



Time to Collect...

**a 1999 chapbook from
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dried roses press

the one you always loved

what if you and the one person you always loved
the one person you would always have a place in your heart for
the one that was your mentor
the one that was your first love
the one you'll always feel a twinge of pain when thinking about
the one that was your soul mate
the one you thought of as the one that got away
the one person you have regrets over leaving

what if the two of you were friends
and you thought still that he was your soul mate
and you didn't know what your future entailed
and you wanted to see him because he was your teacher
and you'll always love him
and you don't know what you're hoping for
and you're definitely hoping for something

and then you talk to him
and he says that it would be good to see you
and then he drops this bomb, that he has a girlfriend
and then he says that he's been going out with her for over a year

and I know it's retarded
but you've never met anyone like him
and you don't know what else to hope for

what would you do then?

The Purpose of the State Through the Nature of Political Consent

Communications within a society - communications between individual members as well as communication between the members of the society and the government that they live under - pivots on the role that the government plays in the lives of the people within the community. In other words, the relationship between the members of society and the government that rules over them holds a great bearing on the nature of political consent, and the subsequent justification of the purpose of the state. By outlining the histories and the views of two opposing thinkers - Thomas Hobbes and John Locke - it can be seen how different forms of government exist under the premise that there is consent in legitimating government. These theories that these thinkers brought up centuries ago still have a great effect on the governments that we live under today.

Thomas Hobbes wrote his work *The Leviathan* immediately after the first English Civil War. Because of changes in the social structure, a drastic increase in the population of the country (it at least doubled, possibly tripled), and a severe series of famines, a gruesome civil war occurred that lasted 30 years, destroyed land, brought inflation up to 33%, and killed 25% of the population. Hobbes lived during this period, and felt that there had to be a new "blueprint" to government, and that there had to be a better way of understanding politically why people behave the way that they do. He worked on the conflict theory of society - all people are out to get one another, because they are at odds with one another over the possession and control of scarce resources. In this world of scarcity, people are base and brutish and compete for everything.

Hobbes felt that there were two main points necessary in the understanding of how people act. One was that people understand that there is a scarcity for the goods of the world; they will fight for those resources. The other is that all people have an innate quest for glory and power. His solution to dealing with these problems is the *Leviathan*, which is literally a horrific monster. It will be an all powerful source that will control not only the state but also the church. This will eliminate all competing interests. A solitary ruler, followed by all of the people, will make laws that will entail how

to act, what the people can and can not do, and how the things that are legal should be done.

One of the Leviathan's priorities is with the commerce of the nation. This is because of the fact that it is because of problems with commerce that England lost a lot of its power during the Civil War. "Money the blood of the commonwealth...For gold and silver, being, as it happens almost in all countries of the world highly valued, is a commodious measure of the value of all things else between nations; and money, of what matter soever coined by the sovereign of a commonwealth, is a sufficient measure of the value of all things else, between the subjects of that commonwealth. By the means of which measure, all commodities, movable and immovable, are made to accompany a man to all places of his resort... and the same passeth from man to man, within the commonwealth; and goes round about, nourishing, as it passeth, every part thereof...for natural blood is in like manner made of the fruits of the earth; and circulating, nourisheth by the way every member of the body of man." (pg. 188-189)

But the Leviathan controls politics of the country, and a lot of the foundations of the Leviathan can be seen in the structure of even today's society. The Leviathan controls the bureaucracy: Hobbes calls this the executive power (like the presidency). The role of the government was to air complaints (which resembles the legislative branch of government today), to resolve the conflict (which is represented by the judicial branch of government today), and then to change the system so that the problem never happens again (this is another role of the legislative branch of government).

It might seem as if this all-encompassing creature of government that Hobbes calls the Leviathan would be a creature that does not work under the concepts of "consent by the people." However, Thomas Hobbes would say that it would, because the people are the ones in the first place that create the government to rule over them. People, when they don't have laws governing them and don't have a solid ruler to enforce these laws, are free to do all things - and therefore there is a condition to fight, for people will always be trying to take a lot of power. "For the laws of nature, as justice, equity, modesty, mercy, and, in sum, doing to others, as we would be done to, of themselves, without the terror of some power, to cause them to be observed, are contrary to our natural passions, that carry us to partiality, pride, revenge, and the like. And covenants, without the sword, are but words, and of no strength to secure a man at all." (pg. 129)

There will always be a state of conflict, and therefore the people go into a contract where they give up some of their rights so that other rights (more important, more basic rights) are maintained. That is why the people want the government erected. "...If there be no power erected, or not great enough

for our security; every man will, and may lawfully rely on his own strength and art, for caution against all other men....Men are continually in competition for honor and dignity... amongst men, there are very many, that think themselves wiser, and abler to govern the public, better than the rest; and these strive to reform and innovate, one this way, another that way; and thereby bring it into distraction and civil war... man is then most troublesome, when he is most at ease: for it is then that he loves to eschew his wisdom, and control the actions of them that govern the commonwealth.....the agreement...by men is by covenant only, which is artificial: and therefore it is no wonder if there be somewhat else required, besides covenant, to make their agreement constant and lasting; which is a common power, to keep them in awe, and to direct their actions to the common benefit." (pg. 129-132)

