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The Political Order

*If Liberty and Equality, as is thought by some, are chiefly to be found in democracy, they will be best attained when all persons alike share in the government to the utmost.**

THE MORAL CONTEXT

The words “government, politics, and economics” are often regarded as foreign to or at least at the very edge of the study of morality. For many people these three things seem abstract, impersonal, and “out there,” removed from the kinds of moral decisions we normally associate with ethics. All three seem so large and so immune to change by individual moral decisions that we take them for granted, part of the “givens” with which we work when we do ethics.

In the next two chapters we will see that despite their tendency to overwhelm us with their enormity and complexity, all three aspects of living together have a moral foundation and must be evaluated by moral norms. Essentially, government (or the state), politics, and economics have to do with the relations of persons living together in some kind of social order. Government ensures the order of the relationship and carries out the decisions of the community regarding its welfare, defense, and the adjustment of the interests of the various subgroups within it. Politics is the process by which these decisions are reached and implemented. Economics is the process by which the community produces and distributes the material goods necessary for its welfare.

Because there are many different ways to create and maintain social order, to come to and implement social decisions, and to produce and distribute material goods, there are moral choices that any society has to make about each of these areas of human action. Many of our everyday moral choices are made within the context of given political, governmental,

*Aristotle, *Politics*, Book IV, *The Pocket Aristotle*, trans. W. D. Ross (New York: Pocket Books, 1958), pp 32–321

and economic structures and presuppose their implicit values. However, on occasion, people are faced with moral choices relating directly to the very foundations of governmental or economic systems. Most of us, for instance, simply assume the rightness of democracy as the governmental system within which to act. Some people, however, choose alternative forms of government such as socialism or libertarianism. Therefore, it is important for any student of morality to know and to reaffirm if necessary why he or she accepts a particular form of government or a particular economic arrangement.

Moral choices relating to political decisions are based on the principle that a political order, as an arrangement of persons and resources, must reflect some understanding of justice.

In considering a political order we are focusing primarily upon the social arrangements (laws and institutions) by which a community governs itself. Justice is the moral concern for how these arrangements balance the right of the individual to make choices for him/herself against the need for the society to place limits on individual liberty in order to ensure that peace, order, and social responsibilities are maintained and met. The weight given to social constraint as opposed to individual freedom will differ according to different social philosophies. But in a representative democracy, which will be our primary object of attention in this chapter, justice means that a moral evaluation of political decisions must take into account not only their effect upon the individual but also their effect upon the laws and institutions designed to restrain individual behavior (e.g., judicial or penal) or to meet social obligations which individuals alone cannot meet (e.g., welfare or defense).

In order to implement a concern for justice, it is necessary to know how the political system within which one must act works in practice. In this chapter an overview of areas of concern primarily within representative democracy will be given. Specific issues, such as racial justice, resort to war, dissent, freedom of expression, and ecological responsibility, will be discussed in separate chapters. This chapter will focus upon the social and political context within which these particular issues occur.

We will begin by setting forth some political philosophies regarding the function and limits of the state. We will then examine the generally agreed on obligations of any government, the legal process by which those obligations are carried out, the way a social order gets the money it needs to meet its obligations, and, finally, the way it elects persons who will determine its policies and the means to implement them.

The Functions of Government

The functions of government are many. Whether human beings are inherently fulfilled by living in community with each other (as we have main-

tained) or simply have to adopt social behavior because they are forced to live together by circumstances, persons do inevitably come together into groups. Some groups represent the narrow interests of their members; other groups represent broader, more diverse interests. Ultimately, the interests of individuals and the various groups to which they belong must be harmonized so that the peaceful pursuit of all interests is made as effective as possible. Providing the order and peace that makes the harmony of interests possible is one of the most important roles for the state. This means that it must be recognized by all members of the community as the overriding authority that determines what is legally acceptable behavior on the part of member groups and individuals. The exercise of power to compel or restrain behavior is one of the most important functions of any government.

In modern society, the instrument through which the government exercises its power is the law. Laws require us to do some things (like pay our taxes) and prohibit us from doing other things (like stealing). The power of the law is the power of compulsion, and the state has the effective means (and must be recognized as such) of enforcing the power of the law. The state, through the law, *coerces* behavior by threatening consequences for a violation of the law that offset the rewards anticipated through breaking the law. If the threat does not keep me from breaking the law, the state will punish me such that it is to my advantage not to break laws.

Groups within society will, of course, have their own internal rules and laws. However, for the state to work, the laws of any group must receive ultimate sanction from the state, and the state must be acknowledged to have the power to overrule or annul any secondary law. The function of government as the coercer of action and the sanctioner of law presupposes that persons will not always act for the benefit of others. As persons act out of self-interest, some regulating device, with power to enforce its decisions, is necessary to adjust and harmonize the various self-interests. This device is the state.

