to a state of war where every person is at war with every other. The state of nature is a state of war. This war develops because the insatiable desire for power without certainty of attaining it leads to competition, diffidence (distrust) and the striving for glory (e.g. honour and renown).

How is each of these a cause of conflict?

Life in the state of nature is “solitary, poor, nasty, brutish and short.” (465)

Hobbes argues that there are Laws of Nature, which are laws of reason, that direct people to endeavour peace. Reason makes people desire to set up a state where one person rules over the others in order to ensure peace and prosperity for all. This is done by conferring power to one person or one assembly that reduces its plurality of wills to one will. People agree to submit their will to this one will and their judgment to this one judgment. This is established by an original contract, as discussed above. People give up their freedom in order to enter into a society, which ensures safety and security, allows the accumulation of wealth and property, enables the development or production of literature, art, music, history, business, mathematics, science, engineering, philosophy, etc., none of which are possible in the state of nature.
Since, however, the sovereignty can be one person or an assembly and anyone can have the right to enter or only a select few, there are three kinds of commonwealth. When the representative is one person, we have a monarchy (or tyranny if things ‘go wrong’). When it is an assembly of all that come together it is a democracy (or anarchy if things ‘go wrong’). When it is an assembly of only part of the population, it is an aristocracy (or oligarchy if things ‘go wrong’). (467)

Hobbes argues that people should give up their freedom of will to a single person, who has absolute power. The people united under one person is called a commonwealth—the creation of a mortal god, that speaks for our peace and defense. (466) Hobbes’ argument for absolute monarchy is that the other forms produce a conflict between private and public interest, which can lead to corruption and, more importantly, instability (Hobbes was very concerned about maintaining a stable society that would not lead to power struggles or war). These two interests coincide for the absolute monarch, since the riches, power and honor of a monarch arise only from the strength, and reputation of her subjects.

Locke also traces the origins of civil society to a state of nature, but of quite a different sort. The state of nature is a state of perfect freedom, where people may do what they like with their possessions, other people and themselves, except when it contravenes the Law of Nature. People also have equal power and authority to punish injustice. This state is not, however, a state of license—people are not permitted to kill themselves or others.

Law of Nature: the law that “obliges everyone, and reason, which is that law, teaches all [hum]mankind who will but consult it, that being all equal and independent, no one ought to harm another in [her] life, health, liberty or possessions.” (470)
Some questions:

How does Locke’s conception of the state of nature differ from Hobbes’?

How does Locke’s idea of justice differ from Hobbes’?

How does Locke’s definition of ‘Law of Nature’ differ from Hobbes’?

Does Locke’s definition of ‘Law of Nature’ remind you of a particular philosopher’s moral theory?

Just as in Hobbes’ view, individuals have to give up their natural powers in order to enter into a society and be protected by it. Societies have public property, so individuals must give up their right to that property so that their private property can be preserved as a result of the protection provided by laws. Since people give up their right to administer justice, the society must develop indifferent laws and identify people that are given the power to execute, judge and punish contravention of laws. This is the origin of the legislative and executive power of civil society—the power to judge by standing laws how offences are to be punished when committed within the commonwealth, and how to mobilize a response to injuries from outside the commonwealth itself. (472)

Here is Locke’s interesting criticism of absolute monarchy as a system of government:

An absolute monarchy is inconsistent with civil society, since the object of entering into a commonwealth is to avoid the inconveniences of the state of Nature which necessarily follow from each person being judge and executioner, giving this ability to a known authority that can be appealed to. In an absolute monarchy, there is no such person to appeal to—so absolute monarchy is not a system of government. (472, paraphrased)
Locke argues that when a group of people have given their consent to form one community or government, the will of each of the individuals is given to the majority, whose one collective will becomes the will of all. According to the Law of Nature, Locke argues, the natural powers of each of the individuals are conferred to the majority, as a result of which the acts and power of the majority become the acts and power of the whole. If the members of the minority are to live up to their original contract, they must submit to the will of the majority.

What is the problem with this?

What are the three things that are needed to set up a government, and why are they needed?

Since the majority possesses the power of the entire community in them naturally, they may employ that power in the making of laws for the community from time to time, and executing those laws by officers of their own appointing. In this case the form of government is a perfect democracy. (474)

Otherwise, the majority may decide to put the power of making laws into the hands of a few select people and their heirs or successors (an oligarchy), or else in the hands of one person, (a monarchy). If to her and her heirs (a hereditary monarchy), or only to the one while retaining the power to elect a new monarch at death (elective monarchy). This allows a variety of combinations of these forms of government, which can be agreed upon according to what people think is best. (474)
Locke points out the flexibility afforded by this style of government entails that when power is given to one person or a group for life or for a limited time, and then the power is given back to the people again, this allows the community can confer their power anew into whichever way they please and in so doing may establish a new form of government.