

. . . no country can be well governed unless its citizens as a body keep religiously before their minds that they are the guardians of the law and that the law officers are only the machinery for its execution, nothing more.
—Mark Twain



THE NECESSITY OF GOVERNMENT

Mortimer Adler

IN TWO PARTS

THE questions that I will attempt to answer in this chapter and the next are prior to any question we can ask about the shape that our political, economic, and social institutions should take in order to establish a just society. First are questions about government itself—why it is necessary and whether it is intrinsically good or a necessary evil. Then there are questions about the state—civil society, the political community, or body politic. Again our concern is with whether it is necessary and, if necessary, whether it is intrinsically good or a necessary evil.

The order in which I have placed these questions is based on the fact that the state or civil society is not the only community or association of men in which the role of government must be considered. As we shall see, the question about the necessity of government applies to any association of men living and acting together for a common purpose or a common good—a family, a village or tribe, or a private corporation of any kind, as well as to a state.

Civil government is only one of the many types of government, the type that is appropriate to a civil society or state. The appropriateness of different types of government to different types of communities is a consideration posterior to the problem of understanding why government, of one type or another, is necessary for the existence of *any* community. We will subsequently see that the state—the political community—comes into existence only with the institution of a certain type of government, but we must first understand why the existence of any community depends upon the institution of government.

I said earlier that the propositions I was going to set forth comprised the controlling principles of political philosophy *conceived as a purely normative discipline*. That remark calls for a word of further comment before I proceed with the exposition of the principles.

Because of the dependence of political thought upon political history, there is an inveterate tendency on the part of political philosophers to intertwine descriptive or historical statements with their normative judgments. They often pass insensibly from describing the way things are or have been to judgments about how they ought or ought not to be set up. In many cases, normative judgments or evaluations are implicit in statements that, on the surface, have the character of statements of fact; and they are left implicit, masked or concealed by appeals to historical evidence, rather than expressed explicitly in normative terms and defended as such.

I am going to try, in what follows, to concentrate on propositions that are clearly and plainly normative in their intent and that have the universality proper to controlling principles. This does not mean that I will abstain from references to historical fact or to current experience, but, where the discussion of such matters is required or helpful, I will try to treat them in a manner that is appropriate to questions of fact and not as if they were subjects about which a political philosopher has or can have special wisdom. I will try to exercise the same kind of restraint with regard to political problems that call for normative judgments which fall below the level of universality appropriate to principles. For purposes of illustration or amplifications I will from time to time deal with such problems and comment on alternative solutions to them; but I will reserve philosophical judgment about such alternatives at the level of policy, except in those rare instances in which the controlling principles require their endorsement or rejection.

Proceeding now to the question about the necessity of government, we must begin by distinguishing two senses of the term “necessity”—practical or pragmatic necessity, on the one hand, and logical and natural necessity, on the other.

We say that something happens necessarily in the very nature of the case when, given the operation of a cause, its effect cannot not occur. The causal laws discovered and formulated by natural sciences are, in this sense, statements of the necessary connections between one event and another. In the sphere of logic, we say that a valid inference is one in which the conclusion necessarily follows from the premises. If the premises are affirmed, the conclusion cannot be denied without contradicting one’s self. In contrast to these two related senses of necessity, we speak of a thing’s being necessary in the order of human action when it is indispensable to the end that we have in view. If it is impossible to achieve the end we are aiming at without employing a certain means, then that means is necessary in a practical sense.

Unlike natural necessity, practical or pragmatic necessity is compatible with the voluntary. We cannot violate or act contrary to natural necessities. If we lose our footing or our balance, we do not have the option of obeying or disobeying the law of gravitation. But in the sphere of practical necessities, it always remains possible for us to defeat our own purposes by voluntarily refusing to do what is required in order to achieve the end we have in view. The necessity still obtains; for the end cannot be achieved without employing the indispensable or necessary means. But nothing compels us to act in such a way that we succeed: we are free to fail by not doing what is practically necessary. If taking a plane is the only way to get to a certain place at a certain time, we can defeat our own desire to attend a meeting at that time and place by refusing to fly.

Government is a human institution; it is not a natural phenomenon, but a product of human action. Hence the question of its necessity is a question about its indispensability as a means to a certain end. To answer the question we must, therefore, look to the end that government is supposed to serve and attempt to define, as precisely as possible, the way in which government functions as a means.