The Limits of Governmental Power

Most theories of government would accept the principles just outlined. However, significant disagreement occurs over how far or to what extent the power of law, coercion, and regulation should go. Some have argued that the role of the state is essentially repressive. The state should be limited to those acts of prohibition that keep people from interfering in the pursuits of others. We have seen such a theory in the moral philosophy of Thomas Hobbes. The state is a necessary evil that exists because of the conflict between competing self-interests. Its role is to keep the damage from such conflict to a minimum and to forbid individuals and groups from violating the rights of others. One assumption on which this position rests

is that if individuals are free to pursue their own self-interests, they are more likely to know what is in their best interest than is a sovereign body ruling over them. Some have even argued that the power of the state should be limited to prohibiting fraud or deceit and punishing the violation of contracts. All other decisions and acts should be left to free individuals and the groups that represent their particular interests. Generally, the position just outlined is known as the *laissez-faire* (to allow to do) doctrine, and it has been the foundation of much of the rhetorical support (if not the substance) of government in this country.

In practice, *laissez-faire* has received substantial modification primarily because of the influence of an alternative view of the function of government. This view holds that in addition to sanctioning legal obligations, the state has the responsibility for ensuring the welfare of its members, particularly those who are unable to provide for their own. This position, sometimes known as the theory of the welfare state, maintains that the power of the state must be used to promote the welfare of the community as a whole and to protect those members of it too powerless to protect themselves. The state, it is argued, must (for example) provide for the medical needs of those who cannot save enough money to pay for medical care themselves. The provision of a common education to all citizens must be the responsibility of the state, to use another example, because private agencies cannot be counted on to make the same education available to everyone at a price they can afford.

At this level of disagreement, it may be hard to see the practical implications of adopting one or the other of the alternative understandings of the state. In order to see those implications, we need to raise some more basic questions. What is the view of human relationship assumed by each one? How does each position handle the issue of justice? These are the essential questions for moral evaluation.

Fellowship or Individualism?

Those who argue for a minimal interference by the state in the affairs of the individuals and groups that comprise the society generally assume that the relationship between persons is incidental to their primary goal, which is the pursuit of self-interest. Friendship and group solidarity may be important but primarily as ways of enhancing the interests of the individual or of the group itself. Justice, therefore, is the adoption of principles that will protect persons in their drive toward the fulfillment of their desires. A key assumption here is that as some are successful in pursuing their interests, others will fail. Those who achieve success do so primarily because of their greater skill, intelligence, and ambition. Those who fail do so because of their lack of ambition, skill, and intelligence. It thus is to the benefit of the group and the community as a whole for the weaklings to fall by the

wayside, thereby making it impossible for them to weaken the social organism by their presence.

Employing the analogy of the organic body, this notion of the state sees the health of the society as deriving primarily from permitting the strong elements of the system to thrive while eliminating the weaker elements so as to avoid infection and debilitation. It is also assumed that as each part of the organism strives for its own interests, the harmony of the system will emerge. We will see the full explication of this in our analysis of the economic dimension of the community. It should be clear that this position has some affinity to the positions sketched earlier under the rubric of Darwinism, evolutionism, and Nietzsche's will to power.

The position of the welfare state, expressed in an extreme form in various socialistic systems, assumes that the relationship between persons is essential to their well-being and fulfillment. Friendship and group solidarity may have the incidental effect of enhancing individual self-interest, but they are primarily enjoyed for their own sake. Persons are happier on the whole when they live in bonds of affection with and compassion for all others. From this assumption flows the understanding of justice as the expression by the community, through its institutions and laws, of concern for the welfare of the community as a whole and in particular of those members who have been disadvantaged by a lack of power, education, skill, or resources.

Assuming that a community is more fulfilled when all its members are treated as equally important contributors to communal enterprises, this view of the state requires that it actively involve itself in equalizing opportunities for all to contribute and in negating the effects of those groups whose activities create inequities and disadvantages for some at the expense of others. Although those holding this view of the state are not as likely to adopt the analogy of the healthy organism, it could be utilized to suggest that the vision of the community implied by the welfare society is one in which the whole body is not healthy unless the weaker elements are made stronger by the compassion and action of the already strong.

In our chapter on social justice (Chapter 15), we will examine in more detail some of the concrete effects of this alternative view of the state. What is important at this point is to see that there are two different views of the role of the state, that each has a particular notion of human relationship at its base, and each has a consequent view of what justice means and what the obligation of the state is to implement it.

Who Shall Rule?

Once it has been determined what the general purpose of the government is, it is necessary to determine who shall carry it out. This is the question of who shall rule, or more specifically, who shall be in positions of

power to determine what the laws governing all shall be. Who is the government?

Historically, all sorts of alternatives have been tried and advocated. Some argue that incorporating all ultimate decision making and power in a single individual or elite works best for efficient, orderly, and wise governance. The more power is dispersed among many people, the more chaotic and uncertain become the rules by which order and justice are preserved. Those who should rule are those who have demonstrated their fitness to do so by their wisdom, by their previous contribution to the welfare of the society, or by hereditary right.

