

What does Locke Mean by “Trust,” and Why is it so Important to him?

Written by Tan Wei Kee

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TAN WEI KEE, DEC 2 2009

Trust is as central to Locke's theory of the social contract as absolute power is to Hobbes's. Easily understood and familiar though it may be, trust is difficult to grasp and define, as most intangibles are wont to be. To venture a basic and direct definition, trust is quite simply the faith and confidence one has that things will turn out as one hopes. This is still, no doubt, too vague to be helpful in comprehending what Locke means by “trust”. I will begin instead by addressing the importance of trust to Locke's work through the crucial role it plays in three major stages of political society and government: the commencement, the maintenance, and the dissolution. Following this, the meaning of trust in the Lockean context will naturally become much clearer and more precise.

A clarification of certain key terms is in order before any further progress is made. By the state of nature, Locke means a condition of “living together, according to reason, without a common superior on earth, with authority to judge between [men]” (p. 15, par. 19). On the other hand, a state of war is in effect when “there is no common superior on earth to appeal to for relief” in the event of an attack by one party against another (p. 15, par. 19). Lastly, the “reason” according to which men live together in the state of nature is also the law of nature, which dictates that “no one ought to harm another in his life, health, liberty, or possessions” (p. 9, par. 6).

In taking the first step out of the natural state into civil society, man demonstrates an enormous amount of trust. According to Locke, he who is in the state of nature possesses two powers: the first of which, to “do whatsoever he thinks fit for the preservation of himself, and others within the permission of the law of nature”; the other, to “punish the crimes committed against that law” (p. 67, par. 128). These powers all men must need as the means to guard against those who might wantonly violate the natural law, since men, being the workmanship and property of God, are “made to last during his, not one another's pleasure” (p. 9, par. 6). Why then would men willingly relinquish these powers in order to form society?

Where men are judges in their own cases, the state of nature becomes a state of great inconveniences (p. 12, par. 13). Most men cannot help but be biased to their own cause, thus branding themselves “no strict observers of equity and justice” (p. 66, par. 123). Locke agrees that “he who was so unjust as to do his brother an injury, will scarce be so just as to condemn himself for it” (p.12, par. 13). Such conditions cause men hardly able to enjoy their own property, for their title to it is frail and uncertain. To this malady a remedy involving like-minded individuals uniting into a society for the “mutual preservation” of property presents itself (p. 66, par. 123).

However, civil society, its *raison d'être* being the preservation of property, cannot last unless everyone “hath quitted this natural power and resigned it up into the hands of the community” (p. 46, par. 87), for the retainment of each man's right to influence judgment or exert punishment subverts society's authority as the common arbitrator and protector. This renouncement of power all men comply with when they trust the community's ability to safeguard their property and subject offenders to retribution. They do so because they have faith in the community's intention to make up for the shortcomings of the state of nature by providing impartial judgment. Should the society which he surrendered both powers to enter come under the rule of an absolute monarch who exercises arbitrary authority, man would curse the day he consented to leave the state of nature. It is clear, therefore, that this act of joining civil society, thereby quitting that executive power of the natural law, is one which requires tremendous trust to facilitate the

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process, since men do so at great risks to themselves, not knowing for certain that they are not avoiding the mischiefs of pole-cats or foxes to be devoured by lions (p. 50, par. 93).

Governance, the next area of concern following the start of civil society, is where trust proves indispensable if it is to be effective. While all laws crafted by the legislative power require the consent of the people to be valid (p. 69-79, par. 134), not all judgments must follow the law to the letter. Indeed, to adhere blindly to the written law without regard to ever-changing circumstances cannot be deemed good governance. Locke relates the absurdity of a town which, in its insistence on following strictly the provisions of the law, churns out far more representatives than its small and modest population needs (p. 82, par. 157). Stubborn adherence to laws might even harm society should situations crop up for which the law has no provision. In dealing with foreign states, for instance, the “variation of [their] designs and interests” demands a much more fluid method of response than that afforded by statutes (p. 77, par. 147). Good governance, therefore, very often relies at least as much on the prudence and wisdom of the executive as it does on the well-crafted laws from the legislative, because it is impossible “that the first framers of the government should, by any foresight, be so much masters of future events” (p. 81, par. 156).

That the executive is able to exercise prerogative, which is that “power to act according to discretion, for the public good, without the prescription of law, and sometimes even against it” (p. 84, par. 160), on certain occasions is unmistakable evidence of the trust people place in him. It is no coincidence that “prerogative was always largest in the hands of our wisest and best princes” (p. 86, par. 165), for people naturally have the greatest confidence in those whom they deem most capable of acting for the public good, even without the guidance of laws. Citizens who insist vehemently on having their governors go by the book without exception make up a very cynical society indeed. There is, to be sure, a clear tension between ruling by the law and ruling by prudence. Yet this is easily resolved if the government takes for its maxim the saying: *Salus populi suprema lex esto*, that is to say, the good of the people is the supreme law (p. 2, Epigraph). As Locke asserts, “whatsoever cannot but be acknowledged to be of advantage to the society, and people in general, upon just and lasting measures, will always, when done, justify itself” (p. 83, par. 158).

As trust is imperative for starting and maintaining political society and government, so is it, or rather the lack of it, instrumental to dissolving the latter. Trust, while it may be given, may also be revoked by the multitude should government fall short of its duty. “[W]hensoever that end is manifestly neglected, or opposed,” Locke writes, “the trust must necessarily be forfeited” (p. 78, par. 149). Because government is instituted for the purpose of the common good, and its authority derived from the people’s reliance upon it to meet that end, it can no longer be legitimate nor necessary if it betrays the public trust “in not preserving the form of government agreed on, and in not intending the end of government itself” (p. 121, par. 239). This breach of trust gives the people leave to resist their governors in defence of their natural right to property. In short, the line dividing a standing government and a dissolved one, disregarding foreign conquest, is often drawn by the notion of trust that derives from the community.

Thus the concept of trust in the Lockean context signifies the most potent evidence that sovereignty resides in the people. The legislative, though it may be the supreme power whilst government subsists, is ultimately “only a fiduciary power” (p. 77, par. 149). By the exercise of trust, it is the community who decide whether or not the social contract between people and government remains valid. The power to pull the plug, so to speak, is always at their disposal. This is why it is so important to Locke, because his belief in the equality and freedom native to the person of each individual does not allow for any man to come under the arbitrary power of others. This he makes clear in the assertion that “[t]he liberty of man, in society, is to be under no other legislative power, but that established, by consent, ... according to the trust put in it” (p. 17, par. 22). A Lockean treatise without “trust” would find itself in a quagmire, struggling to justify the sacred right of a multitude to revolt against a government that would pit itself in a state of war against the people.

To conclude, “trust” in the Lockean sense is the embodiment and projection of popular sovereignty. It symbolises the political power and legitimacy that a government which is trusted by the people possesses. A government without trust is akin to a knight without his armour, powerless and redundant. In view of this, it is no wonder that trust is so important to Locke’s construction, because its power can spell the difference between freedom and enslavement. Trust determines whether or not men are willing to substitute society for the natural state. It delineates the boundaries

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and affects the effectiveness of a government. Most importantly, trust is the measure by which men judge whether a government deserves to remain in existence.

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