The definition of government—not the government of a political community or civil society, but government *per se*—involves a number of steps. First of all, let us consider the difference between

being governed and being exempt from government. An individual who is subject to government in any respect whatsoever is one who, in that respect, obeys a rule of action or carries out a decision that is not entirely or wholly of his own making. Thus, for example, when I and I alone decide the place where I shall live, the food I shall eat, or the book I shall read, I am not subject to government in the actions that I take to carry out these decisions. Or if I and I alone make the rule for my own conduct that I will not smoke cigarettes, I am not subject to government when I voluntarily obey this rule of abstinence. In matters of this kind, the young child is usually subject to government. We say that the child is governed by his parents when they decide for him the place where he shall live, the food he shall eat, or the books he shall read. Or when they lay down rules of conduct for him that he is expected to obey.

It may be supposed that the distinction between being governed and being exempt from government can also be expressed as a difference between government by another and self-government. Accordingly, it would be said that the child is governed by his parents, whereas the adult in obeying a rule of his own making is subject to self-government. For reasons that will presently become clear, I propose to reserve the term “self-government” for a certain type of government in which the decision that I act on or the rule that I obey is *neither entirely of my own making nor wholly made by others*. Instead of using the term “self-government” for the condition of being exempt from government by others, I will use “autonomy” to refer to those cases in which the individual acts on decisions or obeys rules *entirely of his own making*.

Government never completely replaces autonomy and never can. Even the young child exercises autonomy in many respects, for the strictest and most supervisory parents do not and cannot regulate every aspect of the child’s behavior, nor can they issue edicts that decide everything that the child does from moment to moment. What is true of the child is also true of the adult in almost every imaginable set of circumstances. Even the slave or the prisoner of war retains a certain degree of autonomy, for the simple reason that it is impossible to make the government of anyone total—covering every action that the individual engages in.

The distinction between government and autonomy—that is, between being subject to government and being autonomous—is related to, but is not identical with, the distinction between the social and the solitary condition. If man were capable of leading a solitary life, he could be autonomous in all respects. The solitary individual would decide everything for himself and obey only such rules of

conduct as he laid down for himself. He could not help being autonomous in this case; government would be inapplicable. In contrast to the solitary life, the social life is one in which a number of individuals live together, each in some dependence on the others and each being affected by the actions of others as well as affecting others by his own actions. It is only in the case of social life that the question of limitations upon the individual's autonomy can arise.

In order to avoid begging the question, I will refrain from assuming, without further analysis, that social life requires some limitation of the individual's autonomy, which is just another way of saying that social life requires some degree or measure of government. I will, therefore, put the question in the most open fashion, by asking whether it is possible for the individual who lives socially—that is, in association with others—to retain the complete autonomy he would have, in fact, could not help having, in the hypothetical case of a purely solitary mode of life.

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For the purpose of answering this question, I propose to consider an extremely simple model of social life. Let me warn the reader at once that the model does not represent every variety of human association and so will not provide us with all the insights we need in order to understand all the functions of government. Nevertheless, it will help us to take a first step in that direction.

Three scientists voluntarily associate for the purpose of exploring the upper reaches of the Amazon. Before they embark on this common enterprise, they realize that, at a certain point in their exploration, they will be entirely on their own in the jungle. Each of them recognizes that he could not do alone or by himself what it may be possible for the small organized group to do, and each is willing to join the group for that reason. In other words, they are associated for a common purpose and with the realization that it is only the action of the group as a group that can achieve it. If they do not stay together and act together for their common purpose, they cannot succeed.

Before they leave civilization behind and enter the jungle as an isolated group entirely on its own, the three scientists face the question of how rules or decisions will be made for the action of the group as a group, as well as for the conduct of its individual members *in so far as such conduct affects the success of the enterprise*. The qualification just stated leaves them autonomous in matters

that do not affect the concerted action of the group or the success of the enterprise. But why can they not be *completely* autonomous, each regulating his own conduct and deciding *everything* for himself?

A moment's reflection will serve to discover that complete autonomy is impractical and will not work. Understanding why this is so will throw light on the function that government is needed to perform.

Though the scientists associate as equals, each needs the cooperation of the other two in order to succeed in their common enterprise. They must agree, therefore, upon some method of regulating their own conduct and of reaching decisions in a manner that will preserve their concerted efforts to achieve a common goal. There are only three alternative procedures available to them.

One is for the scientists to require unanimity as the basis for any rule or decision that they will acknowledge as having authority for them. One dissenting voice on their part would then have the effect of a nullifying veto. And that, in turn, would mean that each scientist is committed to obeying himself alone, since no rule or decision to which he does not assent has authority for him. This would leave each of the scientists completely autonomous.