At the opposite end of the spectrum is the view, associated with socialism or communism, that only the people as a whole have a right to rule. This argument is based on the assumption that the purpose of the state is the welfare of all. Since all are to benefit from the actions of the state, all should participate in determining those actions. Any theory that denies the right of the people to govern themselves winds up justifying the arrogation of power by small groups that will pursue their own self-interest at the expense of others.

The difficulty with this view, of course, is that it is notoriously hard to see how all the people can carry out the responsibilities of decision making effectively. Thus, a middle position (known as representative government) has generally been adopted by most western societies. With a wide variety of forms, this position maintains that the will of the people can be the determiner of law and government but only through representation of the society at large by a much smaller group of individuals. *Politics* is the process by which these representatives are brought to power and by which they carry into effect what they perceive to be the will of those whom they represent.

THE DILEMMA OF THE DEMOCRATIC IDEAL

From the ethical point of view . . . it is not too much to say that the democratic ideal poses, rather than solves, the great problem: How to harmonize the development of each individual with the maintenance of a social state in which the activities of one will contribute to the good of all the others. It expresses a postulate in the sense of a demand to be realized: That each individual shall have the opportunity for release, expression, fulfillment, of his distinctive capacities, and that the outcome shall further the establishment of a fund of shared values. Like every true ideal, it signifies something to be done rather than something already given, something ready-made. Because it is something to be accomplished by human planning and arrange-

ment, it involves constant meeting and solving of problems. . . . There is no short-cut to it, no single predestined road which can be found once for all and which, if human beings continue to walk in it without deviation, will surely conduct them to the goal.

John Dewey and James H. Tufts, *Ethics*, chapter 17 in John Somerville and Ronald E. Santoni, *Social and Political Philosophy: Readings From Plato to Gandhi* (Garden City, N.Y.: Doubleday), pp. 498–499. Reprinted with the permission of The Center for Dewey Studies, Southern Illinois University at Carbondale.

John Dewey (1859–1952) was one of America's foremost philosophers, known primarily for his work in education and for his development of pragmatism. He was also a prominent social critic.

It could be said that politics only really exists in a representative system since it is the art of the possible. That is, it is the complicated way by which the society determines how to adjust the interests of the largest number of constituencies to each other and to the society as a whole. This means that politics is also the science of compromise because no single interest can be fully dominant if other interests are also to be represented effectively. Some of the most interesting of all moral problems in the area of government occur in and through moral issues that emerge as governments carry out their functions.

OBLIGATIONS OF THE POLITICAL ORDER

National Defense

A universally agreed to obligation of any government is to protect its citizens from attack by other countries. It must provide for a national defense. It is not, of course, inconceivable that a community should be so dedicated to the principles of nonviolence and pacifism that it would, as a body, prefer to be overrun or destroyed rather than resort to violent defense of its territory. (Such a case occurred when the Quakers who controlled the government of Pennsylvania voluntarily abdicated power rather than provide arms for the defense of the frontier against hostile Indians).

Nevertheless, pacifism for an entire society is extraordinarily rare. The consensus in most democratic societies is for protection and, therefore, for an effective military defense. Moral questions begin to develop when the

society has to determine the size of its defense capabilities: Should it seek merely to achieve parity or equality with the defense of those nations most likely to attack it, or should it strive for clear superiority? The question becomes particularly important when an "arms race" develops between two or more countries, each spending more and more to stay ahead of the others. With a limited budget, more money for defense necessarily means less money for other concerns, especially domestic needs.

A second issue has to do with how broadly national defense is interpreted. It could mean simply defending one's boundaries if they are physically crossed by an enemy. Or it could mean defending what the nation perceives to be its self-interest in parts of the world not under its flag. In recent years, we have seen nations' defense budgets escalate dramatically to provide support for other nations whose defense is considered vital to national self-interest. Critics have argued that in an economically and politically interrelated world, it is so difficult to separate national self-interest from the affairs of other people that to identify national defense with a broad conception of national self-interest makes it impossible to control the allocation of funds to a military budget.

Militarism Is Itself a Danger. Because appeals to self-defense and the pride of a nation are so easily converted into an uncritical support of military spending, a nation can avoid raising serious moral questions about the values that are threatened by slashing monies for social welfare while building a military posture. If a nation's self-image becomes identified with the size of its military weaponry or armies, its understanding of itself as a community dedicated to the social values of domestic justice and compassion may be seriously damaged.

Another factor that must be considered is the complexity of military spending. Because armaments and military technology are so highly complicated and beyond most citizens' understanding, it becomes easy to defend any military budget request simply on the authorization of those agencies with a self-interest in perpetuating military spending. President Eisenhower warned the United States as he left the presidency to beware of the military-industrial complex. He pointed out that large segments of the economic community were dependent on military spending. Allied with those who were part of the enormous military establishment, they could create a climate of pressure for uncritical support for ever-increasing military budgets that could not be scrutinized intelligently by the average citizen.

