

Why should people obey the state philosophy essay



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It has been an argument in political science about the why and to which extent do we have to obey the state. This has created a lot of division among political scientists and even has led to an evolution of ideologies such as Anarchism and the rest. So to what extent should the individual obey the state and for which reasons?

Obedying the state undoubtedly has its own advantages. It creates a regulatory framework for our behavior which intends to help the citizenry to enjoy an appreciable level of satisfaction. Hence through obeying the state we guarantee each other's rights.

But the real question why and to which extent should the citizens obey the state and what are the reasons why we should continue to give such obedience?

To Machiavelli, who is often hailed as the first modern voice in political theory, pre-dates the Reformation, of course, and so his famous book *The Prince* (written in 1513) is more an anticipation of what was to come later. He is writing in direct response to the political anarchy in Italy, long characterized by what seemed never-ending and very bloody wars between the various rival ducal and papal states.

What makes Machiavelli interesting is not any comprehensive new theory of the state (which he does not offer) but his revolutionary insistence that the traditional emphasis on virtue in the ruler is a mistake. What the ruler should concentrate on is not doing the right thing but doing whatever is effective for protecting and ensuring his own power. And that necessarily requires that the ruler abandon any notion of adhering to virtue. He should lie, torture, kill,
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assassinate, invade, and so on as the situation requires. What Machiavelli recommends, above all, is an intelligent practical sense of what particular actions will work best in a given situation to make the ruler's power more secure, combined with a ruthless willingness to undertake such action (such a quality Machiavelli calls *virtu*-hence the old saying about him, "There is no virtue in *virtu*") . Machiavelli argues that this is, in fact, how successful rulers have always operated, and therefore this is how the modern prince ought to proceed. In his political world the end (protecting and increasing the prince's power) always justifies the means. In modern times this attitude is often called Realpolitik.

Reactions to Machiavelli have typically fallen into one of three camps. Many (including most of his contemporaries) dismiss his proposals as morally absurd and, as often as not, politically self-defeating. Machiavelli's prescriptions, many argue, are a recipe for evil actions and for political catastrophe (a good contemporary example is the US-UK position on Iraq. Having, in effect, lied to justify a war they wanted to fight, the political leaders of those countries are now in a position of having to beg for help from those who refused to believe them and of having, with increasing desperation, to tell their own citizens that the enormous and continuing cost in lives and dollars is worth it. Moreover, their Machiavellian tactics may have seriously weakened the power of both leaders and, of course, diverted resources away from the war against terrorism).

Defenders of Machiavelli argue that he is right to see that politics has to be based upon the way people really behave and not how we might like them to be. Since the essential prerequisite for a political life is stability, Machiavelli

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correctly insists that the prince must be prepared to make sure his power is secure at all costs-and for that he has to be willing to use the full range of options without moral restraint. Only that will guarantee the security of the state upon which everything else depends.

A third group sees Machiavelli's political vision as a satire, a work ridiculing those very things for which defenders of Machiavelli as a serious political thinker applaud him. There's no time to review this position here; those interested in seeing why one could look at the book in this light might like to read another lecture of mine available through this link-Machiavelli.

Like Machiavelli, Hobbes begins with the recognition that virtue is an insufficient basis for justice in the modern state. He admires virtue but acknowledges that there's not enough of it around, because human beings by nature are greedy, fearful, jealous, and quarrelsome creatures. The only way they can live peacefully together is if they agree to submit themselves completely to a sovereign power which will have the authority to make laws and enforce them equally on all the citizens. Hobbes doesn't define a particular version of the sovereign-he prefers monarchy, but what he has to offer works equally well with an assembly of delegates, like a parliament, or any other form of governing authority on which people can agree.

Hobbes thus proposes a radically new model of the state: a single all-powerful sovereign and a general population all equally obligated to obey the sovereign's written laws, which are the only recognized authority people have to acknowledge. Old traditions, inherited customs, traditional religious attitudes, long-standing personal relationships, old systems of rank and

privilege-none of these matters unless the sovereign's law makes them matter. Our only obligation as citizens is to the sovereign's law. In an all-important sentence, Hobbes lays down one of most important liberal principles: What is not forbidden by the sovereign's law is allowed.

Hobbes justifies this arrangement with a very interesting argument, too complex to describe in detail here. But let me offer a few highlights.

