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David Hume, "Of the Origin of Government"

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ESSAY V. OF THE ORIGIN OF GOVERNMENT

Man, born in a family, is compelled to maintain society, from necessity, from natural inclination, and from habit. The same creature, in his farther progress, is engaged to establish political society, in order to administer justice; without which there can be no peace among them, nor safety, nor mutual intercourse. We are, therefore, to look upon all the vast apparatus of our government, as having ultimately no other object or purpose but the distribution of justice, or, in other words, the support of the twelve judges. Kings and parliaments, fleets and armies, officers of the court and revenue, ambassadors, ministers, and privy-counsellors, are all subordinate in their end to this part of administration. Even the clergy, as their duty leads them to inculcate morality, may justly be thought, so far as regards this world, to have no other useful object of their institution.

All men are sensible of the necessity of justice to maintain peace and order; and all men are sensible of the necessity of peace and order for the maintenance of society. Yet, notwithstanding this strong and obvious necessity, such is the frailty or perverseness of our nature! it is impossible to keep men, faithfully and unerringly, in the paths of justice. Some extraordinary circumstances may happen, in which a man finds his interests to be more promoted by fraud or rapine, than hurt by the breach which his injustice makes in the social union. But much more frequently, he is seduced from his great and important, but distant interests, by the allurement of present, though often very frivolous temptations. This great weakness is incurable in human nature.

Men must, therefore, endeavour to palliate what they cannot cure. They must institute some persons, under the appellation of magistrates, whose peculiar office it is, to point out the decrees of equity, to punish transgressors, to correct fraud and violence, and to oblige men, however reluctant, to consult their own real and permanent interests. In a word, Obedience is a new duty which must be invented to support that of Justice; and the tyes of equity must be corroborated by those of allegiance.

But still, viewing matters in an abstract light, it may be thought, that nothing is gained by this alliance, and that the factitious duty of obedience, from its very nature, lays as feeble a hold of the human mind, as the primitive and natural duty of justice. Peculiar interests and present temptations may overcome the one as well as the other. They are equally exposed to the same inconvenience. And the man, who is inclined to be a bad neighbour, must be led by the same motives, well or ill understood, to be a bad citizen and subject. Not to mention, that the magistrate himself may often be negligent, or partial, or unjust in his administration.

Experience, however, proves, that there is a great difference between the cases. Order in society, we find, is much better maintained by means of government; and our duty to the magistrate is more strictly guarded by the principles of human nature, than our duty to our fellow-citizens. The love of dominion is so strong in the breast of man, that many, not only submit to, but court all the dangers, and fatigues, and cares of government; and men, once raised to that station, though often led astray by private passions, find, in ordinary cases, a visible interest in the impartial administration of justice. The persons, who first attain this distinction by the consent, tacit or express, of the people, must be endowed with superior personal qualities of valour, force, integrity, or prudence, which command respect and confidence: and after government is established, a regard to birth, rank, and station has a mighty influence over men, and enforces the decrees of the magistrate. The prince or leader exclaims against every disorder, which disturbs his society. He summons all his partizans and all men of probity° to aid him in correcting and redressing it: and he is readily followed by all indifferent persons in the execution of his office. He soon acquires the power of rewarding these services; and in the progress of society, he establishes subordinate ministers and often a military force, who find an immediate and a visible interest, in supporting his authority. Habit soon consolidates what other principles of human nature had imperfectly founded; and men, once accustomed to obedience, never think of departing from that path, in which they and their ancestors have constantly trod, and to which they are confined by so many urgent and visible motives.

But though this progress of human affairs may appear certain and inevitable, and though the support which allegiance brings to justice, be founded on obvious principles of human nature, it cannot be expected that men should beforehand be able to discover them, or foresee their operation. Government commences more casually and more imperfectly. It is probable, that the first ascendant of one man over multitudes begun during a state of war; where the superiority of courage and of genius discovers itself most visibly, where unanimity and concert are most requisite, and where the pernicious effects of disorder are most sensibly felt. The long continuance of that state, an incident common among savage tribes, enured the people to submission; and if the chieftain possessed as much equity as prudence and valour, he became, even during peace, the arbiter of all differences, and could gradually, by a mixture of force and consent, establish his authority. The benefit sensibly felt from his influence, made it be cherished by the people, at least by the peaceable and well disposed among them; and if his son enjoyed the same good qualities, government advanced the sooner to maturity and perfection; but was still in a feeble state, till the farther progress of improvement procured the magistrate a revenue, and enabled him to bestow rewards on the several instruments of his administration, and to inflict punishments on the refractory and disobedient. Before that period, each exertion of his influence must have been particular, and founded on the peculiar circumstances of the case. After it, submission was no longer a matter of choice in the bulk of the community, but was rigorously exacted by the authority of the supreme magistrate.

In all governments, there is a perpetual intestine struggle, open or secret, between Authority and Liberty; and neither of them can ever absolutely prevail in the contest. A great sacrifice of liberty must necessarily be made in every government; yet even the authority, which confines liberty, can never, and perhaps ought never, in any constitution, to become quite entire and uncontroulable. The sultan is master of the life and fortune of any individual; but will not be permitted to impose new taxes on his subjects: a French monarch can impose taxes at pleasure; but would find it dangerous to attempt the lives and fortunes of individuals. Religion also, in most countries, is commonly found to be a very intractable principle; and other principles or prejudices frequently resist all the authority of the civil magistrate; whose power, being founded on opinion, can never subvert other opinions, equally rooted with that of his title to dominion. The government, which, in common appellation, receives the appellation of free, is that which admits of a partition of power among several members, whose united authority is no less, or is commonly greater than that of any monarch; but who, in the usual course of administration, must act by general and equal laws, that are previously known to all the members and to all their subjects. In this sense, it must be owned, that liberty is the perfection of civil society; but still authority must be acknowledged essential to its very existence: and in those contests, which so often take place between the one and the other, the latter may, on that account, challenge the preference.

Unless perhaps one may say (and it may be said with some reason) that a circumstance, which is essential to the existence of civil society, must always support itself, and needs be guarded with less jealousy, than one that contributes only to its perfection, which the indolence of men is so apt to neglect, or their ignorance to overlook.

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