Finally, the danger of militarism can be seen in its creation of an attitude that might lead to the actual use of military force simply because so much of it has been developed and because the nation's image has been tied to it. If a nation brandishes its military might too often, as its claim to be taken seriously by the rest of the world, it might push itself by the logic of its own claims into using its force and thus initiating military conflict.

The International Community

Beyond the arena of military defense, any society must consider its other obligations to the international community of nations. This may involve negotiation over mutual reduction of military armaments (see Chapter 17), it may involve trade agreements, economic assistance, and cooperation in dealing with problems of hunger, education, health, and political refugees. It may also involve a commitment to working through international organizations like the United Nations or the International Monetary Fund to secure these ends. No nation, in today's increasingly interdependent world, can afford to stand aloof from the agencies that try to make relations between countries more harmonious and equitable.

Domestic Obligations

Turning from international obligations to the domestic scene, all political systems are required to provide certain basic services to their citizens. Bodies or agencies are organized to implement the provision of these services. Among these are a body for making laws, a judicial system, agencies for providing protection against crime, punishment for convicted criminals, some public schooling, access to medical care, relief from the ravages of natural disasters, aid in cases of extreme poverty or disablement, preservation of natural resources, and raising the revenues to carry out these tasks. In addition, some political philosophies maintain that government must provide for the regulation of industries whose activities and products affect the public good, such as airlines, drug manufacturers, food preparers, etc. There is a great deal of disagreement, as we indicated earlier, over the legitimacy of any intervention by a federal government into the activities of private enterprise. Even when some consent is reached as to the right of government to so intervene, wide disagreement still exists as to the degree of intervention considered appropriate.

Legislation and Legislators

The creation of laws to prohibit certain acts and require others is necessary for order in any society. Each person and group within a social system must be able to know what the limits on its freedom to act are and what the consequences of violating those limits will be. One of the most important political tasks, therefore, is the election of persons to those bodies whose primary task it is to write the laws of the society. In this country, the Congress (consisting of a House of Representatives, elected every two years and comprising representation based on population, and a Senate, elected in staggered terms for six years and based on the principle of two senators for each state) is the legislative body.

One of the basic issues faced by every national legislator is how far to extend the domain of national laws and how much latitude to give to each state to determine its own laws. The genius as well as the frustration of the United States Constitution is that it divides the legislative powers between federal and state governments. The question of “states’ rights” has remained alive for many years as a result. It was experienced most dramatically over the issue of slavery: Was it within the purview of each state to determine the legality of slavery or was slavery to be the subject ultimately of federal law binding on and superior to state law? The same question now troubles many people with respect to the rights of women to equal treatment under the law. Some argue for a constitutional amendment guaranteeing that equality for women under federal law supercedes any other policies or laws written by states. Others argue that each state should handle the question of womens’ rights individually.

Another issue faced by legislative bodies is the degree of protection for minority groups regardless of the desires of the majority of the electorate. Are there certain rights (to be enshrined into law) possessed by all persons that cannot be legislated away even if that should be the expressed desire of a majority of the country? Traditionally, legislation has protected some such rights, such as the right to assemble, to speak peacefully on controversial matters, or to propogate unpopular views.

Regulation

Legislators must also address the question of how far laws should go in protecting people from possible dangers. The issue of regulation of business practices enters at this point. Is it the obligation of government to pass laws protecting the minds of children from exposure to advertising designed to get them to eat cereals that contain large amounts of sugar, known to be detrimental to their health? Should the government limit by law the amount of violence shown on television to persons likely to be unduly influenced by it? Should the federal government require drug manufacturers to submit their drugs to federal testing procedures prior to putting them up for sale to the public? Should the federal government hold commercial enterprises accountable for accurate and nonmisleading advertising? Should the government, in the name of the public good, require car manufacturers to produce by a given date automobiles that meet a certain gas mileage ratio? Should the federal law provide regulations regarding air safety standards? The list of concerns is almost endless but must be faced in a practical way by those we elect to legislative office. (Since so much of what determines the appropriate scope of legislation is based on a more fundamental ideology of economic justice and freedom, we will examine some of the issues in legislation affecting the distribution of and access to economic resources in Chapter 12.)

The Enforcement of Law

Once laws are passed within a political order, they must be enforced. Generally, citizens experience the enforcement of the laws by those agencies whose job it is to protect against crime and to seek out those who have committed crime. The primary agency is, of course, the police. Society normally entrusts them alone, at the domestic level, with the power of violence against those who have lawlessly used violence in the carrying out of a crime. In recent years, as people have become aware of the degree to which police are not immune from the biases and foibles of the community from which they are recruited, concerns have been voiced about the need for review of and limits on police activity by citizens' groups. These concerns are particularly acute in communities that have a large minority population and a police force drawn primarily from the majority population. The result has often been charges of police harassment and brutality, and less serious, insensitivity to the needs of the minority community.