Essentially he invites us into a thought experiment designed to show us that his model is the reasonable thing to agree with (given what human beings are like) and that it's in our self-interest to follow his recommendations. We should obey the state, Hobbes argues, not because it's established by God (it clearly is not), but because it serves our self-interest to do so.

Hobbes begins by picturing what human beings are like without political organizations-in what he calls a state of nature. Here everyone is perfectly free-there are no laws and no morality (since for Hobbes morality is ineffective without laws and a sword to back them up)-and each person has the right to grab and keep whatever he can for as long as he can. This leads, in Hobbes' most quoted phrase, to a life that is "nasty, brutish, and short," a condition which sooner or later persuades people that they should submit to a common authority so that they can get some peace and quiet to enjoy their lives free of a constant fear of death. In effect, a group of free individuals agrees to submit to the unconditional authority of some outside party (a king or sovereign assembly) who will protect them from each other. It's important to note that in Hobbes' theory the sovereign is not a party to the contract (which exists among those governed). Hence, there are no strings attached to its power.

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From this notion of an agreement comes the idea of a social contract—a legal arrangement among the governed to submit equally to a common authority (everyone surrenders all of his or her power to the outside party of the sovereign). It's almost impossible to overestimate the importance of this concept in modern politics, for it introduces a number of ideas absolutely fundamental to our modern political arguments. The first is that the individual has an identity and certain rights independent of the state. He may trade these rights for the security a state offers, but there are some he can never forfeit (if the state, for example, fails to provide such security or seeks to take his life, the contract is void and the obligation to obey the sovereign disappears). Such a view of individual rights is completely foreign to the Old Order, where the individual has no existence outside the state (indeed the state provides the individual his identity, his most fundamental sense of who he is)—whatever rights he enjoys (if he has any at all) are conferred by the state or by communal traditions, not by his existence as an independent human being—and he certainly has no authority to challenge the state in the name of certain rights he enjoys just because he's a human being.

A third important concept here is the sense of equality under the law—all citizens, as equal partners to the contract, are equally bound to obey the sovereign. There is not one law for the rich or the righteous and another law for the poor or the profane. Inherited rank or one's family connections or one's economic power confer no special privileges, no release from one's obligation to obey just like everyone else.

And, most importantly, Hobbes' system permits and promotes a new kind of freedom. Because in the Hobbesian state our only duty is to obey the law, we have freedom to do whatever the law does not forbid. Hence, where the law is silent, we acquire the freedom to do what we like, without the restrictions of public opinion or competing religious or community traditions. Such personal freedom is different from the traditional notions of freedom as the liberty of a state to govern itself. Under the Old Order a state might well be free in the latter sense (i. e., free to govern itself), yet grant its citizens very little personal liberty-in fact, given the importance of public opinion and uncontested religious traditions in small communities, for the most part there was relatively little personal freedom for anyone, rich or poor, simply because their behaviour was always closely regulated by social forces and moral codes operating all the time around them, even in their own lives at home.

Hobbes believes that this new liberty, what has come to be called Negative Liberty, will enable people to concentrate on what they really want to do, which is to make money and to construct their own secure middle-class lives in isolation from and competition with each other. If the state gives them a chance to channel their natural greed and competitiveness into profitable activity, they will be peaceful and law abiding, and the wealth they generate will keep the state strong. We don't have to try to make people good or happy-we simply have to keep them from killing each other over religious questions and let them follow their desires as competitive and acquisitive individuals to make money for themselves. It's a system tailor-made for the emerging free-market capitalism of the time. In effect, Hobbes' theory is

predicated on his assumption that people would rather make money and live comfortably than continue to fight each other over religion.

Hobbes' state thus consists of two worlds: the public sphere in which the sovereign's control is all-powerful and the citizens' duty requires obedience to the law (because that's what they've agreed to) and a private sphere in which the citizen is free of obligation to anyone. This concept of Negative Liberty-personal freedom to do whatever we want in our private space-is at the centre of what we call Liberalism. We can and do argue all the time about how big or small this sphere of personal freedom should be (at the moment we seem to be reducing it in the name of national security), but we all see it as essential to our way of life and, in fact, devote a great deal of our lives to creating and protecting a private space for ourselves, where we can live without having to deal with annoying things like other people or the government. Most of you, for example, place a very high value on having your own private space and are looking forward to constructing your own private life where you do not have to answer to any outside authority. This notion, which we take for granted, is a modern idea, born in Hobbes' model of the state.

