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Distribution of Power and a Political Change in David Hume's Political Theory

Summary: In this paper I would like to present an interpretation of David Hume's political theory. Therefore, a method of investigation can be recognized as hermeneutical one. Main threads which I would like to emphasize are: concept of stability, distribution of power, role of an opinion in political dimension and a conservative attitude toward a change. I claim that important lesson for political science can be taken from his theory. Generally speaking, this lesson consists in refusing the so-called political regime fetishism and focusing on the relevant issues of social stability. These issues are strictly determined by the opinions, hence the proper subject-matter of political science is identified with them. As one of the conclusions I propose a thesis that politics is, and ought only to be slave of opinions, what is an allusion to a famous sentence from *A Treatise of Human Nature* that the reason is, and ought only to be the slave of the passions.

Keywords: David Hume, political theory, stability, distribution of power, political regime, change, rationality

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1. Introduction

The Humean attitude toward political and social affairs is quite unusual. There are many reasons to support this thesis, such as the fact that he wrote his works before the French Revolution – the time when the traditional dichotomy between the right and left wing was shaped. Moreover, he is recognized as a critic of the contractarian position, as well as the positions related to transcendence. Both of them are wrong answers to the question of the justification of political order. Tomasz Tulejski highlights this perplexity by the title of his book about Hume's political philosophy – *Conservatism without God* (2009). It is hard to classify this Scottish thinker because of his unique scientific approach. The main subject-matter of his political theory is a stable government and conditions for stability thereof. He complains of transcendence, as well as contractarianism because of their inclination toward rebellion and to the unstable government. We can always withdraw our consent to the social contract, but the transcendent legitimation of power belongs to the sphere of imponderables. It can push people to the horror of civil war, as it is exemplified by the history of England. By employing a perspective of the religion one can undermine every form of political order. Therefore, David Hume is a supporter of evolutionary conservatism based on the conviction that the time is the best source of legitimation to exercise political power. In this sense we should recognize him as a pioneer of the particular type of conservatism which has appeared in Anglo-Saxon world and it thrives till these day. Its main background consists in an attitude toward social issues which can be characterized by the assertion that all social values emerge from the social practices. In this place conservatism meets skepticism and the manifestations thereof can be observed within the landscape of contemporary political thought with the examples such as: L. Wittgenstein, M. Oakeshott, F.A. von Hayek, et al.

In this paper I employ the Humean perspective to examine the case of political change, distribution of power and stability as a social value. The important preliminary remark is that if we assume as an essence of stability a reaction toward a change and this change

is implemented through a social practice which can provide social stability, then in Hume's political theory we can find important tension between constitution of community and political regime.

2. Characteristic of an Approach

David Hume had very clearly elaborated the crucial questions for political sciences. In his essay *That Politics may be Reduced to a Science* we can read that: „It is a question with several, whether there be any essential difference between one form of government and another? And, whether every form may not become good or bad, according as it is well or ill administrated? Where it once admitted, that all governments are alike, and that only difference consist in the character and conduct of governors, most political disputes would be at an end, and all Zeal for one constitution above another, must be esteemed mere bigotry and folly” (Hume, 1987, pp. 14–15). These words incline to define his attitude as a very skeptical due to the idea that a political regime is a most important object within the social life frame. He of course gives an interesting answer to the mentioned questions. Let us just enumerate some worthwhile observations:

- All absolute governments must very much depend on the administration (Hume, 1987, pp. 15–16).
- Even the best project of political regime cannot provide good government if there will be no people with good attitude toward public issues (Hume, 1987, pp. 15–16).
- There are two types of monarchical regime: centralized and decentralized (Hume, 1987, pp. 22).
- The provinces of absolute monarchies are always better treated than those of free states (Hume, 1987, p. 21)
- On nobility: “Either every nobleman shares the power as part of the whole body [e. g. Venetian aristocracy], or whole body enjoys the power as composed of parts, which have each a distinct power and authority [e. g. Polish aristocracy]” (Hume, 1987, pp. 16–17).