More traditional problems faced by all groups, including enforcement agencies from the police to the FBI, are graft, corruption, and bribery. Excessive use of force has also been added recently to the list of citizen concerns. Much of the debate centers around the question of who should review police action: professional police panels or citizens' review boards.

Under the rubric of protection, the political order must also deal with the degree of freedom it wants to permit its citizens in buying and possessing dangerous weapons. The issue is one of public safety in conflict with individual freedom. Opponents of control, through registration and limited sale, of guns argue that such restrictions would infringe the liberty of private citizens to "bear arms" and would constitute an unwarranted intrusion of governmental regulation into the domain of personal choice. Proponents of gun control point out that the consequences of rejecting it are the easy availability of guns even to persons with criminal records and the subsequent temptation to employ a lethal weapon in the commission of a crime (not to mention the increased likelihood of accidental death or injury from an inexperienced person playing with the accessible weapon). Through the political order, it must be decided whether the actual danger to the public safety from having no control over the purchase of guns warrants the restriction on the freedom of choice such control would entail.

The Judicial Arena

More serious questions arise as we look from the enforcement of law to its interpretation and the determination of punishment for those accused of breaking it. The third branch of government, alongside the legislative and executive, is the judicial. The courts have the job of interpreting the law, making sure it is in conformity with the Constitution. They also have the

job, through the complicated processes involving judges, juries, prosecutors, defense attorneys, trials, hearings, etc., of determining the guilt or innocence of persons accused of breaking the law and of determining the appropriate punishment. There has been much controversy in recent years over the role of the courts in placing limits on material that can be introduced into a trial. For example, courts have ruled that evidence obtained without a search warrant or confessions extracted without prior counsel are inadmissible. This has meant, in some cases, that persons "known" to be guilty have been released due to erroneous police procedures.

A serious moral dilemma is thereby revealed: Can the safeguards provided by correct legal procedure to protect the innocent be modified or lifted in cases in which there is general consent that the accused is really guilty? To release someone whose conviction was overturned on a legal "technicality" seems, to some, a mockery of the spirit of justice. To others, it is the price a society must pay if it wishes to protect all the rights of the accused. As one advocate of strict protection put it:

[I]n totalitarian countries, five people were executed in order to ensure that the one guilty person was punished; in a democracy, five people were let go in order to ensure that the four innocent persons were not unjustly punished.

Another festering moral issue facing the judicial system has to do with the scope of the courts' interpretive activity. In some decisions, the courts have required action of federal, state, and municipal agencies to remedy what (in the courts' mind) are social ills or injustices. They have required schools to desegregate, reviewed desegregation plans, and insisted that companies engage in "affirmative action" hiring to rectify past discriminatory hiring practices. Critics of the courts argue that they are engaged in "social engineering," performing work properly left to the legislative branch of government. Defenders of the courts point out that unless the courts interpret the laws in an activist way, the laws will remain a dead letter, ineffective in carrying out the purposes for which they were enacted. The basic question has become: What role should the judicial system play in implementing a society's vision of social justice?

Punishment and Prisons

One aspect of this question has to do with the nature and reform of the country's penal institutions. The courts normally determine the kind of punishment or incarceration appropriate for a convicted criminal. However, they sometimes take into account the condition and effect on the criminal of the penal institution to which he is being sent. One of the basic questions courts face in this regard is whether imprisonment is essentially retributive or punitive, i.e., a punishment for crime, or rehabilitative, i.e.,

designed to help and educate the criminal to return to a socially useful life when released. It is a shocking fact that many convicted criminals are recidivists—they return to jail after release for having committed further crimes. Recent atrocities at major penal institutions, such as Attica in up-state New York and a penitentiary in New Mexico have dramatized the horrors of life behind bars.

Brutality, corruption, and forced homosexuality are only some of the conditions faced by prisoners in many American jails today. First offenders often are bred into a further life of crime while behind bars. The social cost of returning likely recidivists back onto the street is thus quite high. Critics point out, however, that the social cost of making prisons truly rehabilitative would be enormous as well as demoralizing to the society since it would appear to give the criminal special attention and training not available to those who have not committed a crime. At issue is the fundamental question of whether the society wishes to pay primarily for the satisfaction of knowing that criminals are being punished, often brutally and with little chance of becoming socially responsible on release, or to pay primarily for the rehabilitation and long-term welfare of those who have broken society's laws. Either way, the cost is enormous but the moral alternatives must be faced directly and with full knowledge of what actually happens as a result of each choice.

Budgets and Taxes

No matter how long the list of responsibilities laid on the government, it is necessary to pay for each one. This involves the raising of revenues from the citizenry. In our federal system, taxes are laid on persons and corporations in order to meet a federal budget (not to mention state and municipal budgets). The setting of the budget is an exercise in moral choice because revenues allocated to different areas of governmental obligation reflect the degree of moral commitment the society has made to those areas. A budget that allocates more money to national defense than to the eradication of poverty within has clearly made a moral decision that the latter is less morally urgent than the former. A decision to grant more funds for public highways than to public transportation reveals the moral priority of continuing to reaffirm the interests of the automobile makers and the freedom of those with money to use however much gasoline they can afford. One can trace the moral choices of a society right down through the entire budget, whether it be federal, state, or local.