Another vital new principle Hobbes' liberal vision introduces is the legal nature of political obligations. Whereas, in the Old Order political power and obedience were closely linked to particular people, families, and inherited relationships and old traditions, in Hobbes' vision, power and obedience are linked only to the legally established office rather than the person. We obey the Nanaimo City Council's rules not because of the people who sit around the Council table or because of old traditions, but because of the positions

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they occupy, which are established and backed up and can be changed by the authority of the Sovereign. Once Gary Korpan ceases to be mayor of Nanaimo, he loses all his public authority, which rests with the position, not with the person. Political authority thus is stripped of its traditional dynastic basis: I have no obligation to obey anyone just because of who he or she might be, since my legal obligations extend only to positions of authority established and backed up by the sovereign's power, not to the people who occupy them.

I've spent some time on Hobbes because he, in effect, sets down the blueprint for modern liberal political thinking, and, even if he was frequently vilified for his hostility to traditions and religion, the thinkers who come after him are very much responding, in various ways, to what he proposed (for a more detailed look at Hobbes, you might like to consult this link-Hobbes).

John Locke, for example, writing about half a century after Hobbes, adopts his vision of the liberal state in all its most important basic principles. He does, however, make some important and influential adjustments by ameliorating Hobbes' very reductive vision of human nature and by seeking to deal with what many perceived as the most dangerous feature of Hobbes' vision of the political state, the excessive power in the hands of the sovereign. Where Hobbes is seeking, at all costs, to limit the ability of citizens to fight each other (especially over religious questions), Locke is more concerned to protect citizens against the tyranny of the government (the difference may reflect the different political climates-by Locke's time the fear of and experience with civil wars in the name of religion had faded considerably).

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The most famous examples of what Locke is proposing are the documents his ideas did so much to shape, the Declaration of Independence and the American Constitution. The latter document enables a citizen to do something which in Hobbes' state is not possible (except when the state comes for one's life)-to challenge the government's authority to enact and enforce a particular law and thus to limit that citizen's ability to do as she likes (like carrying guns, or expressing her opinions, or organizing a meeting of fellow citizens, or worshipping at a church of her choice, and so on). And, as we witness all the time, it gives the law courts the enormously important task of sorting out just what certain constitutional rights mean in relation to particular pieces of legislation. In a state where citizens have constitutional rights, their private space is protected against government interference much more clearly than in a state where such rights do not exist. In this connection, it's interesting to note that the United Kingdom, the original home of liberal theory, has no constitution-it follows Hobbes' idea that total authority rests with the sovereign-hence there is no judicial appeal against the laws passed by parliament, as there is in the United States and now in Canada. Before leaving these two enormously important liberal thinkers, it's important to make one further point. Neither of them is particularly interested in whether the citizens are happy in their personal lives in a political system that encourages personal freedom and competition at the expense of communal traditions (the "pursuit of happiness" is a wonderfully ambiguous phrase). Nor are they concerned with the moral quality of citizens' lives. What matters is obedience to the law, not adherence to any particular moral code or, indeed, any moral code at all. Finally, neither of them is particularly concerned with equality-other than the important idea of

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equality under the law. The Liberalism of Hobbes and Locke is designed to promote individual economic activity in a spirit of competition, within the boundaries established by laws binding on everyone, an arrangement that virtually guarantees that some citizens will be very much richer than others and will be free to spend their money as they see fit and that some citizens will fail in their economic activities.

Jean Jacques Rousseau, the most powerful, passionate, and paradoxical response to Hobbes came about one hundred years after he published his massive masterpiece, when Jean Jacques Rousseau, a citizen of Geneva in Switzerland, wrote his political discourses-especially the Second Discourse (On Inequality) and his Third Discourse (The Social Contract). In these works, Rousseau lays the initial ground work for the West's most historically important alternative to the liberal model defined by Hobbes and Locke. Rousseau begins by adopting Hobbes' basic metaphor: human beings originally existed in a state of nature; this ended with a social contract which established civil society. But he drastically alters the emphasis. For Rousseau, man in a state of nature was perfectly happy, independent, free, and self-sufficient (a "noble savage"). The social contract was a disaster because, in setting up society, human beings inevitably introduced inequality-some people ended up with more property or more esteem than others, and this brought about all human unhappiness and oppression, which arise, most importantly, not merely from material differences but also from psychological states. Inequality makes people feel unhappy, because they cannot help comparing themselves with others who have more goods, more talent, or more honours. And psychological distress of this kind is, for

Rousseau, a form of oppression. For a more detailed discussion of this aspect of Rousseau's thinking, you might want to explore this link: Rousseau.