In each mentioned assertion Hume emphasized the role of administration in politics. This element is so important because administration is a main tool prepared for struggling with a change and the change is the main subject-matter of politics. So, the author of *A Treatise of Human Nature* shows quite clearly that the stability – which is a significant social value – is supposed to concern not the shape of political regime but the capabilities of a particular administration to maintain social order. Political power is justified as far as it can secure this order.

As a conclusion of his investigations Hume proposes an axiom: „It may therefore be pronounced as an universal axiom in politics, *That on hereditary prince, a nobility without vassals, and a people voting by their representatives, form the best Monarchy, Aristocracy, and Democracy*” (Hume, 1987, p. 18). In this sentence we can observe that the Scottish philosopher tries to avoid unqualified claims. He would never say that some regime is the best one. Instead, he was searching for some relations between different kinds of political solutions. We can sum up this thread by establishing that Hume is an opponent of *political regime fetishism* – he would not argue for any particular regime. Moreover, insisting on a particular regime might be probably harmful for social stability.

3. The Distribution of Power

According to such an assumption, the most important question should concern the distribution of power rather than the idea of political regime. Principles of the distribution are the true matter of social life and its political dimension. We would not err if we would point out some link between the distribution of power principles and the conditions of stability. The rudimentary principle of distribution was a pure force because monarchs are successors of military leaders. Hume claims that in each case of political power there must be opinions which support this power. I examine this idea in the forthcoming parts, but first we should focus on the legitimacy of power.

David Hume in few places of his texts makes some allusions to James Harrington's political theory (Hume, 1987, pp. 33–35; 47–49; 512–529). This confrontation of two standpoints is very fruitful for investigations on the concept of stability. The question about the principle of distribution of power has a fundamental significance for a political theory as such. The dilemma about source of political power bears some semblance to the *chicken or the egg* problem. James Harrington tries to justify political power by means of the possession of land. In his *A System of Politics* we can find the following definitions of political regimes. He claims that monarchy is the regime in which one person owns two thirds of the entire land which gives him definite advantage; an aristocracy is the regime within which a few persons have an $\frac{2}{3}$ of all lands; democracy is the regime where $\frac{2}{3}$ is owned by many people (Harrington, 1992, pp. 269–293). Harrington introduced a concept of *suprastructure* for describing political reality in which the shape of political regime is determined by the possession of land. Political stability is strongly related to a proportion in the possession of land. It means that corrupted regimes are identified by the discrepancy in possession the land and the exercise the power. The degeneration of political regime occurs when a person claims power without owning enough portion of land, which would be tantamount to tyranny. By analogy, we can conceptualize (in terms of land ownership) oligarchy and anarchy. So, the conclusion is that stability of political regime depends on the factual state of ownership. Hence the cause of political change is located in controlling the land – here we can find the principle for the distribution of power. The crucial concept which will be investigated by Hume is a concept of a *balance of property*.

In David Hume's vision of politics it cannot be true. To support his thesis he took some empirical examples. "A Government may endure for several ages, though the balance of power, and the balance of property do not coincide. This chiefly happens, where any rank or order of the state has acquired a large share in property; but from the original constitution of the government, has no share in the power. [...] But where the original constitution allows any share of power, though small, to an order of men, who possess a large share of

the property, it is easy for them gradually to stretch their authority, and bring the balance of power to coincide with that of property. This has been the case with house of commons in England” (Hume, 1987, p. 35). Hence, the proper principle of power is identified with the *original constitution of government*. We should not associate this idea with rigid rules of written constitution (Mazner, 1996). The original constitution is something prior to a social institution and valid law. Therefore, distribution of power is determined by the set of rules and principles coined by customs of community. These customs are parallel to social practices in which people participate in their daily life. Crucial elements of such life are opinions, common knowledge and experience. Now we can see this clear as day that Hume and Harrington presented two different visions of distribution of power and different ideas of stability. Hume would argue that opinions about legitimate power are primary elements of politics, whereas Harrington would defend the assertion that the factual possession of land determines legitimate power. We have to admit that the Humean view provides the broader scope because it may contain some threads used by Harrington. The Scottish philosopher observes that even if the possession of land is not a final criterion, we still have to bear in mind that an opinion about such possession is a very important element for investigating legitimate power. He articulates that in the following excerpt: “A noted author has made property the foundation of all government; and most of our political writers seem inclined to follow him in particular. This is carrying the matter to far; but still it must be owned, that the opinion of right to property has a great influence in this subject” (Hume, 1987, p. 34). Now let us take a closer look at a concept of an opinion in Hume’s political theory.