Once the budget is determined it is necessary to raise the money to carry it out. We will discuss some of the underlying moral problems such an economic decision entails in the next chapter. In the present context, it should be remarked simply that no government can implement the will of the people it represents unless the people provide it with the necessary

money. One often hears complaints about the agency, the Internal Revenue Service, authorized to collect taxes. But there should be no fundamental moral question about its right to do so and the corresponding obligation of the citizenry to pay the taxes levied.

The more complicated moral issues have to do with the way in which the taxes are levied, on whom, and by what standards of equity. For example, some argue that an income tax that is progressive (i.e., taxes larger incomes at a higher rate) is equitable since it is based on the ability to pay. Others argue that it is inequitable since it discourages those very people whose higher incomes reflect their greater productivity and ambition—the very people, it is argued, upon whom the productive capacity of the nation's economy depends. As we have already seen, and will see in economic terms later, this argument reflects the fundamental dispute between those favoring a limited government and those advocating some form of a welfare state. And that argument, in turn, depends on basic assumptions about the nature of human beings and their relationships with each other in community.

THE POLITICAL PROCESS

Representation

Because most people experience the workings of government or participate in it most directly in the election of legislative representatives, we need to outline some of the more pressing moral issues that occur in this area commonly known as politics. The words “politics” and “politician” have in recent years come to be associated with what is less than honorable, slightly corrupt, and influenced by the basest motives. If these impressions are correct, it is not because of the nature of politics but because of a lack of informed participation by citizens in the political process.

LIMITS ON CONSENT TO POLITICAL AUTHORITY

Consent theory does not insist . . . that a man must stand on his own judgment in everything. That would be an anarchistic denial of all authority and of all political obligation. But it maintains that there must be good reasons for handing over to someone else one's right to decide. . . . Fundamentally, then, the theory of consent “moralizes” political authority and obligation. When Locke said that men were free by nature, he surely meant, at the very least, that no one can deprive another of the right to

form his own judgments. . . . In that capacity, no man can put his conscience in the permanent keeping of any authority, whether party leader, lawyer, or priest. Every man, therefore, must decide for himself whether he has a duty to accept a given authority; for no one else can decide that for him. Similarly, he can accept authority only with reservations. For he yields his freedom to act on his own moral estimate of situations, or as Locke put, to do "whatsoever he thought fit for the preservation of himself and the rest of mankind," only "so far forth as the preservation of himself and that society shall require."

S. I. Benn, and R. S. Peters, *Principles of Political Thought* (New York: Collier-Macmillan, 1964), pp. 388, 386.

S. I. Benn (b. 1920) is Senior Fellow, Department of Philosophy, Institute of Advanced Studies, Australian National University. R. S. Peters (b. 1919) is reader in philosophy and psychology at Birkbeck College, University of London. He is author of The Concept of Motivation and The Concept of Character.

Politics is the process by which conflicting interests are reconciled so as to best represent the will of the various constituencies that comprise the public. Politics is, necessarily, the art of the possible: the art of compromise between positions. Most bodies to which people are elected deal with a wider range of issues than simply those concerning the single area or majority of the constituency from which a person has been elected. Therefore, it is impossible for politicians to represent without modification the will of each group within his or her electoral area. One rarely expects an elected official to be a computer, tallying up in machine fashion the wishes of a majority of the constituency and voting without deliberation for whatever wish emerges on top.

Single Issue Politics

Recently in American politics, "single-issue" electing has become popular. Proponents of a single issue, such as those in opposition to school busing or the pro and con forces on abortion or those advocating a repeal of taxes, have announced that they will either vote for or against a candidate solely on the basis of that candidate's position on their particular issue. While this

tactic focuses attention on the candidate's views on that issue, it often obscures and frustrates the political process because it excludes from consideration other issues that will necessarily have to be considered by the candidate once in office. It may also defeat persons whose over-all views are more in line with the general interests of the constituents but with whose specific view on the one issue are at odds with theirs. In a generally conservative district, for example, a proven conservative politician whose long-run voting record represents the constituency well, may go down to defeat to a liberal simply because the latter is closer to the "required" position on the single issue in question. An informed electorate must weigh both long-term as well as short-term consequences of voting exclusively on "single issues."