A second procedure would be for the three scientists to elect one of their number the leader of the expedition and confer upon him the authority to regulate the conduct of the party and decide all matters affecting the success of the enterprise.

The third alternative—and the only one that remains—consists in an agreement on the part of the scientists to have all rules adopted and all decisions made by a majority vote of two against one.

Only the first alternative leaves the scientists completely autonomous. The second and third institute a mode of government to which they themselves submit—two of them to the personal authority of an elected leader in one case, and all three of them to the impersonal or collective authority of a majority vote in the other case.

To show that government is not merely preferable to complete autonomy on the part of the scientists, but indispensable or necessary, we must have some reason for thinking that the requirement of unanimity on the part of the scientists will not work. Only if that is the case, must one or the other of the two remaining proce-

dures be resorted to for the sake of carrying the expedition out successfully.

In the strictest use of “impossible,” it cannot be said that unanimity must be rejected as an absolutely impossible method of adopting rules or making decisions. It is entirely conceivable that the three scientists might concur in their solution of every practical problem that called for the making of a rule or a decision. Reaching his decision independently, each might, nevertheless, find himself in agreement with the other two; or even if the matter were fully discussed, the discussion might eventuate in a unanimous conclusion.

Hence unanimity cannot be rejected in principle as impossible. But that does not mean that it should not be rejected on the grounds of its probable consequences in practice. The practical problems that must be solved by our exploring scientists are not like mathematical problems or even experimental ones—problems the solutions to which can be demonstrated or for which decisive evidence can be offered. On the contrary, they are problems about which reasonable men can disagree as to their solution. The likelihood of such disagreement, even among three scientists engaged in a practical enterprise, is sufficiently great to make the requirement of unanimity impractical. In fact, it need only fail to be satisfied at one crucial turn of affairs to prevent the expedition from succeeding. Since the probability of one such failure is extremely high, that is sufficient reason to reject unanimity, together with the complete autonomy it preserves, in favor of government.

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We have now discovered one reason for the necessity of government. It is necessary as an indispensable means of getting rules adopted and decisions made about matters concerning which equals engaged in a common enterprise can reasonably disagree. Stated in another way, the three scientists must set up the personal authority of a leader or the collective authority of a majority vote in order to be sure that at every crucial turn of events their expedition will be directed by a rule or a decision the authority of which each of them acknowledges even though he may disagree with it, i.e., even though he would have adopted a different rule or made a different decision if he were acting autonomously instead of submitting to government.

While unanimity will not work as a way of getting a number of equals engaged in a common enterprise to work harmoniously to-

gether for a common goal, it is the only way in which equals can institute an authority that they acknowledge or a government to which they willingly submit. Once again we must realize that a unanimous decision on the part of all, the decision of an elected leader, or the decision reached by a majority vote exhaust the alternatives; for since we are considering voluntary action on the part of the scientists who join hands as equals, we must exclude the forceful imposition of a decision by someone outside the group itself.

That being the case, we can see at once that government itself cannot be instituted by a majority vote or by the decision of a leader, since the authority of a leader or of a majority is the very thing being instituted. Hence the institution of government itself, together with the delegation of authority to an elected leader or to a majority, must be accomplished by the *unanimous consent* of the parties involved—in this case, the three scientists as equals.

Since the government whose authority they acknowledge is established by their unanimous consent, the scientists form a self-governing community even though each has surrendered his autonomy *with regard to all matters affecting the success of their common enterprise*. Each of the scientists is a constituent of the government that is established with his consent. If the government established takes the form of a dictatorship (i.e., decisions by a leader), self-government is minimal, being limited to the selection of the leader, whether by lottery or by a majority vote. If, however, the government established confers authority upon a majority vote, then self-government is maximal, for each of the scientists exercises a voice in the adoption of every rule and the making of every decision.

In either the minimal or the maximal case, the individual remains self-governing when the rule adopted or the decision made is contrary to one that he himself would have chosen were he autonomous. The fact that he is obliged to obey a rule or to act on a decision that is not of his own choosing must be combined with the fact that his consent was involved in setting up the authority to which he owes obedience and, in the case of maximal self-government, with the additional fact that he participated in the voting that eventuated in a decision other than his own. For him to refuse obedience in those cases in which he disagrees with an authorized rule or decision is tantamount to his insisting upon his autonomy instead of acknowledging the authority of government.

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