4. The Idea of Social Practice and the Role of Opinions

An opinion is supposed to be regarded as the source of many social and political phenomena but what is the source of opinion? We can figure out that at this point two lines of Hume's thought had met. He is recognized as a thinker who concluded that nothing but emotions is our medium of cognition. Hence, in morality-related issues, emotions speak louder than reason. This emotivism is parallel to Hume's attitude within political sciences. The idea that opinions are prior to all other social elements should also count as a skeptical approach. The important observation is that a social opinion – its structure and its genesis – is non-rational. We have no idea where our opinions come from. In this sense, a majority of opinions are free from reflection.

Political power has to rely on something prior to obligations and on the allegiance of citizens. This element should be recognized as an opinion. In one of Hume's popular essays we read that: "Opinion is of two kinds, to wit, opinion of interest, and opinion of right. By opinion of interest I chiefly understand the sense of the general advantage which is reaped from government; together with the persuasion, that the particular government, which is established, is equally advantageous with any other that could easily be settled. When this opinion prevails among the generality of a state, or among those who have the force in their hands, it gives great security to any government. Right is of two kinds, right to power, and right to property" (Hume, 1987, p. 33). Opinions about these fundamental issues are the most significant factors in the case of the distribution of power. At first glance it looks quite unfamiliar – does the foundation of our social life really reduce to such a weak and non-rational entity as an opinion? Friedrich von Hayek suggests that citizens should bear in their minds that authority consists merely in opinions. He tries to argue that this is the reason why we should be skeptical about political power and competences of the government: "So long as the legislator satisfies the expectation that what he resolves will possess those attributes, he will be free so far as the particular contents of

its resolutions are concerned, and will in this sense be *sovereign*. But the allegiance on which this sovereignty rests depends on the sovereign's satisfying certain expectations concerning the general character of those rules, and will vanish when this expectation is disappointed. In this sense all power rest on, and is limited by, opinion, as was most clearly seen by David Hume" (von Hayek, 1973, p. 92). At this moment we should notice that an opinion, as a political concept, should not be disregarded. This state of affairs looks as follows: a social opinion is not just a weak element of political life – this is the only true element which we can deal with and the same applies to emotions in our cognitive competences. How big is the significance of this assertion in the context of political science? If we establish that the idea of stability is a main subject-matter of political science, then we are supposed to focus on a specific kind of stability. It will be no longer the stability of political regime but rather social stability backed by social practices and social opinions. There is no room for rational project of political science which can construct a political order in a top-down fashion. Now, the main task of political science is forming and transforming a fundamental opinion about legitimate power, public interest, justice etc.

Hume lists some factors which shape a right to power (Hume, 2011, pp. 482–487):

- long possession of power,
- present possession of power,
- conquest,
- succession,
- positive laws, that regulate who should hold power.

These factors influence the original set of opinions within community. Things which are recognized as right and just make up the original constitution, which determines political order. Hume rejects the popular idea of *ancient constitution*, as well as the idea of constitution which can be imposed on political community from outside. Constitution in his view emerges in a bottom-up fashion – it means that a constitution consists in an aggregate of elements which constitutes community. This view is very far from the modern idea of written constitution. This raises the question of what we can

expect in political dimension of our life and how should we struggle with a political change? And to pose the further question – what is the solution for the stability problem?