Rousseau has three major objections to what Hobbes and Locke are proposing. First, Rousseau argues that in such a modern liberal state, human beings will end up trading the complete freedom they enjoyed in a state of nature for a small and insufficient fraction of freedom given by the state (How can human beings be truly free when they have to obey the sovereign?). Second, as mentioned above, he sees in the inequality produced by liberal competition a source of material and psychological oppression (something Hobbes and Locke do not concern themselves with). Rousseau is particularly sensitive to how people who have a certain political freedom can become economic slaves to the market place and psychological slaves to the images of the materially good life. And third, he objects strongly to the reductive view of human beings basic to Hobbes' theory. If human life is to be worth anything, Rousseau argues, a person has to have a moral worth as an independent individual capable of making rational decisions about his own life for moral reasons, rather than operating merely as an economic agent whose only duty is to obey the sovereign's law without question. Rousseau realizes that there's no going back to a State of Nature, no matter how utopian that existence may have been. Human beings now have to live in society, among other human beings. So the challenge to the political theorist is to find a way to organize a state in which human beings are as free as they were in a state of nature (or feel no loss of freedom by existing in society) and in which they feel that they are fully equal, without any psychologically crippling sense that they are better or worse than

anyone else in any way. And finally, the political arrangements should encourage the full moral development of the individual citizen as a self-governing, independent, rational moral being. What he's demanding, of course, is a very tall order—a utopian arrangement in which the individual lives in civil society without losing any sense of independence and freedom and without any feelings of psychological inadequacy or inferiority.

His answer is complex, and I have time here (again) to provide only a very rough preliminary sketch of his argument (in *The Social Contract*). To begin with, Rousseau rejects any form of government other than a majoritarian democracy in which all citizens participate equally at all times in the decision making (hence the state must be relatively small). If the citizens are educated enough to see the reasonableness of this arrangement (a very important condition), they will come to understand that in following the decisions of the majority of all the citizens (as these decisions emerge from an assembly of all citizens) they will be following the General Will of the state, which will always be right (provided, as mentioned, the citizens have all been educated in the appropriate way). A person who disagrees with the General Will in any particular decision will understand that the mistake belongs to her and not the community. Such a communitarian arrangement, Rousseau argues, must be extremely careful not to create a complex bureaucracy of government which will inevitably arrogate power to itself and sabotage the legitimacy of the state, which rests on the fact that all its members are equally important in the decision making. Rousseau argues that an arrangement like this would enable people to obey the state without any sense of a loss of freedom, because they would be following what their

reason told them was the right thing to do, and self-imposed rules do not register as a loss of freedom. In effect, they would be obeying themselves (“You should obey the state because you are the state”).

It’s important to notice a couple of things about Rousseau’s proposal. First, he’s emphatic about how important it is that people have to be educated into understanding an arrangement like this. Where Hobbes and Locke settle for people as they are, warts and all, and seek to channel their natural vices into useful economic activity, Rousseau wants people to be better than they typically are, to develop more fully as happy, independent, free, rational moralists, and they will have to be educated to do that if his system is to work. But Rousseau is not claiming that this can happen with people as they are now, except perhaps under very unusual circumstances in very specific places (e. g., in Corsica). Second, Rousseau is extremely pessimistic about a state like the one he’s proposing ever being successfully implemented or, if it is, lasting very long. So he has very little to offer by way of a practical program of action to achieve such a political ideal. The best examples of some of the main features of what Rousseau is proposing are offered by certain forms of communal living (the Israeli kibbutz, for example), where a relatively small community governs itself with the equal participation of all and where there is much less emphasis on competitive economic activity to promote the accumulation of personal goods to decorate a private space. There are many tributes to the psychological and economic benefits of such an arrangement (and no shortage of volunteers who prefer these arrangements to normal liberal society). It may well be the case that many of us would be much happier and productive in such a state than in what we

have available around us. It is, however, difficult to find successful large-scale examples of such communitarian political structures.

In summary, human beings by nature are greedy, fearful, jealous, and quarrelsome creatures. The only way they can live peacefully together is if they agree to submit themselves completely to a sovereign power which will have the authority to make laws and enforce them equally on all the citizens. Thus such for we to be protected and enjoy equal rights we must obey the state not necessarily the fear of punishment if don't obey the state.