Conflict of Interest

Regardless of how broad a view a political candidate has on the many issues in question, it is true that some groups and some ideas will be more influential than others. An informed electorate owes it to itself to become as familiar as possible with the interest groups to which a candidate is indebted or with which the candidate has special ties. The most troublesome problem in this area is that of conflict of interest. If banking practices have become a matter of concern, electing a banker (whose livelihood depends on the maintenance of present banking practice) to deal with that issue may very well put that banker/candidate in a position of conflict of interest. As a human being, he or she cannot help but allow decisions to be influenced by his or her dependence on the banking profession and may not, therefore, be able to take a strictly objective or broad view of the problems within that profession. Electing lawyers to bodies that have the responsibility of creating laws may involve some conflict of interest simply because each new law created produces more work for the legal profession.

It would be foolish to suggest that people can be found who have no interests they might come in conflict with at some time in such a position. But it is not foolish to insist that those conflicts be made public so that the electorate knows what they are and can judge the degree of conflict involved.

It used to be that the groups to which politicians were most heavily indebted were those that made the greatest contributions to their campaigns. A large contributing group, like the National Rifle Association, would provide such generous campaign support that the elected candidate then felt obligated to vote in whatever way best represented the wishes of that group. The obvious corruption to which such practices led has been modified somewhat in recent years due to campaign disclosure laws and requirements that place limits on the amount any single group or person can donate to a campaign.

Lobbies

One of the most effective ways to reach an elected official to convince him or her of your group's position is through the process known as "lobbying." A lobby is an official representative (or group of representatives) for a special interest (e.g., the automakers, the tomato-growers, the NAACP, etc.). These people visit elected officials in order to inform them of their group's positions. Apart from the occasional petty bribery (giving expensive, unrecorded gifts to the elected official), there is the larger question of whether lobbies create undue pressure on elected representatives. It is clear that only those interest groups large enough and wealthy enough to afford them can effectively utilize lobbies. This gives them disproportionate influence on the legislative process. In the past, lobbyists often went about their work unregistered and unidentified to the general public. Once again, public disclosure of who they are is one step toward providing the public with the kind of information it needs to make intelligent judgments about the wisdom and positions of its elected agents.

THE ELECTIVE PROCESS

The fact that most legislators are elected brings its own moral problems. Although election permits the people to have their views represented more precisely than does appointments to office, the election process is so complicated that it is difficult to ensure that the best candidates are the ones who survive its many stages. Office-seekers normally run as the candidates of one of two major "parties," Democratic and Republican. This makes it difficult for "third party" candidates, who are dissatisfied with the positions taken by the two established parties, to secure the necessary financial and campaign support. Historically, third parties have not been successful in electing their candidates to office, though they have drawn votes away from the established party candidates. They have, on occasion, focused attention on an issue that, over time, has forced the main-line parties to accommodate the third party position. But those who consider a third party approach must recognize that while this might permit them to vote on a more precisely defined principle (the larger parties necessarily having to make their principles somewhat more vague in order to appeal to larger, more diverse groups), it may also permit the election of the poorer of the two candidates running within the established parties.

Limits of Party Politics

Being registered in either the Democratic or Republican party is a particular advantage at the outset of an electoral campaign since it permits one to vote for those people who will later run as candidates of that party. In the

selection process, known as primaries, many candidates within a party compete to be the nominees of that party. Unless one is registered as a member of that party, it is impossible to have a say in which persons emerge as nominees. Some have argued that this gives an unfair advantage to political parties and to their registered members—others argue that without this weeding out process, the final election would be chaotic and unmanageable. But it does pose an interesting moral dilemma: it forces a person to join a single party that may on occasion adopt positions the joiner does not agree with.

An independent, who might desire to steer clear of the petty details and party loyalty demanded of members of particular parties, achieves political “purity” at the price of political impotence at the primary level. The independent, of course, can point to another price he or she is glad not to have to pay: that of having to support an entire “team” of nominees. A party might endorse a “slate” of candidates and members of the party are expected to vote for the entire slate. It is argued that unless the team is elected, nothing effective can be done in the legislative assemblies since the votes of most of the party are normally necessary to pass laws. This creates a problem for those who wish to support the team but feel strongly opposed to one or more of its members. Do they risk losing the advantages of team votes in the assembly in order to vote against a member of their team and for a member of the opposition, who as an individual, they find more attractive?

Financial Obligations

Once nominated, a candidate must find financial support for his or her campaign. In order to compensate for the obvious advantages of incumbency and wealth, campaign laws have been passed to limit spending and to provide some support for those not presently in office. But enormous sums of money are necessary for a campaign, and the increasing length of campaigns drains financial resources that some argue might be better spent elsewhere. The time and money necessary for campaigning for an office make a successful run almost prohibitive for those with no personal wealth and those who cannot afford to give up full-time jobs for the duration of a campaign. This has meant, in practice, that more and more politicians are drawn from the ranks of the well-to-do or from professions that permit lengthy absences. Thus, factory workers and others who are paid by the hour are effectively barred from running for office.