5. Political Change and the Quest for Atability

The most important rule in the context of law is its temporal dimension. Good law is identified with law based on long-term aims. Legislators should provide a system of rules which go beyond the present reality. Public administration is supposed to abide by the law and the worst solutions are based on the *ad hoc* attitude. As Hume says: „Legislators, therefore, ought not to trust the future government of a state entirely to Chance, but ought to provide a system of laws to regulate the administration of public affairs to the latest posterity. Effects will always correspond to causes; and wise regulations in any commonwealth are the most valuable legacy that can be left to future ages” (Hume, 1987, p. 24). It is worth noticing that this thread has interestingly unfolded in contemporary political philosophy, especially in Michael Oakeshott’s idea of *nomocracy* and *teleocracy* (Oakeshott, 2006) and von Hayek’s theory of legislation (von Hayek 1973). The main role of this kind of law is imposing constraints on government. On constitution, understood as a set of written rules, Hume writes as follows: “A constitution is only so far good, as it provides a remedy against mal-administration” (Hume, 1987, p. 29). But why is this so important task? We claim that administration is a part of government which is designed for struggling with a change. Administration which would be eager to incline to any change will be a threat to the social stability. Hence, the ideal of limited government consists in government which is bound by the law and the scope of its activities is narrow and limited by the rules and customs. We can call this attitude as a traditional view on political power but only if we would use the term of tradition in the modest meaning. In this sense tradition should be understood as kind of knowledge gained by the social practices, customs, and trial and error method. In this approach the time is the ultimate test of political solutions. Hume

writes about this issues very clearly in an essay *Of the Original Contract*: “But as human society is in perpetual flux, one man every hour going out of the world, another coming into it, it is necessary, in order to preserve stability in government, that the new brood should conform themselves to the established constitution, and nearly follow the path which their fathers, treading in the footsteps of theirs, had marked out to them. Some innovations must necessarily have place in every human institution, and it is happy where the enlightened genius of the age give these a direction to the side of reason, liberty, and justice: but violent innovations no individual is entitled to make [...]” (Hume, 1987, pp. 476–477). Now we can put this as a part of our main conclusion: dealing with a change is the main subject matter of politics. If so, then maintaining a political order is the crucial role of sovereign power. These actions can be summed up within the political science under the concept of stability. In the Humean view, we can reach this ideal without referring to any rational project or artificial construction. According to this approach, there is primary social knowledge which cannot be controlled and directed by anyone. This knowledge manifests itself in opinions which should be recognized as the proper source of the principles of distribution of power. It works on both sides, because opinions influence authority and authority exerts influence upon people. As Hume observes: “Obedience or subjection becomes so familiar, that most men never make any enquiry about its origin or cause, more than about the principle of gravity, resistance or the most universal laws of nature” (Hume, 1987, p. 470). Allegiance is useful for citizens, as well as for government. The main indicator of good social order is the stability thereof.

The idea of stability is supported by institutions the salient feature of which is persistence. The duration of social institution goes beyond the time of a generation. They provide a transmission of knowledge between people from the past, present and future. What is important at this point, this view reaches beyond an individual perspective. As Knud Haakonssen says: “Since opinions are formed by experience, we can only have empirically well-founded opinions about who is doing what in society if there is a certain regularity of

behaviour. The message of Hume's theory concerning the basic features of society is that such regularity cannot come from individual minds and wills alone; it depends on something outside the individual, namely, regular or rule-bound institutions that can guide our behaviour and consequently our expectations of each other. If such institutions, once acquired, are lightly given up, we lose habit and regularity; we lose, that is, the most important means of orienting ourselves to others. Consequently we cannot know what we ourselves may do with success, and we will have lost our most elementary freedom. This is the rationale for the enormous emphasis Hume placed on institutional stability" (Haakonssen, 2009, p. 357). This stability is strictly connected with the concept of justice. We can distinguish two perspectives of stability: the stability of what those in authority do and the stability of whom they are (Haakonssen, 2009, p. 358). The former is related to ruling and managing justice-related cases and the latter concerns distribution of power. We had put some evidence earlier that stability in the context of distribution of power consists mainly in the struggling with a change but this is true also in the case of stability of political practise. The main task of justice is to provide stability and certainty in forecasting social actions. It means that all actions of government are supposed to be based on legal principles and law which has a public character and each citizen can be acquainted with it. Hence, the main institutions, of justice are property and contract. The stable government should be competent to define such legal terms as: right, property, succession, contract, delict etc.

