
A Quick Cup Of Coffee: Actually, A Double Espresso

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Citation

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Abstract

Running late for another one of those "directional meetings", I dodged into the corner house for a quick cup of coffee - actually, a double espresso ("directional meetings", you ask - oh, you know the kind - a lot of 'suits' just sitting around talking about things that happened six months ago. And, you know the feeling - at some point while they're rambling on and flipping through "efficiency charts", the left-side of your brain starts mumbling to the right, in a very repetitive fashion, "they're 6 months late..." you know the kind of meeting I'm talking about!). Anyways, while I was standing in line, waiting patiently to place my order for the "over-priced motor oil" (as it has been so callously referred to by certain unnamed family members), I overheard two young students discussing points of "democratic law". "Must be college students", my left-brain mumbled after placing my order (it's the same every morning, I wonder why she has to ask day after day after day...a double espresso and a glass of ice water!).

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Anyways, there I was standing in line - being forced to listen to these two young students debate. After a minute or two of trying to quietly follow their fragmented logic, I caved-in. I broke. I just couldn't take it anymore. You see, I could hear

nothing that sounded like classical liberalism - merely a confusing array of catch-phrases thrown around with ease and in biblical proportion !

I set down my bag, picked up my espresso, and kindly asked the bearded student (the one that seemed to be doing most of the talking), to name FOUR defining features of a democratic government. Let me say this, just in case you've never been forced to commit a similar act of conversational intrusion (though, I'm sure in this world of present day, you too have been pushed to the academic limit!), you would have thought that I had struck the bearded man with a heavy, wooden stick! He nearly doubled over from my unassuming question - with eyes all out and face distorted. But at least, (my left-brain mumbled) "I have stopped his assault on democratic philosophy". Having feared that I misspoke, and that was the reason our young student was in such a misshapen state, I repeated myself: "Please, Sir - if I may beg, kindly name FOUR defining features of a democratic government."

There was a very long pause. Very long, indeed.

Then, his friend spoke up: "the rule of law". "Ah, Of Course,

Very Good!”, I said - trying to be supportive. And I reached for my espresso - waiting for them to continue. After all, there was an open question on the table in this most-public of arenas - and English custom demanded a reply!

There was another very long pause.

But not as long as before. I caved in. I broke. I just couldn't take it anymore. The silence was deafening and my ice was starting to melt. So I offered them the other three (at least the three that popped into my head at the time) as a gesture of extended peace:

- Free speech;
- Limited scale;
- & Representative legislature.

I then asked either of the students (and our bearded friend was beginning to recover), if they could quickly explain just two of the four - I was already running late for my meeting and really did not have time to over-indulge. Would you believe me if I told you yet again, there was a very long pause? I then turned to the coffee-house girl and asked for an extra napkin. Fortunately, she handed me several. What follows is a neater version of our “napkin debate”.

NAPKIN # 1: THE RULE OF LAW

A defining and critical component of any democratic philosophy is the foundational element that “rule follows law” and vice versa (or the so-called, “rule of law”). Individuals are inherently born into a universal ‘natural state’ - one that contains all essential rights and personal liberties. To form an organized social order, individuals must leave this ‘natural state’ and enter into an ‘act of agreement’. Under such an agreement, a new societal structure is created in the form of a community. Individuals form this community in an attempt to create a new sense of order - beyond that found in the universal natural state (i.e. the law of nature).

“Why do they do this”, you ask? There is, and was, one singular problem with living by the law of nature: there is, and was, no real barrier to breaking it. In the state of nature, its law can only be enforced within one's own mind; if a particular situation forced an individual to choose between self-preservation and breaking the law of nature, then natural man would break it (having only to justify such violation to his own sense of self). As such, members of the natural state could clearly violate both person and property - all in the name of self-preservation. Realizing this problem,

individuals entered into a society by first consenting to live under mutually agreed upon rules. In fact, principles obeyed in the state of nature should be embodied in the written rules of the new community. Once the new society has been established, rules are enforced by outside influences (meaning influences outside of one's own mind and realm of personal interest). Every member of the community lives under the imposed rules (i.e. laws) and there is no disparity between individuals in regards to the rulings of law. Realizing how powerful such a social order could become in these circumstances of universal agreement, the democratic government was strictly limited to only the powers that the community's members agreed to give it (ideally, a priori). As such, the rule of law becomes one of the key defining principles in establishing a real democracy.