This is an outline of the theory: the people give up a part of their power so that the Leviathan can have complete power. They give this power to the Leviathan, and this one man, because the people gave him all of this power, feels a great sense of honor (this is Hobbes' only use of the concept of humanism in any of his arguments). There is a trust with a sacrifice from the people, and the Leviathan will preserve the commonwealth of the people via creation of just laws and the installation of a police force. "For execution. Public ministers are also those, that have authority from the sovereign, to procure the execution of judgments given; to publish the sovereign's commands; to suppress tumults; to apprehend, and imprison malefactors; and other acts tending to the conservation of the peace. For every act they do by such authority, is the act of the commonwealth; and their service, answerable to that of the hands, in a body natural. " (pg. 183)

Therefore, if there is a conflict, the Leviathan is always right, because if competing groups are allowed to compete again over a problem, there will be another Civil War, which was something that Hobbes dreadfully feared. Hobbes felt that a tyranny was better than a large number of "mini-tyrants" that would try to kill each other.

Hobbes felt that the monarchy that he describes would be the best system of government for many reasons. There would be a unification of interests, a centralization of knowledge and opinion, and no time consumption because of debate (for if there were a need for debate, there would once again be the state of nature). It is good because the monarchy cannot disagree with itself, and it can do good as quickly as it can hurt, which is more difficult to do with an assembly. Even if the monarchy were at a time ruled by child, it would still be better than an assembly, for (a) an assembly often acts like a child, never getting things done, and (b) the rule of a child is better than being in a civil war.

The underlying concept of consent in Thomas Hobbes' model is that the consent lies in the original creation of the governmental structure and the consent of the people to let this one ruler rule over them. The whole group has the power to create the Leviathan, but once the Leviathan is created, no one person has power over him (pg. 140). The idea is that the people of a country, or the subjects, consent to the Leviathan and anything that he does because they created him in the first place. It is his creation that implies consent, and not the notion that the people consent to every little detail of government as it happens.

After the Civil War, Hobbes' The Leviathan came out. John Locke wrote in the 1680's, when the monarch lost some of its power. Parliament became a vehicle for more of the people ("people" at the time being upper-middle class men), and they had control over the monarch. Then they started to argue over who was able to run and operate what.

The two thinkers discussed the differences between what we know now as the "old" feudal system and their interpretation of how society should be established, organized and maintained. Before there were levels of rank; with their theories there was freedom of movement within the confines of laws for everyone. The freedom of movement that people could then experience could then be different, but all are considered just as free to the ruler.

Hobbes looked at the old feudal system and saw that there had to be a difference in the amounts of freedom that existed. He referred to people as individuals or subjects, which was different from the old system. Locke did the same thing, but he then asked what an individual is. That he felt could be understood by discussing what people are like in the state of nature.

Hobbes said, for example, that people were mean to each other because they knew that there were scarce resources. Locke said, on the other hand, that if everyone just took a little, took only what they needed, there would always be plenty of resources.

While Hobbes' concept of consent rested on the fact that it is only the creation of the government that implied consent, Locke contends that the idea of consent is used daily by the people of a nation when they voice their opinions about laws and the government takes their input and suits the government to their needs. This is where the two theories are drastically different.

Locke starts and bases his argument on the fact that everyone has the right to own land, and land is a basis for property for Locke. The labor that a person puts into a piece of land makes it their own property. Locke also concluded that if all people can own land, then they can all be represented in government (for at the time the only people that were allowed to vote were the people who owned land). This concept of all people having the right to

be represented in government (assumed in day-to-day life) is different from that of Hobbes.

Locke believes that people have reason, whereas Hobbes did not. (pg. 267-8) Locke felt that people act rationally, as well as does nature.

He also felt that politics had its own realm to work in: in other words, politics had its own space, and therefore there was a private sphere for the individual. When the government has no rules pertaining to a certain aspect of a person's life, the government cannot intrude. This is how people have space away from the government, and Hobbes felt that people did not necessarily have that right. "Political power then I take to be a right of making laws with penalties of death, and consequently all less penalties, for the regulating and preserving of property, and of employing the force of the community, in the execution of such laws, and in the defense of the commonwealth from foreign injury, and all this only for the public good." (pg. 268)

Locke felt that in the state of nature, equality (which is merely produced by reason amongst the people - pg. 271) and rationality and property would produce prosperity, and he felt that with the help of an appropriate government, this goal could be easy to achieve (pg. 269).

Where Locke disagrees with Hobbes dramatically is in the concept of the state of war. Locke does agree with Hobbes in the sense that the state of war is where people hurt each other, but Locke felt that the state of war is unnatural or irrational, and that the rational way is a peaceful, prosperous way. Locke also disagrees with Hobbes by stating that the state of war is an exceptional case and not a normal one.