In all the mentioned cases Hume tries to make a political change more fluent and able to be anticipated. We had intended to present Hume's political theory as comprehensive investigation of the question of stability. The uniqueness of this view should be underlined once again. While majority of political theorists turn their attention to the bargaining for the best political regime, Hume replaced this issues by the stability problem. He is quite controversial when he shows that absolute monarchies such as, say, France might be under some conditions able to adopt rule of law and to serve public good and free governments such as, say, Britain can tend to anarchy and

undermine the public interest (Haakonssen, 2009, p. 362). Hence, decision about political solutions should be given due social interest which manifests itself in social stability. Echoes of this case can be heard in contemporary controversies about the so-called problem of stability in Rawls-Hart debate, in which Hart asks why democratic choice of authoritarianism should be forbidden? (Hart, 1972). We can guess that Hume would allow sovereign society to make such a choice.

In this light political issues seem more reasonable and pragmatic. We can read about proper attitude toward political affairs in the following lines: “It is well known, that every government must come to a period, and that death is unavoidable to the political as well as to the animal body. But as one kind of death may be preferable to another, or may be enquired, whether it be more desirable for the British constitution terminate in a popular government, or in absolute monarchy? [...] Thus, if we have reason to be more jealous of monarchy, because the danger is more imminent form that quarter; we have also reason to be more jealous of popular government, because that danger is more terrible. This may teach us a lesson of moderation in all our political controversies” (Hume, 1987, pp. 51–52). This lesson of moderation should be assumed as the basis for reasonable political sciences. We would call this science of investigations on politics without any dogmas.

6. Conclusion

The crucial issue for political science is not an investigation about the best political regime but the factors of stability which should be recognized as the most efficient reaction toward change. This change shapes common opinions and politics supposed to be associated with the art of considering these opinions. Society is directed by passions and emotions and a realist political attitude consists in managing this area. Directing society by means of pure reason would by a construction of quasi-transcendence provenance constitute a rather unstable construction. Hume teaches us that distribution

of power according to opinions, and not according with reason, can bring about social stability. In the famous passage of *A Treatise of Human Nature* we read that: “Thus it appears, that the principle, which opposes our passion, cannot be the same with reason, and is only called so in improper sense. We speak not strictly and philosophically when we talk of the combat of passion and reason. Reason is, and ought only to be the slave of the passions, and can never pretend to any other office than to serve and obey them” (Hume, 2011, p. 360). If we borrowed this phrase from Hume, we could say that politics is, and ought only to be a slave of opinions. In this sense there is no room for omnipotent government and Hume should be recognized as a supporter of limited government and civil liberties but not necessarily understood as individual liberties.

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Dystrybucja władzy i zmiana polityczna w teorii polityki Davida Hume'a

Streszczenie: W tekście prezentuję interpretację teorii polityki autorstwa Davida Hume'a. Stąd metodę dociekań można określić jako hermeneutyczną. Główne wątki, które podkreślam w toku wywodu to: pojęcie stabilności, dystrybucja władzy, rola opinii w wymiarze politycznym i konserwatywna postawa wobec zmiany. Twierdzę, że z teorii Hume'a można wyciągnąć ważną lekcję dla nauk o polityce. Ogólnie rzecz biorąc, lekcja ta polega na odrzuceniu tak zwanego *fetyszyzmu ustroju politycznego* i skupieniu się na relewantnych sprawach związanych ze stabilnością społeczną. Kwestie te są ściśle determinowane przez opinie, stąd właściwym przedmiotem nauk o polityce powinny być właśnie one. Jako jeden z wniosków proponuję twierdzenie, że polityka jest, i powinna być tylko niewolnikiem opinii, co stanowi aluzję do słynnego zdania z *Traktatu o naturze ludzkiej*, że rozum jest, i powinien być tylko niewolnikiem emocji.

Słowa kluczowe: David Hume, teoria polityki, stabilność, dystrybucja władzy, reżim polityczny, zmiana, racjonalność