Campaigning

Perhaps the most disturbing part of any political process is the way in which campaigns are carried out. It would be nice to think that candidates

spend most of their time debating the issues of the day and setting forth their political philosophies. But election depends primarily on the image of the candidate the public has when it goes to the voting booth. In a society that projects images primarily through the media and through advertising, much of political campaigning is the packaging and distribution of the image the candidates want to present. The shallowness and superficiality of such an approach are obvious. Yet, it is replied, most people do not want to take the time to read lengthy position papers or to struggle with the intricacies of complicated issues. It is also pointed out that since many of the issues an official must face have not even arisen at the time of election, it is more important to vote for the character of the candidate than for his or her stand on this or that specific issue.

The problem with concentrating on the personal integrity or virtue of the candidate is that it so easily degenerates into a popularity contest revolving around "personality." Effectiveness as a legislator, as someone who can carry into effect the programs he or she represents, is often forgotten. It is possible to favor someone with whose principles you agree but who is notoriously ineffective in implementing them through the legislative process. It is also possible to favor someone with whom you are not always in agreement but who has the proven capacity to utilize the legislative machinery successfully. Or one could support a candidate whose views are not always one's own but who has shown courage and trustworthiness in the political arena and reject a candidate who represents one's views more consistently but who is personally untrustworthy or weak. Few candidates possess all the best qualities at once. The voter, therefore, must sort out the moral options and make the best, but necessarily qualified, choice possible.

Should the Uninformed Vote?

It has long been a truism in American politics that one should vote in elections, from local to national. Americans exercise their right to vote in far fewer numbers, relative to those who are eligible to vote, than most democracies in the world today. However, an argument has recently been heard urging people to stay away from the polls if they are not informed about the candidates and issues to be voted on. An uninformed electorate is more dangerous than an informed but smaller electorate. People who vote without knowledge are more easily swayed by extraneous factors, e.g., the splashiness of the candidates' ads, word of mouth from neighbors, long-time party loyalty, and so on. Encouraging an uninformed electorate may be to the advantage of some candidates with a high degree of superficial appeal and a low degree of political wisdom, but it works against the long-run interests of the country. Whether this argument is ultimately persuasive (its opponents point out that the habit of voting is in

itself important; that the less the ordinary citizen votes, the more special interest groups will dominate political decisions, etc.), it is true that moral integrity requires the analysis and evaluation of a whole range of issues, some of which have been outlined here. In the world of politics, it is impossible to ignore the effects of its decisions on the lives of people. Therefore, it is imperative that morally sensitive persons inform themselves about how those decisions are reached and how their own participation in the electoral process affects the decision making that goes on.

In this chapter we have given an overview of the political order within which moral agents act. The broad scope of political responsibilities has been canvassed in order to convey a sense of the interrelationship of moral issues for persons living together in a community. The principle of justice as a balance between individual liberty and the obligations of government to meet social needs underlies and informs the moral dimensions of political choice. In later chapters we will take up some specific issues in greater detail.

CHAPTER REVIEW

A. The moral context

1. Government and politics are arenas of moral action because they are constituted by choices based on values.
2. A government seeks to provide peace and order for its citizens. One way it does so is through legal sanctions.
3. There is much disagreement about the extent to which law should govern individual and group behavior.
4. The disagreement reveals differing views of human relationships. Some believe that social relations serve the primary end of individual interest. Others believe that social relations are the primary end of relationship and that the individual is fulfilled through his or her contributions to the community.
5. Every political order must decide who is to rule: one person, a few, or all. If the latter, then how are the opinions of all effectively carried into practice? Representative government has been chosen by most western societies.

B. Obligations of the political order

1. National defense must be provided by a government. How broadly this is understood will affect the degree of militarism and military spending within a political order.
2. Each society must determine its obligations within the community of nations.

3. Domestically, a representative government carries out its obligations through the legislative process. One issue in this area is how to allocate responsibilities between the federal and state governments.
4. Regulation of individual and business activity must be addressed by the political order. How far such regulation should extend is a major issue in today's society.
5. The enforcement of law brings with it many problems regarding excessive use of force, the availability of weapons to the public, and the safeguarding of individual rights in police investigations.
6. The political order must also deal with the issues surrounding the punishment of those found guilty of breaking its laws.
7. The creation of a federal, state, or municipal budget is an exercise in moral decision making.

C. The political process

1. Politics is the process by which conflicting interests are reconciled so as to best represent the will of the various constituencies that comprise the public.
2. In recent years, single issue politics has become a feature of the political order. It raises the moral issue of long-term versus short-term consequences of political choice.
3. Legislators with conflicts of interest raise the moral question of how to represent equitably the views of all their constituents.
4. Lobbies bring particular concerns to the attention of legislators but raise the question of whether they unduly influence them.

D. The elective process

1. Electing representatives involves the use of political parties, which may limit one's freedom to choose the best person.
2. Elections require enormous expenditures of money, also creating limits on who may run for office.
3. Campaigning for political office sometimes appeals to the baser instincts of the electorate.
4. A final issue in the election process is whether uninformed people should vote, especially if their vote is not swayed by knowledge but by superficial factors.

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