NAPKIN # 2: LIMITED SCALE

All democratic principles relate to one another in scheme, scale, or scope. As an example of this interlocking rationalization, let us turn to the defining feature of “limited scale” (i.e. limited government). As described above, government exists only by the consent of its people and can only express the power given to it by the people. This implies a passive role of governmental action within the newly-formed society. Since individuals left the state of nature for the sole reason of protecting their natural rights, the government should not be allowed to infringe upon such rights (i.e. the right to life, liberty, and property “not happiness” – I like to think of that as a “Jeffersonian modification” to Locke's original theory!). By establishing a passive and “limited” governmental structure (which is, by definition a “necessary evil” that must be carefully observed and controlled), individual rights are protected - from undo societal influence. This limited government should, as a matter of point, only supply to its members, the three components missing in the natural state:

- a formal, written law;
- enforcement of such law;
- & a known and indifferent judge.

This type of democratic rule creates a community with a new social order by which its individual members can live and prosper freely. “Now, my friends - is it beginning to make sense?”

NAPKIN # 3: TYRANNY OF THE MAJORITY

I asked for FOUR defining features of a democratic

government and for time's sake, we have only briefly discussed two. However, we must also mention (in the same breath, almost) an ever-present danger within democratic philosophy: the so-called, tyranny of the majority. I would not consider this a “defining feature” but rather a “defining danger”. In protecting the individual members from such a recognized risk, two guiding principles have been established within democracy. Both of these directly defend against the possibility of the majority abusing its power over/onto the minority: majority control and majority decision.

Let us turn first to the defense of “majority control”. This principle is “built into” the actual framework of modern democracy in that by controlling the majority individuals are given the maximum amount of protection from abuse. There are two methods by which such control occurs. One method is to have an explicit legal protection of individual rights. In so doing, this would ensure that individuals had certain basic rights (or “realms of life”) which the government could not influence or interfere with. An example of such a method is the Bill of Rights listed in the American Constitution. A second method of controlling a majority is to have a distribution of powers. By distributing governmental power over a larger area, it makes majority control harder to achieve. Majority rule can still be instituted but majority abuse is limited - at least in theory. An example of this is the American separation of powers between the three branches of government (legislative, executive, and judicial).

Now, if I open the napkin up, we can discuss majority decision. We owe this method of protection to some of the radical thinkers of that time. Radicals (and such a term is relative, you and I may not consider them so “radical” today) wanted a greater degree of direct participation in government. If this “democratic philosophy” is employed in its truest sense (they argued), then majority decision (which is based on a strong sense of community and involves entire group participation) would actually be the same as “general will”. This “general will” (i.e. public interest) would be the summation of individualistic thought (henceforth and

therewith, communal thought). And, since it was the “general will” of all members within that community, it must be - by definition - what is considered best for that community at the time. Given this logic, the majority decision as employed would thus (at least theoretically) prevent any possible existence of so-called, “tyranny of the majority”. Utilitarians also had a role in protecting against such tyranny. These thinkers believed in the principle of utility (which, I know surprises you) and the rule of the “greatest happiness for the greatest number”. Utility, we must remember, is the basic idea that human behavior is guided by the principle to find pleasure and avoid pain. This approach defends against majority abuse by taking into consideration ALL of the individual's “happiness” when making a public decision; this of course, includes both minority view and majority opinion. The subsequent decision would be considered what is “best” for the entire community as a whole - thus attempting to minimize any abuse of power.

And with that, my espresso was gone. My ice had melted and my concern over the understanding of democratic rule had lifted a bit. As I picked up my bag and rushed out the door, I urged both of the students to read a bit more (thinking to myself, “that bearded fellow sure doesn't have much to say”). Needless to mention, by the time I arrived at work I had missed the meeting. But, don't worry, a note on my desk said that I will get to attend two of them next month - just to make up for lost time!

“Boy, those will be fun”, I said to myself - actually it was my left-brain mumbling to the right”

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References

r-0. Readers should draw from the far more intelligent work of John Locke, Thomas Jefferson, and other fundamental political ideologists – both past and present.

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