Locke felt, therefore, that society is constructed in order to preserve that "natural" sort of life, without the fear of the exceptional case of war looming. Society is created rationally through the concept of self-preservation, and the government is created through and by consent. "To avoid this state of war... is one of great reason of mens putting themselves into society, and quitting the state of nature. For where there is an authority, a power on earth, from which relief can be had by appeal, there the continuance of the state of war is excluded, and the controversie(sic) is decided by that power." (pg. 282)

The concept of the state of war, and the differences between it and the state of nature, are the main reasons that people decide to enter into a society. "And here we have the plain difference between the state of nature, and the state of war, which however some men have confounded, are as far distant, as a state of peace, good will, mutual assistance, and preservation, and a state of enmity, malice, violence, and mutual destruction are from one another. Men living together according to reason, without a common superior on earth, with authority to judge between them, is properly the state of nature. But force, or a declared sign of force upon the person of another, where there

is no common superior on earth to appeal to for relief, is the state of war." (pg. 280)

Locke looks at other power structures (first the individual, and then the family) in order to come to a better understanding of the appropriate power structure, in his opinion, of government. He looks at equality and finds that there should be an equality between people within the political boundaries of law (political or civil society, as he calls it). Then he looks at citizenship, and finds that there are two components to it: consent, and the progression of rationality. Within the state, this is shown as consent to be in the state, for a person can always move to another country if they don't want to consent to living within that country.

Then he goes over the concept of consent, or the ability to agree, which is a rational choice for Locke. As a person gets more rational (as they grow up), one uses consent instead of force in order to decide to stay or go (this can be seen in the idea of a family as well as Lock's idea of the state). And this is how the concept of a government by contract is validated, for consent is how the state is made. People agree to a contract with the government. The acts that the government then continue to do are by the consent of the people (as opposed to Hobbes, who states that the Leviathan is brought into power because of consent, but then stays in power no matter what people say), and they continue to be acts by the consent of the people.

There are different ways to consent to be a part of society. One is an explicit consent (which is the type of consent that builds a society in the first place). It is the kind of consent where people actively consent to or oppose something within the society. The other type of consent is an implied (or tacit) consent (which is the type of consent that is necessary in order to maintain the society). It is a more passive consent: if a person is enjoying the benefits of society and they're not actively going against parts of the society, then that person's consent is implied.

Consent is merely support to Locke. Consent to him doesn't mean that a person is active or that a person isn't frustrated with their society. As long as the person is there (not leaving the society) and as long as they are not acting against the society, those people consent to the society.

Communication in the modern sense, according to Locke, becomes very necessary because government and the people need free consent from informed men. Therefore it is necessary to communicate on a mass scale with the people so that they become informed and are able to communicate their views back to government. This was therefore done with newsprint, so that there would be an unbiased source for information that would be faster than word of mouth.

Because the people consent to the government so that it will maintain

the basic rights of freedom, prosperity, property and movement, the government must have a set of functions to achieve these goals. These are to make common law (one law for all people which preserves the objectives of the society, an idea which resembles the legislative branch of government), to have unbiased judges who follow and uphold the law (through their judgments, an idea which is representative of the judicial branch of government today), and to enforce and uphold those laws (and uphold the peace via things like the police force, an idea which can be considered the role of the executive as well as the judicial branch of government today). All of these functions that the government do are to preserve the consent of the people. If the government doesn't do some or any of these things, the people have the grounds to complain, or to possibly change the government.

It can therefore be seen that a majority is necessary in an opinion in order for anything to get done within the government, because the government needs that feedback from members of the society. This is yet another way in which the theories of Locke and Hobbes are different.

As opposed to Hobbes, which felt that the Leviathan was supreme once it was created, Locke felt that the people still controlled the government. The legislature cannot be arbitrary, for it has to respond to the people (para. 135). The legislature is separated from the judicial branch, because it would seem to be impossible to judge a law that you created unbiasedly (para. 136). The government cannot arbitrarily take property, because its function is to preserve the people's property (para. 138). Because the power that is given to the legislature is given to them on a basis of trust and not of fact, the legislature cannot transfer its power - only the people can (para. 141, page 362). The legislature could not change itself, for that power was within the power of the people. Only the people's representatives could make laws for them, and the people only have to follow the laws that their representatives make for them. Therefore, communication is essential, because the people have to talk to their representatives, and the feedback that they get from their government is through a change in the law.

With Hobbes' theory, the only communication that is necessary is the communication of the laws that the Leviathan decided on, so that the people knew what they could and could not do.

Neither of the two authors believed that active consent was necessary in order to have consent for a government to continue to operate. Locke believed that an active consent was necessary for the creation of a society and its government, and that implied consent was necessary for the maintenance for a society and its government. This is because Locke's concept of government entailed the fact that it was not supreme: because it was not, it depended on the consent of the people in order for it to continue to work effective-

ly. Hobbes, on the other hand, only believed that the active consent was necessary in order to form the society and its government; the tacit consent was not necessary in order for the government to continue to operate, for the government that the people created was supreme and consequently did not need the consent of the people.

The communications, therefore, are very different between the two theorists. Hobbes believed that mass communications was only necessary in order to let the people know about the changes in the laws that the Leviathan, or the supreme power, decided on. Locke needed that mass communication, but only as the feedback for the fact that the people told government what they needed and wanted, and the government catered to their requests via laws, and informed them of this through the printed medium.



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